

No. 11075

**FRANCE
and
SPAIN**

**Convention concerning the construction of a road linking
the Roncal valley to Arette by way of the Pierre-Saint-
Martin pass. Signed at Bayonne on 4 October 1968**

Authentic texts: French and Spanish.

Registered by France on 5 May 1971.

**FRANCE
et
ESPAGNE**

**Convention concernant la construction de la route reliant la
vallée de Roncal à Arette, par le col de la Pierre-Saint-
Martin. Signée à Bayonne le 4 octobre 1968**

Textes authentiques: français et espagnol.

Enregistrée par la France le 5 mai 1971.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE GOVERNMENTS OF THE
FRENCH REPUBLIC AND THE SPANISH STATE CON-
CERNING THE CONSTRUCTION OF A ROAD LINKING
THE RONCAL VALLEY TO ARETTE BY WAY OF THE
PIERRE SAINT-MARTIN PASS

The Government of the French Republic and the Government of the Spanish State, bearing in mind the recommendations of the Pyrénées Commission meeting in Madrid from 6 to 11 June 1966 and in Paris from 22 to 26 April 1968, have agreed as follows :

Article 1

PURPOSE OF THE CONVENTION

- (a) A road shall be constructed to connect :
- The Spanish road from the Roncal valley to the Eraice pass (marker 256), via Belagua;
 - The French road from Arette to near the Pierre Saint-Martin pass (marker 262).
- (b) Arrangements for building and using the above-mentioned road, which for topographical reasons crosses the frontier at several points, are prescribed in this Convention.

Article 2

SPECIFICATIONS

The road shall have the following specifications :

- (a) The right-of-way shall be seven metres wide, with a roadway of five metres and a one-metre verge on either side;
- (b) The minimum radius of curves shall be 25 metres;
- (c) The gradient shall not exceed 8 per cent;
- (d) Provisions shall be made for drainage;
- (e) Loading regulations in force in the two countries shall be taken into account.

¹ Came into force on 15 November 1970, the date established by agreement between the two Contracting Governments after the constitutional procedures required in the two States had been completed, in accordance with article 11.

Article 3

CONSTRUCTION

(a) The road between the Eraice and Pierre Saint-Martin passes shall be divided into two sections of approximately the same length :

- The first section shall extend from the Eraice pass to Pas des Basques (Paso de Vascos);
- The second section shall extend from Pas des Basques (Paso de Vascos) to Pierre Saint-Martin.

(b) Spain shall supervise the entire operation; it shall be responsible for the work of surveying and execution.

Article 4

PAYMENT

(a) The two Governments shall each pay half of the total road construction costs, determined as follows :

- For the first section the actual cost of construction shall be used;
- For the second section the estimate prepared by the French services, or 1,500,000 francs, shall be used.

(b) The Spanish Government's share shall be paid by the Diputación Foral de Navarra, and the French Government's share by the Department of the Basses-Pyrénées.

(c) The Diputación Foral de Navarra, acting as general supervisor of works, shall advance the funds. The Department of the Basses-Pyrénées shall pay half of its share in 1970 and the balance in 1971.

Article 5

TECHNICAL COMMISSION

(a) A joint Technical Commission shall be established to deal with any problems which may arise during the survey or construction of the road.

(b) The functions of the Commission shall include auditing expenditure and establishing, in the light of any changes in the exchange rate or revisions of cost estimates, the amount of payments to be made by the French Government under article 4 of this Convention.

(c) The Commission shall also be responsible for determining the location and amount of land to be put at the disposal of the contractor and for selecting quarrying and debris-dumping sites.

(d) The Commission shall consist of an equal number of French and Spanish members whose names shall be communicated through the diplomatic channel.

It shall be presided over by a Spanish highway engineer.

Article 6

RELATIONS WITH THE CONTRACTOR

Relations with the contractor in connexion with the road shall come within the exclusive competence of the Diputación Foral de Navarra.

Article 7

LAND

(a) In the execution of the project, the two Governments shall put at each other's disposal any land required for the construction of the road.

(b) Such land shall remain subject to the control of the customs and police authorities of the State in which it is located.

Article 8

ACCEPTANCE AND MAINTENANCE OF THE HIGHWAY

(a) The completed road shall be accepted provisionally and, one year later finally, by the two Contracting Governments.

(b) The province of Navarre shall be responsible for maintaining the first section and the Department of the Basses-Pyrénées for maintaining the second section.

Article 9

CUSTOMS

(a) For the construction and the maintenance of the road, the two States :

- Shall impose no import duties on building materials, raw materials or equipment originating in and received directly from the other State, where they are to be used for or consumed in the course of operations;
- Shall exempt such materials and equipment from any prohibitions or economic restrictions on importation.

(b) The competent authorities shall arrange to accord, in respect of equipment admitted temporarily without customs duties or other import charges for the purposes of the project, all facilities permitted under their laws and regulations.

Article 10

DISPUTES

Any dispute arising in connexion with the application or interpretation of this Convention shall be settled through the diplomatic channel.

Article 11

ENTRY INTO FORCE

This Convention shall enter into force on a date to be established by agreement between the two Contracting Governments, after the constitutional procedures required in the two States have been completed.

DONE at Bayonne on 4 October 1968 in duplicate in French and Spanish, both texts being equally authentic.

For the Government
of the French Republic :

J.-P. GARNIER

For the Spanish Government :

D. GERMÁN BURRIEL