

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