

**No. 10496**

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**UNION OF SOVIET SOCIALIST REPUBLICS  
and  
TOGO**

**Protocol concerning the status of the Trade Delegation of the  
Union of Soviet Socialist Republics in the Togolese Republic. Signed at Lomé on 14 June 1961**

*Authentic texts: Russian and French.*

*Registered by the Union of Soviet Socialist Republics on 27 May 1970.*

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**UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES  
et  
TOGO**

**Protocole concernant le statut de la représentation commerciale de l'Union des Républiques socialistes soviétiques au Togo. Signé à Lomé le 14 juin 1961**

*Textes authentiques: russe et français.*

*Enregistré par l'Union des Républiques socialistes soviétiques le 27 mai 1970.*

[TRANSLATION — TRADUCTION]

PROTOCOL <sup>1</sup> CONCERNING THE STATUS OF THE TRADE  
DELEGATION OF THE UNION OF SOVIET SOCIALIST  
REPUBLICS IN THE TOGOLESE REPUBLIC

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In accordance with article 5 of the Trade Agreement of 12 June 1961 <sup>2</sup> between the Union of Soviet Socialist Republics and the Togolese Republic, the Government of the Union of Soviet Socialist Republics and the Government of the Togolese Republic have agreed as follows:

*Article 1*

The Trade Delegation of the Union of Soviet Socialist Republics in the Togolese Republic, hereinafter called “the Trade Delegation”, shall act on behalf of the Government of the USSR. It shall have the following functions:

- (a) To promote the development of trade relations between the USSR and Togo;
- (b) To represent the interests of the USSR in Togo in matters relating to foreign trade;
- (c) To carry on trade between the USSR and Togo.

*Article 2*

The Trade Delegation shall form an integral part of the Embassy of the Union of Soviet Socialist Republics in Togo and shall have its headquarters at Lomé.

The head of the Trade Delegation of the USSR in Togo and his two deputies shall enjoy all the privileges and immunities accorded to members of diplomatic missions.

The premises occupied by the Trade Delegation shall enjoy the privileges and immunities accorded to the premises of diplomatic missions.

The Trade Delegation shall be entitled to use a cipher.

The Trade Delegation shall not be subject to commercial registration.

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<sup>1</sup> Came into force on 14 June 1961 by signature, in accordance with article 6.

<sup>2</sup> See p. 173 of this volume.

### Article 3

The Government of the USSR shall be responsible only for commercial transactions concluded or guaranteed in Togo on behalf of the Trade Delegation and signed by the persons authorized for that purpose. The Trade Delegation shall publish in the *Journal Officiel* of the Togolese Republic the names of persons authorized to transact legal business on its behalf and particulars of the degree of authority of each such person to sign commercial contracts on its behalf; the authority of such persons shall be considered valid until such time as notice of its cancellation is given in the same manner.

Any commercial transactions concluded without the guarantee of the Trade Delegation by any State economic organization of the USSR which under the laws of the USSR enjoys independent corporate status shall be binding only on the organization in question and execution issued in respect of such transactions may be taken only against property of the said organization. No responsibility for such transactions shall be incurred by the Government of the USSR or by the Trade Delegation. Only the organizations which concluded the transactions shall be responsible for them.

### Article 4

The privileges and immunities accorded to the Trade Delegation under article 2 shall apply also to its commercial activities, with the following exceptions:

- (a) Disputes regarding commercial transactions concluded or guaranteed in Togo by the Trade Delegation under article 3 of this Protocol shall, in the absence of a reservation regarding arbitration, be within the jurisdiction of the competent courts of the Togolese Republic; in such cases, the Trade Delegation shall authorize a representative to appear in court. No interim orders may, however, be made against the Trade Delegation;
- (b) Compulsory execution of final judgements against the Trade Delegation following such disputes may be taken against all State property of the USSR in Togo, in particular property, rights and interests arising from transactions concluded or guaranteed by the Trade Delegation, with the exception of property belonging to an organization referred to in the second paragraph of article 3.

*Article 5*

The establishment of the Trade Delegation shall in no way affect the right of Togolese firms to maintain direct relations with Soviet foreign trade organizations with a view to concluding and executing commercial transactions.

*Article 6*

This Protocol shall enter into force on the date of its signature.

DONE at Lomé, on 14 June 1961, in two copies, each in the Russian and French languages, both texts being equally authentic.

For the Government  
of the Union of Soviet Socialist  
Republics:

[I. GRISHIN]

For the Government  
of the Togolese Republic:

[HOSPICE D. COCO]

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