

No. 18637

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**UNITED STATES OF AMERICA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Exchange of notes constituting an agreement concerning  
privileges and immunities (with agreed minutes). Wash-  
ington, 14 December 1978**

*Authentic texts: English and Russian.*

*Registered by the United States of America on 18 April 1980.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Échange de notes constituant un accord relatif aux privi-  
lèges et immunités (avec procès-verbal approuvé).  
Washington, 14 décembre 1978**

*Textes authentiques : anglais et russe.*

*Enregistré par les États-Unis d'Amérique le 18 avril 1980.*

## EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING PRIVILEGES AND IMMUNITIES

### I

The Department of State draws the attention of the Embassy of the Union of Soviet Socialist Republics to recent discussions between representatives of the Department of State and the Embassy concerning the continued application of the Agreement effected by an exchange of notes at Moscow dated October 17, 1967, and March 1, 1968,<sup>2</sup> whereby, on the basis of reciprocity, members of the administrative and technical and service staffs of the Embassy of the Union of Soviet Socialist Republics in the United States, and members of the administrative and technical and service staffs of the Embassy of the United States in the Union of Soviet Socialist Republics, are accorded the privileges and immunities of members of the diplomatic staffs of their respective Embassies.

During the recent exchange of views, Soviet and American representatives considered the implications of the enactment by the United States of the Diplomatic Relations Act, effective December 29, 1978. In accordance with this Act, the United States, on the basis of reciprocity, may accord more favorable privileges and immunities than are provided under the Vienna Convention.<sup>3</sup>

It is understood that the Soviet Union may also accord more favorable privileges and immunities on the basis of reciprocity in accordance with its "Statute on Diplomatic and Consular Missions of Foreign States on the Territory of the Union of Soviet Socialist Republics" approved by an Edict of the Presidium of the Supreme Soviet of the USSR on May 23, 1966.

On the basis of the exchange of views, both sides are convinced that the reciprocal arrangement for privileges and immunities of members of the Soviet and American Embassies has been mutually beneficial and that the continuation of such an arrangement would be in the interests of both Governments. Accordingly, it is proposed on the basis of reciprocity, that all members of the Soviet Embassy in the United States and all members of the American Embassy in the Soviet Union, and the members of their families, be accorded the privileges and immunities of diplomatic agents, as specified in the 1961 Vienna Convention on Diplomatic Relations. These privileges and immunities would extend to members of Embassy staffs and of their families who are nationals of the sending state.

If the foregoing is acceptable, it is proposed that the Embassy's reply to that effect, together with this note, shall constitute an agreement to be effective December 29, 1978, which shall supersede the Agreement effected by the aforementioned exchange of notes in 1967 and 1968.

Washington, December 14, 1978

Department of State

<sup>1</sup> Came into force on 14 December 1978 by the exchange of the notes, with effect from 29 December 1978, in accordance with the provisions of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, vol. 998, p. 87.

<sup>3</sup> *Ibid.*, vol. 500, p. 95.

II

[RUSSIAN TEXT — TEXTE RUSSE]

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

ПОСОЛЬСТВО СОЮЗА СОВЕТСКИХ  
СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК

EMBASSY OF THE UNION  
OF SOVIET SOCIALIST REPUBLICS

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Посольство Союза Советских Социалистических Республик, ссылаясь на ноту Государственного Департамента от 14 декабря 1978 года, подтверждает достигнутую между советской и американской сторонами договоренность о том, что привилегии и иммунитеты, предоставляемые членам дипломатического персонала на основе взаимности в соответствии с «Положением о дипломатических и консульских представительствах иностранных государств на территории Союза Советских Социалистических Республик», утвержденным Указом Президиума Верховного Совета СССР 23 мая 1966 года, распространяются на граждан США — сотрудников административно-технического и обслуживающего персонала Посольства США в СССР и членов их семей.

В соответствии с указанной договоренностью американская сторона, согласно упомянутой выше ноте Государственного Департамента, на основе взаимности распространяет привилегии и иммунитеты, предоставляемые членам дипломатического персонала, на граждан СССР — сотрудников административно-технического и обслуживающего персонала Посольства СССР в США, а также на членов их семей.

Настоящая нота Посольства СССР и соответствующая нота Государственного Департамента США составляют соглашение между сторонами по этому вопросу, которое

The Embassy of the Union of Soviet Socialist Republics, referring to the Note of the Department of State of December 14, 1978, confirms the understanding reached by the Soviet and American sides to the effect that privileges and immunities accorded to members of diplomatic staffs on the basis of reciprocity in accordance with the "Statute on Diplomatic and Consular Missions of Foreign States on the Territory of the Union of Soviet Socialist Republics," approved by an Edict of the Presidium of the Supreme Soviet of the USSR on May 23, 1966, are extended to US citizens who are members of the administrative-technical and service staffs of the United States Embassy in the Soviet Union and to members of their families.

In accordance with this understanding, the American side, in the above-mentioned Note of the Department of State, extends on the basis of reciprocity, privileges and immunities accorded to diplomatic staffs to Soviet citizens who are members of the administrative-technical and service staffs of the Soviet Embassy in the United States, and also to members of their families.

The present Note of the Embassy of the Union of Soviet Socialist Republics and the corresponding Note of the Department of State constitute an agreement between the sides on this

<sup>1</sup> Translation supplied by the Government of the United States.

<sup>2</sup> Traduction fournie par le Gouvernement des Etats-Unis.

вступит в силу 29 декабря 1978 года и заменит существующую договоренность от 1967-1968 годов.

14 декабря 1978 года, г. Вашингтон

Государственный Департамент  
Соединенных Штатов Америки  
г. Вашингтон

question, which shall come into force on December 29, 1978, and which shall supersede the existing agreement of 1967-1968.

14 December 1978, Washington, D.C.

Department of State  
of the United States of America  
Washington, D.C.

AGREED MINUTE TO EXCHANGE OF NOTES BETWEEN THE UNITED STATES DEPARTMENT OF STATE AND THE EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS IN THE UNITED STATES OF AMERICA

The following understandings were reached in the course of discussions concerning the exchange of notes on diplomatic privileges and immunities.

1. In the event of any legal proceeding in the receiving State with respect to any member of a diplomatic mission or consular establishment of the sending State, or a member of the family of any such official, the Ministry of Foreign Affairs in the Soviet Union and the Department of State in the United States shall, when the proceeding is brought to their attention and after consultation with the sending State, without delay certify to the court or other appropriate authority the status of the individual and the scope of immunity resulting from that status so that the dismissal of any such proceeding as required by immunity may be effected with or through their assistance. In this regard, the practice of the Department of State will be the same as before the enactment of the Diplomatic Relations Act.

2. The Department of State, with the cooperation of the municipal authorities of the District of Columbia, shall endeavor to the fullest to secure better parking conditions than those which now exist for members of the staff of the Soviet Embassy in Washington. For these purposes, all possible efforts will be made in order to attempt to provide for the Embassy's use sufficient parking spaces in the area of the Embassy for the parking of automobiles and for creation of appropriate conditions necessary for adhering to parking regulations. At the same time, both sides will make every effort to resolve other questions which might arise in connection with the use of means of transport by members of their diplomatic and consular representations in the United States of America and in the Union of Soviet Socialist Republics, respectively.

3. The Department of State will use its good offices to avoid unjustified increases in insurance premiums in connection with the introduction of compulsory automobile and transport insurance for diplomatic and consular missions of the Union of Soviet Socialist Republics in the United States of America and their members. The same approach will be taken by the Soviet side in connection with the automobile and transport insurance of diplomatic and consular missions of the United States of America in the Union of Soviet Socialist Republics, and their members.

4. Nothing in the present exchange of notes is intended to detract from the rights, obligations, privileges and immunities of the Parties under any other Agreement. In this regard, the two sides noted in particular:

- (a) Articles 21, 22, 23 and 26 of the 1964 Consular Convention,<sup>1</sup> relating to exemptions from taxes and customs duties;
- (b) Articles 22(2) and 29 of the 1961 Vienna Convention on Diplomatic Relations, relating to the duty of the receiving State to protect the premises of a diplomatic mission and its personnel. (The two sides acknowledged that a similar duty exists with respect to consular establishments and their personnel.)

December 14, 1978

<sup>1</sup> United Nations, *Treaty Series*, vol. 655, p. 213.