

No. 13392

**FRANCE, FEDERAL REPUBLIC
OF GERMANY and LUXEMBOURG**

Protocol concerning the establishment of an International Commission to Protect the Moselle against Pollution. Signed at Paris on 20 December 1961

Authentic texts: French and German.

Registered by France on 18 June 1974.

**FRANCE, RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE et LUXEMBOURG**

Protocole concernant la constitution d'une Commission internationale pour la protection de la Moselle contre la pollution. Signé à Paris le 20 décembre 1961

Textes authentiques : français et allemand.

Enregistré par la France le 18 juin 1974.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ BETWEEN THE GOVERNMENTS OF THE FEDERAL REPUBLIC OF GERMANY, THE FRENCH REPUBLIC AND THE GRAND DUCHY OF LUXEMBOURG CONCERNING THE ESTABLISHMENT OF AN INTERNATIONAL COMMISSION TO PROTECT THE MOSELLE AGAINST POLLUTION

The Governments of the Federal Republic of Germany, the French Republic and the Grand Duchy of Luxembourg,

Desiring to establish the procedure for applying article 55 of the Convention on the canalization of the Moselle, signed at Luxembourg on 27 October 1956,

Have agreed as follows:

Article 1. The signatory Governments shall establish an International Commission to Protect the Moselle against Pollution.

Article 2. The Commission established by virtue of article 1 is intended to ensure co-operation between the competent agencies of the three signatory Governments with a view to protecting the waters of the Moselle against pollution.

To this end, the Commission may:

- a) prepare, commission and avail itself of the results of all inquiries necessary for determining the nature, extent and origin of the pollution;
- b) propose to the signatory Governments suitable measures for protecting the Moselle against pollution.

The Commission shall also concern itself with all other matters which the signatory Governments refer to it by common agreement.

Article 3. The Commission shall consist of delegates appointed by the signatory Governments.

Each Government shall appoint not more than four delegates, one of whom shall be the head of the delegation.

Each Government may appoint experts; the Commission shall determine the conditions governing their participation in its work.

Article 4. The chairmanship of the Commission shall rotate every two years among the heads of the individual delegations.

Article 5. The Commission shall hold one regular session each year, which shall be convened by the Chairman.

In addition, a special session of the Commission may be convened by the Chairman on the proposal of one of the signatory Governments.

¹ Came into force on 1 July 1962, the date agreed upon by the signatory Governments, in accordance with article 14.

The Chairman shall draw up the agenda. Each delegation may have the items it wants discussed included in the agenda.

The agenda shall be in the hands of the delegations one month before the date of the meeting.

Article 6. Each delegation shall have one vote.

Article 7. Decisions of the Commission shall be adopted unanimously.

Article 8. The Commission may establish working groups for the consideration of particular problems. These groups shall consist of delegates and experts appointed as provided in article 3.

The chairman of each working group shall be a delegate selected by the Commission.

Article 9. The Commission shall establish such relations as it sees fit with all bodies having jurisdiction in water pollution matters.

Article 10. Each signatory Government shall bear the cost of its representation and the cost of analyses and studies carried out in its territory.

Expenditure of common interest shall be apportioned among the Federal Republic of Germany, the French Republic and the Grand Duchy of Luxembourg according to the procedures proposed by the Commission and laid down by the Governments.

Article 11. Disputes concerning the application or interpretation of this Protocol shall be settled in accordance with the provisions of chapter VII of the Convention of 27 October 1956 on the canalization of the Moselle.

Article 12. This Protocol shall also apply to *Land* Berlin unless the Government of the Federal Republic of Germany makes a declaration to the contrary to the Governments of the French Republic and the Grand Duchy of Luxembourg within three months from the date of entry into force of the present Protocol.

Article 13. The working languages of the Commission shall be French and German.

Article 14. This Protocol shall enter into force on a date determined by the signatory Governments by common agreement.

Upon the expiration of a period of three years after its entry into force, it may be denounced at any time by any of the signatory Governments subject to six months' notice.

DONE at Paris, on 20 December 1961, in triplicate in the French and German languages, both texts being equally authentic.

For the Government
of the French Republic:

[ERIC DE CARBONNEL]

For the Government
of the Federal Republic
of Germany:

[BLANKENHORN]

For the Government
of the Grand Duchy
of Luxembourg:

[ROBERT ALS]