

N° 1693.

ALLEMAGNE ET POLOGNE

Accord concernant les gisements
miniers divisés par la frontière
polono-allemande. Signé à Witos-
law, le 21 juin 1926.

GERMANY AND POLAND

Agreement regarding Mining Areas
intersected by the Polish-German
Frontier. Signed at Witoslaw,
June 21, 1926.

TEXTE ALLEMAND. — GERMAN TEXT.

N^o 1693. — ABKOMMEN ¹ ZWISCHEN POLEN UND DEUTSCHLAND ÜBER BERGWERKSFELDER DIE DURCH DIE POLNISCH-DEUTSCHE GRENZE DURCHSCHNITTEN SIND, GEZEICHNET IN WITOSLAW, AM 21. JUNI 1926.

German and Polish official texts communicated by the Polish Delegate accredited to the League of Nations. The registration of this Agreement took place May 2, 1928.

POLEN, einerseits, und DEUTSCHLAND, andererseits, von dem Wunsche geleitet, die Verhältnisse der Bergwerksfelder an der polnisch-deutschen Grenze zu regeln, haben beschlossen, hierüber ein Abkommen zu treffen. Die zu diesem Zwecke ernannten Bevollmächtigten, nämlich :

AUF POLNISCHER SEITE :

der Vertreter der Polnischen Regierung für Verhandlungen über die polnisch-deutsche Grenze Herr Maciej KOCZOROWSKI, und
der Rat bei der Wojewodschaft Poznań, Herr Ingenieur Bernard ZAKRZEWSKI,

AUF DEUTSCHER SEITE :

der Gesandte Herr Dr. Paul ECKARDT,

haben sich über folgende Bestimmungen geeinigt.

Artikel I.

1. Die Bergwerksfelder, die von der polnisch-deutschen Grenze durchschnitten sind, werden, soweit für sie nicht bereits durch das polnisch-deutsche Oberschlesische Bergwerksabkommen ² vom 23. Juni 1922 eine Regelung erfolgt ist, nach Massgabe des Grenzverlaufs in rechtlich selbständige Einzelfelder geteilt. Das nähere Verfahren regelt sich nach den Bestimmungen in der Anlage 1 zum Oberschlesischen Bergwerksabkommen.

2. Für jedes der Bergwerksfelder sind die Behörden und das Recht desjenigen Staates zuständig, in dessen Gebiete das Feld gelegen ist.

3. Soweit der Bergwerksbetrieb Massnahmen zur Verhütung von Gefahren im Bereiche des vormaligen Gesamtfeldes erforderlich machen sollte, sind bergpolizeiliche Anordnungen durch gemeinschaftliche Entscheidung des polnischen und des preussischen Oberbergamts unverzüglich für die beiden markscheidenden Felder zu treffen.

¹ The exchange of ratifications took place at Warsaw, March 14, 1928.

² Vol. XXII, page 25, of this Series.

¹ TRANSLATION.

No. 1693. — AGREEMENT BETWEEN GERMANY AND POLAND REGARDING MINING AREAS INTERSECTED BY THE POLISH-GERMAN FRONTIER. SIGNED AT WITOSLAW, JUNE 21, 1926.

POLAND, of the one part, and GERMANY, of the other part, being desirous of defining the position of mining areas on the Polish-German frontier, have decided to conclude an agreement on the subject. The Plenipotentiaries appointed for that purpose :

ON BEHALF OF POLAND :

M. Maciej KOCZOROWSKI, Representative of the Polish Government for negotiations regarding the Polish-German frontier, and
M. Bernard ZAKRZEWSKI, Engineer, Counsellor to the Provincial Government of Posen ;

ON BEHALF OF GERMANY :

Dr. Paul ECKARDT, Minister Plenipotentiary,

Have agreed upon the following provisions :

Article I.

1. Mining areas through which the Polish-German frontier passes shall, so far as their régime is not already defined by the Upper Silesian Mines Agreement of June 23, 1922, between Poland and Germany, be divided into separate, juridically autonomous areas, the frontier-line constituting the line of separation. The details of the procedure shall be governed by the provisions of Annex I to the Upper Silesian Mines Agreement.

2. Each area shall be subject to the authorities and the law of the country in whose territory it is situated.

3. Where the exploitation of the mines requires safety precautions covering the whole of the former complete area, administrative measures for both the separate areas shall be promptly taken by a joint decision of the Polish and Prussian Chief Mining Offices.

Article II.

The separate autonomous areas created by the tracing of the new frontier-line, in accordance with Article I, paragraph 1, may only be exploited by technical installations situated in the territory of the State to which the area belongs. Exceptions to this rule may be allowed by a joint decision of the chief mines authorities of both countries.

¹ Translated by the Secretariat of the League of Nations.

Article III.

In regard to other matters, the provisions of Articles IV-VI of the Upper Silesian Mines Agreement and the provisions of Annex 2 to that Agreement shall apply.

Article IV.

After the division provided for in Article I has been effected, the mining authorities of the country in whose territory the greater part of any divided area is situated shall be responsible for the safe-keeping of all deeds, documents, plans and registers relating to such area. Nevertheless, should the competent mining authority of the other country so request, copies, extracts and reproductions may be made and supplied to that authority at its expense.

Article V.

The present Agreement shall be ratified. It shall come into force on the exchange of the instruments of ratification, which shall take place at Warsaw as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Agreement and have sealed it with their seals.

Done in duplicate in Polish and German, both texts being authentic.

WITOSLAW, *June 21, 1926.*

(Signed) Maciej KOCZOROWSKI.

(Signed) Bernard ZAKRZEWSKI.

(Signed) Dr. Paul ECKARDT.