

No. 10193

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**ARGENTINA**  
and  
**PARAGUAY**

**Agreement for the regulation, channelling, dredging, buoyage  
and maintenance of the River Paraguay. Signed at Asunción  
on 15 July 1969**

*Authentic text: Spanish.*

*Registered by Argentina on 14 January 1970.*

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**ARGENTINE**  
et  
**PARAGUAY**

**Accord en vue de la régularisation, de la canalisation, du dragage,  
du balisage et de l'entretien du fleuve Paraguay. Signé à  
Asunción le 15 juillet 1969**

*Texte authentique : espagnol.*

*Enregistré par l'Argentine le 14 janvier 1970.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> FOR THE REGULATION, CHANNELLING,  
DREDGING, BUOYAGE AND MAINTENANCE OF THE  
RIVER PARAGUAY

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The Governments of the Argentine Republic and the Republic of Paraguay, bearing in mind the objectives enunciated by the Ministers for Foreign Affairs of the Countries of the River Plate Basin in their Joint Declaration of Buenos Aires of 27 February 1967 and, in particular, the resolution contained in the Act of Santa Cruz de la Sierra concerning permanent navigation and the maintenance thereof on the Rivers Paraguay, Paraná, Uruguay and Plate, have decided to conclude an Agreement for the Regulation, Channelling, Dredging, Buoyage and Maintenance of the River Paraguay and have for that purpose appointed as their Plenipotentiaries:

His Excellency the President of the Republic of Paraguay: His Excellency Dr. Raúl Sapena Pastor, Minister for Foreign Affairs;

His Excellency the President of the Argentine Republic: His Excellency Dr. José Rafael Caceres Monie, Minister of Defence;

Who, having exchanged their full powers, found to be in good and due form, have agreed as follows:

*Article I*

The purpose of this Agreement is to establish a Mixed Executive Technical Commission for the « Regulation, Channelling, Dredging, Buoyage and Maintenance of the River Paraguay ».

*Article II*

The Mixed Executive Technical Commission shall be composed of representatives of each country and shall plan and execute the works to which this Agreement relates. The office of Chairman of the Commission shall be held alternately by a representative of each country for a term of one year. The Commission shall have its headquarters in the city of Asunción and may meet at any place within the areas covered by its terms of reference.

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<sup>1</sup> Came into force on 18 November 1969, the day following the exchange of the instruments of ratification, which took place in Buenos Aires, in accordance with article XVII.

*Article III*

The Mixed Executive Technical Commission shall, within 120 days of its establishment, draw up its administrative technical rules and submit them to the respective Governments for their consideration. It shall also submit a semi-annual report through the Ministry of Public Works and Communications of the Republic of Paraguay and the Secretariat of State for Public Works of the Argentine Republic for consideration by the Governments of the High Contracting Parties, and shall submit annually in like manner the capital expenditure and investment budget for the performance of its task.

*Article IV*

The Mixed Executive Technical Commission shall be competent to decide all questions relating to the recruitment of staff, the purchase and use of materials, equipment, machinery and instrumentation, and the execution of works in any of the sections of the river indicated in article VIII and riparian zones, subject, however, to such consultations as are necessitated by the respective jurisdictions.

*Article V*

The two Governments undertake to facilitate the task of the Mixed Executive Technical Commission by enabling the assigned personnel to execute planned works in the river and riparian zones of the two countries.

*Article VI*

Materials, equipment, machinery and instruments for the execution of the works to which this Agreement relates shall not be subject to taxes or customs duties and shall be exempt from any other levy. Personnel of the Commission shall enjoy migratory facilities and free passage.

*Article VII*

In order to achieve the objectives of this Agreement, the Mixed Executive Technical Commission shall:

- (a) As an immediate step, maintain a minimum depth of 2 metres 13.5 centimetres at the base line, or 7 feet, in the section of the river from Confluencia to Asunción;

- (b) Initiate immediately the necessary technical studies for increasing the depth in the aforementioned section, as specified in sub-paragraph (a), to 2 metres 74.5 centimetres at the base line, or 9 feet, with the intention of achieving greater depths in the future. For this purpose, the areas of the river presenting greatest difficulties for navigation shall be identified and shall be accorded priority in the execution of the works;
- (c) Execute the works for achieving the aforementioned depth of 2 metres 74.5 centimetres, or 9 feet;
- (d) Carry out studies on navigation along the channel of the River Paraguay within the jurisdictions of the two countries and propose appropriate measures to the two Governments.

#### *Article VIII*

The costs entailed by the works pertaining to regulation, channel-correction, dredging, deepening and maintenance of the river shall be borne:

- (A) In respect of the section from Confluencia to Formosa, by the Argentine Government;
- (B) In respect of the section from Formosa to the mouth of the River Pilcomayo, by the Argentine and Paraguayan Governments equally;
- (C) In respect of the section north of the mouth of the River Pilcomayo, by the Paraguayan Government.
- (D) The other costs entailed by the execution of this Agreement shall be borne by the two Governments equally.

#### *Article IX*

With a view to carrying out the studies and works referred to in the preceding article, appropriate topohydrographic and hydrological surveys, surveys of the river-bed and of the amounts of sediment and matter in suspension and surveys relating to pollution, climatology, and so forth, shall be made, the cost thereof being borne as indicated in article VIII.

#### *Article X*

The buoyage and beaconing of the River Paraguay between Confluencia and the mouth of the River Pilcomayo shall be effected by the Mixed Executive Technical Commission, with the aim of standardizing aids to navigation by

day and by night in the case of sections already buoyed. The costs of installation and maintenance shall be borne exclusively by the Argentine Government.

#### *Article XI*

The buoyage of the navigable channel of the River Paraguay between the mouth of the River Pilcomayo and Asunción shall be effected and maintained exclusively at the expense of the Paraguayan Government, with the same aims and purposes as are indicated in article X.

#### *Article XII*

The Argentine Government shall, through its competent organs, prepare the navigational charts of the River Paraguay, making use for that purpose of the results of the aerial photography survey and other technical studies which shall be furnished to it by the appropriate agency of the Paraguayan Government.

#### *Article XIII*

The works pertaining to regulation, channel-correction, dredging, deepening of the river, and so forth, shall in every case be carried out along the channel which is in the circumstances most efficient and convenient for navigation, even though this may necessitate the abandonment of the normal channel; the foregoing shall in no way whatsoever affect the rights of sovereignty of each of the High Contracting Parties.

It is hereby specified, in accordance with the provisions of the Exchange of Notes of 25 June 1941 relating to the "Agreement on Dredging and Marking of the River Paraguay", of 10 February 1941, that the initial course of the channel of the River Paraguay in the section between Confluencia and Asunción is that shown in the three-sheet chart of the said river produced at the printing-office of the Ministry of Public Works of the Argentine Nation in January 1939.

#### *Article XIV*

The High Contracting Parties shall furnish the necessary technical and economic reports to the Mixed Executive Technical Commission through their respective agencies.

#### *Article XV*

The two Governments may by mutual agreement, if they deem it appro-

priate, seek technical and financial assistance for the carrying out of the works from public or private entities and international agencies.

*Article XVI*

This Agreement shall supersede the "Agreement on Dredging and Marking of the River Paraguay", signed on 10 February 1941.

*Article XVII*

This Agreement shall be ratified in accordance with the constitutional procedures of each of the High Contracting Parties; it shall enter into force on the day following the exchange of ratifications, which shall take place in the city of Buenos Aires, and shall remain in force until one year after the day on which it is denounced by either of the High Contracting Parties.

IN WITNESS WHEREOF the aforementioned Plenipotentiaries have signed this Agreement, in two copies, both being equally authentic.

DONE in the city of Asunción, capital of the Republic of Paraguay, on the fifteenth day of July, nineteen hundred and sixty-nine.

Raúl SAPENA PASTOR  
Minister for Foreign Affairs

José Rafael CACERES MONIE  
Minister of Defence

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