

No. 5864

**HUNGARY
and
UNION OF SOVIET SOCIALIST REPUBLICS**

Agreement concerning the legal status of Soviet forces temporarily stationed in the territory of the Hungarian People's Republic. Signed at Budapest, on 27 May 1957

Official texts: Hungarian and Russian.

Registered by Hungary on 26 September 1961.

**HONGRIE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

Accord concernant le statut juridique des troupes soviétiques stationnées temporairement sur le territoire de la République populaire hongroise. Signé à Budapest, le 27 mai 1957

Textes officiels hongrois et russe.

Enregistré par la Hongrie le 26 septembre 1961.

[TRANSLATION — TRADUCTION]

No. 5864. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING THE LEGAL STATUS OF SOVIET FORCES TEMPORARILY STATIONED IN THE TERRITORY OF THE HUNGARIAN PEOPLE'S REPUBLIC. SIGNED AT BUDAPEST, ON 27 MAY 1957

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

Determined to make every effort to preserve and strengthen peace and security in Europe and throughout the world,

Considering that in the present international situation, when the aggressive North Atlantic bloc is in being, when re-militarization is in progress and the forces of revanchism growing ever more active in West Germany, and when the United States of America and other States members of the North Atlantic bloc maintain numerous forces and military bases near the socialist States, the security of the socialist States is in jeopardy,

Having regard to the fact that in these circumstances it is desirable for the purpose of joint defence against possible aggression, and in conformity with international agreements, that Soviet should be temporarily stationed in the territory of the Hungarian People's Republic, and

Desiring to settle questions relating to the temporary presence of Soviet forces in the territory of the Hungarian People's Republic,

Have resolved, in accordance with the Declaration of 28 March 1957 by the Government of the Hungarian People's Republic and the Government of the Soviet Union, to conclude this Agreement and have for this purpose appointed as their plenipotentiaries :

The Government of the Hungarian People's Republic :

Imre Horváth, Minister for Foreign Affairs of the Hungarian People's Republic, and

Géza Révész, Minister for Defence of the Hungarian People's Republic;

¹ Came into force on 16 August 1957, the date of the exchange of the instruments of ratification at Moscow, in accordance with article 18.

The Government of the Union of Soviet Socialist Republics :

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

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

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 Hungarian People's Republic shall in no way affect the sovereignty of the Hungarian State; the Soviet forces shall not intervene in the domestic affairs of the Hungarian People's Republic.

Article 2

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

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

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

Article 3

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

Article 4

1. Military personnel of the Soviet forces stationed in the territory of the Hungarian 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 service vehicles of Soviet military units shall bear a clearly visible registration number, which shall be determined by the command of the Soviet forces and a facsimile of which shall be transmitted to the competent Hungarian authorities.

3. The competent Hungarian 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 Hungarian People's Republic.

Article 5

Questions of jurisdiction relating to the presence of Soviet forces in the territory of the Hungarian 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 Hungarian People's Republic shall as a general rule be subject to Hungarian law and to the jurisdiction of the Hungarian courts, procurator's office and other Hungarian authorities having competence in matters relating to prosecution for 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 Hungarian 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 Soviet law and to the jurisdiction of the Soviet courts, procurator's office and other Soviet authorities having competence in matters relating to prosecution for serious and lesser offences.

3. The competent Hungarian and Soviet authorities may request one another to 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 Hungarian People's Republic or against military person-

nel thereof shall be liable before the courts of the Hungarian People's Republic to the same penalty as if the offence had been committed against the Hungarian armed forces or Hungarian military personnel.

Article 7

1. The competent Hungarian and Soviet authorities shall render each other every assistance, including legal assistance, in matters relating to prosecution for 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 Hungarian People's Republic shall be determined by a special agreement between the Contracting Parties.

Article 8

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

Article 9

1. The Government of the Union of Soviet Socialist Republics agrees to compensate the Government of the Hungarian People's Republic for any material damage which may be caused to the Hungarian State by any act or omission of Soviet military units or individuals serving therewith and for any damage which may be caused to Hungarian institutions and nationals or to nationals of any third State in the territory of the Hungarian 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 Hungarian 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 Hungarian People's Republic for any damage which may be caused to Hungarian institutions and nationals or to nationals of any third State in the territory of the Hungarian 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 Hungarian court on the basis of the claims filed against the persons who have caused the damage.

Article 10

1. The Government of the Hungarian 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 Hungarian People's Republic and to individuals serving with the Soviet forces by any act or omission of Hungarian 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 Hungarian law.

Any dispute arising out of the obligations of Hungarian 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 Hungarian 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 Hungarian 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 Hungarian nationals. The amount of such compensation shall be determined by the Hungarian 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 Hungarian 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 paid out, in the cases referred to in article 9 of this Agreement, by the competent Hungarian authorities and, in the cases referred to in article 10 of this Agreement, by 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 Hungary and have not been settled before the entry into force of this Agreement shall be examined by the Mixed Commission.

Article 12

The construction of buildings, airfields, roads, bridges and permanent radiocommunications installations at the duty stations of Soviet forces and the determination of the frequency and strength of such communications shall be subject to the consent of the competent Hungarian 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 officials premises, storage depots, airfields, training grounds, transport and communications, electric power, communal services and commercial facilities as may arise in connexion with the temporary presence of Soviet forces in the territory of the Hungarian 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 of the installations and equipment referred to in article 13 which are released from use by Soviet forces shall be returned to the Hungarian authorities.

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

Article 15

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

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 Hungarian 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 Hungarian-Soviet 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 at Budapest.

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 in Moscow.

Article 19

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

This Agreement is done at Budapest on 27 May 1957 in two copies, each in the Hungarian and Russian languages, both texts being equally authentic.

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

For the Government
of the Hungarian People's
Republic :
HORVÁTH Imre
RÉVÉSZ Géza

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