

No. 25680

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**FRANCE**  
**and**  
**LUXEMBOURG**

**Exchange of notes constituting an agreement concerning the execution of improvement works on the River Gander at Mondorff (France) and at Mondorf-les-Bains (Luxembourg). Paris, 3 and 23 June 1986**

*Authentic text: French.*

*Registered by France on 23 February 1988.*

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**FRANCE**  
**et**  
**LUXEMBOURG**

**Échange de notes constituant un accord portant sur la réalisation de travaux de régularisation de la rivière Gander à Mondorff (France) et à Mondorf-les-Bains (Luxembourg). Paris, 3 et 23 juin 1986**

*Texte authentique : français.*

*Enregistré par la France le 23 février 1988.*

## [TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN FRANCE AND LUXEMBOURG CONCERNING THE EXECUTION OF IMPROVEMENT WORKS ON THE RIVER GANDER AT MONDORFF (FRANCE) AND AT MONDORF-LES-BAINS (LUXEMBOURG)

## I

MINISTRY OF FOREIGN AFFAIRS  
FRENCH REPUBLIC

Paris, 3 June 1986

The Ministry of Foreign Affairs presents its compliments to the Embassy of Luxembourg and has the honour to state that the French Government has taken note of the Convention concluded between the Department of Agriculture of the Moselle and the Agricultural Technical Services Administration (Rural Division) of Grévenmacher in Luxembourg concerning the project to straighten and improve the River Gander at Mondorff (France) and at Mondorf-les-Bains (Luxembourg).

This Convention, signed on 5 June 1984, by the Chief Engineer and Director of the Department of Agriculture, on the French side, and on 8 June 1984 by the Principal Inspector and Chief of the Rural Division at Grévenmacher, on the Luxembourg side, reads as follows:

“This Convention lays down the substantive and procedural provisions necessary for carrying out — mostly on French territory — the work of straightening the River Gander at Mondorf-les-Bains.

For the application of this Convention, reference should be made to the project initiated by the Agricultural Technical Services Administration of the Grand Duchy of Luxembourg, at Grévenmacher, on 5 July 1982.

## OBJECTIVES OF THE PROJECT

The river Gander, which forms the frontier between France and the Grand Duchy of Luxembourg, is subject to floods as it flows through the communes of Mondorff (France) and Mondorf-les-Bains (Luxembourg).

On the Luxembourg side, these floods have affected inhabited areas and, on the French side, an area of gardens and meadows. (It should be noted that the lands in question belong to Luxembourg citizens.)

The commune of Mondorf-les-Bains has requested that improvement works should be carried out on the Gander in order to reduce the risks of flooding. The level of protection chosen by the Rural Services Division of Grévenmacher (Agricultural Technical Services of Luxembourg) is of the magnitude of the 100-year flood.

<sup>1</sup> Came into force on 23 July 1986, i.e., 30 days after the date of reply of the Government of Luxembourg, in accordance with the provisions of the said notes.

For the same purpose, a dam with mobile floodgates (old lock) will be dismantled and replaced by a simple footbridge.

In order to provide access to the Luxembourg properties situated on the French side, a private footbridge will be rebuilt. Objectives and calculations are set forth in the project plan (folder I).

#### SUBSTANCE OF THE WORK

##### (1) *Digging of a new bed over distance of 277 metres*

In order to remove certain obstructions on the river bed and to allow a satisfactory flow of water over this whole reach, the project makes provision for the digging of a new river bed on the following model:

- Top width: 8.10 m to 10.20 m,
- Bottom width: 6.00 m,
- Depth: 2.10 m to 2.60 m.

This model is calculated to allow the discharge of the 100-year flood.

The model diagrams are to be found in folder V of the project.

The bed of the river and the banks will be reinforced and protected against erosion with the help of gabions over a distance of 151 metres and by the construction of a wall of concrete blocks over 126 metres.

The present course of the river is very winding; the project is designed to straighten three successive meanders. The river will retain its winding character but the meanders will have a radius of curvature sufficiently great as to be compatible with the maintenance of satisfactory water discharge.

For two of these meanders, the work will consist of digging a new bed, partly on French territory.

A diagram of this new course is to be found in folder II of the project.

##### (2) *Clearance and maintenance of the former river-bed over 232 metres*

Above the preceding stretch, the bed of the river is obstructed by alluvial deposits but the dimensions are adequate. The project is therefore designed merely to remove these deposits and to strengthen the foundations of the existing river walls, which have been severely eroded.

##### (3) *Removal of the sluices from the old lock*

Over this stretch of the river there is a dam with mobile sluice-gates which are no longer workable and interfere with the discharge of the flood water. The project is designed to dismantle these sluice-gates and to maintain the existing footbridge.

##### (4) *Reconstruction of a footbridge*

The straightening of the meander furthest upstream will require the dismantling of a footbridge. Since this footbridge provides access to a private Luxembourg property situated on French territory, the project makes provision for its reconstruction (see folder VI of the project).

#### PROCEDURES FOR CARRYING OUT THE WORK

The work of straightening the Gander on the lower reach will require the temporary occupation of the bank side by workers and mechanical equipment.

Since the Luxembourg side of the river is lined with a narrow road and houses, the occupied bank will be on the French side.

The project (see folder VIII) provides that a strip of land 20 metres wide may be occupied by the workers. The attached plan shows that, apart from the commune of Mondorff (France), all the land concerned is the property of Luxembourgers.

The commune of Mondorf-les-Bains will be responsible for obtaining authorization for transit and for the execution of the work on each of the riverside properties concerned.

The debris extracted from the river will be partly used to strengthen the former bed and partly evacuated to a public dump, either on French or Luxembourg territory, at the choice of the contractor.

The clearance work on the upper reach may be carried out in the bed of the river itself. The debris will be evacuated under the same conditions as above.

The mechanical equipment will be transported to the work site over land on which the old railway was built and which belongs to the commune of Mondorff (France).

The footbridge will be built in the same way and in the same place in order to preserve access to the same Luxembourg property situated on French territory.

Consultations with construction companies will be initiated as soon as the necessary administrative authorizations are obtained for the execution of the work. The company which will carry out the work will be either from Luxembourg, or France, depending on the results of the consultations.

#### FINANCIAL ASPECTS

The cost of the work envisaged is estimated at 10,230,000 Luxembourg francs.

Since this work will benefit exclusively Luxembourg citizens, its cost will be wholly defrayed by the Luxembourg authorities.

- 50 per cent will be subsidized by the Luxembourg Ministry of Agriculture, subject to approval of the project,
- The remainder will be charged to the commune of Mondorf-les-Bains.

It is not planned to compensate the riverside owners for any loss of crops caused by the execution of the work. On the other hand, since the straightening of the meanders will involve diverting the course of the river, the land on which the new bed will be dug will be acquired in advance by the commune of Mondorf-les-Bains.”

On this occasion, it should be made clear that the work mentioned above will have no effect on the present line of the frontier between the two countries.

If the above provisions are approved by the Luxembourg Government, this note and the note which the Embassy addresses to the Ministry of Foreign Affairs in reply shall constitute an agreement between the two Governments on the execution of the improvement works on the Gander at Mondorff (France) and at Mondorf-les-Bains (Luxembourg).

The Ministry proposes that this agreement shall enter into force 30 consecutive days after the date of your reply.

The Ministry of Foreign Affairs takes this opportunity, etc.

B. GARCIA

Embassy of Luxembourg in Paris

## II

### EMBASSY OF THE GRAND DUCHY OF LUXEMBOURG IN FRANCE

Paris, 23 June 1986

No. 578

The Embassy of Luxembourg presents its compliments to the Ministry of Foreign Affairs and [has the honour to refer] to its note of 3 June 1986.

[See note I]

This note, together with that from the Ministry of Foreign Affairs, shall constitute an agreement between the two Governments on the execution of the improvement works on the Gander at Mondorff (France) and at Mondorf-les-Bains (Luxembourg).

This agreement shall enter into force 30 consecutive days after the date of the reply from the Embassy.

The Embassy of Luxembourg takes this opportunity, etc.

Paris, 23 June 1986

[Signed]

PIERRE WURTH  
Ambassador of Luxembourg  
in France

Ministry of Foreign Affairs  
Reciprocal Agreement Service  
Paris