

No. 12657

BELGIUM and LUXEMBOURG
and
UNION OF SOVIET SOCIALIST REPUBLICS

**Protocol concerning the status of the trade mission of the
Union of Soviet Socialist Republics in Belgium.
Signed at Brussels on 14 July 1971**

Authentic texts: French, Dutch and Russian.

Registered by Belgium on 11 July 1973.

BELGIQUE et LUXEMBOURG
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES

Protocole relatif au statut de la représentation commerciale de l'Union des Républiques socialistes soviétiques en Belgique. Signé à Bruxelles le 14 juillet 1971

Textes authentiques: français, néerlandais et russe.

Enregistré par la Belgique le 11 juillet 1973.

[TRANSLATION—TRADUCTION]

PROTOCOL¹ CONCERNING THE STATUS OF THE TRADE MISSION OF THE UNION OF SOVIET SOCIALIST REPUBLICS IN BELGIUM

The Government of the Kingdom of Belgium, acting by virtue of existing agreements both on its own behalf and on behalf of the Government of the Grand Duchy of Luxembourg, on the one hand, and

The Government of the Union of Soviet Socialist Republics, on the other hand,

Pursuant to article 8 of the Treaty of Commerce signed this day² between the Government of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, members of the Benelux Economic Union, and the Government of the Union of Soviet Socialist Republics,

Have agreed as follows:

Article 1. The Trade Mission of the Union of Soviet Socialist Republics in Belgium shall perform the following functions;

- (a) Promote the development of trade relations between the Union of Soviet Socialist Republics and the Belgo-Luxembourg Economic Union;
- (b) Represent the interests of the Union of Soviet Socialist Republics in matters relating to foreign trade;
- (c) Regulate, on behalf of the Union of Soviet Socialist Republics, trade operations between the Union of Soviet Socialist Republics and the Belgo-Luxembourg Economic Union;
- (d) Carry on trade on behalf of the Government of the Union of Soviet Socialist Republics in the Belgo-Luxembourg Economic Union.

Article 2. The Trade Mission shall form an integral part of the diplomatic mission of the Union of Soviet Socialist Republics in Belgium and, as such, shall enjoy all the privileges and immunities accorded to the latter.

The Trade Mission shall have its headquarters in Brussels.

Article 3. The head of the Trade Mission of the Union of Soviet Socialist Republics in Belgium and his two deputies shall enjoy all the rights and privileges accorded to members of the diplomatic staff of the diplomatic mission of the Union of Soviet Socialist Republics in Belgium.

Article 4. Branch offices of the Trade Mission may be opened in other towns in Belgium following agreement between the Government of the Union of Soviet Socialist Republics and the Government of Belgium.

¹ Came into force on 1 June 1973, at the same time as the Treaty of Commerce between the Governments of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, members of the Benelux Economic Union, and the Government of the Union of Soviet Socialist Republics signed at Brussels on 14 July 1971 (see footnote 2 below), in accordance with article 9.

² See p. 65 of this volume.

The legal status of these branch offices shall be determined by agreement between the two Parties.

Article 5. The size of the staff of the Trade Mission and the branch offices referred to in article 4 shall be determined by agreement between the Contracting Parties.

Article 6. The Trade Mission shall act on behalf of the Government of the Union of Soviet Socialist Republics.

It may guarantee contracts concluded between any State economic organization of the Union of Soviet Socialist Republics which under the laws of the Soviet Union enjoys independent corporate status and any Belgian or Luxembourg individual or body corporate.

The Government of the Union of Soviet Socialist Republics shall be responsible only for commercial transactions concluded or guaranteed in the Belgo-Luxembourg Economic Union on behalf of the Trade Mission signed by the persons authorized for that purpose.

Commercial transactions concluded without the guarantee of the Trade Mission by any organization referred to in the second paragraph of this article shall be binding only on the organization in question and execution issued in respect of such transactions may be taken only against the property of the said organization. No responsibility for such transactions shall be incurred by the Government of the Union of Soviet Socialist Republics, or by its Trade Mission in Belgium, or by any other Soviet economic organization.

Article 7. The Trade Mission shall enjoy the privileges and immunities deriving from this Protocol with the following exceptions:

Any dispute regarding commercial transactions concluded or guaranteed by the Trade Mission in Belgian or Luxembourg territory shall be brought before Belgian or Luxembourg courts and shall be decided by them in accordance with their national legislation, in the absence of a reservation in the contract regarding any other jurisdiction or arbitration. No interim orders may, however, be made against the Trade Mission.

Enforcement of judicial decisions which have become *res judicata* in matters relating to commercial transactions concluded or guaranteed by the Trade Mission may be effected in respect of any State property of the Union of Soviet Socialist Republics, in particular the property, rights and interests arising out of those transactions, but excluding the property of the organizations referred to in the second paragraph of article 6 of this Protocol.

The property and premises intended exclusively for the exercise in Belgium and Luxembourg of the political and diplomatic rights of the Government of the Union of Soviet Socialist Republics, in accordance with international practice, as well as the premises occupied by the Trade Mission and the moveable property on such premises shall not be subject to measures of forcible recovery.

Article 8. The Trade Mission shall not be subject to the regulations governing commercial registration.

It shall publish in annexes to the official journals of Belgium and of the Grand Duchy of Luxembourg the names of persons authorized to carry out legal transactions on its behalf and all information concerning the extent to

which such persons are empowered to bind the Trade Mission in commercial matters by their signatures.

The powers of these persons with regard to third parties shall remain in effect until such time as notice of their termination is published in the above-mentioned official journals.

Article 9. This Protocol shall enter into force at the same time as the Treaty of Commerce between the Governments of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, members of the Benelux Economic Union, and the Government of the Union of Soviet Socialist Republics. It shall remain in Force for the same period of time as the above-mentioned Treaty.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Protocol.

DONE at Brussels on 14 July 1971, in duplicate, each in the French, Dutch and Russian languages, the three texts being equally authentic.

For the Government
of the Kingdom of Belgium
and of the Grand Duchy of
Luxembourg:

[Signed]

H. FAYAT

For the Government
of the Union of Soviet Socialist
Republics:

[Signed]

N. S. PATOLICHEV
