

**Agreement between the Government of the Union of Soviet Socialist Republics and  
the Government of the Democratic People's Republic of Korea concerning the  
Regime of the Soviet-Korean State Frontier,  
3 September 1990**

The Government of the Union of Soviet Socialist Republics and the Government of the Democratic People's Republic of Korea, hereinafter referred to as the "Contracting Parties" or the "Parties",

Having regard to the relations of friendship and cooperation existing between the two countries,

On the basis of mutual respect for State sovereignty, independence and autonomy, equality of rights and territorial integrity,

With a view to determining the legal bases for the maintenance of the regime of the Soviet-Korean State frontier and the settlement of any frontier questions that may arise,

Have agreed as follows:

**SECTION I**

**Line of the State frontier, frontier marks and reference marks**

**Article 1**

1. The State frontier between the Union of Soviet Socialist Republics and the Democratic People's Republic of Korea, in accordance with the Agreement between the USSR and the Democratic People's Republic of Korea concerning the Soviet-Korean State frontier line, signed on 17 April 1985, shall begin at the junction of the frontiers of the USSR, the Democratic People's Republic of Korea and the People's Republic of China (point "A"), situated in the middle of the River Tumannaya (Tumen), and runs along the middle of its main channel to a point in the mouth of that river whose geographical coordinates are:

B = 42° 17'34.34" north latitude, L = 130° 41' 49.16" east longitude

From that point the frontier between Soviet and Korean territorial waters in the Sea of Japan (East Korean Sea) shall run in a straight line to the point of its intersection with the line of the outer limit of Soviet and Korean territorial waters, whose geographical coordinates are:

B = 42° 09' north latitude, L = 130° 53' east longitude.

The State frontier between the USSR and the Democratic People's Republic of Korea on the railway bridge known as Friendship Bridge shall coincide vertically with the frontier established along the middle of the main channel of the River Tumannaya (Tumen), and shall run through a point at a distance of 89.1 metres from the beginning of the reinforced concrete span of the bridge on the Soviet side and at a distance of 491.5 metres from the beginning of the metal span of the bridge on the Korean side.

The line of the State frontier between the USSR and the Democratic People's Republic of Korea shall also divide vertically the airspace and the subsoil.

The line of the State frontier in this Agreement shall hereinafter be referred to as the "frontier" or the "frontier line".

2. A detailed description of the course of the State frontier line is set forth in the documents demarcating the Soviet-Korean State frontier from 1986 to 1989.

The demarcation documents are:

The Protocol between the Government of the Union of Soviet Socialist Republics and the Government of the Democratic People's Republic of Korea concerning the demarcation of the Soviet-Korean State frontier, hereinafter referred to as

the "Demarcation Protocol";

The 1:25,000 scale map of the State frontier between the Union of Soviet Socialist Republics and the Democratic People's Republic of Korea along the frontier River Tumannaya (Tumen).

The 1:100,000 scale map of the boundary between the territorial waters of the Union of Soviet Socialist Republics and the Democratic People's Republic of Korea;

The 1:10,000 scale plan of the mouth of the River Tumannaya (Tumen);

The protocols concerning frontier and reference marks with plans and sketches, and the other documents referred to in the annexes to the Demarcation Protocol.

### Article 2

1. The State frontier between the USSR and the Democratic People's Republic of Korea shall be designated on the spot by 22 frontier marks and 2 reference marks, placed on both banks of the River Tumannaya (Tumen), and on the railway bridge known as Friendship Bridge by a solid red strip 15 cm. wide. At the intersection of the longitudinal axis of the bridge with this strip, a red cross, 3 cm. in diameter against the background of a white circle 10 cm. in diameter, shall be placed.

2. Each frontier mark shall consist of two reinforced concrete posts belonging to the USSR and the Democratic People's Republic of Korea respectively, bearing a single serial number, and the State emblem shall be of the prescribed colour.

The frontier marks shall be numbered downstream from 1 to 22.

On the frontier posts placed in Soviet territory, the State emblem of the USSR shall be affixed on the side facing the Democratic People's Republic of Korea. On the border posts placed in Korean territory, the State emblem of the Democratic People's Republic of Korea shall be affixed on the side facing the USSR.

The posts of the frontier marks placed in the territory of the USSR shall be painted with alternate red and green horizontal stripes.

The posts of the frontier marks placed in the territory of the Democratic People's Republic of Korea shall be painted with blue, white, red, white and blue horizontal stripes.

Protocols and plans and sketches of the frontier marks shall be drawn up.

3. The reference marks shall be made of metal, and shall be equipped with shields for daytime visibility and with an optical lighting device for night-time visibility with fixed sectors of illumination. The shields shall be painted with orange fluorescent paint and shall have a white vertical stripe in the middle.

The front reference marks shall be placed in the territory of the USSR, and the rear reference marks in the territory of the Democratic People's Republic of Korea.

Bronze panels shall be affixed on the front side of the reference marks. The bronze panel of the front reference mark shall bear a representation of the State emblem of the USSR and an appropriate text in Russian, and the bronze panel on the rear reference mark shall bear a representation of the State emblem of the Democratic People's Republic of Korea and an appropriate text in Korean.

A red light on the front reference mark shall warn vessels coming from the Korean side, and a green light shall warn vessels coming from the Soviet side that they are approaching the frontier between the territorial waters of the USSR and those of the Democratic People's Republic of Korea.

A protocol and a plan and sketch of each reference mark shall be drawn up.

4. The location of each frontier post of the front and rear reference marks and of the red stripe on Friendship Bridge marking the frontier line shall be determined by the Demarcation Protocol.

5. On the river section of the State frontier along the River Tumannaya (Tumen), the number of islands and the State to which they belong have been determined by the Demarcation Protocol as follows: one island belongs to the USSR, and 16 islands belong to the Democratic People's Republic of Korea.

### Article 3

1. In the event of any natural change which may occur in the main channel of the River Tumannaya (Tumen) in individual sections thereof, the frontier line shall remain unchanged until the Parties agree otherwise.
2. The contracting Parties have agreed that joint checks of the State frontier line between the USSR and the Democratic People's Republic of Korea shall be carried out every 10 years, starting on the date of the entry into force of this Agreement. If the need arises, joint checks shall be carried out at shorter intervals along the entire length of the frontier or on individual sections thereof by agreement between the Parties.  
For these purposes, the Contracting Parties shall establish a Joint Commission on a basis of equal footing.
3. In the event that changes are noted in the middle line of the main channel of the River Tumannaya (Tumen) or of individual sections thereof, the Joint Commission shall prepare proposals for adjustments to the frontier line.
4. For those sections of the River Tumannaya (Tumen) in respect of which the Contracting Parties deem it necessary to make changes in the frontier line, the Joint Commission shall draw up new demarcation documents.
5. The Joint commission shall verify the course of the frontier line on the basis of the demarcation documents referred to in article 1, paragraph 2, of this Agreement. If necessary, the Joint Commission shall make proposals regarding changes in the course of the frontier line, resolve questions relating to the placement of additional frontier marks or changes in position of existing frontier marks and prepare the relevant documents.
6. The time and method of joint checks of the course of the frontier line shall be agreed in advance between the Parties.

## SECTION II

### Maintenance, care and restoration of frontier and reference marks

### Article 4

1. The Contracting Parties undertake to maintain the frontier and reference marks placed to designate the frontier, the painted strip on Friendship Bridge and the frontier clearings that the situation, type, shape, dimensions and colour of the marks and the width and cleanness of the clearings meet all the requirements set forth in the frontier demarcation documents referred to in article 1, paragraph 2, of this Agreement.
2. The maintenance of the frontier and reference marks placed to designate the frontier line shall be shared by the Parties as follows:  
The front reference mark and the frontier posts which are in the territory of the USSR shall be maintained by the Soviet side;  
The rear reference mark and those frontier posts which are in the territory of the Democratic People's Republic of Korea shall be maintained by the Korean side.
3. The 15 cm. wide stripe marking the frontier line on the railway bridge known as Friendship Bridge shall be painted during the course of the year alternately by each Party as required.
4. In order to ensure the visibility of frontier and reference marks, the Contracting Parties have agreed that an area with a radius of 2.5 m. around the frontier posts and an area with a radius of 20 m. around the reference marks, as well as frontier clearings extending 5 m. from each frontier post and reference mark to the bank of the river in the direction of the post of that frontier mark or the reference mark of the other Party shall be cleared of trees, bushes and other tall vegetation. The frontier authorities of the Contracting Parties shall be responsible for cleaning the frontier clearings independently.

### Article 5

1. The frontier authorities of the Contracting Parties shall be responsible for monitoring and maintaining frontier and

reference marks, the painted stripe on Friendship Bridge and the frontier clearings independently in their own territory.

Once every two years the frontier authorities of the Parties shall carry out joint surveys of the frontier and reference marks, and the painted stripe on Friendship Bridge and the frontier clearings. The Frontier Commissioners of the Parties shall agree each time on when to begin the joint survey.

2. The Frontier Commissioners of the Parties shall draw up a report in two copies, each in the Russian and Korean languages, on the results of the joint survey.

3. If it becomes necessary to make an additional joint survey of the frontier and reference marks or of the frontier clearings, the Frontier Commissioner of one Party shall inform the Frontier Commissioner of the other Party in writing to that effect. The additional joint survey shall take place no later than 10 days following the date of receipt of such notification.

#### Article 6

1. If frontier posts and reference marks are lost, destroyed or damaged, they shall be restored as soon as possible by the frontier authorities of the Party to which they have been assigned in accordance with article 4 of this Agreement. The frontier authorities of one Contracting Party shall notify the frontier authorities of the other Contracting Party in writing when the work is to begin, such notification to be given not later than 10 days before the work is to begin.

2. The restoration of frontier posts, reference marks and the painted stripe on Friendship Bridge shall be carried out in accordance with the demarcation documents. The results of the restoration work shall be checked on the spot by competent specialists, using the control measurements with the participation of representatives of the frontier authorities of the Parties.

3. If frontier marks or individual frontier posts are lost, damaged or destroyed, they may, if necessary, be moved from their previous locations, provided that the course of the frontier line remains unchanged, and they may be re-erected in places where their safety is assured. Any such changes in the location of frontier marks shall be made by agreement between the Frontier Commissioners of the two Parties.

4. The frontier authorities of the Contracting Parties shall draw up reports in two copies, each in the Russian and Korean languages, on any restoration work on frontier and reference marks.

For each frontier mark or individual post of a frontier mark moved to a new location, a new protocol shall be drawn up for the mark, as well as a plan and sketch of its location: these shall be drawn up in two copies in accordance with the Demarcation Protocol and shall be annexed thereto.

5. Work to repair damaged frontier posts and reference marks shall be carried out independently by each Party without the participation of representatives of the frontier authorities of the other Party.

6. The Contracting Parties shall take steps to protect the railway bridge known as Friendship Bridge and the frontier and reference marks and shall prosecute persons found guilty of moving, damaging or destroying them.

### **SECTION III**

#### **Regulations governing the crossing of the State frontier**

#### Article 7

1. Nationals of one Contracting Party may enter, depart from, pass through in transit and temporarily stay in the territory of the other Contracting Party by virtue of valid travel documents issued by the competent organs of the State of which they are nationals under the conditions laid down in the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Democratic People's Republic of Korea on the travel of their nationals between the two States of 22 January 1986 and the additional agreed documents annexed thereto.

2. Railway service personnel of the Parties shall be permitted to cross the State frontier and stay within the confines of the frontier railway station or the designated staging area between the frontier stations on the basis of the Frontier Railway

Agreement between the Ministry of Communications of the USSR and the Ministry of Communications of the Democratic People's Republic of Korea, concluded on 18 December 1953, and the additional agreed documents annexed thereto.

**Article 8**

1. Nationals and means of transport of the Contracting Parties may cross the frontier only at crossing points opened by the Parties for international and bilateral traffic and when in possession of the requisite documents.
2. The Contracting Parties shall have the right, for health or other reasons, temporarily to impose a full or partial ban on the crossing of the State frontier by nationals and means of transport of both Parties. The Parties shall immediately inform each other when restrictions on frontier crossings are imposed.

**Article 9**

In the event of a fire or other natural disaster near the frontier, fire-fighting teams or other rescue groups may cross the frontier at any time of the day or night by virtue of lists certified by the Frontier Commissioners or deputy Frontier Commissioners of the Parties, or of identity documents. The place and specific time of crossings by such groups in both directions shall be agreed upon between the Frontier Commissioners of the Contracting Parties.

**Article 10**

The Parties have agreed that simplified regulations for State frontier crossings by nationals living in localities in the frontier zone will be determined in a separate agreement between the Contracting Parties.

**Article 11**

Regulations governing rail communications and the use of other means of communication crossing the frontier, shall be established in separate agreements between the Contracting Parties.

**Article 12**

Persons crossing the frontier from the territory of one Party at an established crossing point who are not in possession of the requisite documents affording them the right to enter the territory of the other Party shall be returned to the territory from which they have crossed.

**SECTION IV**

**Prevention of the illegal crossing of the State frontier**

**Article 13**

The following are guilty of violations of the State frontier between the USSR and the Democratic People's Republic of Korea:

Persons crossing or trying to cross the State frontier by any method other than at the frontier crossing points, or at frontier crossing points but in violation of the regulations for crossing, as well as persons boarding or trying to board vehicles used on routes crossing the frontier with a view to illegal departure across the frontier;

Civilian vessels and naval vessels entering the territorial or internal waters without the permission of the competent organs of the Parties or in violation of the established regulations for entry into those waters;

Aircraft and other air vehicles crossing the State frontier without the requisite authorization of the competent organs of the Parties or committing other violations of the regulations governing overflight of State frontiers;

Crossing the State frontier by any other technical or other means without the authorization of the competent organs of the Parties or in violation of the established regulations also constitutes a violation of the State frontier.

**Article 14**

1. With a view to protecting the common State interests of both countries, the frontier authorities of the Contracting Parties shall take the necessary steps to prevent the illegal crossing of the frontier and shall inform the Frontier Commissioner of the other Party accordingly. In the event that those guilty of violations cross from the territory of one Party to the territory of the other Party, the Frontier Commissioner of the first Party shall inform the Frontier Commissioner of the other Party accordingly. The latter shall take steps to ensure the timely handing over of the offenders to the territory of the Party from which they crossed.
2. If a Party detaining a person who has illegally crossed the frontier finds it necessary to carry out further investigations, it may detain that person for the time required to carry out such investigations, after informing the Frontier Commissioner of the other Party of the detention.
3. Such persons shall be handed over in daytime only by the Frontier Commissioners or their deputies. The Frontier Commissioners or their deputies shall agree in each case on the time for handing over such persons. By mutual agreement, they shall establish forms to be filled out when such persons are handed over.
4. Persons who have unintentionally made an illegal frontier crossing, on foot or in a vehicle, and the vehicles and property belonging to such persons held in the territory of one of the Contracting Parties shall be handed over as soon as possible to the frontier authorities of the other Party.  
Neither of the Parties has the right to refuse to accept the return of such persons, vehicles and property.
5. Persons who have illegally crossed the border need not be handed over to the other Party if:  
They are nationals of the Party which has detained them;  
In addition to having crossed the State frontier illegally, they have another offence under the laws of the Party which has detained them.
6. If persons who have illegally crossed the frontier are not handed over for the reasons specified in paragraph 5, or cannot be handed over forthwith for any other reason, the Frontier Commissioner of the other Party shall be notified.
7. Persons who have illegally crossed the State frontier and committed other offences shall be handed over to the frontier authorities of the Party of which they are nationals after serving their sentence.

**SECTION V**

**Regulations governing the use of frontier waters and economic activities on the State frontier**

**Article 15**

For the purposes of this Agreement, the term "frontier waters" means the section of the River Tumannaya (Tumen) along which the line of the State frontier between the USSR and the Democratic People's Republic of Korea runs. On the frontier River Tumannaya (Tumen), the Contracting Parties shall have equal rights to the use of the waters for economic and household purposes. The Contracting Parties shall take appropriate measures to ensure that, in the use of the frontier waters, the rights to the use of those waters set out in this Agreement are observed and respected.

**Article 16**

The frontier authorities of the Contracting Parties shall, if necessary, on a reciprocal basis and in good time, exchange information on the water level and ice condition of the river, if such information can serve the purpose of averting the dangers posed by flooding or drifting ice.

Article 17

Vessels of both Contracting Parties may navigate in frontier waters only up to the State frontier line, and shall not be permitted to anchor on the State frontier line, or to tie up to the piers of the railway bridge known as Friendship Bridge, except when there are exceptional circumstances (accidents).

Article 18

Vessels of the Contracting Parties may tie up to the other Party's river bank in the event of exceptional circumstances (accidents, natural disasters, etc.). In such cases the Frontier Commissioner of the other Party shall be notified as soon as possible.

Article 19

The frontier authorities of the Contracting Parties shall provide all possible assistance and aid to nationals of both countries in the event of natural phenomena (flooding, drifting ice, etc.). Such measures shall be carried out by agreement between the frontier authorities of the Parties.

Article 20

If unidentified objects or animal carcasses are discovered in frontier waters or on the banks of the river, the frontier authorities of the Parties shall take measures to establish the ownership thereof. Property belonging to the other Party shall, as a rule, be handed over during daylight hours in accordance with the prescribed forms and with the prior agreement of the Frontier Commissioners.

Article 21

1. If human corpses are discovered in frontier waters or on the banks of the river, the identity thereof shall, if necessary, be established jointly by representatives of the frontier authorities of both Parties. The Frontier Commissioners or their deputies may, after agreeing together in advance, carry out the necessary investigations in situ to resolve such cases. The Frontier Commissioner of the Party in whose territory the corpse was found shall direct such investigations.
2. Appropriate reports shall be drawn up concerning the results of such investigations.
3. Joint investigations in situ shall not be regarded as actions falling within the competence of the judicial or administrative authorities of either Party.

Article 22

1. Nationals of the Contracting Party may fish in its waters only up to the State frontier line and in accordance with regulations in force in their territory. The use of explosive, poisonous or narcotic substances, and of other methods involving the large-scale destruction of fish and damage to fish stocks is prohibited.
2. Questions relating to the preservation and breeding of fish in frontier waters and other measures concerning fishing shall be regulated by separate agreements between the Contracting Parties.

Article 23

The frontier authorities of the Contracting Parties shall ensure that the regulations relating to the hunting of wild animals and birds in their territory are strictly observed near the frontier line and that, while hunting is being carried on, shooting in the direction of the frontier or the pursuit of animals and birds across the frontier are prohibited.

Article 24

1. In areas adjacent to the frontier line, the Contracting Parties shall so conduct their industrial and agricultural operations, forestry and mining as not to harm the economic interests of the other Contracting Party.
2. The economic activities of one Contracting Party must not have a harmful effect on the other Party's environment.
3. If there is a danger of the spread of forest and agricultural pests, the frontier authorities of the Contracting Party in whose territory such pests have appeared shall immediately inform the frontier authorities of the other Contracting Party and shall take all measures within their power to prevent the spread of the pests across the frontier. The frontier authorities of the other Contracting Party shall offer all possible assistance in the implementation of such measures.

Article 25

Blasting or other operations near the frontier in connection with the shifting of rocks and soil may be carried out only after prior notification to the frontier authorities of the other Party, not less than two days in advance. During such operations, precautionary measures must be taken to prevent injury or damage to nationals and property of the other Party.

Article 26

1. The condition and direction of the main channel of the frontier River Tumannaya (Tumen) shall, as far as possible, be kept unchanged. In this connection, neither Contracting Party may change the natural flow of the water in the main channel and in places submerged at high water, to the detriment of the other Party, by building hydroelectric or other installations which may affect the hydraulics of the current.
2. Dykes and other installations in the frontier waters may be maintained and operated, with the exception of those which have the negative effect of changing the water regime and the removal of which is deemed necessary by the Contracting Parties.
3. The construction on the frontier River Tumannaya (Tumen) of new bridges, dams, dykes and other hydroelectric installations and their use in each individual case shall be permitted only by mutual agreement between the Contracting Parties.
4. The Parties shall agree on the regulations governing drainage into and out of the frontier river, and all other questions relating to the regime of the frontier waters. If it is necessary re-equip or remove installations and this involves changes in the water level by the river bank of the other Party, the work may be begun only after that Party has given its consent.
5. Individual sections of the channel of the river shall be cleared where the Parties jointly deem it necessary. When the channel of the river is being cleared, the soil dredged must be dumped at specifically designated spots, and care must be taken to ensure that there is no caving in of the banks of contamination of the channel of the river and no obstruction to the flow of the water at high water.
6. The Parties shall take the necessary measures to prevent wilful damage to the banks of the frontier river, pollution of its channel during the repair and technical servicing of the railway bridge, and the poisoning of the river water by chemical substances or pollution with untreated sewage, as well as contamination by any other means.
7. In the event that, through the fault of one of the Contracting Parties, material loss is caused to the other Contracting Party as a result of a failure to comply with the provisions of articles 23, 24, 25 and 26 of this Agreement, compensation for that loss shall be paid by the Party which caused it.

Article 27

The Contracting Parties shall, when necessary, conclude separate agreements on questions relating to the preservation of forests, waters and other natural resources in the frontier area and their economic exploration and to the control of forest and agricultural pests.

Article 28

Questions relating to the frontier regime between the territorial waters of the USSR and the Democratic People's Republic of Korea shall be regulated by the provisions of this Agreement, and by the relevant legislation of the Contracting Parties.

**SECTION VI**  
**Rights and obligations of Frontier Commissioners and regulations governing their work**

Article 29

The frontier authorities referred to in this Agreement shall be the Frontier Commissioners of the Union of Soviet Socialist Republics and of the Democratic People's Republic of Korea and their deputies.

Article 30

1. The Government of the USSR and the Government of the Democratic People's Republic of Korea, for the purpose of resolving questions relating to the maintenance of the State frontier regime and any frontier questions which may arise, shall appoint one Frontier Commissioner and two deputy Frontier Commissioners. Each Contracting Party shall communicate the names of the Frontier Commissioners and their deputies to the other Party through the diplomatic channel. A deputy shall enjoy the same rights as a Frontier Commissioner when acting in the capacity of representative of his Party.
2. The Frontier Commissioners of the Parties shall have the right to appoint one assistant each, as well as the necessary number of secretaries and interpreters, and when necessary, to call in competent experts.
3. The assistants to the Frontier Commissioners shall carry out the specific instructions of the Frontier Commissioners relating to the maintenance of order on the frontier.

Article 31

1. The sectors in charge of the Frontier Commissioners of the Parties shall be the sector of the State frontier from the junction of the frontiers of the USSR, the Democratic People's Republic of Korea and the People's Republic of China (point "A") on the River Tumannaya (Tumen) to a point in the Sea of Japan (east Korean Sea) whose geographical coordinates are 42° 09' north latitude and 130° 53' east longitude.
2. The permanent place of residence of the Frontier Commissioner of the USSR shall be in the village of Posyet, and that of the Frontier Commissioner of the Democratic People's Republic of Korea shall be in the town of Najin.

Article 32

1. Written credentials, in the Russian and Korean languages, shall be issued:  
To the Frontier Commissioner of the USSR and his deputies, by the officer commanding the frontier forces of the USSR;  
To the Frontier Commissioner of the Democratic People's Republic of Korea and his deputies, by the Head of the Central Command of the frontier forces of the Democratic People's Republic of Korea;  
To assistants, by the Frontier Commissioners of the Parties.
2. The Frontier Commissioners of the Parties shall communicate to each other the permanent place of residence of their deputies and assistants.

Article 33

1. Within the limits of the rights and obligations established in this Agreement, the Frontier Commissioners of the Parties shall take measures to ensure the proper maintenance and upkeep of the State frontier and compliance with the regulations governing passage across it, to prevent the illegal crossings of the frontier, and to ensure compliance with regulations governing the use of frontier waters and economic activities on the State frontier.

2. With a view to the prompt and optimal settlement of frontier questions, Frontier Commissioners of the Parties shall be obliged to carry out investigations and take steps in the following cases:

Firing across the frontier;

The killing or wounding of nationals, and the infliction of bodily harm or other injury to their health as a result of actions across the frontier, and violent actions against persons in the territory of the other Party;

The illegal crossing of the frontier by individuals;

The violation of the frontier by river or maritime vessels, boats and rafts, and the crossing of the frontier by aircraft outside the air corridors for overflight established by special agreements;

The movement of cattle and other domestic animals across the frontier;

The moving, damaging, destruction and loss of frontier marks or of individual frontier posts marking the frontier line;

The spread of natural disasters across the frontier to the territory of the other Party;

Illegal forms of communication across the frontier;

The movement of contraband goods across the frontier;

The theft, destruction or damaging of State and other property in the frontier zone of the other Party;

The large-scale movement of agricultural pests across the frontier;

Other violations on the frontier.

3. The Frontier Commissioners of the Parties shall formulate measures to ensure compliance with the frontier regime by the inhabitants of localities in the frontier zone for the joint control of smuggling and the proper maintenance of frontier and reference marks and frontier clearings, and to provide warnings of the consequences of flooding or drifting ice on the frontier river.

4. The Frontier Commissioners of the Parties shall exchange information regarding violations of the State frontier and matters relating to the passage of people and vehicles across the frontier and timely warnings to avert the consequences of flooding and drifting ice.

5. The Frontier Commissioners of the Parties shall consider and take action on all questions referred to in the relevant articles of this Agreement which relate to claims for compensation in respect of damage caused to either of the Parties as a result of the violation of the frontier regime by nationals, organizations or authorities of the other Party.

Decisions relating to compensation for damages shall be subject to approval by the competent organs of the Parties.

Article 34

1. The Frontier Commissioners of the Parties may, on their own initiative, refer matters relating to serious incidents at the frontier (homicide or the infliction of serious bodily harm) and other particularly serious cases for settlement through the diplomatic channel, after notifying the Frontier Commissioners of the other Party.

In such cases the Frontier Commissioners of both Parties shall jointly make the necessary inquiries and record the results in a report.

2. Matters which have not been settled between the Frontier Commissioners of the Parties shall be referred for settlement through the diplomatic channel.

Nothing in this article shall preclude reference back to the Frontier Commissioners of matters discussed through the diplomatic channel.

Article 35

1. Formal meetings of the Frontier Commissioners shall be held alternately in the territory of the two Parties. For each meeting, minutes shall be drawn up briefly indicating the proceedings of the meeting, the decisions taken and the time-limits for their implementation.

The minutes of the meetings shall be drawn up in two copies, each in the Russian and Korean languages, and shall bear the signatures of the Frontier Commissioners and their official seals.

2. Individual matters may be settled by direct correspondence between the Frontier Commissioners or through other means of communication, unless either Frontier Commissioner insists that such matters be dealt with at a formal meeting.

3. The first formal meeting of the Frontier Commissioners shall take place not later than three months following the date of the entry into force of this Agreement.

Article 36

1. Formal or informal meetings of the Frontier Commissioners and their deputies shall take place at the request of one of them and if possible at the time mentioned in the request. The reply to the request shall be given not later than two days after its receipt. If the date proposed for the meeting is unacceptable, another date shall be proposed in the reply.

2. If the Frontier Commissioner of one Party requests a formal or informal meeting, the Frontier Commissioner of the other Party must attend in person, unless he is absent for a valid reason (illness, official travel or leave). In such a case the Frontier Commissioner shall be replaced by his deputy, and the Frontier Commissioner of the other Party shall be so notified in good time.

3. By agreement between the Frontier Commissioners, informal meetings may take place between their assistants.

Article 37

1. The formal and informal meetings referred to in article 36 of this Agreement shall be held in the territory of the Party on whose initiative the meeting has been convened.

2. Formal or informal meetings shall be presided over by the Frontier Commissioner of the Party in whose territory they are held, or by his deputy.

3. The agenda of a formal meeting may be agreed upon through negotiations, an exchange of letters or other means. In exceptional circumstances, items not on the agenda may be dealt with by mutual consent.

Article 38

The Frontier Commissioners of the Parties, their deputies and assistants shall inform each other as soon as possible of the measures taken with regard to matters on which decisions were previously adopted at formal or informal meetings.

Decisions taken by the Frontier Commissioners or their deputies on matters relating to the violation of the frontier regime shall enter into force at the time of the signing of the report on the matter concerned.

Decisions taken by assistants at informal meetings shall enter into force after they have been confirmed by the Frontier Commissioners.

Article 39

1. Frontier Commissioners and their deputies and assistants shall cross the frontier to perform their official functions, by virtue of the written credentials provided for in this Agreement (annexes 1 and 2).

2. Secretaries, interpreters and service personnel shall cross the frontier by virtue of passes issued by the Frontier Commissioner of their Party. The passes shall bear a photograph, the seal and the signature of the holder, as well as the seal and signature of the Frontier Commissioner of the other Party (annex 3).

3. Experts and other persons whose presence is required for the clarification of any matter may cross the frontier by virtue of a pass valid for a single frontier crossing in each direction. The pass shall be issued by the Frontier Commissioner of one Party, and shall be signed and sealed by the Frontier Commissioner of the other Party (annex 4).

4. The Frontier Commissioners of the Parties shall sign the documents indicated in paragraphs 2 and 3 of this article not later than three days after such documents have been submitted to them.

5. The persons referred to in this article shall cross the frontier only at the points established by the Frontier Commissioners. The frontier authorities of the other Party shall give notice in good time, at least 12 hours in advance, of the date and time of the crossing of the State frontier.

6. If a pass for crossing the frontier is lost, its holder must immediately inform the frontier authorities, who shall in turn inform the frontier authorities of the other Contracting Party.

The Frontier Commissioners of the two Parties shall keep each other informed of the cancellation of such pass for crossing the frontier.

From the time the Frontier Commissioner is notified, a lost pass shall be considered invalid. In the event that a lost pass is subsequently found, it shall be returned to the frontier authorities of the Party which issued it.

#### **Article 40**

The Contracting Parties shall defray all the costs incurred in the implementation of this Agreement in their territory. The costs related to the holding of formal and informal meetings shall be borne by the Party in whose territory they are convened.

#### **Article 41**

The following meeting-points shall be established for the exchange of correspondence and the reception and handing over of persons and property: in the territory of the USSR, the village of Khasan; and in the territory of the Democratic People's Republic of Korea, the workers' settlement of Tumangan.

The Frontier Commissioners or their deputies shall agree on the time and place for each such transfer.

Frontier Commissioners may, by mutual agreement, establish additional meeting- points on the frontier.

Correspondence shall be accepted at any time of the day or night, including holidays and other non-working days.

#### **Article 42**

1. The Frontier Commissioners and the other persons referred to in article 39 of this Agreement shall be guaranteed immunity for their persons and for official documents and property in their possession. They shall be entitled to wear a uniform when crossing the frontier.

2. Such persons may not take with them anything other than the means of transport and materials required for their work, which will be admitted on condition that they will subsequently be re-exported, as well as such food and tobacco as are needed for their personal consumption.

Such materials and food shall be taken across the frontier free of customs duties and other charges.

#### **Article 43**

Each Contracting Party shall grant to persons of the other Party who are in its territory in connection with the performance of obligations under this Agreement, any necessary assistance, in particular with regard to accommodation, transport and communications facilities.

### **SECTION VII**

Final provisions

Article 44

Any questions which may arise regarding the interpretation or application of the provisions of this Agreement shall be settled through consultations in a spirit of friendship, mutual respect and understanding.

Article 45

This Agreement shall remain in force for a period of 10 years from the date of its entry into force. If neither of the Contracting Parties has announced its desire to terminate the Agreement six months before its expiry, it shall remain in force for successive periods of 10 years.

Article 46

With effect from the date of the entry into force of this Agreement, the Convention between the Government of the Union of Soviet Socialist Republics and the Government of the Democratic People's Republic of Korea on the regime for the settlement of frontier questions, of 14 October 1957, shall cease to have effect.

Article 47

This Agreement is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification.

The exchange of the instruments of ratification shall take place at Moscow as soon as possible.

DONE at Pyongyang, on 3 September 1990, in duplicate in the Russian and Korean languages, both texts being equally authentic.