

Title: Treaty concerning the regime of the Soviet-Romanian state frontier and final protocol  
Parties: Romania, USSR  
Basin: Danube  
Date: 11/25/1949

Romania-Union of Soviet Socialist Republics

250. TREATY <sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC CONCERNING THE REGIME OF THE SOVIET-ROMANIAN STATE FRONTIER AND FINAL PROTOCOL, SIGNED AT MOSCOW, ON 25 NOVEMBER 1949 <sup>2</sup>

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CHAPTER II

*Regulations governing the use of frontier waters and of railways and highways intersecting the frontier line*

ARTICLE 11. 1. All rivers and marine lakes along which the frontier line runs shall be deemed to be frontier waters.

2. Each Contracting Party shall take appropriate steps to ensure that in the use of frontier waters the provisions of this Treaty are observed and the relevant rights and interests of the other Contracting Party are respected.

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ARTICLE 14. 1. The Contracting Parties shall ensure that the frontier waters are kept in proper order. They shall also take steps to prevent deliberate damage to the banks of frontier rivers.

2. Where one Contracting Party occasions material damage to the other Contracting Party by failing to comply with the provisions of paragraph 1 of this article compensation for such damage shall be paid by the Party responsible therefor.

3. The position and direction of frontier watercourses shall so far as possible be preserved unchanged. To that end, the competent authorities of the Contracting Parties shall jointly take the necessary steps to remove such obstacles as may cause changes in the beds of frontier rivers or streams, or in the line of canals, or impede the natural flow of water along them. Where any necessary joint works are undertaken in this connexion, the competent authorities of both Parties shall make arrangements for carrying out the works, and the expenses involved shall be divided equally between the two Contracting Parties, unless a special agreement is concluded on the matter.

4. In order to prevent changes in the beds of frontier rivers or streams or in line of canals, their banks must be strengthened wherever the competent authorities of the Contracting Parties jointly

consider it necessary. These works shall be executed and the relevant expenses defrayed by the Party to which the bank belongs.

5. Should the bed of a frontier river or stream or the line of a canal be changed as a result of natural phenomena, the Contracting Parties shall be bound jointly and on equal terms to correct the bed, if this is deemed necessary by their competent authorities. The works shall be executed by mixed commissions set up by the Contracting Parties, which shall make arrangements for carrying out the works, engaging labour, purchasing the necessary materials and defraying the expenses.

ARTICLE 15. 1. The natural flow of water in frontier watercourses and in adjacent areas inundated in time of flood may not be altered or obstructed to the detriment of the other Party by the erection or reconstruction of installations or structures in the water or on the banks.

2. The competent authorities of the Contracting Parties shall agree on arrangements for regulating the discharge of water into, and the removal of water from, frontier waters, and on all other questions relating to frontier waters.

ARTICLE 16. 1. Frontier watercourses shall be cleaned out in sectors where such work is jointly considered essential by the competent authorities of the Contracting Parties. The cost of cleaning in such cases shall be divided equally between the two Contracting Parties.

2. The cleaning of frontier waters in sectors situated wholly in the territory of one of the Contracting Parties shall be carried out by that Party at its own expense as need arises.

3. In cleaning out frontier watercourses, the earth removed shall be dumped on the banks or at dumps on the river in such a way as to avoid any subsidence of the banks, choking up of the river-bed, or obstruction of the flow of water in time of flood.

ARTICLE 17. The competent authorities of the Contracting Parties shall take steps to maintain the frontier waters in such due state of cleanliness as to prevent the waters from being poisoned or polluted by acids or refuse from factories or industrial establishments, or from being fouled by any other means.

ARTICLE 18. 1. Existing bridges, dikes, and similar installations on frontier watercourses shall be preserved and may be used, with the exception of those whose demolition is considered necessary by the competent authorities of the two Contracting Parties.

2. If it becomes necessary to re-equip or demolish any of the installations referred to in paragraph 1 of this article in such a way as to cause a change in the level of the water in the territory of one of the Contracting Parties, the work in question may be undertaken only after the consent of that Party has been obtained.

3. No new bridges, dams, sluices, dikes or other hydraulic installations may be erected or used on frontier watercourses except by agreement between the Contracting Parties.

ARTICLE 19. The competent authorities of the Contracting Parties shall exchange information concerning the level of frontier waters, and concerning ice conditions in such waters, if this information may help to avert danger from floods or from drifting ice. If necessary, the said authorities shall also agree upon a regular system of signals to be used during periods of high water or drifting ice. Delay in

communicating, or failure to communicate, such information shall not constitute ground for a claim to compensation for damage caused by floods or drifting ice.

ARTICLE 20. Timber-floating may be freely carried out by both Contracting Parties throughout the whole length of the frontier watercourses, including places where both banks belong to only one of the Parties.

2. The dates and sequences of operations for launching and floating timber in accordance with paragraph 1 of this article shall be determined each year by the competent authorities of the two Contracting Parties in good time, and in any case not later than two months before navigation opens on the frontier watercourses. Each Contracting Party shall notify the other Party of the date of commencement of floating operations not less than five days in advance.

ARTICLE 21. 1. In order to ensure that timber-floating operations proceed smoothly, the competent authorities of the two Contracting Parties may by agreement, in accordance with article 32, paragraph (b), of this Treaty, permit workmen to land and move about on their respective banks in order to construct temporary floating installations for timber launching and to clear the bank of floating timber.

2. Details concerning the number of workmen requiring access to the bank in question in order to carry out the work referred to in paragraph I of this article and concerning the place and time of landing shall be agreed upon by the competent authorities of the Contracting Parties in good time, that is, not later than five days before the work begins.

3. Timber belonging to either Contracting Party which is floated down frontier watercourses shall not be subject to any customs duties or other charges.

ARTICLE 22. 1. All floating timber must be marked; for this purpose the Contracting Parties shall, by agreement, establish and exchange specimen markings in advance.

2. Where the floated timber is peeled by the Contracting Parties, the bark removed must not be deposited in the basins of frontier watercourses.

### CHAPTER III

#### *Fishing, hunting, forestry and mining*

ARTICLE 25. 1. Residents of each Contracting Party may fish in frontier waters up to the frontier line in accordance with the regulations in force in their territory, provided that their tackle does not take up more than two-thirds of the width of the river, but shall be prohibited:

(a) From using explosive, poisonous or narcotic substances which cause the mass destruction and mutilation of fish;

(b) From fishing in frontier waters at night.

2. Measures relating to the conservation and breeding of fish in frontier waters, the prohibition of the taking of particular species of fish in certain sectors and the dates of the fishing seasons, and other

measures of an economic nature relating to fishing, may be authorized by special agreements between the Contracting Parties.

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#### FINAL PROTOCOL

On concluding the Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic concerning the régime of the Soviet-Romanian State frontier, the undersigned plenipotentiaries of the Contracting Parties have adopted the following provisions, which form an integral part of the Treaty.

#### *Ad article 11 of the Treaty*

Rivers, streams and canals shall be deemed to be frontier rivers, streams and canals within the limits of the sectors along which the frontier line runs.

#### *Ad articles 12, 13, 14, 15, 16 and 17 of the Treaty*

Special agreements may be concluded on questions relating to the regulations governing the use and maintenance of frontier waters.

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#### *Ad articles 14, 15, 16 and 18 of the Treaty*

The term " frontier watercourses " means sections of rivers, streams and canals along which the frontier line runs.

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#### *Ad articles 20, 21, and 22 of the Treaty*

Special agreement may be concluded on questions relating to timber-floating on frontier watercourses.

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#### *Ad article 24 of the Treaty*

At the frontier demarcation carried out in 1948-1949 it was agreed that the frontier line divided bridges at the middle of the river, regardless of the course of the frontier line in the water.

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<sup>1</sup> The exchange of the instruments of ratification took place at Bucharest on 20 June 1950.

<sup>2</sup> Treaties, Agreements and Conventions in force, concluded by the *USSR*, with foreign *countries* (Published by the Ministry for Foreign Affairs of the USSR), Vol. XIV, p. 157. (Translated from Russian by the Secretariat of the United Nations.)

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