

No. 13730

**SWITZERLAND
and
ITALY**

**Convention concerning the protection of Italo-Swiss waters
against pollution. Signed at Rome on 20 April 1972**

Authentic text: Italian.

Registered by Switzerland on 31 December 1974.

**SUISSE
et
ITALIE**

**Convention concernant la protection des eaux italo-suissees
contre la pollution. Signée à Rome le 20 avril 1972**

Texte authentique : italien.

Enregistrée par la Suisse le 31 décembre 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ BETWEEN SWITZERLAND AND ITALY CONCERNING THE PROTECTION OF ITALO-SWISS WATERS AGAINST POLLUTION

The Swiss Federal Council and the Government of Italy,
Desiring to co-ordinate their efforts to protect Italo-Swiss waters against pollution,

Have agreed as follows:

Article 1. The Contracting Governments agree to collaborate closely with a view to protecting against pollution the following Italo-Swiss surface and ground waters, including the surface and ground waters of their affluents, in so far as such affluents contribute to the pollution of the common waters listed below:

- (a) Lake Maggiore (Verbano);
- (b) Lake Lugano (Ceresio);
- (c) Watercourses marking or crossing the frontier, including in particular the Doveria, the Melezza, the Giona, the Tresa, the Breggia, the Maira (Mera), the Poschiavino and the Spöl.

Article 2. The Contracting Governments shall establish a Mixed Commission for the Protection of Italo-Swiss Waters against Pollution, hereinafter referred to as “the Commission”.

Article 3. The Commission shall have the following functions:

- (a) It shall consider all matters relating to the pollution of Italo-Swiss waters or to any other degradation thereof.
- (b) It shall organize and cause to be carried out such investigations as are necessary to determine the source, nature and extent of pollution, and shall make use of the data obtained.
- (c) It shall prepare annually a financial plan for the investigative work referred to in subparagraph (b), to be submitted to the respective Governments for their approval.
- (d) It shall propose to the Contracting Governments action to deal with existing pollution and to prevent any future pollution.
- (e) It shall propose to the Contracting Governments draft regulations for ensuring the cleanness of Italo-Swiss waters.

Article 4. 1. The Commission shall be composed of two delegations, each of which shall be appointed by its Government.

2. Each delegation shall comprise the same number of members up to a maximum of six, one of whom shall be head of the delegation.

3. For the study of scientific and technical matters, the Commission shall be assisted by a Sub-Commission, the members of which shall be nominated by the Commission and appointed by the respective delegations.

¹ Came into force on 7 August 1973, the date when each of the Contracting Governments had notified the other of the completion of the necessary legal formalities, in accordance with article 11.

Article 5. The Commission shall meet at least once a year upon convocation by its Chairman.

Article 6. The Chairmanship of the Commission shall be held alternately for a term of two years, by the heads of the delegations.

Article 7. 1. Decisions of the Commission shall be taken by agreement between the two delegations.

2. The Commission shall establish its own rules of procedure.

Article 8. The Contracting Governments shall consider the proposals of the Commission and decide how the measures necessary to implement them may be taken.

Article 9. 1. Each Contracting Government shall defray the expenses of its delegation to the Commission and of the experts appointed by it to the Sub-Commission.

2. Expenses relating to the investigative work provided for in article 3 (*b*) shall be shared in accordance with criteria established by agreement between the two Governments on the proposal of the Commission.

3. Any other expenses which cannot be shared on the basis provided for in the preceding paragraph shall be shared in accordance with arrangements to be determined in each individual case by the Commission.

Article 10. In order to obtain better scientific and technical information, the Commission may, if it deems it necessary, establish contact with the international organizations involved in matter of water conservation, and also with the Italo-Swiss commissions or agencies dealing with navigation, fishing, flow regulation and water management in general.

Article 11. This Convention shall enter into force when each Contracting Government has notified the other of the completion of the necessary legal formalities. After the expiry of a period of three years from the date of its entry into force, the Convention may be denounced at any time, on six months' notice, by either Contracting Government.

DONE at Rome on 20 April 1972, in two copies in the Italian language.

For the Swiss Federal Council:

DE RHAM

For the Government of Italy:

SALIZZONI