

# **AGREEMENT BETWEEN THE ESTONIAN REPUBLIC AND THE UNION OF SOCIALIST SOVIET REPUBLICS REGARDING THE SETTLEMENT OF FRONTIER DISPUTES, SIGNED AT TALLINN, AUGUST 8, 1927**

THE GOVERNMENT OF THE ESTONIAN REPUBLIC, of the one part, and THE GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS, of the other part, being desirous of establishing a simplified procedure for the settlement of minor frontier disputes and incidents, occurring either on the land frontier or on the lake frontier, have decided to conclude an agreement to this effect and have appointed as their Plenipotentiaries:

THE GOVERNMENT OF THE ESTONIAN GOVERNMENT:

M. Leo SEPP, Minister of Finance, Acting Minister for Foreign Affairs;

THE GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS:

M. Boris Yefimovitch STEIN, chargé d'affaires of the Union of Socialist Soviet Republics at Tallinn.

The aforementioned Plenipotentiaries, after communicating their respective full powers, found in good and due form, have agreed upon the following provisions:

## ***Article 1.***

All minor incidents and disputes which may occur on the frontier (Article 2) shall be settled on the spot by the persons designated in Article 3 of the present Agreement and in accordance with the simplified procedure hereinafter laid down.

## ***Article 2.***

For the purpose of the present Agreement, minor frontier incidents and disputes shall mean those disputes which occur:

- (a) In connection with isolated instances of shots fired at the territory of the other Contracting Party, at the outposts, sentries or frontier patrol-boats, at Customs and other officials or at private persons, provided that the aforementioned shots do not result in the death or wounding of any person nor cause material loss;
- (b) In connection with the unintentional crossing of the frontier by local inhabitants;
- (c) In connection with the unintentional crossing of the frontier by frontier guards, Customs guards or by other officials;
- (d) In connection with the detention of domestic animals which have crossed the frontier, their restoration to the parties concerned, and compensation for any damage which may have been inflicted;
- (e) In connection with searches to be carried out in districts (okrugi) situated on the frontier and the restoration of property or livestock stolen from the territory of the one Contracting Party by citizens of the other Party, and compensation for any damage which may have been inflicted where it is impossible to restore the stolen property in kind;

(f) In connection with the surrender of fishermen, fishing boats and fishing gear cast ashore on the territory of the other Party by stress of weather;

(g) In connection with other frontier incidents and misunderstandings which do not raise any question of principle.

### **Article 3.**

The representatives of the frontier administrative authorities competent to investigate and settle the minor frontier incidents and disputes referred to in Article 2 shall be:

(a) In the case of the Estonian Republic, the Chief of the respective Frontier Section, and in the case of the Union of Socialist Soviet Republics, the Chief of the respective Frontier Detachment of the Federal State Political Department; or

(b) Persons authorised by them.

The sectors administered by those officials mentioned in paragraph (a) and the permanent residences of the latter shall be specified in a special Protocol annexed to the present Agreement.

The number and place of residence of the persons authorised under the provisions of paragraph (b) of the present Article shall be fixed by means of an agreement between the representatives mentioned in paragraph (a).

### **Article 4.**

Provisions concerning the settlement of affairs investigated in virtue of the present Agreement by the officials referred to in Article 3, shall be jointly accepted by the officials of the two Parties; the said provisions shall be concisely expressed, formulated and signed in two copies, the one in the Estonian language by the Estonian authorities and the other in the Russian language by the authorities of the Union of Socialist Soviet Republics.

Note. — If, at the time of investigating incidents, the frontier authorities of the two Contracting Parties referred to in Article 3 declare that the incident under investigation raises a question of principle and does not affect that particular sector alone, or if the said authorities are unable to arrive at any agreement, the matter shall be referred to the Governments of the Contracting Parties for decision. Under these circumstances, the said frontier authorities shall merely carry out an investigation and shall place the resultant documents at the disposal of the Estonian Ministry for Foreign Affairs and the People's Commissariat for Foreign Affairs of the Union of Socialist Soviet Republics.

### **Article 5.**

The measures adopted by the persons mentioned in Article 3 shall only be binding on both Parties in the case of settlements of matters expressly referred to in paragraphs (a) to (g) of Article 2. The provisions concerning the restitution of property, the indemnification to be paid for such property where it is impossible to restore it in kind, and compensation for any damage which may have been inflicted on the aggrieved party shall only be valid after their confirmation by the Estonian Ministry for Foreign Affairs and by the People's Commissariat for Foreign Affairs of the Union of Socialist Soviet Republics.

#### **Article 6.**

The Chief of the Frontier Section, for Estonia, and the Chief of the Frontier Detachment of the Federal State Political Department, for the Union of Socialist Soviet Republics, shall designate by agreement a special point for the supervision of frontier crossing and the despatch of frontier business, at which depositions shall be made and documents produced with reference to these cases, the said cases investigated and settled, the decisions adopted executed, and, in particular, persons retained by either of the Contracting Parties surrendered, livestock returned and property restored.

The Chief of the Frontier Section in the case of Estonia and the Chief of the Frontier Detachment of the Federal State Political Department in the case of the Union of Socialist Soviet Republics, and also such persons as are authorised by them (Article 3), shall be entitled to cross the frontier on business connected with the investigation of frontier incidents and disputes, on the strength of documents showing their official character; such documents shall, on the occasion of each individual crossing, be visé by the representatives of the other Contracting Party at the aforementioned crossing supervision point.

The officials referred to in the present Article shall be entitled to summon the aggrieved party, and also witnesses and experts, to the crossing-point in order to take their statements, and, in case of need, they shall be entitled, with a view to facilitating the settlement of disputes and misunderstandings, to give such persons permits to cross the State frontier on a single occasion for a period not exceeding twelve hours. Such permits must be visé by the representatives of the other Contracting Party at the aforementioned crossing supervision point.

The visas mentioned in the present Article shall be given in writing.

#### **Article 7.**

Meetings of the officials mentioned in Article 3 in order to investigate and settle frontier incidents and disputes shall take place at the crossing-point (Article 6), or at another previously appointed place, at the request of one of the Contracting Parties; the Party to which such request is addressed shall, however, notify its acceptance not later than three days from the time of receiving the request.

#### **Article 8.**

The officials referred to in Article 3 of the present Agreement who are on the territory of the other Contracting Party for the settlement of frontier disputes and incidents shall enjoy personal immunity and shall be entitled to wear their regular service uniforms and weapons.

The said officials shall be entitled to transport with them, duty-free, provisions required by them and articles necessary for carrying on their work (office requisites, etc.); such luggage shall not, however, weigh more than 15 kilogrammes per person, and shall be subject to Customs inspection.

Persons authorized to cross the frontier in virtue of the third paragraph of Article 6 of the present Convention shall be entitled to transport with them, duty-free, provisions up to a limit of 5 kilogrammes, subject to Customs inspection.

**Article 9.**

Each of the Contracting Parties shall be separately responsible for the costs of subsistence and transport of its officials in connexion with matters referred to in the present Agreement; nevertheless, each of the Parties shall grant the other facilities with regard to means of communication and lodgings and also with regard to the submission of the documents necessary for the investigation and to the hearing of the necessary persons (Article 6). The examination of witnesses and aggrieved parties by representatives of one of the Contracting Parties may only take place within the territory of the other Party in the presence of representatives of that Party within whose territory such examination is carried out.

**Article 10.**

The first meeting of the officials mentioned in Article 3 of the present Agreement for the organisation of the work in their sectors shall take place not later than one month after the coming into force of the present Agreement.

All minor frontier incidents and disputes which may occur pending the entry into force of the present Agreement (Article 12) shall be settled through the diplomatic channel; nevertheless, by agreement between the Estonian Ministry of Foreign Affairs and the People's Commissariat for Foreign Affairs of the Union of Socialist Soviet Republics, such incidents may be referred for examination and settlement in accordance with the simplified procedure provided for in the present Agreement.

**Article 11.**

The Contracting Parties undertake, prior to the coming into force of the present Agreement, to formulate and circulate to the authorities concerned the necessary instructions relating to the method of executing the said agreement.

**Article 12.**

The present Agreement shall be ratified and the exchange of the instruments of ratification shall take place as soon as possible at Moscow.

The present Agreement shall come into force on the day of the exchange of the instruments of ratification.

**Article 13.**

The present Agreement shall remain in force for three months from the date of its denunciation by either of the Contracting Parties.

**Article 14.**

The present Agreement has been drawn up in Estonian and Russian in two originals. For the purposes of interpretation both texts shall be regarded as equally authentic.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Convention and thereto affixed their seals.

Done at Tallinn on August 8, 1927.

Leo SEPP.

Boris STEIN.

## PROTOCOL.

At the moment of signing the agreement concluded between the Estonian Republic and the Union of Socialist Soviet Republics regarding the settlement of frontier disputes, the undersigned, Leo SEPP, Minister of Finance and Acting Minister for Foreign Affairs, on behalf of THE GOVERNMENT OF THE ESTONIAN REPUBLIC, and Boris Yefimovitch STEIN, Chargé d'Affaires of the Union of Socialist Soviet Republics at Tallinn, on behalf of THE GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS, signed the following Protocol:

1. In order to define more precisely the meaning of paragraph (b) of Article 2 of the Agreement, the Contracting Parties declare that they will regard as excluded from the scope of the Convention concluded between the Estonian Republic and the Union of Socialist Soviet Republics concerning procedure for the settlement of frontier disputes, any crossing of the State frontier under the following circumstances:

(a) Where the person trespassing across the frontier on to the territory of the other Party penetrates to a distance exceeding two kilometres from the State frontier in the case of the land frontier, or exceeding one kilometre from the shore in the case of the water frontier.

(b) Where the person trespassing across the frontier has previously trespassed in the same way across the frontiers of the same zone, unless it is established that such trespass took place without ill intent; a sector being understood to mean in each particular case a zone of ten kilometres in the case of the land frontier and a zone one kilometre wide from the shore in the case of the water frontier.

(c) Where the State land frontier has been trespassed across at a given place and at one and the same time by more than three persons.

2. With a view to the settlement of disputes occurring on the frontiers between the Estonian Republic and the Union of Socialist Soviet Republics, which fall within the scope of the provisions of the Agreement concluded between the Estonian Republic and the Union of Socialist Soviet Republics regarding the settlement of frontier disputes, the two Contracting Parties, in conformity with Article 3 of the said Agreement, hereby establish the following three sectors:

First Sector: On the Estonian side, from the beginning of the land frontier between Estonia and the Union of Socialist Soviet Republics on the shore of the Gulf of Finland (cordon Ranna) to Ranna-Pung on the shore of Lake Peipus (Chudskoye); on the Union of Socialist Soviet Republics side, from the beginning of the land frontier between Estonia and the Union of Socialist Soviet Republics on the shore of the Gulf of Finland (fishermen's houses) to the confluence of the Piata and Shchuchka rivers.

Second Sector: On the Estonian side, from Ranna-Pung to the village of Kamenka on the shores of Lake Pskov; on the Union of Socialist Soviet Republics side, from the confluence of the Piata and Shchuchka rivers to the hamlet of Orlovo on the shore of Lake Pskov (ten kilometres to the north of the Talabsky Islands).

Third Sector: On the Estonian side, from the village of Kamenka to the point of intersection of the State frontiers of Estonia, the Union of Socialist Soviet Republics and Latvia; on the Union of Socialist Soviet Republics side, from the hamlet of Orlovo to the point of intersection of the State frontiers of Estonia, Union of Socialist Soviet Republics and Latvia.

In the case of Estonia the following officials will be responsible for the sectors:

First Sector: The Chief of the Narva Section of Frontier Guards, having a permanent residence in the town of Narva;

Second Sector: The Chief of the Peipus (Chudskoye) Section of Frontier Guards, having a permanent residence in the town of Kallast;

Third Sector: The Chief of the Pechory Section of Frontier Guards, having a permanent residence near the station of Irbosk (Izborsk).

In the case of the Union of Socialist Soviet Republics the following officials will be responsible for the sectors:

First Sector: The Chief of the Frontier Detachment of Kingisepp, having a permanent residence in the town of Kingisepp;

Second Sector: The Chief of the Frontier Detachment of Gdov, having a permanent residence in the town of Gdov;

Third Sector: The Chief of the Frontier Detachment of Pskov, having a permanent residence in the town of Pskov.

The frontier points for the meeting and passage of representatives of the frontier authorities of the two countries in order jointly to examine and settle any frontier conflicts shall be as follows:

In the first Sector: the point of intersection of the Kingisepp-Narva railway with the frontier-line;

In the second sector: in the north, the hamlet of Sikkov (opposite the Estonian hamlet of Kurichek) for meetings with Estonian representatives from the first sector, and in the south, the village of Mekhikoorma (opposite the hamlet of Pnevo) for meetings with Estonian representatives from the second sector: the crossing of the frontier by water shall be effected through the straits between the village of Mekhikoorma and the village of Pnevo;

In the third sector: the point of intersection of the Pechory-Pskov railway with the frontier line.

The present Protocol shall constitute an integral part of the Agreement regarding the settlement of frontier disputes between Estonia and the Union of Socialist Soviet Republics.

TALLINN, August 8, 1927.

Leo SEPP.

Boris STEIN.

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