

JPRS: 6359

6 December 1960

SELECTED SOVIET MILITARY TRANSLATIONS

No. 48

(Decree on State Border Protection)

- USSR -

Photocopies of this report may be purchased from:

PHOTODUPLICATION SERVICE
LIBRARY OF CONGRESS
WASHINGTON 25, D. C.

U. S. JOINT PUBLICATIONS RESEARCH SERVICE
1636 CONNECTICUT AVENUE, N. W.
WASHINGTON 25, D. C.

JPRS: 6359

CSO: 2800-D/48

SELECTED SOVIET MILITARY TRANSLATIONS

(Decree on State Border Protection)

- USSR -

Following is a translation of a decree of the Presidium of the USSR Supreme Soviet, published in Vedomosti Verkhovnogo Soveta Soyuza Sovetskikh Sotsialisticheskikh Respublik (Records of the USSR Supreme Soviet), No. 34 (1018), 30 August 1960, pages 747-756. The decree was published as No. 324 of the Collected Laws of 1960, with the title, "Confirmation of the Statute on the Protection of the USSR State Border," and includes the text of this statute.

Decree of the Presidium of the USSR Supreme Soviet 324. On Confirmation of the Statute on Protection of the State Border of the USSR.

The Presidium of the Supreme Soviet of the USSR decrees:

1. That the Statute on Protection of the State Border of the USSR is confirmed.

2. That the decree of the Central Executive Committee and the Council of Peoples Commissars of the USSR of 15 June 1927 "On Confirmation of the Statute on Protection of the State Border of the USSR" and the Statute on Protection of the State Borders of the USSR (Collected Laws of the USSR, 1927, No 62, Articles 624 and 625) are considered nullified.

Moscow, the Kremlin,
5 August 1960

L. Brezhnev, Chairman of the Presidium
of the Supreme Soviet of the USSR
M. Georgadze, Secretary of the Presidium
of the Supreme Soviet of the USSR

STATUTE
ON PROTECTION OF THE STATE BORDER OF THE UNION
OF SOVIET SOCIALIST REPUBLICS

I. General Provisions

Article 1. The state border of the USSR is a line establishing the limits of the land and water territory of the USSR. The vertical plane which transects this line is the boundary of the air space and the subsoil of the USSR.

Article 2. The state border of the USSR is established by decisions of the supreme organs of state authority of the USSR and by agreements which are in force between the USSR and other states.

The contour of the state border over land is established by descriptive protocols and other documents of demarcation.

Article 3. Coastal maritime waters to a width of 12 nautical miles, calculated from the line of low tide both at the mainland as well as around islands, or from the line which is the outer limit of the internal maritime waters of the USSR, are territorial waters of the USSR. In certain cases provided by agreements of the USSR with other states, the width of the territorial waters may be of other dimension.

The line of the outer limit of the territorial waters is the state border of the USSR on the sea.

The maritime state border of the USSR in sectors where the territorial waters of the USSR adjoin the territorial waters of contiguous states is established in accordance with agreements concluded by the USSR with the contiguous states, and in the absence of such agreements, in accordance with accepted principles of international practice between states, or along a straight line connecting the terminal points of the land border at the sea.

Article 4. The internal maritime waters of the USSR comprise:

a) the waters of ports of the USSR, bounded on the seaward side by the line which passes through the most seaward points of the hydroinstallations and other port structures;

b) the waters of gulfs, bays, inlets and coastal lakes, the shores of which belong entirely to the USSR, to a straight line running from shore to shore at that place where is first formed one or several openings from the seaward side, if the width of each of these does not exceed 24 nautical miles;

c) the waters of gulfs, bays, inlets and coastal lakes, seas and straits which historically belong to the USSR.

Article 5. The state border of the USSR on navigable border rivers is set at the center of the main channel or thalweg of the river or at the center of the main branch; and on border lakes, at the center of the lake or along a straight line connecting the terminal points of the land border at the shores of the lake. The state border, when running along a river or lake, is not shifted either when the contour of the shores or the water level changes, or when the course of the river digresses to either side, unless otherwise provided by agreements of the USSR with other states.

Article 6. The state border of the USSR is clearly marked by visible border markers (border posts, pyramids, mounds, trenches, buoys, fixed beacons, etc.).

The line of the outer limit of the territorial waters of the USSR may in certain places be marked for orientation purposes by buoys and stakes.

II. System of Administration of the State Border

Article 7. The system of administration of the state border (procedure for crossing the border, maintenance of border markers, work operations on the border, etc.) is established by laws of the USSR and by agreements of the USSR with contiguous states.

Article 8. In the interests of protection of the state border on the land and water territory of the USSR, in necessary instances a border zone and border strip are established by the Council of Ministers USSR or, upon its instructions, by the Councils of Ministers of the union and autonomous republics.

A border zone is established, as a rule, within the territorial limits of the rayon or city, or the rural or village Soviet of Workers Deputies, adjacent to the state border. The border zone, where established, also includes the territorial and internal maritime waters of the USSR and the Soviet portion of the waters of border rivers and lakes. In the border zone, a particular system of administration is applied.

The width of the border strip may not exceed 2 kilometers from the line of the state border on land or from the shores of border rivers and lakes. Within the limits of this strip adequate systems of restrictions are applied by the Border Troops.

The Soviet portion of border rivers and lakes, as well as islands belonging to the USSR on these rivers and lakes, are under the exclusive control of the Border Troops.

Article 9. On certain sectors of the internal maritime and territorial waters of the USSR, by decision of the competent agencies, areas may be established in which navigation by ships, anchorage, and

marine industry are permanently or temporarily prohibited. The establishment of such areas is reported in the "Notices to Navigators" [Izveshcheniya moreplavatelyam].

Article 10. Entry within the limits of a border zone by persons who are not permanent residents of this zone is prohibited without authorization by agencies of the militia, in the absence of other established procedure.

Entry and residence in the border strip is permitted only on authorization of the Border Troops.

Article 11. Passage of persons across the state border of the USSR is granted only upon evidence of official documents, drawn up in the proper form, authorizing entry within the limits of the USSR or departure from the USSR, and is effected at places where check points [kontrol'no-propusknoy punkt, KPP] of the Border Troops are located.

Control of the transfer of written materials and printed publications across the border is also executed at the check points.

Article 12. The passage of freight and other goods and valuables, as well as diplomatic mail, across the state border of the USSR, is performed by customs establishments in conformance with the Customs Code of the USSR and with special instructions.

Agricultural and wood products, plants, animals and birds, and products of animal origin are subject to medical, veterinary and phytological control, in addition to customs control.

Article 13. By agreement with contiguous states, simplified procedures may be established for the passage of persons and accompanying freight and other goods and valuables across the state border of the USSR. Such passage may be accomplished both at check points and at other places as agreed with the contiguous states.

Article 14. Rail, water, air, automotive and other transportation across the state border of the USSR is accomplished in accordance with laws in force and agreements of the USSR with other states.

Transport conveyances, with the exception of air transports, are granted passage across the border at border check points, whereas aircraft of all types cross the border at established places (air gateways). Departures of all aircraft from the territory of the USSR, as well as the landing of aircraft after crossing the state border on flights into the USSR, are authorized only at airfields at which check points exist. Other procedures with respect to overflights and landings by aircraft are permitted only by special authorization of the competent agencies.

Article 15. Foreign nonmilitary vessels enjoy the right of peaceful passage over the territorial waters of the USSR. Peaceful

passage is considered to mean navigation across the territorial waters for the purpose of transiting them without entering the internal maritime waters, or for the purpose of entering the internal maritime waters or exiting the internal maritime waters to the open sea. A passage is considered peaceful if the vessel follows the customary route of navigation of a route recommended by the competent agencies, with observance of the established system of procedure and in places where there are no areas closed to navigation, as reported in the "Notices to Navigators."

The schedule of ports, harbors and roadsteads open to foreign ships, and the procedures for putting into them and lying over, for performing cargo and passenger operations, for communications between ship and shore, for visits ashore by personnel of the ships crews, for visits aboard such ships by persons not belonging to the ships crews, and other matters relative to calls by foreign nonmilitary vessels in the territorial and internal maritime waters of the USSR, are regulated by laws of the USSR and the union republics and by special regulations and instructions issued by the competent agencies and published in the "Notices to Navigators" and other official publications.

Article 16. Foreign military vessels transit the territorial waters and enter the internal maritime waters of the USSR by prior authorization of the Government of the USSR under procedures provided by the regulations on calls by foreign military vessels in the territorial and internal maritime waters of the USSR, published in the "Notices to Navigators."

Foreign submarines authorized to visit the territorial and internal maritime waters of the USSR must remain solely in surfaced condition.

Article 17. Foreign military and nonmilitary vessels, while calling in the territorial and internal maritime waters of the USSR, are required to comply with the navigation, radiotelegraph, port, customs, sanitary and other regulations on navigation and visits in these waters.

Article 18. Foreign nonmilitary vessels suffering disaster, if compelled to noncompliance with the regulations on peaceful passage across the territorial waters of the USSR, are required to communicate immediately concerning such cause to the nearest Soviet port. The transmission of false disaster signals for the purpose of illegal entry in the territorial waters of the USSR or layover in these waters is considered a violation of the state border of the USSR. Ships transmitting such signals are liable to detention.

Article 19. Operations in marine industry (fishing, catching of crabs, hunting for marine animals, and any other industry) in the territorial and internal maritime waters of the USSR by foreign vessels

is prohibited except in cases when such industry is authorized by agreements of the USSR with the states in question. It is likewise forbidden to foreign vessels to conduct hydrographic and research activities in the aforementioned waters.

Foreign vessels which violate the above provisions, or which, although having authorization with respect to marine industry, proceed in violation of established regulations, are liable to detention, and persons guilty of the violation are held answerable in conformance with the laws of the USSR and the union republics.

Article 20. Shipping, fishing, timber floating, water use and the construction of various hydroinstallations on border rivers and lakes are performed and regulated on the basis of agreements of the USSR with contiguous states. In the absence of such agreements, shipping, fishing, timber floating and water use in the Soviet portion of the waters of border rivers and lakes is permitted on the basis of regulations established by the competent agencies with the concurrence of the Border Troops. In the same manner, the erection of various hydroinstallations, which do not alter the water system of the river, is authorized.

Article 21. The sending of any form of mail (letters, printed matter, parcels, etc.) across the state border of the USSR is performed in compliance with the requirements of the Customs Code of the USSR and in accordance with agreements of the USSR and other states on the exchange of mail.

Article 22. International telephone and telegraph communications across the state border of the USSR, the inspection and repair of lines used in such communications, as well as the construction, repair and operation of gas, oil and electric power lines which cross the border, are conducted in conformance with laws in force and agreements of the USSR with other states.

Article 23. Customs, medical and sanitary, veterinary, and phytological control at the state border of the USSR are executed by the respective agencies of the Ministries of Internal Trade, Health, and Agriculture, and at border railroad stations medical and sanitary control is executed by the Ministry of Railroads, according to laws in force and agreements of the USSR with other states. The above-named ministries, with the concurrence of the Border Troops, the Ministry of Foreign Affairs of the USSR and other interested authorities, issue regulations binding on all for the execution of customs, medical and sanitary, veterinary, and phytological control.

For the performance of these functions, customs establishments and veterinary and sanitary-quarantine points are organized, which are stationed at points where Border Troops check points are located.

In the event of the appearance of a threatened spread of

particularly dangerous infections on the territory of the USSR or of a contiguous state, on the decision of the competent agencies the border in the threatened sectors may be temporarily closed and quarantine of persons, animals, freight, household goods, passenger belongings, and other materials may be instituted.

Article 24. To ensure fulfillment of agreements in matters pertaining to the system of administration of the state border, cooperation in the fulfillment of other agreements of the USSR with contiguous countries on border matters, and settlement of border incidents arising on the state border of the USSR, border representatives of the USSR (border commissars, authorized border agents, and deputies and assistants to them) are designated from the officer personnel of the Border Troops.

Border representatives of the USSR are governed in their work by the laws of the USSR, by agreements of the USSR with other states on border matters, and by special instructions.

Questions not settled by the border representatives are referred for resolution to diplomatic channels.

Article 25. In sectors of the state border of the USSR where border representatives are not specially designated, their functions are performed by the commanders of Border Troops units [chasti], acting on the basis of special instructions.

Article 26. The following are considered to be violators of the state border of the USSR:

a) persons who cross (on foot, by conveyance or air travel) or attempt to cross the state border at points not established for border crossing, or at established crossing points by illegal means;

b) persons who violate the territorial and internal maritime waters of the USSR, as well as the Soviet portion of the waters of border rivers and lakes, aboard water craft or by swimming, if they illegally enter these waters or illegally attempt to depart beyond their limits;

c) foreign military and nonmilitary vessels entering the territorial and internal maritime waters of the USSR, as well as the Soviet portion of the waters of border rivers and lakes, in violation of the established regulations on entry;

d) aircraft which cross the boundary of the air space of the USSR, if they do not have authorization from the competent Soviet agencies for flying across the border and over the land or water territory of the USSR, or which, although having such authorization, fly across the border at other than the established place or in violation of the altitude [prescribed].

Article 27. Persons who violate or attempt to violate the state

border of the USSR, and persons who send or attempt to send across the state border of the USSR articles, materials, currency, and valuables for which entry or exit is prohibited, as well as their accomplices, are liable to arrest and prosecution in accordance with laws of the USSR and the union republics.

Article 28. Captains of Soviet ships which navigate the border waters who permit persons, neither members of their crews nor passengers, aboard such ships illegally, bear responsibility in such cases.

III. Procedures in Protection of the State Border of the USSR

Article 29. The Border Troops are charged with the protection of the land and maritime state border of the USSR, and the Air Defense (PVO) Troops, the boundary of the air space of the USSR.

In the performance of duties in protection of the state border of the USSR, the Border Troops and PVO Troops are governed by laws in force of the USSR and the union republics, by agreements of the USSR with other states, by appropriate orders, instructions and directives, as well as by the regulations of the Armed Forces of the USSR.

Article 30. In the protection of the state border of the USSR, the Border Troops and, in appropriate instances, the PVO Troops perform the following functions:

- a) repel armed incursions into Soviet territory by military formations and groups, and protect the border population and socialist and personal property against criminal encroachment;
- b) refuse passage (on foot, by conveyance or flight) across the state border in other than established places or by illegal means;
- c) apprehend violators of the state border;
- d) conduct, at established points, the clearance of persons intending to cross the state border;
- e) ensure the preservation of border markers and upkeep of the line of the state border of the USSR;
- f) regulate, in conjunction with agencies of the militia, the observance of regulations in the system of administration of the border;
- g) cooperate with agencies responsible for the supervision of fisheries in protecting the maritime and river resources of the USSR against plunder by ships not authorized to conduct operations or operating in the territorial and internal maritime waters of the USSR and the Soviet portion of the waters of border rivers and lakes in violation of established regulations;
- h) oversee the adherence by all ships to the regulations on navigation within the limits of the territorial and internal waters of the USSR, as reported in the "Notices to Navigators."

Article 31. Within the limits of the border zone, of the border strip or administrative areas adjacent to the state border, the Border Troops have the right:

a) to station border details and establish road barriers and to move about in the pursuit and apprehension of violators of the state border in any part of the terrain. The pursuit of violators of the state border may also be conducted beyond the limits of the said areas, zone, or strip, on the territory of the USSR;

b) to accompany trains and other transport conveyances with special border details;

c) to inspect documents carried by persons found in the border zone and border strip and, in the pursuit of and search for border violators, even beyond their limits;

d) to apprehend and transfer to agencies of the militia for prosecution persons who violate regulations of the system of border administration;

e) to restrict temporarily the execution of various work operations directly at the border, with the exception of operations of the Ministry of Defense USSR, projects of national importance, and operations related to the combating of natural calamities (floods, earthquakes, fires, etc.);

f) to utilize existing telephone and telegraph lines of the Ministry of Communications USSR and other ministries and authorities, in the investigation and apprehension of border violators, under conditions agreed to by the local agencies of such ministries and authorities.

Article 32. In cases of violation of the state border the Border Troops have the rights of investigative agencies, and in necessary instances execute search operations and conduct investigative actions of an urgent character, including inspection, search, seizure, examination, apprehension and interrogation of border violators and their accomplices, and interrogation of witnesses, being governed in such actions by the laws of criminal prosecution.

Article 33. On the border strip the Border Troops are authorized to install special barriers, to build roads, bridges, dams, and masonry and other structures necessary to the functions of the Border Troops, to cut clearings in timber with the concurrence of agencies of the lumber industry and to clear brush, canes and grasses.

Article 34. On protected seacoasts and shores of border rivers and lakes, in the interest of protection of the border and with consideration for the economic needs of kolkhozes, enterprises and the local population, the Border Troops are authorized to prohibit:

a) departure from the shore by ships and any sailing craft, and mooring at the shore at other than the established places or without proper authorization;

b) the operation of lights or kindling of fires on the shore

which may be interpreted as beacons or signal lights for ships;

c) the transmission of signals to ships without express right or in violation of established regulations, with the exception of signals reporting disasters at sea;

d) movement along the shore or on ice when not on roads and paths established for this purpose.

Article 35. Ships and other Border Troops craft, within the limits of the territorial and internal maritime waters of the USSR and the Soviet portion of the waters of border rivers and lakes, are authorized in cases of necessity to navigate at night without regulation lights. In such cases the commanders of said ships are required to take necessary measures to prevent collision with other vessels.

Article 36. Within the limits of the territorial and internal maritime waters of the USSR and the Soviet portion of the waters of border rivers and lakes, with respect to foreign nonmilitary vessels, the Border Troops (ships and other craft) have the right:

a) to request the vessel to show its national flag, if not flying, and to conduct interrogation as to the purpose of its entry in such waters;

b) to request the vessel to change course, if proceeding in an area permanently or temporarily closed to navigation:

c) to stop the vessel and conduct an inspection of it, if found in areas permanently or temporarily closed to navigation, proceeding in the territorial and internal maritime waters of the USSR or in the Soviet portion of the waters of border rivers and lakes on other than the established channel or recommended course, drifting, lying at anchor, or failing to respond to signals of interrogation or for changing course, and in all other cases when a ship is found in said waters in violation of the regulations established by this Statute or, if in such waters legally, violates the system of procedures for visiting in these waters.

Inspection of a ship includes checking of ship's documents, navigation documents, documents pertaining to crew, passengers and cargo, and in necessary cases, of the ship's compartments.

In cases when inspection establishes that the vessel is not liable for detention, it may be requested to depart the waters of the USSR;

d) to station aboard the vessel, in necessary cases, a border detail to accompany the vessel into port or from port to the line marking the outer limit of the territorial waters of the USSR;

e) to remove from the vessel and arrest persons committing criminal offenses and liable for criminal prosecution according to the laws of the USSR and the union republics, and to transfer them to the appropriate agencies. These measures may not be employed with respect to persons aboard foreign vessels proceeding through the territorial waters of the USSR for offense committed by them prior to the entry of the vessel in the territorial waters, and if the vessel, in departing a foreign port, restricts itself to passage across the territorial waters

without entering the internal maritime waters;

f) to pursue and detain a vessel which violates the state border of the USSR. If pursuit is begun within the territorial or internal maritime waters of the USSR and is maintained uninterruptedly, the Border Troops have the right to pursue even on the open sea until the entry of such vessel in its own or in foreign territorial waters.

With respect to foreign military vessels, the provisions of this article do not apply, special regulations being in force.

Article 37. Any foreign nonmilitary vessel found within the territorial and internal maritime waters of the USSR and the Soviet portion of the waters of border rivers and lakes may be detained by ships and other craft of the Border Troops and escorted to the nearest port or dock, in the following circumstances:

a) if the vessel is discovered in areas permanently or temporarily closed to navigation, as reported in the "Notices to Navigators";

b) when the vessel discharges or takes on persons, or unloads or takes on cargo, at places other than those established for this purpose, and if such operations are performed without authorization by the competent agencies;

c) when the ship is illegally engaged in maritime or river industry or hydrographic and research activity in the territorial and internal maritime waters of the USSR and in the Soviet portion of the waters of border rivers and lakes;

d) premeditated damage by crew members of such vessels to installations intended as barriers to navigation and to communications cables and other underwater and surface installations belonging to the USSR;

e) when the captain of the vessel fails to produce the prescribed ship's cargo documents;

f) refusal of the vessel to adhere to the instructions of the proper authorities of the USSR;

g) in all other cases, when a vessel is found in the territorial and internal maritime waters of the USSR or the Soviet portion of the waters of border rivers and lakes in violation of the regulations established by this Statute or, if in such waters legally, violates the system of procedures for visiting in those waters.

Article 38. A report is prepared concerning the inspection or detention of a vessel, which is signed by the commander of the ship or other craft of the Border Troops and by the captain of the searched or detained vessel. The report is prepared in the Russian language. If the captain of the searched or detained vessel demands to be given a copy of the report, such copy must be immediately provided. If the situation prevents immediate delivery of a copy of the report, it is sent to the address indicated by the captain of the searched vessel.

In the event of the detention of a vessel, all ship's and cargo documents are obtained from the captain, and an inventory of them

compiled. The documents are fastened together, tied, and sealed by the commander of the ship or other Border Troops craft and by the captain of the detained vessel, and are attached to the report.

If the captain of the searched or detained vessel considers the actions of the commander of the ship or other Border Troops craft to be incorrect, or does not agree to the contents of the report, he may enter in any language an exception in the report itself or in a separate document attached to the report. Should the captain refuse to sign the report, a corresponding note is made in the report.

Article 39. The Border Troops and PVO Troops carrying out the defense of the state border of the USSR employ weapons for repelling armed incursions into Soviet territory, and have the right to employ weapons against violators of the state border of the USSR on land, on water, and in the air, in cases when halting of the violation or apprehension of the violators cannot be accomplished by other means, or in response to the use of force on the part of the violators.

Article 40. Local organs of authority and leaders of state, cooperative and other public organizations are required to give every assistance to the Border Troops in the protection of the state border of the USSR.

For assistance in protection of the border, the Border Troops, in cooperation with local Soviet agencies, may recruit on a voluntary basis Soviet citizens residing in border population centers, primarily volunteer people's guards, membership in the staffs of which includes representatives of local organs of the KGB and of the Border Troops.

M. Georgadze, Secretary of the
Presidium of the Supreme Soviet USSR

- END -