

No. 24356

FRANCE
and
SPAIN

Exchange of letters constituting an agreement amending annex V to the Convention of 28 December 1858 supplementary to the Treaty of 2 December 1856 delimiting the frontier from the mouth of the Bidassoa to the point where the department of Basses-Pyrenees adjoins Aragon and Navarra. Madrid, 31 January and 7 February 1985

Authentic texts: French and Spanish.

Registered by France on 30 September 1986.

FRANCE
et
ESPAGNE

Échange de lettres constituant un accord modifiant l'annexe V de la Convention du 28 décembre 1858 additionnelle au Traité du 2 décembre 1856 pour déterminer la frontière depuis l'embouchure de la Bidassoa jusqu'au point où confinent le département des Basses-Pyrénées, l'Aragon et la Navarre. Madrid, 31 janvier et 7 février 1985

Textes authentiques : français et espagnol.

Enregistré par la France le 30 septembre 1986.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN FRANCE AND SPAIN MODIFYING ANNEX V TO THE CONVENTION OF 28 DECEMBER 1858 SUPPLEMENTARY TO THE TREATY OF 2 DECEMBER 1856 DELIMITING THE FRONTIER FROM THE MOUTH OF THE BIDASSOA TO THE POINT WHERE THE DEPARTMENT OF BASSES-PYRENEES ADJOINS ARAGON AND NAVARRA²

I

EMBASSY OF FRANCE IN SPAIN
THE AMBASSADOR

Madrid, 31 January 1985

Sir,

I have the honour to inform you that, at its meeting at Madrid on 23 November 1982, the Sub-Commission on demarcation and transfrontier traffic of the International Commission of the Pyrenees considered and approved the following three operations relating to the frontier between our two countries:

- Positioning of marker No. 1 at the Endarlaza bridge;
- Correct positioning of marker No. 35;
- Adjustment of the distance between markers Nos. 267 and 268.

Considering that although these operations do not entail changes in the course of the frontier, they none the less call for amendments to the text of annex V to the Convention of 28 December 1858² supplementary to the Treaty of 2 December 1856 delimiting the frontier,² the International Commission of the Pyrenees has recommended that annex V should be modified as follows:

Marker No. 1. Is placed on a rock known as Chapitelaco-Arria, 203 metres downstream from the current (1982) Endarlaza bridge, disregarding the site of the former bridge, and on the right bank of the Bidassoa river.

Marker No. 35. 380 metres from marker No. 34, at the place called Lizuniaga or Lizuniagaco-Gaina (Lizuniagacogaina). At this point the frontier leaves the line of the watercourses and descends in a south-south-easterly direction, crossing the flow of water from the Lizuniagaco-Iturria spring and reaching marker No. 36 at 357 metres.

Marker No. 268. A frontier cross is carved on the small hillock of the Petit Port d'En Haut or Portillo de Arriba at a measured distance of 660 metres, not 460 metres, from frontier cross No. 267, situated on the highest summit of Mourlon.

¹ Came into force on 7 February 1985, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 1142, p. 317.

Pursuant to the foregoing, it should be noted that marker No. 36 is now "357 metres from the previous marker", not 277 metres.

These changes are acceptable to my Government.

If you are able to concur with the foregoing on behalf of the Spanish Government, this letter and the reply thereto shall constitute an agreement between our two Governments amending annex V to the Convention of 28 December 1858 supplementary to the Treaty delimiting the frontier.

I take this opportunity, etc.

PIERRE GUIDONI

His Excellency Mr. Fernando Morán López
Minister for Foreign Affairs
Madrid

II

THE MINISTER FOR FOREIGN AFFAIRS

Madrid, 7 February 1985

51/6

Sir,

On 31 January 1985, you informed me that, at its meeting at Madrid on 23 November 1982, the Sub-Commission on demarcation and transfrontier traffic of the International Commission of the Pyrenees reviewed and approved the following three operations relating to the frontier between our two countries:

1. Positioning of marker No. 1 at the Enderlaza bridge;
2. Correct positioning of marker No. 35;
3. Adjustment of the distance between frontier crosses Nos. 267 and 268.

As the above-mentioned Sub-Commission considered that although these three operations do not entail changes in the course of the frontier, they none the less call for amendments to the text of annex V to the Convention of 28 December 1858 supplementary to the Treaty of 2 December 1856 delimiting the frontier, the International Commission of the Pyrenees has recommended that annex V should be modified as follows:

[See letter I]

After informing me that those changes are acceptable to your Government, you stated that the foregoing, together with an affirmative reply thereto, would constitute an agreement between our two Governments amending annex V to the Convention of 28 December 1858 supplementary to the Treaty delimiting the frontier.

In reply to your letter, I have the honour to inform you that the Spanish Government approves the amendments to the above-mentioned Convention and that, accordingly, your letter and my reply constitute the agreement in question.

I take this opportunity, etc.

[Signed]

FERNANDO MORÁN LÓPEZ

Ambassador of France
Madrid
