

No. 11076

FRANCE
and
SWITZERLAND

Convention concerning the financing of the works for the development of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier (with exchange of letters). Signed at Paris on 22 July 1969

Authentic text: French.

Registered by France on 5 May 1971.

FRANCE
et
SUISSE

Convention concernant le financement des travaux d'aménagement du Rhin entre Strasbourg/Kehl et Lauterbourg/Neuburgweier (avec échange de lettres). Signée à Paris le 22 juillet 1969

Texte authentique: français.

Enregistrée par la France le 5 mai 1971.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE SWISS FEDERAL COUNCIL CONCERNING THE FINANCING OF THE WORKS FOR THE DEVELOPMENT OF THE RHINE BETWEEN STRASBOURG/KEHL AND LAUTERBOURG/NEUBURGWEIER

The Government of the French Republic and the Swiss Federal Council,

Considering that the French Republic and the Federal Republic of Germany intend to undertake the joint development of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier and that such development will in particular ensure in that sector conditions for navigation at least equivalent, as regards the depth of the channel, to those which will be attained between Lauterbourg/Neuburgweier and Sankt Goar on completion of the work in progress;

Considering the economic benefits which the two Contracting Parties will derive from such development;

Having regard to the Convention concluded on 4 July 1969² between the French Republic and the Federal Republic of Germany concerning such development

Having regard to the resolution of the Central Commission for the Navigation of the Rhine of 24 April 1969 noting that such development is urgent and will improve the conditions for navigation,

Have agreed on the following provisions :

Article 1

1. The Government of the French Republic agrees, for its part, to undertake with the Government of the Federal Republic of Germany the joint development of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier in accordance with the general project of September 1968 submitted by the French and German delegations to the Central Commission for the Navigation of the Rhine and with the resolution adopted by the Commission on 24 April 1969.

¹ Came into force on 15 March 1971, the date fixed by agreement between the two Contracting Parties after the constitutional formalities provided for in each of the two States had been completed, in accordance with article 6.

² United Nations, *Treaty Series*, vol. 760, No. I-10901.

2. The works referred to in paragraph 1 above shall comprise primarily :
 - (a) The construction of two barrages on the Rhine at :
 - Gamsheim/Freistett (Gamsheim barrage) and at Beinheim/Iffezheim (Iffezheim barrage);
 - Each of the two barrages shall be equipped with navigation installations including two 270 m × 24 m locks with the corresponding holding basins and other necessary navigation facilities.
 - (b) The development of the course of the Rhine between Beinheim/Iffezheim and Lauterbourg/Neuburgweier with a view to :
 1. Assuring that on completion of the works in that sector the width of the navigable channel corresponds at least to existing conditions and that the depth of the channel is at least equal to 2.10 metres at the low water level;
 2. Preventing or remedying erosion of the river-bed and the related lowering of the water level.
 3. The works referred to in paragraph 2 (a) above shall be completed around 1980.

Article 2

1. The Swiss Federal Council shall grant a loan of 33 million Swiss francs to the Government of the French Republic to help finance the French part of the development works referred to in article 1 (paragraphs 2 (a) and (b) 1).
2. The loan shall be made in the form of tranches of 3 million Swiss francs which shall be paid at the beginning of each calendar year provided that the works proceed normally. The first tranche shall be paid within 30 days after the entry into force of this Convention.
3. The loan shall bear interest at the rate of 5 per cent a year from 1 January 1981. The payment of interest shall be deferred. No compound interest shall be paid.
4. Unless otherwise agreed between the two Governments, reimbursement of the loan and payment of outstanding interest shall be made in 11 equal annual instalments from 1 January 1990.

Article 3

The competent representatives of the French Ministry of Equipment and Housing and of the Federal Office of Water Management shall each spring make a joint inspection tour to examine the state of the works and the prospects for completion. Their findings shall be noted in a report.

Article 4

This Convention shall not create a precedent which might commit the Swiss Federal Council to making a financial contribution in the future to other works for the development of the Rhine.

Article 5

The commitments made by the Government of the French Republic regarding the payment of interest and reimbursement of the loan granted to it shall lapse when the Contracting Parties establish, at the latest in 1990, by the exchange of identical statements that, on the sector of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier, the width of the navigable channel corresponds at least to existing conditions and that the depth of the channel is at least equal to 2.10 metres at the low water level.¹

Article 6

This Convention shall enter into force on a date fixed by agreement between the two Contracting Parties after the constitutional formalities provided for in each of the two States have been completed.

DONE at Paris in duplicate, on 22 July 1969.

For the Government
of the French Republic :

[*Signed*]

AUGUSTIN JORDAN

[SEAL]

For the Swiss Federal Council :

[*Signed*]

MAX OESTERHAUS

[SEAL]

EXCHANGE OF LETTERS

I

LIBERTY — EQUALITY — FRATERNITY
FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

Paris, 22 July 1969

Sir,

With reference to the Convention concerning the financing of the works for the development of the Rhine between Strasbourg/Kehl and Lauterbourg/

¹ See exchange of letters published as an annex.

Neuburgweier, concluded today between the Swiss Federal Council and the Government of the French Republic, I have the honour to inform you of the following :

Article 5 of the Convention provides that the commitments made by the Government of the French Republic regarding the payment of interest and reimbursement of the loan granted to it shall lapse when the Contracting Parties establish, at the latest in 1990, by the exchange of identical statements that, on the sector of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier, the width of the navigable channel corresponds at least to existing conditions and that the depth of the channel is at least equal to 2.10 metres at the low water level.

The Government of the French Republic, for its part, undertakes to ensure that the development works shall be carried out in such a way that the conditions for navigation set forth in article 5 are attained, if possible, as early as 1983 and that the exchange of statements may take place at the latest on 1 January 1986.

Accept, Sir, etc.

A. JORDAN

Mr. Oesterhaus
Director, Federal Office of Water Management
Chairman of the Swiss Delegation
Berne

II

SWISS DELEGATION

Sir,

I have the honour to acknowledge receipt of your letter of today's date, by which you informed me of the following :

[*See letter I*]

On behalf of the Swiss Federal Council, I have taken note of this undertaking on the part of the Government of the French Republic and request you, Sir, to accept the assurances of my highest consideration.

Paris, 22 July 1969

[*Signed*]

M. OESTERHAUS

Mr. Augustin Jordan
Minister Plenipotentiary
Chairman of the French Delegation