

**No. 16863**

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**POLAND  
and  
CZECHOSLOVAKIA**

**Agreement concerning a change in the boundary line of the State frontier and certain other matters relating to the construction and operation by Poland of a dam on the Dunajec river. Signed at Warsaw on 21 March 1975**

*Authentic texts: Polish and Slovak.  
Registered by Poland on 13 July 1978.*

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**POLOGNE  
et  
TCHÉCOSLOVAQUIE**

**Accord concernant une modification de la ligne de démarcation de la frontière d'État et certaines autres questions relatives à la construction et au fonctionnement assurés par la Pologne d'un barrage sur la rivière Dunajec. Signé à Varsovie le 21 mars 1975**

*Textes authentiques : polonais et slovaque.  
Enregistré par la Pologne le 13 juillet 1978.*

## [TRANSLATION — TRADUCTION]

**AGREEMENT<sup>1</sup> BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE CZECHOSLOVAK SOCIALIST REPUBLIC CONCERNING A CHANGE IN THE BOUNDARY LINE OF THE STATE FRONTIER AND CERTAIN OTHER MATTERS RELATING TO THE CONSTRUCTION AND OPERATION BY POLAND OF A DAM ON THE DUNAJEC RIVER**

The State Council of the Polish People's Republic and the President of the Czechoslovak Socialist Republic, desiring in a spirit of mutual understanding to establish the necessary conditions for construction and operation by Poland of a dam on the Dunajec river, have decided to conclude the present Agreement and have for that purpose appointed as their plenipotentiaries:

The State Council of the Polish People's Republic: Mr. Jerzy Maciak, Under-Secretary of State in the Ministry of Agriculture,

The President of the Czechoslovak Socialist Republic: Mr. František Hagara, Minister of Forest and Water Resources of the Slovak Socialist Republic,

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

*Article 1.* 1. The boundary line of the Polish-Czechoslovak State frontier shall be changed in the area of:

- The Polish settlement Sromowce Wyżnie, Nowy Targ district, and the Czechoslovak settlement Lysá nad Dunajcom, Poprad district; and
- The Polish settlement Wojkowa, Nowy Sącz district, and the Czechoslovak settlement Lenártov, Bardejov district.

2. The boundary-line of the State frontier from boundary mark 114/7 to boundary mark II/118 (boundary section II) in the area of the Polish settlement Sromowce Wyżnie, Nowy Targ district, and the Czechoslovak settlement Lysá nad Dunajcom, Poprad district, shall be determined in accordance with the following survey and boundary documents:

- (a) Certified description of frontier boundary-line and technical tabular data — sheet nos. II/35 and II/36;
- (b) Sketch of frontier boundary-line on the scale 1:5,000 — sheet nos. II/35 and II/36;
- (c) Index of frontier boundary-line sketches on the scale 1:50,000 for boundary section II — sheet no. 2;
- (d) Topographic plan of national territory of the Czechoslovak Socialist Republic being ceded to the Polish People's Republic, on the scale 1:2,500.

3. The boundary-line of the State frontier from boundary mark 278/8 to boundary mark 281/3 (boundary section I) in the area of the Polish settlement Wojkowa, Nowy Sącz district, and the Czechoslovak settlement Lenártov, Bardejov

<sup>1</sup> Came into force on 14 March 1976, i.e., 30 days after the date of the exchange of the instruments of ratification, which took place at Prague, in accordance with article 5.

district, shall be determined in accordance with the following survey and boundary documents:

- (a) Certified description of frontier boundary-line and technical tabular data — sheet nos. I/107 and I/108;
- (b) Sketch of frontier boundary-line on the scale 1:5,000 — sheet nos. I/107 and I/108;
- (c) Index of frontier boundary-line sketches on the scale 1:50,000 for boundary section I — sheet no. 5;
- (d) Topographic plan of national territory of the Polish People's Republic being ceded to the Czechoslovak Socialist Republic, on the scale 1:2,500.

4. The documents referred to in paragraphs 2 and 3 shall form an integral part of this Agreement.

5. The boundary documents referred to in paragraph 2 (a), (b) and (c) and in paragraph 3 (a), (b) and (c) shall supersede the corresponding boundary documents which form an integral part of the Agreement between the Polish People's Republic and the Czechoslovak Republic concerning the final demarcation of the State frontier, signed at Warsaw on 13 June 1958.<sup>1</sup>

*Article 2.* 1. In accordance with article 1, paragraph 2, the Czechoslovak Socialist Republic shall cede to the Polish People's Republic part of its territory in the area of the settlement Lysá nad Dunajcom, Poprad district, amounting to 24.9439 hectares. The immovable property, the equipment and vegetation (hereinafter referred to as "immovable property") situated in that part of the territory shall be transferred to the ownership of the Polish People's Republic.

2. In accordance with article 1, paragraph 3, and in conjunction with paragraph 1 of the present article, the Polish People's Republic shall cede to the Czechoslovak Socialist Republic part of its territory in the area of the settlement Wojkowa, Nowy Sącz district, amounting to 24.9439 hectares. The immovable property, the equipment and vegetation (hereinafter referred to as "immovable property") situated in that part of the territory shall be transferred to the ownership of the Czechoslovak Socialist Republic.

3. Upon the transfer of ownership in accordance with paragraphs 1 and 2, all rights *in rem* relating to the immovable property ceded and all other rights restricting or excluding the disposition or use of such immovable property shall be extinguished.

4. Where the transfer of ownership in accordance with paragraphs 1 and 2 results in impairment of the rights of third persons to the immovable property which has been ceded, the Contracting Party in the territory of which that property was situated before the transfer of ownership shall pay compensation to the said persons in accordance with its internal regulations. No claims may be lodged by third persons against the Contracting Party that has acquired ownership of the said immovable property.

*Article 3.* 1. The Polish Party shall reimburse the Czechoslovak Party for:

- (a) The cost of expropriation proceedings in respect of land situated in the part of the territory of the Czechoslovak Socialist Republic, in the area of the settlement Lysá nad Dunajcom, Poprad district, which, in accordance with article 2, paragraph 1, is transferred to the ownership of the Polish People's Republic;

<sup>1</sup> United Nations, *Treaty Series*, vol. 354, p. 221.

(b) The equivalent value of the section of road between the Polish settlement Niedzica and the Czechoslovak settlement Lysá nad Dunajcom, together with the telecommunication equipment which, in accordance with article 2, paragraph 1, is transferred to the ownership of the Polish People's Republic.

2. The Polish Party shall effect payment in accordance with paragraph 1, in such manner and amount as are specified, within 30 days after the entry into force of this Agreement.

*Article 4.* The Polish Party shall take the necessary steps to prevent damage from occurring in the territory of the Czechoslovak Socialist Republic as a result of the construction and operation of the dam on the Dunajec river. In the event of damage caused by the construction or operation of the dam occurring in the territory of the Czechoslovak Socialist Republic, the Polish Party shall make compensation unless it proves that it was not responsible for the damage.

*Article 5.* This Agreement shall be ratified and shall enter into force 30 days after the date of the exchange of the instruments of ratification, which shall take place at Prague.

DONE at Warsaw, on 21 March 1975, in duplicate, in the Polish and Slovak languages, both texts being equally authentic.

IN WITNESS WHEREOF the plenipotentiaries of the Contracting Parties have signed this Agreement and have affixed thereto their seals.

For the Government  
of the Polish People's Republic:

[JERZY MACIAK]

For the Government  
of the Czechoslovak Socialist  
Republic:

[FRANTIŠEK HAGARA]

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