

No. 3830

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**UNION OF SOVIET SOCIALIST REPUBLICS**  
**and**  
**POLAND**

**Treaty concerning the legal status of Soviet forces temporarily stationed in Poland. Signed at Warsaw, on 17 December 1956**

*Official texts: Russian and Polish.*

*Registered by the Union of Soviet Socialist Republics on 13 May 1957.*

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**UNION DES RÉPUBLIQUES SOCIALISTES**  
**SOVIÉTIQUES**  
**et**  
**POLOGNE**

**Traité relatif au statut légal des troupes soviétiques stationnées temporairement en Pologne. Signé à Varsovie, le 17 décembre 1956**

*Textes officiels russe et polonais.*

*Enregistré par l'Union des Républiques socialistes soviétiques le 13 mai 1957.*

[TRANSLATION — TRADUCTION]

No. 3830. TREATY<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING THE LEGAL STATUS OF SOVIET FORCES TEMPORARILY STATIONED IN POLAND. SIGNED AT WARSAW, ON 17 DECEMBER 1956

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The Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic, in conformity with the Joint Statement signed at Moscow on 18 November 1956, have resolved to conclude this Treaty and have appointed as their plenipotentiaries for this purpose :

The Government of the Union of Soviet Socialist Republics :

D. T. Shepilov, Minister of Foreign Affairs of the Union of Soviet Socialist Republics,

G. K. Zhukov, Minister of Defence of the Union of Soviet Socialist Republics;

The Government of the Polish People's Republic :

A. Rapacki, Minister of Foreign Affairs of the Polish People's Republic,  
M. Spychalski, Minister of National Defence of the Polish People's Republic;

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

*Article 1*

The temporary presence of Soviet forces in Poland shall in no way affect the sovereignty of the Polish State and shall not lead to any intervention by such forces in the domestic affairs of the Polish People's Republic.

*Article 2*

1. The strength and duty stations of Soviet forces temporarily stationed in the territory of the Polish People's Republic shall be determined by special

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<sup>1</sup> Came into force on 27 February 1957, as from the date of the exchange of the instruments of ratification at Moscow, in accordance with article 20.

agreements between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic.

2. The movement outside their duty stations of Soviet forces in the territory of the Polish People's Republic shall be subject in each case to the consent of the Government of the Polish People's Republic or of the Polish authorities appointed by that Government.

3. The training and manoeuvres of Soviet forces outside their duty stations shall be carried out either on the basis of plans agreed upon with the Polish authorities or with the consent in each case of the Government of the Polish People's Republic or of the Polish authorities appointed by that Government.

#### *Article 3*

Soviet forces stationed in the territory of the Polish People's Republic, individuals serving with those forces and members of their families shall be under a duty to respect and comply with the provisions of Polish law.

#### *Article 4*

1. Military personnel of the Soviet forces stationed in the territory of the Polish People's Republic shall wear the appropriate uniform and shall possess and carry arms in accordance with the rules laid down by the Soviet Army.

2. The motor vehicles and motorcycles of Soviet military units shall bear a registration number and a clearly visible distinguishing mark. Such registration numbers and marks shall be determined by the command of the Soviet forces and facsimiles thereof shall be transmitted to the competent Polish authorities.

3. The competent Polish authorities shall recognize as valid, without a test or fee, driving licences issued by the competent Soviet authorities to individuals serving with the Soviet forces stationed in the territory of the Polish People's Republic.

#### *Article 5*

The procedure governing the entry into and departure from Poland of Soviet military units, of individuals serving with the Soviet forces and of members of their families, administrative questions relating to their presence in the territory of the Polish People's Republic, and the types of documents required in respect of them shall be settled by a special agreement between the Contracting Parties.

*Article 6*

The procedure and conditions for the use by Soviet forces of barracks, airfields, training grounds, artillery ranges with equipment and installations, buildings, transport and communications, electric power, communal services and commercial facilities, including the terms of payment therefor, shall be determined by special agreements between the competent authorities of the Contracting Parties.

*Article 7*

The construction at the duty stations of Soviet forces of buildings, airfields, roads, bridges and permanent radio-communications installations and the determination of the frequency and strength of such communications shall be subject to the consent of the competent Polish authorities. The organization outside the duty stations of Soviet forces of permanent service establishments for individuals serving with the Soviet forces shall likewise be subject to such consent.

*Article 8*

Any barracks, airfield, training ground or range with fixed equipment and installations which is released from use by Soviet armed forces shall be returned to the Polish authorities in good condition.

Such questions as may arise in connexion with the transfer to the Polish authorities of installations released by Soviet forces in the territory of the Polish People's Republic, including installations constructed by Soviet forces, shall be settled by special agreements.

*Article 9*

Questions of jurisdiction relating to the presence of Soviet forces in the territory of the Polish People's Republic shall be settled as follows :

1. Any individual serving with the Soviet forces or any member of the family of such individual who commits a serious or lesser offence in the territory of the Polish People's Republic shall as a general rule be subject to Polish law and to the jurisdiction of the Polish courts, the procurator's office and other Polish organs having competence in matters relating to the prosecution of persons who have committed serious and lesser offences.

Serious offences committed by Soviet military personnel shall be investigated by the military legal authorities and tried by the military tribunals of the Polish People's Republic.

2. The provisions of paragraph 1 of this article shall not apply :

(a) In the event that an individual serving with the Soviet armed forces or a member of the family of such individual commits a serious or lesser offence solely against the Soviet Union or against an individual serving with the Soviet forces or a member of the family of such individual;

(b) In the event that an individual serving with the Soviet forces commits a serious or lesser offence in the performance of his official duties.

The cases referred to in sub-paragraphs (a) and (b) shall be subject to the jurisdiction of the Soviet courts and other agencies administering Soviet law.

3. The competent Soviet and Polish authorities may request one another to transfer or accept jurisdiction in specific cases covered by this article. Such requests shall receive sympathetic consideration.

#### *Article 10*

Any person convicted of a serious offence against the Soviet forces stationed in the territory of the Polish People's Republic or against military personnel thereof shall be liable to the same penalty as if the offence had been committed against Polish armed forces or Polish military personnel.

#### *Article 11*

1. The competent Soviet and Polish authorities shall render each other every assistance, including legal assistance, in matters relating to the prosecution of persons who have committed the serious and lesser offences referred to in articles 9 and 10 of this Treaty.

2. The principles and procedure governing the provision of the assistance referred to in paragraph 1 of this article shall be determined by a special agreement between the Contracting Parties.

#### *Article 12*

At the request of the competent Polish authorities, any individual serving with the Soviet forces who is convicted of an offence under Polish law shall be withdrawn from the territory of the Polish People's Republic.

#### *Article 13*

1. The Government of the Union of Soviet Socialist Republics agrees to compensate the Government of the Polish People's Republic for any material damage which may be caused to the Polish State by any act or omission of

Soviet military units or individuals serving therewith and for any damage which may be caused to Polish institutions or citizens or to citizens of any third State in the territory of the Polish People's Republic by Soviet military units or individuals serving therewith in the performance of their official duties. The amount of such compensation shall be determined in either case by a Mixed Commission established under article 19 of this Treaty, on the basis of the claims filed and in conformity with the provisions of Polish law.

Any disputes arising out of the obligations of Soviet military units shall likewise be examined by the Mixed Commission in accordance with the same principles.

2. The Government of the Union of Soviet Socialist Republics likewise agrees to compensate the Government of the Polish People's Republic for any damage caused to Polish institutions or citizens or to citizens of any third State in the territory of the Polish People's Republic by any act or omission done by individuals serving with the Soviet forces otherwise than in the performance of their official duties or by any act or omission of members of the families of such individuals. The amount of such compensation shall be determined in either case by the competent Polish court, on the basis of the claims filed against the persons who have caused the damage.

3. Compensation for damage shall be payable by the Soviet party within three months after a decision has been taken by the Mixed Commission or after the judgement of the court has entered into force.

The sums awarded by the Mixed Commission or the court shall be paid to the injured persons and institutions by the competent Polish authorities.

4. Any claims for compensation in respect of damage which have not been settled before the entry into force of this Treaty shall be examined by the Mixed Commission.

#### *Article 14*

1. The Government of the Polish People's Republic agrees to compensate the Government of the Union of Soviet Socialist Republics for any damage caused to the property of the Soviet military units stationed in the territory of the Polish People's Republic or to individuals serving with the Soviet forces by any act or omission of Polish State institutions. The amount of such compensation shall be determined by the Mixed Commission established under article 19 of this Treaty, on the basis of the claims filed and in conformity with the provisions of Polish law.

Any dispute arising out of the obligations of Polish State institutions to Soviet military units shall likewise be examined by the Mixed Commission in accordance with the same principles.

2. The Government of the Polish People's Republic likewise agrees to compensate the Government of the Union of Soviet Socialist Republics for any damage caused to Soviet military units stationed in the territory of the Polish People's Republic, to individuals serving with the Soviet forces and to members of the families of such individuals by any act or omission of Polish citizens. The amount of such compensation shall be determined by the Polish court on the basis of the claims filed against the persons who have caused the damage.

#### *Article 15*

1. The routes, dates, procedure and terms of payment for the transportation of Soviet forces and military equipment in transit through the territory of the Polish People's Republic and military freight movements within the territory of the Polish People's Republic shall be settled by special agreements.

2. The provisions of this Treaty and, in particular, the provisions relating to jurisdiction and liability for damage, shall be applicable, where appropriate, to Soviet forces in transit through the territory of the Polish People's Republic.

#### *Article 16*

Questions concerning the application to the Soviet forces stationed in the territory of the Polish People's Republic, to individuals serving in those forces and to members of their families of the fiscal, customs and foreign exchange regulations in force in Poland and the regulations relating to entry and exit shall be settled by special agreements.

#### *Article 17*

The Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic, with a view to the due settlement of questions arising from day to day in connexion with the presence of Soviet armed forces in Poland, shall appoint plenipotentiaries for matters relating to the presence of Soviet armed forces in Poland.

#### *Article 18*

For the purposes of this Treaty :

The expression " individual serving with the Soviet forces " shall mean :

(a) A person in military service in the Soviet Army,

(b) A civilian who is a Soviet national and who is employed in a unit of the Soviet armed forces in the Polish People's Republic;

The expression "duty station" shall mean an area placed at the disposal of Soviet forces, including places where military units are quartered together with training grounds, rifle and artillery ranges and other installations used by such units.

#### *Article 19*

A Soviet-Polish Mixed Commission, to which each Contracting Party shall appoint three representatives, shall be established in order to settle questions relating to the interpretation or application of this Treaty and of the agreements provided for herein.

The Mixed Commission shall adopt its own rules of procedure.

The headquarters of the Mixed Commission shall be Warsaw.

In the event that the Mixed Commission is unable to settle a question referred to it, the said question shall be settled through the diplomatic channel as soon as possible.

#### *Article 20*

This Treaty shall be ratified and shall enter into force on the date of the exchange of the instruments of ratification, which shall take place at Moscow.

#### *Article 21*

This Treaty shall remain in force for so long as Soviet forces remain in the territory of the Polish People's Republic and may be amended by agreement between the Contracting Parties.

DONE at Warsaw on 17 December 1956 in two copies, each in the Russian and Polish languages, both texts being equally authentic.

IN WITNESS WHEREOF the aforementioned plenipotentiaries have signed this Treaty and affixed thereto their seals.

For the Government  
of the Union of Soviet  
Socialist Republics :

D. SHEPILOV  
G. ZHUKOV

For the Government  
of the Polish People's  
Republic :

A. RAPACKI  
M. SPYCHALSKI