

No. 14068

**CZECHOSLOVAKIA
and
POLAND**

**Treaty concerning protection of the atmosphere against
pollution. Signed at Warsaw on 24 September 1974**

Authentic texts: Czech and Polish.

Registered by Czechoslovakia on 3 June 1975.

**TCHÉCOSLOVAQUIE
et
POLOGNE**

**Traité concernant la protection de l'atmosphère contre la
pollution. Signé à Varsovie le 24 septembre 1974**

Textes authentiques : tchèque et polonais.

Enregistré par la Tchécoslovaquie le 3 juin 1975.

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING PROTECTION OF THE ATMOSPHERE AGAINST POLLUTION

The Government of the Czechoslovak Socialist Republic and the Government of the Polish People's Republic, desiring to broaden further the co-operation between the two States aimed at limiting the pollution of the atmosphere, have agreed on the following provisions:

Article 1. 1. For the purposes of this Treaty, pollution means the emission into the atmosphere (the terms "atmosphere" used in the Czech text and "atmospheric air" used in the Polish text of the Treaty are synonymous) of undesirable solid, liquid and gaseous substances as the direct or indirect result of human activity in the territory of the Contracting Parties.

2. For the purposes of this Treaty, protection against pollution of the atmosphere includes economic, organizational, technical, normative and other activity aimed at limiting the pollution of the atmosphere to a level corresponding to sanitary and technical requirements, in particular:

- (a) the conduct of scientific research and development work in the field of keeping the atmosphere clean and the application of technical, economic and other means for the purpose of limiting the emission of undesirable substances;
- (b) monitoring and evaluation of the status of pollution of the atmosphere;
- (c) monitoring and evaluation of the quantity of emitted substances;
- (d) optimal localization of sources of pollution of the atmosphere.

Article 2. 1. Each Contracting Party shall take appropriate steps in its territory for the purpose of limiting the pollution of the atmosphere in the territory of the other Party, in the following manner:

- (a) In areas in which the atmosphere is not excessively polluted, it shall apply means for the protection of the atmosphere ensuring the most favourable conditions possible within the limits of the norms in force in the two States.
- (b) In areas in which the pollution of the atmosphere exceeds the norms in force in both States, it shall, in accordance with the development of technological progress, take steps aimed at making the atmosphere gradually cleaner.
- (c) In cases in which the norms in force in the territory of only one Contracting Party are exceeded, representatives of the two Parties shall reach agreement concerning the permissible amount of pollution carried over to the territory of the other Party.

2. For the purpose of implementing the provisions of paragraph 1, and in accordance with article 1, the Contracting Parties shall:

¹ Came into force on 2 March 1975, i.e., the thirtieth day after the exchange of notes (26 November 1974 and 31 January 1975) confirming its ratification in compliance with the internal provisions of the Contracting Parties, in accordance with article 4.

- (a) Exchange information concerning the amount of undesirable substances carried over to the territory of the other Party and, on the basis of such information, jointly consider measures aimed at limiting that amount.
- (b) Exchange information and jointly consider expected changes in the undesirable substances carried over to the territory of the other Party, especially where the atmosphere is excessively polluted.
- (c) For the purpose of monitoring the carrying over of undesirable substances, exchange the results of measurements of emissions in areas of interest, possibly making joint measurements in the monitoring strip in agreed cases, in accordance with agreed principles and methods of measuring the carrying over of such substances. By "the monitoring strip" is meant an area 2 to 8 kilometres in width on both sides of the State frontier, together with the space above the said area.
- (d) Exchange the texts of relevant legal provisions and the experience accumulated in their application and endeavour to harmonize such provisions.
- (e) Ensure the comparability of the results of emission measurements.
- (f) Inform each other without delay of emergency situations resulting in pollution of the atmosphere, and also of the steps taken to eliminate such situations, and assist each other in eliminating the consequences of such situations.
- (g) Exchange scientific, technical, organizational and other experience in the field of protection of the atmosphere and, where necessary, conduct joint research in the field defined by this Treaty.

Article 3. 1. Each Contracting Party shall appoint its Plenipotentiary and his deputy to carry out tasks arising out of this Treaty.

2. The Plenipotentiaries shall determine by agreement the specific procedure for co-operation.

3. The Plenipotentiaries may conclude executory agreements for the implementation of this Treaty. Such agreements shall be subject to approval in accordance with the internal provisions of the Contracting Parties.

Article 4. This Treaty is subject to ratification in accordance with the internal provisions of the Contracting Parties and shall enter into force on the thirtieth day after the exchange of notes attesting to its ratification.

Article 5. This Treaty is concluded for a term of 10 years. It shall be extended for additional terms of five years unless one of the Contracting Parties denounces it in writing with 12 months' notice before the expiry of the current term.

DONE at Warsaw on 24 September 1974, in duplicate in the Czech and Polish languages, both texts being equally authentic.

For the Government
of the Czechoslovak
Socialist Republic:

[Signed]

KAREL NUTIL
Deputy Minister for Development
in Technology and Investment

For the Government
of the Polish People's Republic:

[Signed]

LUDWIK OCHOCKI
Under-Secretary of State
in the Ministry of Land Management
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