

Austria-Czechoslovakia

CONVENTION¹ BETWEEN THE AUSTRIAN AND CZECHOSLOVAK REPUBLICS CONCERNING THE DELIMITATION OF THE FRONTIER BETWEEN AUSTRIA AND CZECHOSLOVAKIA AND VARIOUS QUESTIONS CONNECTED THERE WITH, SIGNED AT PRAGUE, MARCH 10, 1921

I

UTILISATION OF THE WATER-POWER OF THE RIVER THAYA IN THE AREA EXTENDING FROM THE BEGINNING OF THE COMMON FRONTIER NEAR CIZOW (ZAISA) TO THE END OF THAT FRONTIER NEAR PODMOL (BAUMÖL)

Article 1

1. The Austrian Government agrees that the whole water-power of the River Thaya in the section of the frontier from Cizow (Zaisa) to Podmol(Baumöl) shall be exploited as a single undertaking by an enterprise to be promoted by the Czechoslovak Republic.

2. The exploitation of this water-power will involve the erection of structures standing partly on Austrian and partly on Czechoslovak territory.

Article 2

As regards the works and secondary structures built on Austrian soil and territory, or in contact with that soil and territory, the Austrian Government undertakes to grant a valid concession, in accordance with the provisions of the existing laws, for the construction and utilization of the works, not later than six months after the submission of an application in due form, subject to the following conditions:

- (a) The concession shall be granted for an unlimited time and shall be irrevocable.
- (b) The Austrian Government shall concede to the enterprise the right of expropriation.
- (c) The Austrian Government shall not impose any taxes or other duties whatsoever upon the materials and requisites for the construction, maintenance and exploitation of the whole of the works, in so far as they stand on Austrian soil, nor shall it impose such charges upon the enterprise itself.
- (d) Dams and water-power installations shall be built and worked with due regard to the requirements of public safety. In the working of these installations in connection with the Frain dam, due regard shall be paid to agricultural interests in the Thaya district below Znaim within the territory of the two States so that these interests may be benefited as far as possible.
- (e) Free access to Austrian soil and territory shall be granted by the Austrian Government to the agents of the enterprise with a view to the execution of preliminary operations and for the completion, upkeep and operating of the works ; as regards the preparatory

¹ came into force on 10 March 1921, date of signature of the Final Protocol.

work, this access should be granted immediately, and as regards other work, as soon as both Governments have given their approval to the agreement.

- (f) The Czechoslovak Republic shall require the enterprise to undertake to give full compensation to the owner of the Lower Hardegger weir for the loss caused by the backwash from the Podmoler-(Baumöler) barrage.
- (g) The enterprise shall be liable for damage occasioned by its negligence in the construction or maintenance of the works; disputes shall be decided by a court of arbitration, on which the two States shall appoint one arbitrator each and a third member shall be nominated conjointly by the two States.

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