

**No. 5244**

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**UNION OF SOVIET SOCIALIST  
REPUBLICS, ALBANIA, BULGARIA, HUNGARY,  
GERMAN DEMOCRATIC REPUBLIC, POLAND,  
ROMANIA and CZECHOSLOVAKIA**

**Convention concerning the juridical personality, privileges  
and immunities of the Council for Mutual Economic  
Assistance. Signed at Sofia, on 14 December 1959**

*Official text: Russian.*

*Registered by the Union of Soviet Socialist Republics on 14 July 1960.*

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**UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES, ALBANIE, BULGARIE, HONGRIE,  
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE,  
POLOGNE,  
ROUMANIE et TCHÉCOSLOVAQUIE**

**Convention concernant la personnalité juridique, les privi-  
lèges et les immunités du Conseil d'entraide écono-  
mique. Signée à Sofia, le 14 décembre 1959**

*Texte officiel russe.*

*Enregistrée par l'Union des Républiques socialistes soviétiques le 14 juillet 1960.*

## [TRANSLATION — TRADUCTION]

No. 5244. CONVENTION<sup>1</sup> BETWEEN ALBANIA, BULGARIA, HUNGARY, THE GERMAN DEMOCRATIC REPUBLIC, POLAND, ROMANIA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND CZECHOSLOVAKIA CONCERNING THE JURIDICAL PERSONALITY, PRIVILEGES AND IMMUNITIES OF THE COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE. SIGNED AT SOFIA, ON 14 DECEMBER 1959

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The Governments of the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Romanian People's Republic, the Union of Soviet Socialist Republics and the Czechoslovak Republic,

Having regard to article XIII of the Charter of the Council for Mutual Economic Assistance<sup>2</sup> which provides :

That the Council for Mutual Economic Assistance shall enjoy, on the territories of all member countries of the Council, the legal capacity essential to the performance of its functions and the achievement of its purposes;

That the Council, as also the representatives of the member countries of the Council and the officers of the Council, shall enjoy, on the territory of each of those countries, the privileges and immunities which are necessary for the performance of the functions and the achievement of the purposes set forth in the said Charter;

That the legal capacity, privileges and immunities mentioned shall be defined in a special Convention;

Have agreed as follows :

*Article I*

## JURIDICAL PERSONALITY

The Council for Mutual Economic Assistance shall possess juridical personality and shall have the capacity

- (a) To enter into agreements;
- (b) To acquire, lease and alienate property;
- (c) To appear in court.

<sup>1</sup> Came into force on 13 April 1960, the date of deposit with the Government of the Union of Soviet Socialist Republics of the instruments of ratification by all member countries of the Council which had signed the Convention, in accordance with article VI.

<sup>2</sup> See p. 253 of this volume,

*Article II*

## PROPERTY, ASSETS AND DOCUMENTS

1. The premises of the Council for Mutual Economic Assistance shall be inviolable. Its property, assets and documents, wherever located, shall enjoy immunity from every form of administrative and legal process except in so far as in any particular case the Council has waived its immunity.

2. The Council for Mutual Economic Assistance shall be exempt from all direct taxes and duties levied either by State or by local authorities. This exemption shall not apply to charges for public utility and similar services.

3. The Council for Mutual Economic Assistance shall be exempt from customs duties and restrictions on imports or exports of articles intended for official use.

*Article III*

## PRIVILEGES IN RESPECT OF COMMUNICATIONS

The Council for Mutual Economic Assistance shall enjoy, in the territories of each member country of the Council, treatment not less favourable than that enjoyed by diplomatic missions in that country in the matter of priorities, rates and taxes on post, cable and telephone communications.

*Article IV*

## REPRESENTATIVES OF MEMBER COUNTRIES OF THE COUNCIL

1. Representatives of member countries of the Council for Mutual Economic Assistance to organs of the Council and to conferences convened under the auspices of the Council shall while exercising their official functions be accorded in the territory of each member country of the Council the following privileges and immunities :

(a) Immunity from personal arrest or detention and from the jurisdiction of judicial institutions in respect of any acts done by them in their capacity as representatives;

(b) Inviolability for all papers and documents;

(c) The same customs facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions in the country concerned;

(d) Exemption from national service obligations and from direct taxes and duties on salaries paid to them by the countries which appointed them.

2. In addition to the privileges and immunities specified in paragraph 1 of this article, representatives of countries to the Council and their deputies shall enjoy the privileges and immunities accorded to diplomatic envoys in the country concerned.

3. The privileges and immunities provided in this article are accorded to the persons specified therein solely in the interests of their official functions. Each member country of the Council shall have the right and the duty to waive the immunity of its representative in any case where in the opinion of that country the immunity would impede the course of justice and can be waived without prejudice to the purpose for which it was accorded.

4. The provisions of paragraphs 1 and 2 shall not apply as between a representative and the authorities of the country of which he is a national.

5. In this article the expression "representatives" shall be deemed to include representatives to the Council, deputy representatives, heads, members and secretaries of delegations, advisers and experts.

#### *Article V*

##### OFFICIALS OF THE COUNCIL

1. The Conference of Representatives of the countries in the Council for Mutual Economic Assistance, on the recommendation of the Secretary of the Council, shall specify the categories of officials to which the provisions of this article shall apply. The names of such officials shall be communicated periodically by the Secretary of the Council to the competent authorities of the member countries of the Council.

2. Officials of the Council shall, on the territory of each member country of the Council :

(a) Be immune from legal and administrative process in respect of all acts performed by them in their official capacity;

(b) Be exempt from national service obligations;

(c) Be exempt from direct taxes and duties on the salaries paid to them by the Council;

(d) Have the right to the same customs facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions in the country concerned.

3. In addition to the privileges and immunities specified in paragraph 2 of this article, the Secretary of the Council and his deputies shall enjoy the privileges and immunities accorded to diplomatic envoys in the country concerned.

4. The privileges and immunities provided in this article are accorded to the persons specified therein solely in the interests of the Council and in order to ensure the independent exercise of their official functions. The Secretary of the Council shall have the right and the duty to waive the immunity of any official in any case where in his opinion the immunity would impede the course of justice and can be waived without prejudice to the interests of the Council. In the case of the Secretary of the Council and his deputies, the right to waive immunity shall be vested in the Conference of Representatives of the countries in the Council.

5. The provisions of paragraph 2 (b) and (c) of this article shall not apply to officials of the Council who are nationals of the country which is the seat of the organ of the Council in which they are employed.

### *Article VI*

#### FINAL PROVISIONS

1. The present Convention shall be ratified by the member countries of the Council, in accordance with their constitutional procedures.

2. The instruments of ratification shall be deposited with the depositary of the present Convention.

3. The present Convention shall enter into force immediately after the deposit of instruments of ratification by all the member countries of the Council which have signed the Convention, and the depositary shall notify those countries thereof.

4. With respect to each country which in accordance with article II, paragraph 2, of the Charter of the Council for Mutual Economic Assistance is admitted to membership in the Council, this Convention shall enter into force on the date of the deposit by such country of its instrument of ratification of the Convention, and the depositary shall notify the other member countries of the Council thereof.

5. This Convention has been drawn up in a single copy in the Russian language. It shall be deposited with the Government of the Union of Soviet Socialist Republics, which shall send certified true copies of the Convention to the Governments of all the other member countries of the Council and shall notify those Governments, and the Secretary of the Council, of the deposit of the instruments of ratification with the Government of the USSR.

IN WITNESS WHEREOF the representatives of the Governments of the member countries of the Council for Mutual Economic Assistance have signed the present Convention.

DONE at Sofia, on 14 December 1959.

For the Government of the People's Republic of Albania :

A. KELLEZI

For the Government of the People's Republic of Bulgaria :

R. DAMYANOV

For the Government of the Hungarian People's Republic :

A. APRO

For the Government of the German Democratic Republic :

B. LEUSCHNER

For the Government of the Polish People's Republic :

P. JAROSZEWICZ

For the Government of the Romanian People's Republic :

A. BIRLADEANU

For the Government of the Union of Soviet Socialist Republics :

A. KOSYGIN

For the Government of the Czechoslovak Republic :

O. ŠIMUNEK