

No. 6046

**UNION OF SOVIET SOCIALIST REPUBLICS
and
POLAND**

**Treaty concerning the régime of the Soviet-Polish State
frontier and co-operation and mutual assistance in
frontier matters (with Protocol and annexes). Signed
at Moscow, on 15 February 1961**

Official texts: Russian and Polish.

Registered by the Union of Soviet Socialist Republics on 23 January 1962.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
POLOGNE**

**Traité relatif au régime de la frontière d'État soviéto-
polonaise ainsi qu'à la coopération et à l'assistance
mutuelle pour les questions de frontière (avec Protocole
et annexes). Signé à Moscou, le 15 février 1961**

Textes officiels russe et polonais.

Enregistré par l'Union des Républiques socialistes soviétiques le 23 janvier 1962.

[TRANSLATION — TRADUCTION]

No. 6046. TREATY¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING THE RÉGIME OF THE SOVIET-POLISH STATE FRONTIER AND CO-OPERATION AND MUTUAL ASSISTANCE IN FRONTIER MATTERS. SIGNED AT MOSCOW, ON 15 FEBRUARY 1961

The Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic, desiring to determine measures conducive to the maintenance in good order of the régime of the State frontier between the Union of Soviet Socialist Republics and the Polish People's Republic and to the settlement of frontier questions in a spirit of co-operation and mutual assistance, have decided to conclude this Treaty for that purpose and have accordingly appointed as their Plenipotentiaries :

The Government of the Union of Soviet Socialist Republics : N. P. Firyubin, Deputy Minister for Foreign Affairs of the USSR;

The Government of the Polish People's Republic : Bolesław Jaszczuk, Ambassador Extraordinary and Plenipotentiary of the Polish People's Republic to the USSR;

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

CHAPTER I

COURSE OF THE FRONTIER LINE, FRONTIER MARKS, MARKING AND MAINTENANCE OF THE FRONTIER

Article I

1. The State frontier line between the Union of Soviet Socialist Republics and the Polish People's Republic established by the Treaty between the Union of Soviet Socialist Republics and the Polish Republic concerning the Soviet-Polish State frontier, signed on 16 August 1945,² the Treaty between the Union of Soviet Socialist Republics and the Polish Republic concerning the exchange of sectors of their State territories, together with the annexes thereto, signed on

¹ Came into force on 20 September 1961, the date of the exchange of the instruments of ratification at Warsaw, in accordance with article 52.

² United Nations, *Treaty Series*, Vol. 10, p. 193.

15 February 1951, the Treaty between the Union of Soviet Socialist Republics and the Polish People's Republic concerning the demarcation of the existing Soviet-Polish State frontier in the sector adjoining the Baltic Sea, signed on 5 March 1957,¹ and the Protocol between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the delimitation of Soviet and Polish territorial waters in the Gulf of Gdansk of the Baltic Sea, signed on 18 March 1958,² shall follow on the ground the course defined in :

(a) The documents signed by representatives of the USSR, Poland and Czechoslovakia at Uzhgorod on 18 April 1946 concerning the frontier mark "Kremenets" ("Krzemieniec"), set up at the junction of the frontiers of the Union of Soviet Socialist Republics, the Polish People's Republic and the Czechoslovak Socialist Republic, which is the starting point of the Soviet-Polish State frontier;

(b) The documents signed at Warsaw on 30 April 1947 concerning the demarcation of the Soviet-Polish State frontier in 1946-1947 in the sectors extending from the frontier mark "Kremenets" ("Krzemieniec") to frontier mark No. 350, from frontier mark No. 472 to frontier mark No. 700 and from frontier mark No. 860 to frontier mark No. 1987, set up at the junction of the frontiers of the Russian Soviet Federative Socialist Republic (Kaliningrad Region), the Polish People's Republic and the Lithuanian Soviet Socialist Republic;

(c) The documents signed at Warsaw on 23 October 1951 concerning the demarcation of the Soviet-Polish State frontier in the sectors extending from frontier mark No. 350 to frontier mark No. 472 and from frontier mark No. 700 to frontier mark No. 860, between which, at the time of the demarcation of the new frontier line between the Union of Soviet Socialist Republics and the Polish People's Republic in 1951, frontier marks Nos. 351-A to 432-A and Nos. 701-B to 859-B respectively were set up in the sectors of State territories exchanged;

(d) The documents concerning the demarcation of the Soviet-Polish State frontier in the sector from frontier mark No. 1987 to frontier mark No. 2439 (pillar) and the demarcation documents delimiting the territorial waters of the Union of Soviet Socialist Republics and the Polish People's Republic in the Gulf of Gdansk. The said demarcation documents were signed at Warsaw on 10 September 1958;

(e) Such annexes and additions to the documents concerning the demarcation of the Soviet-Polish State frontier as may be concluded during the period of validity of this Treaty.

This line is designated in this Treaty by the term "frontier" or "frontier line".

¹ United Nations, *Treaty Series*, Vol. 274, p. 133.

² United Nations, *Treaty Series*, Vol. 340, p. 89.

2. The demarcation documents shall consist of the following :

(a) The descriptive protocols relating to the course of the State frontier line between the Union of Soviet Socialist Republics and the Polish People's Republic in the corresponding sectors of the frontier;

(b) The maps of the State frontier between the Union of Soviet Socialist Republics and the Polish People's Republic;

(c) The frontier-mark protocols with sketch-maps on the reverse side, and such other demarcation documents as are referred to in the descriptive protocols.

Article 2

The frontier line as defined in the documents referred to in article 1 shall also divide vertically the air space and the subsoil.

Article 3

1. In sectors where it runs over land, and also where it crosses standing or running waters, the frontier shall extend in an immovable straight line from one frontier mark to the next.

2. In sectors where it follows watercourses, the frontier shall be a movable straight, broken or crooked line, likewise running from one frontier mark to the next; on navigable rivers the frontier shall follow the middle of the main fairway (thalweg) and on unnavigable rivers, streams and canals, the middle thereof or the middle of the main branch.

3. In the Kaliningradsky zaliv (Zalew Wiślany) the frontier shall follow an immovable straight line marked by buoys. In the Gulf of Gdansk it shall follow the line of a reference mark placed on the Baltiiskaya kosa (Mierzeja Wiślana).

4. Islands in frontier rivers have been assigned to the territory of one Party or the other according to their position in relation to the frontier line, and serially numbered, for each river separately, in the demarcation documents.

Article 4

1. On navigable rivers, the course of the frontier line shall vary with the natural displacement of the middle of the main fairway (thalweg).

2. On unnavigable rivers and streams, the course of the frontier line shall vary with the displacement of the middle of such rivers and streams caused by natural changes in the configuration of their banks.

3. In determining on the ground a frontier line following the middle of a river, stream or canal, any existing creeks shall be disregarded and the middle of such rivers, streams and canals shall in such case be deemed to be a straightened line equidistant from the similarly straightened lines of both banks. Where

the line of the banks cannot be accurately determined, the middle of the above-mentioned frontier waters shall be deemed to be the middle of the water surface at mean water level.

4. The changes referred to in paragraphs 1 and 2 of this article shall, as necessary, be attested jointly by the competent authorities of the two Parties.

The documents attesting to changes in the position of the middle of frontier rivers, streams and canals shall not be annexed to the basic demarcation documents, but shall be kept by the competent authorities of the Contracting Parties responsible for the frontier sector concerned.

5. Changes in the bed of a frontier river or stream which are due to natural causes and which involve physical changes in the territorial status of land holdings, inhabited localities, installations of material value, structures and the like, shall not affect the course of the frontier line unless the Contracting Parties agree otherwise during the joint operations, provided for in article 5 of this Treaty, to check the course of the frontier line in water sectors of the frontier.

6. The variations in the course of the frontier line referred to in paragraphs 1 and 2 of this article shall not affect the territorial status of islands in frontier rivers which were assigned to one Party or the other upon the demarcation of the frontier unless the Contracting Parties agree otherwise during the joint operations, provided for in article 5 of this Treaty, to check the course of the frontier line in water sectors of the frontier.

7. If changes of the type referred to in paragraph 5 of this article have occurred and the measures specified in article 16, paragraph 5, of this Treaty cannot be carried out, and if the frontier line no longer follows the river or stream, the said line shall be determined during the joint operations, provided for in article 5 of this Treaty, to check the course of the frontier line in water sectors of the frontier.

When these operations are in progress, a frontier line which previously followed a river or stream in a broken or crooked line may be straightened.

Article 5

1. The competent authorities of the two Contracting Parties shall make in 1961 a joint check on the course of the frontier line on rivers, streams and canals, by taking measurements and carrying out other operations on the ground. Such joint checks shall be undertaken every ten years thereafter during the period of validity of this Treaty, unless one of the Contracting Parties requests such a check earlier.

2. The joint operations to check the course of the frontier line in water sectors of the frontier shall be carried out during the summer. The competent

authorities of the Contracting Parties shall, by agreement, fix the starting date for the joint operations to check the course of the frontier line far enough in advance to enable each party to make all necessary preparations.

3. If it is found, on referring to the demarcation documents of 1946-1947, 1951 and 1958, that changes have occurred in the course of the frontier line in particular sectors of rivers, streams and canals, the competent authorities of the two Contracting Parties shall establish the new course of the frontier line and shall determine the status of the islands in such sectors of the frontier.

Islands in frontier rivers shall be assigned to the territory of one Party or the other according to their position in relation to the frontier line and shall be serially numbered in the new demarcation documents.

4. For sectors of rivers, streams and canals where the course of the frontier line has been changed, the competent authorities of the two Contracting Parties shall draw up in duplicate, in the Russian and Polish languages, new demarcation documents consistent with the demarcation documents referred to in article 1 of this Treaty.

5. To carry out the operations described, the competent authorities of the Contracting Parties shall appoint, in equal numbers from either Party, experts, specialists and such other persons as the operations require.

The expenses connected with these operations shall be divided equally between the two Contracting Parties.

6. The new demarcation documents for water sectors of the frontier drawn up by the competent authorities of the two Contracting Parties shall be subject to confirmation by the Governments of the two Contracting Parties and shall take effect on the date of the exchange of notes signifying their confirmation.

7. The new documents for particular sectors of rivers, streams and canals referred to in paragraph 6 of this article shall replace the demarcation documents of 1946-1947, 1951 and 1958 for these sectors.

Article 6

1. The frontier shall be marked on the ground by the following frontier marks :

(a) In land sectors of the frontier, by two wooden or ferro-concrete frontier posts, each placed, as a rule, 2.5 metres from the frontier line, and by a small round wooden post or a small four-sided stone or ferro-concrete post placed between them on the frontier line itself;

(b) At the basic turning points of the frontier and at distinctive places thereon, by two wooden or concrete frontier posts and by a concrete pillar placed between the posts on the frontier line itself;

(c) In places where the frontier line crosses from a land to a water sector and *vice versa*, by three wooden or ferro-concrete frontier posts and a small wooden post or a concrete pillar, two of the posts being placed on one bank of

the river or lake, with the small post or pillar between them, and the third post — the reference mark — being placed on the opposite bank to show the continuation of the frontier line.

At places on the shores of the Kaliningradsky zaliv (Zalew Wiślany) and the Gulf of Gdansk where the frontier enters the gulfs, by ferro-concrete pillars placed on the frontier line itself;

(d) In water sectors of the frontier, by two wooden or ferro-concrete posts, one placed on either bank of the river, stream, canal or lake, or one placed on one bank and the other on an island;

(e) In the Kaliningradsky zaliv (Zalew Wiślany) during the period of navigation, by marine buoys, and for the rest of the year, by spar-buoys placed on the frontier line itself and by reference marks placed on the shore;

(f) In the Gulf of Gdansk the line delimiting the territorial waters of the USSR and the Polish People's Republic shall be indicated by a reference mark placed on the Baltiiskaya kosa (Mierzeja Wiślana).

Reference marks shall be fitted with beacon-lighting equipment.

2. The description of each frontier mark and its position in relation to the frontier line shall be given in the relevant demarcation documents.

3. The frontier line shall not be marked by any method other than that adopted upon demarcation, nor shall any existing frontier marks be replaced by frontier marks of a different type, save by special agreement between the two Contracting Parties.

Article 7

The Contracting Parties undertake so to maintain the frontier marks set up to mark the frontier line that the site, appearance, shape, dimensions and colour of the frontier marks meet all the requirements of the frontier demarcation documents.

Article 8

1. Responsibility for the maintenance of frontier marks shall be shared between the Contracting Parties as follows :

(a) The Soviet Party shall maintain those frontier posts which are in the territory of the USSR;

(b) The Polish Party shall maintain those frontier posts which are in the territory of the Polish People's Republic;

(c) The small posts and pillars set up on the State frontier line itself shall be maintained as follows :

Marks bearing even numbers, by the Soviet Party;

Marks bearing odd numbers, by the Polish Party.

2. Reference marks shall be maintained by the Soviet Party; marine buoys and spar-buoys placed in the Kaliningradsky zaliv (Zalew Wiślany) shall be maintained by the Polish Party.

Article 9

1. The Contracting Parties undertake to keep the frontier visible throughout its length. To this end, a frontier vista 10 metres wide (5 metres to the nearest tree-branches on either side of the frontier line) must be kept in good condition and, as necessary, cleared of bushes and other undergrowth which obstruct visibility. Cultivation and the erection of any installations in the vista shall be prohibited unless the competent authorities of the two Parties agree otherwise. The prohibition shall not apply to the erection of installations intended for the protection of the frontier.

2. Each Party shall clear the frontier vista in its own territory. The competent authorities of the two Contracting Parties shall give one another not less than ten days' advance notice of the start of work on clearing the frontier vista. Representatives of the competent authorities of the Contracting Parties shall be entitled to be present when such work is in progress.

3. The Contracting Parties shall be careful to ensure that installations and structures, whether existing or newly erected, in the immediate vicinity of the frontier meet the requirements of the fire regulations. The competent authorities of the Contracting Parties shall communicate these regulations to one another.

Article 10

1. The condition and siting of frontier marks and the condition of frontier vistas shall be inspected by the competent authorities of each Contracting Party at their discretion and in accordance with articles 7, 8 and 9 of this Treaty.

2. In addition to such unilateral inspections, joint supervisory inspections of frontier marks must be made once every two years by representatives of the competent authorities of the two Contracting Parties.

The joint supervisory inspections of frontier marks shall be made during the summer. The competent authorities of the Contracting Parties shall on each occasion agree on the starting date for the joint supervisory inspection of frontier marks.

3. Should it be necessary to make an additional joint inspection of frontier marks, the competent authorities of one Contracting Party shall so notify, in writing, the competent authorities of the other Contracting Party. The additional

joint inspection of frontier marks shall be made not later than ten days after the competent authorities of either Contracting Party have been notified.

4. If it is established on inspection that the measurement figures recorded in the demarcation documents do not coincide with the results of the joint measurements taken on the ground, and if it is established that the position of the frontier marks has not changed since the time of demarcation, the results of the measurements taken on the ground shall be considered decisive.

5. Any amendments or additions to demarcation documents shall be made by agreement between the Contracting Parties and shall be annexed to the said documents.

6. A protocol on the results of the supervisory inspection shall be drawn up in duplicate, in the Russian and Polish languages, by representatives of the competent authorities of the two Contracting Parties.

Article 11

1. If a frontier mark is lost, destroyed or damaged, it shall forthwith be restored or repaired by the competent authorities of the party in whose territory the frontier post or the mark is situated or to which the small post or pillar has been assigned for maintenance. The competent authorities of one Contracting Party must give the competent authorities of the other Contracting Party, in writing, not less than ten days' advance notice of the start of work on the restoration or repair of frontier marks.

2. The restoration of lost, destroyed or damaged frontier marks shall be carried out by the competent authorities of one Party in the presence of representatives of the competent authorities of the other Party.

3. When a frontier mark or frontier post is restored, care should be taken not to change its site. For this purpose the demarcation documents should be used as a guide and the particulars recorded therein must be verified on the ground by check measurements.

4. In water sectors of the frontier, when restoring or re-erecting frontier marks which have been damaged or destroyed by floods or drifting ice, it shall be permissible to change their former site, provided that the actual course of the frontier line is not changed, and to re-erect them at points where the preservation of the frontier posts will be ensured. Changes in the siting of frontier posts in a water sector of the frontier shall be subject to the consent of both Contracting Parties.

5. Frontier posts may, if necessary, also be transferred to new sites in ravine sectors of the frontier in accordance with paragraph 4 of this article.

6. The competent authorities of the Contracting Parties shall draw up in duplicate, in the Russian and Polish languages, a record of the operations of restoring or repairing a frontier mark or of re-erecting it on a new site.

In addition, for every frontier mark re-erected on a new site there shall be drawn up, within a month, a frontier-mark protocol and a sketch-map, both of which must be completely consistent with the other demarcation documents and be annexed thereto.

7. Where necessary, the competent authorities of the two Contracting Parties may, by agreement, set up additional frontier marks on the frontier line provided that the actual course of the frontier line is not changed.

Additional frontier marks set up at the frontier must conform to the specifications laid down in the demarcation documents and must be recorded in the documents specified in paragraph 6 of this article.

8. Repair work on frontier marks assigned for maintenance to one Party or the other under article 8 of this Treaty shall be carried out independently by the Contracting Party concerned.

9. The Contracting Parties shall take measures for the proper protection of frontier marks.

Any frontier marks damaged or destroyed by residents of the other Party shall be restored at that Party's expense.

10. If the representatives of the competent authorities of one Party observe that a post in the territory of the other Party has been destroyed or damaged, they shall so notify the competent authorities of the latter Party with a view to the restoration or repair of the frontier mark.

The representatives of the competent authorities of the Party in whose territory a frontier post is observed to have been lost, destroyed or damaged must restore or repair it without delay.

CHAPTER II

PROCEDURE FOR THE USE OF FRONTIER WATERS AND OF RAILWAYS, HIGHWAYS AND OTHER ROADS WHICH CROSS THE FRONTIER LINE

Article 12

1. Those sectors of rivers, streams and canals along which the frontier line runs, as well as the Kaliningradsky zaliv (Zalew Wiślany) and lakes and ponds which are crossed by the said line, shall be deemed to be frontier waters.

2. Each Contracting Party shall take appropriate steps to ensure that, in the use of frontier waters, the rights and interests of the other Contracting Party are respected.

Article 13

1. On frontier rivers where the frontier line follows the middle of the main fairway, the vessels (ships and boats) of the Contracting Parties shall be entitled to navigate freely over the full width of the fairway, regardless of the course of the frontier line along it.

2. On frontier rivers, streams, canals and lakes which are not navigable by ships, the vessels of the Contracting Parties shall be entitled to navigate only up to the frontier line.

3. In the Kaliningradsky zaliv (Zalew Wiślany), in order to protect the frontier and preserve the frontier marks (buoys), since the movement of traffic displaces the buoys from the frontier line, vessels shall not be permitted to navigate close to the frontier line. The provisions of this paragraph shall not apply to ships of the frontier guard or frontier service or to merchant ships crossing the frontier on a fixed route in accordance with article 14 of this Treaty.

4. In cases not provided for in this Treaty, no vessels of either Party may cross the frontier line save by special agreement between the Contracting Parties.

5. Vessels of one Contracting Party may make fast to the other Party's bank of a frontier river, lake or gulf only if they are in distress (storm, accident, etc.). In such case, the frontier authorities must render them the necessary assistance.

Article 14

Polish merchant ships shall pass through the Soviet part of the Kaliningradsky zaliv (Zalew Wiślany) and the Baltic Canal (Pillavsky proliv/Cieśnina Pilawska) in either direction in accordance with agreements reached in advance.

Article 15

1. Self-propelled vessels of both Contracting Parties and their non-self-propelled vessels in tow shall be permitted to navigate in frontier waters at all hours.

Non-self-propelled vessels which are not in tow and small craft (boats), whether self-propelled or not, shall be forbidden to navigate in frontier waters at night, from half an hour before sunset to half an hour after sunrise.

On Lakes Krasnoe (Gołdap) and Golodus (Gaładuś), navigation at night shall be forbidden only in the vicinity of the frontier line.

2. All vessels navigating in frontier waters must exhibit: in the case of self-propelled ships and non-self-propelled barges, their respective national

flags and the names or numbers assigned to them; in the case of boats, strips in the colours of the national flag painted on the bow and the stern, or the flag itself, and the numbers assigned to them.

3. Craft navigating in frontier waters shall not be permitted to anchor on the frontier line unless compelled to stop.

4. Vessels of one Contracting Party navigating in frontier waters in accordance with the regulations set forth in paragraphs 1-3 of this article may not be detained by the authorities of the other Contracting Party, compelled to anchor or tie up, or subjected to examination or the inspection of their papers.

Article 16

1. The Contracting Parties shall be careful to ensure that the frontier waters are kept in good condition and to respect each other's rights and interests in such waters, and shall take steps to prevent wilful damage to the banks of frontier rivers, lakes and canals.

2. Where one Contracting Party occasions material damage to the other Contracting Party by failing to meet the requirements of paragraph 1 of this article, compensation for such damage shall be paid by the Party responsible therefor.

3. The position and direction of frontier watercourses must so far as possible be preserved unchanged. To this end the competent authorities of the Contracting Parties shall jointly take the necessary steps to remove any obstacles which may cause displacement of the beds of frontier rivers, streams or canals or which may obstruct the natural flow of water, navigation and timber-floating along them. If joint works must be undertaken for this purpose, the appropriate authorities of the two Parties shall decide how the works are to be executed. The expenses involved shall be divided equally between the two Contracting Parties unless a special agreement is concluded on this question.

4. In order to prevent displacement of the beds of frontier rivers, streams or canals, their banks must be strengthened wherever the competent authorities of the Contracting Parties jointly find this necessary. Such works shall be executed and their cost defrayed by the Party to which the bank belongs.

5. Should a frontier river or stream shift its bed spontaneously or as a result of some natural phenomenon, the Contracting Parties must correct the bed by joint action if this is found necessary by their competent authorities. The manner of executing such works and defraying the expenses shall be determined jointly by the competent authorities of the two Contracting Parties. The expenses involved in carrying out such works shall be divided equally between the Contracting Parties.

Article 17

1. The natural flow of water in frontier watercourses and in adjacent areas which are inundated during periods of high water must not be altered or obstructed to the detriment of the other Party by the erection or reconstruction of installations or structures in the water or on the banks, or in any other way.

2. The competent authorities of the Contracting Parties shall agree upon the method of regulating drainage into and the diversion of water from frontier waters and upon all other questions relating to the water regime.

Article 18

1. Frontier watercourses shall be cleaned out in sectors where the competent authorities of the Contracting Parties jointly find this necessary. In such cases the cost of cleaning shall be divided equally between the two Contracting Parties.

2. In sectors situated wholly in the territory of one Contracting Party but belonging to waters which, in other sectors, are frontier waters, cleaning shall be carried out by that Party at its own expense.

3. When frontier watercourses are cleaned out, the earth and stones removed must be dumped at such a distance from the bank and levelled in such a way as to preclude any danger of subsidence of the bank, or of pollution of the bed, or any obstruction to drainage during periods of high water.

4. If one of the Contracting Parties discovers any unidentified objects or animal carcasses in frontier waters or on the banks thereof, the competent authorities of that Party shall take steps to establish their ownership.

The identity of human corpses discovered in frontier waters or on the banks thereof shall, if necessary, be established jointly by representatives of the competent authorities of both Parties.

Article 19

The competent authorities of the Contracting Parties shall take steps to keep the frontier waters clean by making it unlawful to poison or pollute them with chemicals or refuse from factories or industrial establishments, to steep flax or hemp in them, or otherwise to contaminate them.

Article 20

1. Existing bridges, dams, sluices, dikes and similar installations on frontier watercourses shall be preserved and may be used, with the exception of

those whose removal is found necessary by the appropriate authorities of the two Contracting Parties.

2. If the reconstruction or removal of any of the installations referred to in paragraph 1 of this article becomes necessary, entailing a change in the water level in the territory of the other Contracting Party, the work in question may be undertaken only after that Party's consent has been obtained.

3. No new bridges, dams, sluices, dikes or other hydraulic installations may be erected or used on frontier watercourses except by agreement between the Contracting Parties.

Article 21

The competent authorities of the Contracting Parties shall exchange information concerning the level and volume of water and ice conditions in frontier waters, if such information may help to avert danger from floods or from drifting ice. If necessary, the said authorities shall also agree on a regular system of signals to be used during periods of high water or drifting ice.

Delay in communicating, or failure to communicate, such information shall not constitute grounds for a claim to compensation for damage caused by floods or drifting ice.

Article 22

1. The two Contracting Parties may freely engage in the floating of timber throughout the length of the frontier watercourses, including places where both banks belong to one and the same Party.

2. The dates and sequence of operations for launching and floating timber shall be determined each year by the competent authorities of the two Contracting Parties not later than two months before navigation opens on the frontier watercourses. The competent authorities of each Contracting Party shall give the competent authorities of the other Party not less than five days' notice of the starting date of floating operations.

Article 23

1. In order to ensure that the timber-floating operations proceed smoothly, the competent authorities of the Contracting Parties shall by agreement, in accordance with article 2 of the Protocol¹ to this Treaty, permit workmen to land and move about on their respective banks in order to construct temporary floating installations for timber launching and to clear the bank of floated timber.

¹ See p. 282 of this volume.

2. The place and time of crossing the frontier and the number of workmen requiring access to the other Party's bank in order to carry out the work provided for in paragraph 1 of this article shall be agreed upon between the competent authorities of the Contracting Parties in good time and, in any case, not later than five days before the work begins.

3. Timber of the two Contracting Parties which is floated down frontier watercourses shall not be subject to any customs duties or other taxes.

Article 24

1. All timber floated must be marked; for this purpose the appropriate authorities of the Parties shall establish and exchange specimen markings in advance.

2. In cases where the floated timber is stripped of its bark, the bark removed must not be allowed to fall into frontier watercourses.

Article 25

Supplementary special agreements may be concluded on questions relating to the procedure for the use of frontier waters, the maintenance thereof, the floating of timber down frontier watercourses and co-operation in hydrometeorological matters.

Article 26

1. Communications by railways, highways, other roads and waterways which cross the frontier, and the frontier crossing points on such routes, shall be established by special agreements between the Contracting Parties.

2. At places where railways, highways, other roads and waterways cross the frontier line, each Contracting Party shall erect, as appropriate, barriers and special signs in its territory and shall maintain them in good condition.

3. The Contracting Parties shall take appropriate steps to ensure that sectors of railways, highways, other roads and waterways which are open to traffic are maintained in good condition at places where they cross the frontier. Each Contracting Party shall keep them in repair at its own expense up to the frontier line.

Exceptions to this rule may be provided for in agreements between the appropriate authorities of the two Contracting Parties.

Article 27

1. The two Contracting Parties have agreed in this Treaty that the frontier line shall divide bridges, dams and sluices, at the middle, regardless of the course of the frontier line in the water.

2. Bridges intersected by the frontier shall be maintained in good condition and repair by each Contracting Party at its own expense up to the frontier line as marked on the bridge, unless an agreement providing otherwise is concluded on the subject. The organization, timing and nature of repairs shall be agreed upon in advance between the competent authorities of the Contracting Parties.

3. Each Contracting Party may, as necessary, make a technical inspection of those sections of frontier bridges, dams and sluices which are situated in the territory of the other Party. The competent authorities of the latter Party must be given not less than forty-eight hours' advance notice of any proposed inspection and of the time at which it is to begin, and when it is completed they must be informed of its results. The inspection shall be carried out in the presence of the competent authorities of the latter Party.

4. Traffic on frontier bridges and other frontier crossings shall be regulated by the competent authorities of the Contracting Parties.

5. Where the competent authorities of the two Contracting Parties determine that a new bridge, foot-bridge or ferry needs to be installed across the frontier line, the work of construction shall be carried out by agreement between those authorities. Representatives of the competent authorities shall agree in advance on the construction site, the type of bridge, foot-bridge or ferry, and the method of apportioning the cost of its construction.

The protocols of the formal meetings of Frontier Commissioners recording such agreements shall be subject to confirmation by the appropriate authorities of both Parties.

6. The provisions of this article shall not apply to railway bridges.

Article 28

Should it become necessary, in carrying out the joint works referred to in articles 16, 18 and 27 of this Treaty, to bring materials from the territory of one Contracting Party into the territory of the other Contracting Party, such materials shall be exempt from all taxes and customs duties when crossing the frontier.

CHAPTER III

FORESTRY, FISHING, HUNTING AND MINING

Article 29

1. In sectors adjacent to the frontier line, each Contracting Party shall so conduct its forestry operations as not to impair the forest economy of the other Party.

2. Each Contracting Party shall take all possible steps to prevent any large-scale outbreak of forest pests which might create a threat to the forest economy of the other Party and shall inform the latter Party if any such pests are discovered.

3. If a forest fire breaks out near the frontier, the Contracting Party in whose territory the fire began must do everything in its power to contain and extinguish the fire and to prevent it from spreading across the frontier.

4. If a forest fire threatens to spread across the frontier, the Contracting Party in whose territory the threat has arisen shall immediately warn the other Contracting Party so that appropriate measures may be taken to contain the fire at the frontier.

5. If natural phenomena or felling operations cause trees to fall across the frontier line, the competent authorities of the Contracting Parties shall take steps to enable the persons concerned from the neighbouring Party to cut up the trees and remove them to their own territory. The competent authorities of the Party to which the trees belong must report such occurrences to the competent authorities of the other Party.

In such cases, trees may be taken across the frontier free of all taxes and customs duties.

6. The competent authorities of the two Contracting Parties may, if necessary, conclude detailed agreements on questions relating to forestry in frontier territory.

Article 30

For the purpose of extracting timber, the Polish Party may use the road which passes through the Soviet Party's territory in the area of the inhabited localities of Raduzhnoe and Krasny Les (Puszcza Rominska) in the immediate vicinity of the frontier line, provided that the competent authorities of the Soviet Party are given not less than ten days' notice before extraction begins and that the frontier-crossing procedure laid down in article 2 of the Protocol to this Treaty is observed.

Article 31

1. Residents of each Contracting Party may fish in frontier waters up to the frontier line in accordance with the regulations in force in their respective territories, but shall be prohibited :

(a) from using explosive, poisonous or narcotic substances or other means which cause the destruction and mutilation of fish;

(b) From fishing in frontier waters at night, except on Lakes Golodus (Gaładuś) and Krasnoe (Gołdap), where fishing at night shall be prohibited only in the vicinity of the frontier line.

2. Fishing in the Kaliningradsky zaliv (Zalew Wiślany) shall be prohibited only in the vicinity of the frontier line.

3. The appropriate authorities of the Contracting Parties may conclude special agreements concerning the conservation and breeding of fish in frontier waters, provisions making it unlawful to take particular species of fish from certain sectors, the dates of the fishing season and other measures relating to fishing.

Article 32

1. The competent authorities of the Contracting Parties shall, as necessary, agree on all matters relating to the preservation of wild animals and birds and on identical closed seasons in particular sectors of the frontier.

2. When hunting is in progress in frontier territory it shall be unlawful to shoot or pursue wild animals or birds across the frontier.

Article 33

1. In order to safeguard the frontier line a zone twenty metres wide shall be left on either side of it; mining and mineral prospecting in these zones shall be prohibited as a rule, and shall be permitted only in exceptional cases by agreement between the competent authorities of the Contracting Parties.

2. Should it be inexpedient in particular cases to establish the zones referred to in paragraph 1 of this article, the competent authorities of the Contracting Parties shall agree on other precautionary measures to safeguard the frontier line.

CHAPTER IV

FRONTIER COMMISSIONERS AND THEIR RIGHTS AND DUTIES

Article 34

The competent authorities referred to in this Treaty shall be the Frontier Commissioners of the Union of Soviet Socialist Republics and the Polish People's Republic, their Deputies and their Assistants.

Article 35

1. The Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic shall each appoint Frontier Commissioners and Deputy Frontier Commissioners.

2. The Frontier Commissioners of the two Parties shall co-operate with one another in performing the duties arising out of the provisions of this Treaty.

3. When acting as representatives of the Parties, the Deputies shall enjoy all the rights conferred on the Frontier Commissioners.

Article 36

1. The places of official residence and sectors of operations of the Frontier Commissioners shall be those specified in the Protocol to this Treaty.

2. The Contracting Parties shall, in each individual case, inform each other through the diplomatic channel of any changes in the particulars set forth in chapter I of the Protocol to this Treaty.

Each Contracting Party shall communicate the names of the Frontier Commissioners and their Deputies to the other Party through the diplomatic channel.

Article 37

1. The Frontier Commissioners shall be entitled to appoint the necessary number of Assistants and to call in experts.

2. The Frontier Commissioners of the two Parties shall notify one another of the names and places of official residence of their Assistants.

The appointment of Assistant Frontier Commissioners shall be announced and the places of their official residence designated, by the Frontier Commissioners at their first formal meeting after the entry into force of this Treaty.

3. The number of Assistant Frontier Commissioners and the places of their official residence may be changed by the Frontier Commissioners concerned during the period of validity of this Treaty.

4. The rights of the Assistants shall be defined in the credentials issued to them by the Frontier Commissioners.

Article 38

Written credentials in the Russian and Polish languages shall be issued as follows to the persons referred to in article 34 of this Treaty :

To the Frontier Commissioners of the Union of Soviet Socialist Republics and their Deputies, by the Officer Commanding the Frontier Forces of the Union of Soviet Socialist Republics;

To the Frontier Commissioners of the Polish People's Republic and their Deputies, by the Officer Commanding the Frontier Guard of the Polish People's Republic;

To Assistants, by the Frontier Commissioners concerned.

Article 39

1. The competent authorities of the two Contracting Parties shall be under a duty :

A. To take the necessary steps to obviate the occurrence of any irregularities at the frontier.

B. To investigate and, where appropriate, to settle all frontier questions, including cases :

- (1) Where shots are fired across the frontier;
- (2) Where, as a result of action across the frontier, persons in the territory of the other Party are killed or wounded or suffer bodily harm or other injury to health, or where acts of violence are committed against such persons;
- (3) Where the frontier is crossed illegally;
- (4) Where the frontier is crossed illegally by river craft or seagoing vessels, or where aircraft fly across the frontier outside the lanes prescribed by the relevant agreements;
- (5) Where fishing boats and tackle are found to be in the territory of the other Party as a result of the action of the elements or for other reasons;
- (6) Where frontier marks, reference marks or marks indicating the fairway are moved, damaged or destroyed;
- (7) Where the territory of the other Party is photographed across the frontier;
- (8) Where State or other property in the frontier territory of the other Party is stolen, destroyed or damaged;
- (9) Where domestic animals, poultry, tarpans or European bison cross the frontier;
- (10) Where fire spreads across the frontier into the territory of the other Party;
- (11) Where illegal negotiations are carried on across the frontier;
- (12) Where a claim for compensation of some sort is lodged by one of the Parties in consequence of any irregular occurrence at the frontier;
- (13) Where other frontier questions arise which do not require settlement through the diplomatic channel.

2. When settling any case of irregularity occurring at the frontier, the competent authorities shall also agree on the procedure for the return of property which is in the territory of the other Party as a result of any of the occurrences referred to in paragraph 1, sub-paragraphs 4, 5, 8, and 9, of this article.

Article 40

1. Any persons who unintentionally cross the frontier illegally and are detained in the territory of either Contracting Party must be handed over as

soon as possible to the Frontier Commissioner of the Party from whose territory they came.

2. The Frontier Commissioners shall determine the procedure for the return of the persons referred to in paragraph 1 of this article.

The Contracting Parties agree that neither of them shall be entitled to refuse to readmit such persons.

Article 41

1. The Frontier Commissioners shall take the necessary measures to prevent any persons from crossing the frontier illegally in either direction and shall report the said measures to the Frontier Commissioners of the other Party.

2. Any Soviet or Polish citizens who intentionally cross the frontier illegally and are detained shall be handed over, by decision of the competent authorities of the detaining Party, to the competent authorities of the Party from whose territory they came.

3. The persons referred to in paragraph 2 of this article need not be handed over to the other Party if :

(a) They are nationals of the Party which has detained them ;

(b) In addition to the offence of illegally crossing the frontier, they have committed a further offence against the laws of the Party whose territory they have entered.

4. If the Party which has detained the persons referred to in paragraph 2 of this article finds it necessary to make further inquiries, it may keep the said persons in custody for the time required to complete such inquiries, after reporting their detention to the Frontier Commissioner of the other Party.

In such event, the decision regarding the transfer of the persons in custody shall be taken by the appropriate authorities of the detaining Party in accordance with paragraphs 2 and 3 of this article.

5. If, for the reasons specified in paragraph 3 of this article, the persons referred to in paragraph 2 are not handed over, or if they cannot be handed over immediately for any other reason, the Frontier Commissioner of the other Contracting Party must be so informed.

Article 42

Any persons who have left the territory of one Contracting Party through a frontier crossing point but who, in the opinion of the frontier guard authorities of the other Party, are not in possession of the requisite documents must, in the event of their immediate return, be readmitted by the Party from whose territory they came.

Article 43

1. The Frontier Commissioners shall take all the measures in their power to settle cases of irregularities occurring at the frontier. Each Frontier Commissioner shall be entitled, at his discretion, to submit any question of particular importance for settlement through the diplomatic channel, after notifying the Frontier Commissioner of the other Party accordingly.

2. All frontier cases of particular gravity, such as homicide or grievous bodily harm, must be submitted for settlement through the diplomatic channel.

In all such instances, however, the Frontier Commissioners must make the necessary investigation into the case in question and record the results of the investigation in a protocol of the meeting.

3. Any case in which the Frontier Commissioners fail to agree on a settlement shall be submitted for settlement through the diplomatic channel.

Nothing in this article shall preclude the possibility that a question which has been examined through the diplomatic channel may be referred back to the Frontier Commissioners for settlement.

Article 44

1. The Frontier Commissioners shall examine and settle all questions relating to claims for damages.

Decisions taken jointly by the Frontier Commissioners in settlement of any case of irregularity occurring at the frontier shall be binding and final and shall take effect upon signature of the protocol on the question examined.

However, claims for damages in excess of 500 roubles (if the damage was sustained in the territory of the Union of Soviet Socialist Republics) or 5,000 zlotys (if the damage was sustained in the territory of the Polish People's Republic) shall be submitted to the Parties through the diplomatic channel.

2. The sums accruing to each Party under agreements reached concerning damages shall be computed by the Frontier Commissioners on 31 March, 30 June, 30 September and 31 December of each year.

Article 45

Each Party shall defray all expenses incurred through the discharge of its obligations under this Treaty.

The method of settling accounts for expenses incurred under the provisions of the Treaty shall be determined through the diplomatic channel.

Article 46

1. The Frontier Commissioners and their Deputies shall as a rule perform their joint functions at formal or informal meetings. For each formal meeting

a protocol shall be drawn up, in which the proceedings at the meeting, the decisions taken and the time limit fixed for their implementation must be briefly recorded.

The decisions of the Frontier Commissioners and their Deputies shall be deemed binding and final for both Parties as from the time of signature of the protocol.

Minor questions may be settled between the Frontier Commissioners by correspondence or by some other means of communication, unless either Commissioner insists that such a question should be examined at a formal or informal meeting.

2. The joint functions of the Assistant Frontier Commissioners shall, as a rule, be performed at informal meetings. For each informal meeting of Assistants a protocol shall be drawn up setting out in detail the action they have taken and recording their conclusions and proposals if any. Decisions taken by the Assistants shall not have effect until confirmed by the Frontier Commissioners.

Questions on which no agreement has been reached between the Assistants shall be referred to the Frontier Commissioners for settlement.

3. The protocols of formal meetings of Frontier Commissioners and their Deputies and of informal meetings of Assistants shall be drawn up in duplicate in the Russian and Polish languages.

Article 47

1. Formal or informal meetings of Frontier Commissioners shall be held on the proposal of either Commissioner and as near as possible to the time mentioned in the proposal. The reply to an invitation must be given with as little delay as possible and in any case not later than forty-eight hours after its receipt. If the time proposed for the formal or informal meeting is unacceptable, another time should at once be proposed in the reply.

2. The Frontier Commissioner of either Party must personally attend a formal or informal meeting to which he is invited by the Frontier Commissioner of the other Party unless he is absent for a valid reason (sickness, official travel or leave). In the latter case, the Frontier Commissioner's Deputy shall act for him and the Frontier Commissioner shall give the Frontier Commissioner of the other Party advance notice to that effect.

3. By agreement between the Frontier Commissioners, formal and informal meetings may also be held between their Deputies.

Informal meetings of Assistants shall be held only by order of the Frontier Commissioners.

4. Formal or informal meetings between the Frontier Commissioners, their Deputies or their Assistants may be attended by secretaries, interpreters, experts and other persons from either Party.

Article 48

1. The formal and informal meetings referred to in article 47 of this Treaty must as a rule be held in the territory of the Party whose Frontier Commissioner has convened the meeting. Nevertheless, the Frontier Commissioners or Assistants may depart from this principle when it is expedient to do so.

2. Formal or informal meetings shall be directed by the Frontier Commissioner or Assistant belonging to the Party in whose territory the negotiations are held.

3. The agenda for a formal meeting must be submitted at the same time as the invitation and be settled through preliminary negotiations or correspondence. In exceptional cases, questions not on the agenda may also be dealt with by mutual consent.

Article 49

In order to ascertain the facts, the Frontier Commissioners and their Assistants may by prior agreement conduct investigations on the ground into cases of irregularities occurring at the frontier.

Such investigations shall be directed by the Party in whose territory they are held.

Appropriate records or other documents concerning the investigations must be drawn up and annexed to the protocol of the meeting. The said records and other documents shall be drawn up in accordance with the rules laid down in article 46 of this Treaty.

A joint investigation on the ground should not be regarded as a judicial examination or similar proceedings for which competence vests in the judicial or administrative authorities of either Party.

Article 50

The Frontier Commissioners of the two Parties must inform one another as soon as possible what action has been taken pursuant to the decisions adopted at a formal or informal meeting.

Article 51

1. The Frontier Commissioners shall, by agreement, designate meeting points on the frontier for the exchange of their official correspondence and the transfer of persons and property.

The place and time of each such transfer shall be agreed upon between the Frontier Commissioners or their Assistants.

2. The transfer of persons must be effected by the Frontier Commissioners or their Assistants personally; correspondence and property may be handed over

by officers of the frontier forces of the two Parties on instructions from and in the absence of the Frontier Commissioners.

3. Official correspondence must be accepted at all hours, even on holidays and other non-working days.

4. Livestock and poultry shall be handed over in the district where they crossed the frontier.

5. The Frontier Commissioners shall establish by agreement specimen receipts to be issued for correspondence or for livestock and other property.

6. The Frontier Commissioners shall agree upon the signals to be used to summon the frontier guard of the other Party and, where possible, shall establish telephonic or other communications with one another.

7. The meeting points on the frontier shall be designated by the Frontier Commissioners at their first formal meeting after the entry into force of this Treaty.

The Frontier Commissioners may, by agreement, change the number and location of these meeting points.

CHAPTER V

FINAL PROVISIONS

Article 52

This Treaty shall be ratified and shall enter into force on the date of the exchange of the instruments of ratification.

The instruments of ratification shall be exchanged at Warsaw as soon as possible.

Article 53

1. This Treaty shall remain in force for ten years from the date of its entry into force. The Treaty shall be extended automatically for successive terms of five years unless it is denounced by either Contracting Party six months before the expiry of the current term.

2. This Treaty may be amended by agreement between the Contracting Parties.

Article 54

The Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the regime on the Soviet-Polish State frontier, together with the Final Protocol thereto, signed at Moscow on 8 July 1948,¹ the Convention between the Govern-

¹ United Nations, *Treaty Series*, Vol. 37, p. 25, and Vol. 221, p. 418.

ment of the Union of Soviet Socialist Republics and the Government of the Polish Republic concerning the procedure for the settlement of frontier disputes and incidents, together with the Protocol and Final Protocol thereto, signed at Moscow on 8 July 1948,¹ and the Protocol between the Government of the Union of Soviet Socialist Republics and the Government of the Polish Republic concerning the amendment of the Agreement concerning the régime on the Soviet-Polish State frontier and of the Convention concerning the procedure for the settlement of frontier disputes and incidents, signed at Moscow on 8 December 1951,² shall be deemed of no further effect as from the date of entry into force of this Treaty.

Article 55

This Treaty is drawn up in duplicate in the Russian and Polish languages, both texts being equally authentic.

SIGNED in Moscow, on 15 February 1961.

For the Government
of the Union of Soviet Socialist
Republics :
N. FIRYUBIN

For the Government
of the Polish People's
Republic :
B. JASZCZUK

PROTOCOL TO THE TREATY³ BETWEEN THE GOVERNMENT OF
THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE
GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCER-
NING THE RÉGIME OF THE SOVIET-POLISH STATE FRONTIER
AND CO-OPERATION AND MUTUAL ASSISTANCE IN FRON-
TIER MATTERS

Pursuant to the Treaty between the Government of the Union of Soviet Socialist Republics and Government of the Polish People's Republic concerning the régime of the Soviet-Polish State frontier and co-operation and mutual assistance in frontier matters, signed in Moscow on 15 February 1961,³ hereinafter referred to as "the Treaty", the two Contracting Parties have agreed as follows :

¹ United Nations, *Treaty Series*, Vol. 37, p. 107, and Vol. 221, p. 418.

² United Nations, *Treaty Series*, Vol. 221, p. 418.

³ See p. 234 of this volume.

CHAPTER I

FRONTIER SECTORS

Article 1

The Union of Soviet Socialist Republics hereby establishes the following sectors of operations for Frontier Commissioners :

1. The Frontier Commissioner of the Lvov sector, with permanent residence at Lvov ; his sector of operations extends from the junction of the State frontiers of the Union of Soviet Socialist Republics, the Polish People's Republic and the Czechoslovak Socialist Republic (including the frontier mark " Kremenets ") to and including frontier mark No. 1122.

2. The Frontier Commissioner of the Brest sector, with permanent residence at Brest; his sector of operations extends from and excluding frontier mark No. 1122 to the river Narev (including frontier mark No. 1533).

3. The Frontier Commissioner of the Grodno sector, with permanent residence at Grodno; his sector of operations extends from the river Narev (excluding frontier mark No. 1533) to the inhabited locality of Gromadchizna (including frontier mark No. 1987).

4. The Frontier Commissioner of the Kaliningrad sector, with permanent residence at Pravdinsk; his sector of operations extends from the inhabited locality of Gromadchizna (excluding frontier mark No. 1987) to the eastern shore of the Kaliningradsky zaliv (Zalew Wiślany).

5. The Frontier Commissioner of the Baltic sector, with permanent residence at Klaipeda; his sector of operations extends from the eastern shore of the Kaliningradsky zaliv (Zalew Wiślany) to the western shore of the Baltiiskaya kosa (Mierzeja Wiślana) (frontier mark No. 2439-pillar) and beyond to the point where the line delimiting the territorial waters of the USSR and the Polish People's Republic in the Gulf of Gdansk meets the outer limit of the territorial waters of the USSR.

The Polish People's Republic hereby establishes the following sectors of operations for Frontier Commissioners :

1. The Frontier Commissioner of the Rzeszow sector, with permanent residence at Przemyśl; his sector of operations extends from the junction of the State frontiers of the Union of Soviet Socialist Republics, the Polish People's Republic and the Czechoslovak Socialist Republic (including the frontier mark " Kremenets ") to the Jarosław-Rava Russkaya railway line (including frontier mark No. 672).

2. The Frontier Commissioner of the Chełm sector, with permanent residence at Chełm; his sector of operations extends from the Jarosław-Rava Russkaya railway line (excluding frontier mark No. 672) to the inhabited locality of Orchowo, south of Włodawa (including frontier mark No. 1122).

3. The Frontier Commissioner of the Terespol sector, with permanent residence at Terespol; his sector of operations extends from the inhabited locality of Orchowo, south of Włodawa (excluding frontier mark No. 1122), to the inhabited locality of Niemirów (including frontier mark No. 1345).

4. The Frontier Commissioner of the Białystok sector, with permanent residence at Białystok; his sector of operations extends from the inhabited locality of Niemirów (excluding frontier mark No. 1345) to the inhabited locality of Gromadczynna (including frontier mark No. 1987).

5. The Frontier Commissioner of the Kętrzyń sector, with permanent residence at Kętrzyń; his sector of operations extends from the inhabited locality of Gromadczynna (excluding frontier mark No. 1987) to the eastern shore of the Kaliningradsky zaliv (Zalew Wiślany).

6. The Frontier Commissioner of the Baltic sector, with permanent residence at Gdansk; his sector of operations extends from the eastern shore of the Kaliningradsky zaliv (Zalew Wiślany) to the western shore of the Baltiiskaya kosa (Mierzeja Wiślana) (frontier mark No. 2439-pillar) and beyond to the point where the line delimiting the territorial waters of the USSR and the Polish People's Republic in the Gulf of Gdansk meets the outer limit of the territorial waters of the Polish People's Republic.

The Frontier Commissioner of the Baltic sector of the Polish People's Republic, in conjunction with the Frontier Commissioner of the Baltic sector of the USSR, shall also examine questions relating to the violation, by vessels belonging to the Polish People's Republic, of the territorial waters of the Union of Soviet Socialist Republics in the Gulf of Gdansk in the sector extending from the outer limit of the territorial waters of the Polish People's Republic to the outer limit of the territorial waters of the USSR.

CHAPTER II

FRONTIER CROSSING PROCEDURE

Article 2

1. The Frontier Commissioners and their Deputies, Assistants, secretaries, interpreters and experts may cross the frontier to perform their official functions pursuant to the provisions of the Treaty.

The Frontier Commissioners and their Deputies and Assistants may cross the frontier on production of the written credentials provided for in article 38 of the Treaty. The credentials must bear the photograph and signature of the holder and also, in the case of Assistants, the visa of the Frontier Commissioner of the other Party (for specimen credentials, see annexes 1¹ and 2²).

¹ See p. 294 of this volume.

² See p. 296 of this volume.

2. Secretaries, interpreters and experts may cross the frontier on production of a certificate issued by the Frontier Commissioner of either Party. The certificate must bear the photograph and signature of the holder and also the visa of the Frontier Commissioner of the other Party (for specimen certificate, see annex 3¹).

3. The visas referred to in paragraph 2 and the visas for Assistant Frontier Commissioners shall be issued for repeated frontier crossings over a period not exceeding twelve months.

4. Persons whose presence is needed in order to clarify any matter or to carry out work under the instructions of the Frontier Commissioner may cross the frontier, once in each direction, on production of a certificate or group roll valid for a single frontier crossing within a period not exceeding twenty-four hours. Such certificates and group rolls shall be signed by the Frontier Commissioner of one Party and visaed by the Frontier Commissioner of the other Party (for specimen certificate, see annex 4²).

Groups of workmen may cross the frontier, in daytime only and accompanied by a group leader, on production of a group roll annexed to the certificate issued to the group leader.

5. The Frontier Commissioners shall visa the documents referred to in paragraphs 2 and 4 of this article not later than three days after the documents are submitted for the issue of a visa.

6. Persons engaged, under agreements between the appropriate authorities of the two Parties, in work connected with the construction and maintenance of communication installations, bridges or hydraulic installations, the regulation of rivers or the taking of measurements, or in similar work, may cross the frontier on production of frontier passes issued in accordance with the rules laid down by each of the Parties.

The Frontier Commissioners of the two Parties shall jointly determine where and when the above-mentioned persons are to cross the frontier and shall endorse their passes accordingly.

7. Workmen of one Contracting Party crossing into the territory of the other Party shall not be permitted to take with them anything other than tools and means of transport, which must be re-exported, and such food and tobacco as are needed for the duration of their work.

If the work is to take several days, these articles may be left at the work site with the consent of the competent authorities of the other Contracting Party.

¹ See p. 300 of this volume.

² See p. 302 of this volume.

8. The loss of a frontier crossing certificate or frontier pass should be reported immediately to the nearest frontier authorities, which shall pass on the information to the frontier authorities of the other Contracting Party.

The competent authorities of the two Parties shall inform each other of the cancellation of any frontier crossing certificates and frontier passes.

9. The attention of persons to whom frontier passes are issued must be drawn to their obligations under the customs and currency regulations of the two Parties. Any such person who fails to comply with these regulations may be deprived of his frontier pass.

Article 3

Persons authorized to cross the frontier must present their frontier crossing certificate or frontier pass to the frontier guard authorities of both Contracting Parties for endorsement whenever they cross the frontier.

Article 4

1. The frontier shall be crossed only at the points designated in accordance with article 51 of the Treaty unless the Frontier Commissioners or their Assistants have agreed upon some other frontier crossing point.

2. Notice of the date and time of each frontier crossing by the persons referred to in article 2, paragraphs 1 and 2, of this Protocol must be given in good time, and in any case not later than twelve hours in advance, to the nearest frontier guard authority of the other Party, which must send an escort to the meeting point.

3. The Frontier Commissioners and the other persons referred to in article 2, paragraphs 1 and 2, of this Protocol shall be entitled to cross the frontier in uniform and bearing personal weapons.

Article 5

1. The Frontier Commissioners and their Deputies and Assistants shall be guaranteed personal immunity and the inviolability of official documents in their possession.

2. Secretaries, interpreters and experts shall be guaranteed personal immunity for the duration of their stay in the territory of the other Party in accordance with article 2, paragraphs 1 and 2, of this Protocol. Official documents in their possession shall also be inviolable.

3. The above-mentioned persons shall be entitled to take with them to the territory of the other Party, free of duty and other taxes, the articles and means of transport necessary for their work, on condition that they are re-exported, and also the food and tobacco required for their personal consumption.

Article 6

Each Party shall extend to persons from the other Party who are in its territory in connexion with the performance of duties under this Treaty any necessary assistance in obtaining transport, lodging and facilities for communication with their own authorities.

Article 7

Should the frontier be closed to traffic for reasons of health or for other reasons, the right to cross the frontier in order to give effect to the provisions of the Treaty shall be suspended in whole or in part as necessary.

Advance notice of the suspension of the right to cross the frontier must be given to the competent authorities of the other Party.

Article 8

In the event of a fire or other natural disaster, fire brigades or other rescue groups may cross the frontier under group rolls at any time of the day or night, after arranging with the Frontier Commissioners of the Parties where and when they should cross.

Article 9

This Protocol is an integral part of the Treaty and is drawn up in duplicate in the Russian and Polish languages, both texts being equally authentic.

SIGNED in Moscow, on 15 February 1961.

For the Government
of the Union of Soviet Socialist
Republics :
N. FIRYUBIN

For the Government
of the Polish People's
Republic :
B. JASZCZUK

ANNEX I

SPECIMEN

Page 1

(Size 15 × 10 cm)

<p style="margin: 0;">CREDENTIALS</p> <div style="border: 1px solid black; width: 60%; margin: 20px auto; height: 150px; display: flex; align-items: center; justify-content: center;"> <p style="margin: 0;"><i>Space for photograph</i></p> </div> <div style="text-align: right; margin-top: 20px;">[L.S.]</div> <hr style="width: 20%; margin: 20px auto;"/> <p style="text-align: center; margin: 0;"><i>(Signature of holder)</i></p>

Page 2

The Government of the Union of Soviet Socialist Republics, pursuant to article 35 of the Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the regime of the Soviet-Polish State frontier and co-operation and mutual assistance in frontier matters, concluded in Moscow on 15 February 1961, has appointed _____

(Title, surname, first name and patronymic)

as the Frontier Commissioner (Deputy Frontier Commissioner) of the USSR for the _____ sector of the Soviet-Polish frontier between frontier mark

(Name of sector)
No. _____ and frontier mark No. _____

(Title, surname)

is hereby empowered to perform the duties prescribed in the above-mentioned Treaty and in connexion therewith is entitled to cross the Soviet-Polish frontier in the sector indicated and to remain in the frontier zone of the Polish People's Republic.

[L.S.]

(Rank, surname)
 Officer Commanding
 the Frontier Forces of the USSR

Moscow, _____ 19____

Page 3
 (Polish text of page 2)

A N N E X 2
 SPECIMEN

Page 1
 (Size 15 × 10 cm)

<p>CREDENTIALS</p> <div style="border: 1px solid black; width: 60%; margin: 20px auto; padding: 10px; text-align: center;"> <p><i>Space for photograph</i></p> </div> <div style="text-align: right; margin-top: 20px;"> <p>[L.S.]</p> </div> <div style="text-align: center; margin-top: 20px;"> <hr style="width: 30%; margin: 0 auto;"/> <p><i>(Signature of holder)</i></p> </div>

Page 2

Pursuant to article 37 of the Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the regime of the Soviet-Polish State Frontier and co-operation and mutual assistance in frontier matters, concluded in Moscow on 15 February 1961, _____

_____ (*Title, surname, first name and patronymic*) has been appointed Assistant Frontier Commissioner for the _____ (*Name of sector*) sector of the Soviet-Polish frontier.

_____ (*Title, surname*)

is hereby empowered to perform the duties prescribed in the above-mentioned Treaty and in connexion therewith is entitled to cross the Soviet-Polish frontier in the district between frontier mark No. _____ and frontier mark No. _____ and to remain in the frontier zone of the Polish People's Republic.

_____ (*Title, surname*)

Frontier Commissioner of the USSR

[L.S.]

_____ 19_____

Page 3

(Polish text of page 2)

Page 4

(Space for the visa of the Frontier Commissioner of the Polish People's Republic)

ANNEX 3

SPECIMEN

Page 1

(Size 15 × 10 cm)

<p>CERTIFICATE</p>	
<div style="border: 1px solid black; width: 80%; margin: 0 auto; padding: 20px;"> <p style="text-align: center;"><i>Space for photograph</i></p> </div>	
<p>[L.S.]</p>	
<p>_____</p> <p><i>(Signature of holder)</i></p>	

Page 2

Pursuant to article 2 of the Protocol to the Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the regime of the Soviet-Polish State frontier and co-operation and mutual assistance in frontier matters, concluded in Moscow on 15 February 1961, _____

(Title, surname,

_____ who is the _____ of the Frontier Commissioner
first name and patronymic *(Functional title)*

of the _____ sector of the Soviet-Polish frontier, is entitled to cross the
(Name of sector)

Soviet-Polish frontier in either direction in the _____ sector between
(Name of sector)

frontier mark No. _____ and frontier mark No. _____ and to be in the frontier zone of the Polish People's Republic.

[L.S.]

(Title, surname)
Frontier Commissioner of the USSR

_____ 19_____

Page 3

(Polish text of page 2)

Page 4

(Space for the visa of the Frontier Commissioner of the Polish People's Republic)

A N N E X 4

SPECIMEN

Page 1

(Size 15 × 10 cm)

CERTIFICATE

*Valid for one crossing of the Soviet-
Polish frontier in each direction*

Page 2

Pursuant to article 2 of the Protocol to the Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic concerning the regime of the Soviet-Polish State frontier and co-operation and mutual assistance in frontier matters, concluded in Moscow on 15 February 1961, _____

(Surname, first

_____ residing at _____, born on _____
name and patronymic (Date, month and

_____ is entitled to cross the Soviet-Polish frontier in each direction at _____
year of birth (Names of

_____ and to be in the frontier zone of the Polish People's Republic.
crossing points)

Valid from _____ hours on _____ 19____
 to _____ hours on _____ 19____

 (Title, surname)

Frontier Commissioner of the USSR

[L.S.]

 (Place and date of issue)

Page 3

(Polish text of page 2)

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(Space for the visa of the Frontier Commissioner of the Polish People's Republic)