

N° 2113.

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**ALLEMAGNE  
ET TCHÉCOSLOVAQUIE**

Traité relatif à la frontière de l'Oder,  
avec protocole final. Signé à  
Prague, le 22 mars 1928.

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**GERMANY  
AND CZECHOSLOVAKIA**

Treaty regarding the Oder Frontier,  
with Final Protocol. Signed at  
Prague, March 22, 1928.

<sup>1</sup> TRANSLATION.

No. 2113. — CONVENTION BETWEEN THE GERMAN REICH AND THE CZECHOSLOVAK REPUBLIC REGARDING THE ODER FRONTIER. SIGNED AT PRAGUE, MARCH 22, 1928.

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THE CZECHOSLOVAK REPUBLIC, of the one part, and THE GERMAN REICH, of the other part, being desirous of regulating the situation in the Frontier Section of the Oder, have resolved with this object to conclude a Convention and have appointed as their Plenipotentiaries for this purpose :

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Monsieur Václav ROUBÍK, Engineer, Commissioner for Frontier Questions ;

THE PRESIDENT OF THE GERMAN REICH :

Doctor Paul ECKARDT, Minister ;

Who, having communicated their full powers, found in good and due form, have agreed as follows :

*Article 1.*

The Frontier Section of the Oder, within the meaning of the present Convention, shall be the sector of the Oder between river kilometre 19.93 above the railway bridge at Annaberg and river kilometre 27.47 below the mouth of the Olsa, which sector the German-Czechoslovak frontier partly follows, intersecting it at various points.

*Article 2.*

Uniform principles for the upkeep of the Frontier Section of the Oder shall be fixed by agreement between the competent authorities of the two States.

*Article 3.*

1. Each State shall be responsible within its own territory for the enforcement of river regulations on the Frontier Section of the Oder.

2. River concessions and permits under the relevant legislation of the two States shall be granted in the Frontier Section of the Oder by the authorities of the competent State in agreement with those of the other State. The competent State shall be the State in whose territory the installations are to be established for which the concession or permit is required. The authorities of the two States shall communicate to one another applications which they have received and objections which have been formally submitted.

3. The provisions of paragraph 2 shall apply also, *mutatis mutandis*, to servitudes over flooded areas.

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<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

*Article 4.*

Permits to remove sand and gravel from the bed of the Frontier Section of the Oder shall be granted by agreement between the competent authorities of the two States.

*Article 5.*

On the application of either of the two States a general plan for the improvement of the Frontier Section of the Oder shall be drawn up by agreement between their competent authorities, such plan to be approved by both States. The costs, apart from the salaries of the officials concerned, shall be divided equally between the two States.

*Article 6.*

Work provided for under the general plan drawn up in conformity with Article 5 shall be carried out according to special plans, which shall also be drawn up by joint agreement. The two States shall come to an arrangement in every individual case concerning the execution of such work, the upkeep thereof and the allocation of the cost, including the cost of drawing up the special plans, and, further, concerning the technical and financial supervision of the building operations.

*Article 7.*

Sums due by one of the two States to the other, under Articles 5 and 6, in virtue of accounts passed by both Parties, shall be paid in the currency of the other State within two months after the said accounts have been approved.

*Article 8.*

1. With a view to ascertaining the state of the Frontier Section of the Oder, joint inspections shall be carried out at least once a year, by agreement between the competent authorities of the two States, by organs appointed by the said authorities. In case of emergency such inspections shall also be carried out at the request of one of the two States. Proposals shall be made, according to the result of the inspections, concerning any upkeep and other work (Article 6) that may be required.

2. Reports of inspections shall be drawn up in the language of the two States.

3. The costs of inspections shall be borne by the individual States in respect of the persons appointed by them.

*Article 9.*

In the execution of surveys each State may use, for purposes of coordination, the altitude and trigonometrical points established in the Frontier Section of the Oder by the hydraulic works administration in the territory of the other State.

*Article 10.*

The competent authorities of the two States shall communicate to one another, each at the other's expense in the case of telegrams and telephone messages such information concerning the water level, ice conditions, the height of deposits and the volume of discharge water, as is of use in averting flood and ice risks, preparing plans for improvements, and ensuring the upkeep of the Frontier Section of the Oder. With these same objects they shall also communicate to one another useful results of land and hydrotechnical surveys, and alterations in the altitude and trigonometrical points, any cost of communicating documents being refunded.

*Article 11.*

The competent hydraulic works authorities of the two States shall inform one another and the competent Customs office of the other State, if possible six days beforehand, of any work to be carried out in virtue of the present Convention.

*Article 12.*

1. The provisions of Article 32, paragraph 1, of the Treaty signed on February 3rd, 1927, in Berlin between the Czechoslovak Republic and the German Reich, for the settlement of frontier questions on the frontier fixed by Article 83 of the Treaty of Versailles of June 28th, 1919, shall be applicable *mutatis mutandis* to officials who have to cross the frontier in the Frontier Section of the Oder in execution of the provisions of the present Convention. This stipulation shall apply also to the auxiliary personnel, including workmen, accompanying such officials, on the understanding that such persons shall establish their identity by means of an identity document (passport, frontier identity card, etc.) when so requested by the passport or Customs authorities.

2. Private persons entrusted with surveys or with the execution or upkeep of hydraulic works in the Frontier Section of the Oder and workmen engaged in such work, shall, in accordance with a detailed agreement to be concluded between the competent authorities of the two States, be granted all facilities compatible with the regulations when crossing the frontier for the purposes of their work.

*Article 13.*

1. The two States shall accord one another exemption in the matter of Customs duties and other charges for building material to be imported by one State into the territory of the other for the purpose of work coming under the present Convention, whether such work is to be carried out at the expense of the two States jointly or of the importing State alone. The same shall apply to instruments and tools required for the execution of the work, subject to their re-export after use. The articles in question must be imported over the Frontier Section of the Oder. Exemption shall not extend to statistical dues.

2. Subject to the necessary measures of control, the two States shall accord one another all facilities compatible with the regulations in the importation of building material, instruments, and tools, and the storing of building material before use.

3. The competent Customs authorities of the two States shall come to an agreement concerning the detailed conditions for the free importation of the articles mentioned in paragraph 1 and concerning the facilities laid down in paragraph 2.

4. Import and export restrictions shall not apply to the articles mentioned in paragraph 1.

*Article 14.*

1. The two States shall communicate to one another a list of the authorities responsible for the application of the present Convention.

2. In questions relating to the application of the Convention, the competent authorities of the two States may communicate with one another direct.

*Article 15.*

The present Convention shall be ratified, together with the Final Protocol. The exchange of the instruments of ratification shall take place at Berlin. The Convention shall come into force thirty days after the exchange of the instruments of ratification. It can be denounced by either of the two States before the end of the civil year, with effect as from the end of the following year.

The present Convention has been drawn up in two copies of like tenor, in Czechoslovak and in German; both texts shall be authentic.

In faith whereof the Plenipotentiaries have signed the present Convention and have affixed their seals thereto.

Done at Prague, March 22, 1928.

(L. S.) V. ROUBÍK.

(L. S.) Paul ECKARDT.

## FINAL PROTOCOL

TO THE CZECHOSLOVAK-GERMAN CONVENTION CONCERNING THE FRONTIER SECTION  
OF THE ODER.

On signing the Czechoslovak-German Convention concerning the Frontier Section of the Oder, the Plenipotentiaries declared themselves in agreement on the following points:

(I) The provisions of the present Convention shall not preclude a subsequent settlement by other inter-State agreements, and

(II) The present Convention, apart from Article 13, shall not affect the Customs regulations of either of the two States.

PRAGUE, *March 22, 1928.*

(L. S.) V. ROUBÍK.

(L. S.) Paul ECKARDT.