

No. 3964

UNION OF SOVIET SOCIALIST REPUBLICS
and
ROMANIA

Agreement concerning the legal status of Soviet forces temporarily stationed in the territory of the Romanian People's Republic. Signed at Bucharest, on 15 April 1957

Official texts : Russian and Romanian.

Registered by the Union of Soviet Socialist Republics on 7 August 1957.

UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
ROUMANIE

Accord concernant le statut juridique des troupes soviétiques stationnées temporairement sur le territoire de la République populaire roumaine. Signé à Bucarest, le 15 avril 1957

Textes officiels russe et roumain.

Enregistré par l'Union des Républiques socialistes soviétiques le 7 août 1957.

[TRANSLATION — TRADUCTION]

No. 3964. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC CONCERNING THE LEGAL STATUS OF SOVIET FORCES TEMPORARILY STATIONED IN THE TERRITORY OF THE ROMANIAN PEOPLE'S REPUBLIC. SIGNED AT BUCHAREST, ON 15 APRIL 1957

The Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic,

Being determined to make every effort to preserve and strengthen peace in Europe and throughout the world,

Taking into consideration the fact that the existence of aggressive military blocs directed against peace-loving States, the remilitarization of West Germany and the maintenance by the United States of America and other Parties to the North Atlantic Treaty² of numerous forces and military bases near the Socialist States create a threat to the security of those States,

Considering that in these circumstances it is desirable for the purpose of joint defence against possible aggression, and in conformity with international treaties and agreements, that Soviet forces should be temporarily stationed in the territory of the Romanian People's Republic, and

Being desirous of settling questions relating to the temporary presence of Soviet forces in the territory of the Romanian People's Republic,

Have resolved to conclude this Agreement and have appointed as their plenipotentiaries for this purpose :

The Government of the Union of Soviet Socialist Republics :

A. A. Gromyko, Minister of Foreign Affairs of the Union of Soviet Socialist Republics,

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

¹ Came into force on 4 June 1957, as from the date of the exchange of instruments of ratification at Moscow, in accordance with article 18.

² United Nations, *Treaty Series*, Vol. 34, p. 243, Vol. 126, p. 350, and Vol. 243, p. 308.

The Government of the Romanian People's Republic :

G. Preoteasa, Minister of Foreign Affairs of the Romanian People's Republic,

L. Salajan, Minister of the Armed Forces of the Romanian People's Republic ;

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

Article 1

The temporary presence of Soviet forces in the territory of the Romanian People's Republic shall in no way affect the sovereignty of the Romanian State ; the Soviet forces shall not intervene in the domestic affairs of the Romanian People's Republic.

Article 2

1. The strength and the duty stations of Soviet forces temporarily stationed in the territory of the Romanian People's Republic shall be determined by special agreements between the Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic.

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

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

Article 3

Soviet forces stationed in the territory of the Romanian 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 Romanian law.

Article 4

1. Military personnel of the Soviet forces stationed in the territory of the Romanian 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 Romanian authorities.

3. The competent Romanian 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 Romanian People's Republic.

Article 5

Questions of jurisdiction relating to the presence of Soviet forces in the territory of the Romanian 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 Romanian People's Republic shall as a general rule be subject to Romanian law and to the jurisdiction of the Romanian courts, procurator's office and other Romanian 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 Romanian 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 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 authorities of one Party may, at the request of the competent authorities of the other Party, transfer or accept jurisdiction in specific cases covered by this article. Such requests shall receive sympathetic consideration.

Article 6

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

Article 7

1. The competent Soviet and Romanian 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 5 and 6 of this Agreement.

2. The principles and procedure governing the provision of the assistance referred to in paragraph 1 of this article and of assistance in civil proceedings arising out of the presence of Soviet forces in the territory of the Romanian People's Republic shall be determined by a special agreement between the Contracting Parties.

Article 8

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

Article 9

1. The Government of the Union of Soviet Socialist Republics agrees to compensate the Government of the Romanian People's Republic for any material damage which may be caused to the Romanian State by any act or omission of Soviet military units or individuals serving therewith and for any damage which may be caused to Romanian institutions and citizens or to citizens of any third State in the territory of the Romanian 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 the Mixed Commission established under article 17 of this Agreement, on the basis of the claims filed and in conformity with the provisions of Romanian law.

Any dispute 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 Romanian People's Republic for any damage which may be caused to Romanian institutions and citizens or to citizens of any third State in the territory of the Romanian 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 Romanian court, on the basis of the claims filed against the persons who have caused the damage.

Article 10

1. The Government of the Romanian People's Republic agrees to compensate the Government of the Union of Soviet Socialist Republics for any damage which may be caused to the property of Soviet military units stationed in the territory of the Romanian People's Republic or to individuals serving with the Soviet forces by any act or omission of Romanian State institutions. The amount of such compensation shall be determined by the Mixed Commission established under article 17 of this Agreement, on the basis of the claims filed and in conformity with the provisions of Romanian law.

Any dispute arising out of the obligations of Romanian 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 Romanian People's Republic likewise agrees to compensate the Government of the Union of Soviet Socialist Republics for any damage which may be caused to Soviet military units stationed in the territory of the Romanian 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 Romanian citizens. The amount of such compensation shall be determined by the Romanian court on the basis of the claims filed against the persons who have caused the damage.

Article 11

1. The compensation for damage referred to in articles 9 and 10 shall be payable by the Soviet Party or the Romanian Party, as appropriate, 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 to the injured persons and institutions shall be payable, in the cases referred to in article 9 of this Agreement, directly to the competent Romanian authorities and, in the cases referred to in article 10 of this Agreement, directly to the competent Soviet authorities.

2. Any claims for compensation in respect of the damage referred to in articles 9 and 10 which have arisen since the entry into force of the Treaty of Peace with Romania¹ and have not been settled before the entry into force of this Agreement shall be examined by the Mixed Commission.

Article 12

The construction at the duty stations of Soviet forces of buildings, airfields, roads, bridges and permanent radio communications installations and the deter-

¹ United Nations, *Treaty Series*, Vol. 42, p. 3.

mination of the frequency and strength of such communications shall be subject to the consent of the competent Romanian authorities. The organization outside the duty stations of Soviet forces of permanent service establishments for individuals serving with those forces shall likewise be subject to such consent.

Article 13

Such questions relating to procedure and conditions for the use by Soviet forces of barracks and official premises, storage depots, airfields, training grounds, transport and communications, electric power, communal services and commercial facilities as may arise in connexion with the temporary stationing of Soviet forces in the territory of the Romanian People's Republic shall be settled by special agreements between the competent authorities of the Contracting Parties; existing agreements on such questions shall, if necessary, be revised in order to render them more precise.

Article 14

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

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

Article 15

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

Article 16

For the purposes of this Agreement :

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

- (a) A person in military service in the Soviet Army, or
- (b) A civilian Soviet citizen in the employ of units of the Soviet forces in the Romanian 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 17

A Soviet-Romanian 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 Agreement and of the supplementary agreements provided for herein.

The Mixed Commission shall adopt its own rules of procedure.

The headquarters of the Mixed Commission shall be Bucharest.

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 18

This Agreement 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 19

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

DONE at Bucharest on 15 April 1957 in two copies, each in the Russian and Romanian languages, both texts being equally authentic.

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

For the Government
of the Union of Soviet Socialist
Republics :
A. GROMYKO
G. ZHUKOV

For the Government
of the Romanian People's
Republic :
G. PREOTEASA
L. SALAJAN