

No. 5443

FINLAND
and
UNION OF SOVIET SOCIALIST REPUBLICS

Agreement (with Protocol and annexes) concerning the régime of the Finnish-Soviet State Frontier and the procedure for the settlement of frontier incidents. Signed at Helsinki, on 23 June 1960

Official texts : Finnish and Russian.

Registered by Finland on 9 November 1960.

FINLANDE
et
**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

Traité (avec Protocole et annexes) relatif au régime de la frontière d'État finlando-soviétique et au mode de règlement des incidents de frontière. Signé à Helsinki, le 23 juin 1960

Textes officiels finnois et russe.

Enregistré par la Finlande le 9 novembre 1960.

[TRANSLATION — TRADUCTION]

No. 5443. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING THE RÉGIME OF THE FINNISH-SOVIET STATE FRONTIER AND THE PROCEDURE FOR THE SETTLEMENT OF FRONTIER INCIDENTS. SIGNED AT HELSINKI, ON 23 JUNE 1960

The Government of the Republic of Finland of the one part and the Government of the Union of Soviet Socialist Republics of the other part, desiring to determine the means necessary for properly maintaining the régime of the Finnish-Soviet State Frontier, and desiring also to prevent frontier incidents from arising or, if they do arise, to ensure their rapid investigation and settlement, have to that end resolved to conclude this Agreement and, in consequence, have appointed as their plenipotentiaries :

The Government of the Republic of Finland : Mr. Ralf Törnngren, Minister for Foreign Affairs of the Republic of Finland ;

The Government of the Union of Soviet Socialist Republics : Mr. A. V. Zakharov, Ambassador Extraordinary and Plenipotentiary of the USSR to the Republic of Finland,

who, having exhibited their full powers, found in good and due form, have agreed on the following provisions :

PART I

COURSE OF THE FRONTIER LINE, FRONTIER MARKS AND MAINTENANCE OF THE FRONTIER

Article 1

1. The line of the State frontier between the Republic of Finland and the Union of Soviet Socialist Republics, as established by the Peace Treaty of 14 October 1920² between the Republic of Finland and the Russian Soviet Federative Socialist Republic, the Treaty of Peace of 12 March 1940 between the Republic of Finland and the

¹ Came into force on 5 October 1960, the date of the exchange of the instruments of ratification at Moscow, in accordance with article 46.

² League of Nations, *Treaty Series*, Vol. III, p. 5.

Union of Soviet Socialist Republics, the Treaty of 3 February 1947¹ between the Republic of Finland and the Union of Soviet Socialist Republics on the transfer to the territory of the Soviet Union of part of the State territory of Finland in the region of the Jäiskoski hydroelectric power station and the Niskakoski control dam, and the Treaty of Peace of 10 February 1947² between the Allied and Associated Powers of the one part and Finland of the other part, is the line on the ground as determined in the Descriptive Protocols relating to the frontier, the frontier maps, the Protocols relating to frontier marks and the other demarcation documents signed on 28 April 1938, 18 November 1940, 26 October 1945 and 7 December 1947 by the Mixed Republic of Finland and USSR Frontier Commissions.

2. The frontier line determined in the aforementioned documents shall also vertically divide the air space and the subsoil.

This frontier line shall be referred to in this Agreement as the "frontier" or the "frontier line".

Article 2

1. In sectors where it runs over land and also where it intersects standing or running waters, the frontier shall be an immovable line following a straight course from one frontier mark to the next.

2. In sectors where it follows running waters, including lakes, the frontier shall be a straight, broken or crooked line running from one frontier mark to the next and, in the case of a frontier river or stream, following the middle of the river or stream or the middle of the main branch thereof.

3. Islands in frontier rivers shall belong to the territory of one Party or the other, according to their position with regard to the frontier line.

Article 3

1. On frontier rivers and streams the course of the frontier line shall vary with the displacement of their middle line caused by natural variations in the conformation of the banks of such rivers and streams.

2. The variations referred to in paragraph 1 shall, as the need arises, be attested jointly by the competent authorities of the two Parties.

The documents attesting to variations in the middle line of frontier rivers and streams shall not be annexed to the principal demarcation documents, but shall be retained by the competent authorities of the Contracting Parties responsible for maintaining the frontier sector concerned.

3. Variations in the bed of a frontier river or stream which are due to natural causes and which could involve a change in the territorial status of land, installations of material value, buildings, etc., shall not affect the course originally followed by the

¹ United Nations, *Treaty Series*, Vol. 216, p. 231.

² United Nations, *Treaty Series*, Vol. 48, p. 203.

frontier line unless a special agreement to that effect is concluded by the Contracting Parties.

4. If, in the event of variations as referred to in paragraph 3, measures for restoring the frontier river or stream to its former bed prove to be impossible, the frontier line which originally followed the river or stream shall be defined in frontier documents by a Mixed Commission established for that purpose, and the said documents shall be annexed to the principal demarcation documents.

In the course of these operations, the frontier line which originally followed the river or stream may be straightened if it was formerly broken or crooked.

Article 4

1. The frontier shall be designated in the field by large wooden frontier posts, small wooden frontier posts, wooden and stone pyramids, reference marks and concrete marks or spars, as well as by trigonometric and other marks fixed on the frontier line and serving as frontier marks.

2. The description of each frontier mark and its position in relation to the frontier line shall be given in the appropriate demarcation documents.

3. Except by special agreement between the Contracting Parties, the frontier line may not be designated by any other means not accepted at the time of demarcation, nor may existing frontier marks be replaced by frontier marks of a different type.

Article 5

The Contracting Parties undertake so to maintain the frontier marks that have been set up to designate the frontier line between Finland and the USSR and also the frontier clearings that the position, appearance, form, size and colour of the frontier marks and the width and cleanness of the clearings meet all the requirements set forth in the frontier demarcation documents.

Article 6

The maintenance of frontier marks shall be shared by the Contracting Parties as follows :

1. Finland shall maintain those frontier marks which are in the territory of Finland ; the USSR shall maintain those frontier marks which are in the territory of the USSR.

2. Frontier marks and centre posts situated on the land frontier line itself shall be maintained as follows :

- (a) Marks bearing even numbers, by the USSR ;
- (b) Marks bearing odd numbers, by Finland.

3. Frontier marks situated on the sea frontier line itself in the sector of the Gulf of Finland south of and including spar buoy No. 6 shall be maintained by the Soviet Union and marks in the sector north of spar buoy No. 6, by Finland.

Article 7

1. A frontier clearing, throughout its width as determined in the course of the demarcation of the Finnish-Soviet frontier and as specified in the relevant decision of the Mixed Finnish-Soviet Demarcation Commissions, shall be maintained in good order and, when necessary, cleared of bushes and scrub obscuring it. No structures other than those necessary for marking the frontier may be erected in a frontier clearing. Land in a frontier clearing may not be ploughed except by agreement between the competent authorities of the two Parties.

2. Each Party shall clean the frontier clearing on its own territory. The competent authorities of the Contracting Parties shall notify each other at least ten days before work on the cleaning of a frontier clearing begins. Representatives of the competent authorities of the other Contracting Party are entitled to be present during such work.

Article 8

1. Surveys of the condition and position of the frontier marks shall be made by the competent authorities of the Contracting Parties at their discretion and in accordance with article 6. In addition to unilateral surveys, representatives of the competent authorities of the two Contracting Parties shall make an annual joint control survey of the frontier marks.

2. In the case of the land frontier, the joint control survey of frontier marks shall be made in July; in the case of the sea frontier, it shall be made in spring not later than thirty days after the ice has broken up, and in winter within the same period after the ice has formed. The placing of spar buoys shall be carried out independently by each Contracting Party by the date of the joint control survey of the sea frontier.

The competent authorities of the two Contracting Parties shall agree on the exact dates of each particular joint control survey.

3. If it becomes necessary to make an extra joint survey of frontier marks in any year, the competent authorities of one Contracting Party shall give written notice to that effect to the competent authorities of the other Contracting Party. The extra joint survey of frontier marks shall be made not later than ten days after such notice has been given by the competent authorities of one Contracting Party.

4. During a joint survey of frontier marks, control measurements may, if necessary, be made in the field. If the survey shows that the measurement figures

contained in the demarcation documents do not coincide with the results of the joint measurements made in the field, and if it is established that the position of the frontier marks has not changed since the time of demarcation, the results of the measurements made in the field shall be considered definitive.

5. Amendments or additions to the frontier demarcation documents shall be made by agreement between the Contracting Parties and shall be annexed to the said documents.

6. The joint control survey of frontier marks on the land frontier shall also include a survey of the width and cleanness of the frontier clearings.

7. On the completion of the control survey, a record shall be drawn up by the representatives of the competent authorities of the two Contracting Parties in duplicate in the Finnish and Russian languages.

Article 9

1. If a frontier mark is removed, destroyed or damaged, steps for restoring or repairing it shall forthwith be taken by the competent authorities of the Party in the territory of which the mark is situated or which is responsible for its maintenance. The competent authorities of one Contracting Party shall notify the competent authorities of the other Contracting Party in writing at least ten days before work on the restoration or repair of a frontier mark begins.

2. Repair work on a frontier mark shall be performed independently by the Contracting Party which under article 6 is responsible for the maintenance thereof. Representatives of the competent authorities of the other Contracting Party are entitled to be present during such work.

Article 10

1. The restoration of removed or destroyed frontier marks shall be effected by the competent authorities of one Party in the presence of representatives of the competent authorities of the other Party. For the purposes of such restoration, the new frontier marks shall conform to the specifications laid down in the demarcation documents.

2. When a frontier mark or frontier post is restored, care shall be taken not to change its position. If, when a frontier mark that has been removed is being restored, there is no clear indication of its site, the demarcation documents shall be used as a guide, and the particulars contained therein shall be verified on the spot by control measurements carried out with instruments.

3. When, on water sectors of the frontier, frontier marks which have been damaged or destroyed by floods or floating ice are being restored or re-erected, it shall, if necessary, be permissible to change their former site and to re-erect them at points where the preservation of frontier posts will be ensured. Changes in the sites

of frontier posts on a water sector of the frontier shall be made with the agreement of both Contracting Parties.

4. For each restored or re-erected frontier mark, the representatives of the competent authorities of the Contracting Parties shall draw up a frontier-mark protocol and a sketch, which shall both correspond in all respects with the other demarcation documents and be annexed thereto.

A record of the restoration or re-erection of a frontier mark shall be drawn up in duplicate in the Finnish and Russian languages.

5. Where necessary, the competent authorities of the two Contracting Parties may, by agreement, erect additional frontier marks on the frontier line but shall not thereby change the course of the said line.

Additional frontier marks erected on the frontier shall conform to the specifications laid down in the demarcation documents and be recorded in the documents specified in paragraph 4.

Maintenance of the additional frontier marks shall be arranged by agreement between the competent authorities of the Contracting Parties.

6. If the competent authorities of one Contracting Party observe that a frontier mark situated in the territory of the other Party or a frontier mark which the other Party is responsible for maintaining has been removed, destroyed or damaged, they may call upon the competent authorities of the other Contracting Party to restore or repair the frontier mark. In such a case, the competent authorities of the Party in the territory of which the mark observed to have been removed, destroyed or damaged is situated, or which is responsible for maintaining such mark, shall begin work on its restoration or repair forthwith, and in any event not later than ten days after written notice of the removal, destruction or damage has been received from the competent authorities of the other Contracting Party.

7. The Contracting Parties shall take measures for the proper protection of frontier and navigation channel marks and shall bring to justice any person found guilty of moving, damaging or destroying any such mark. In such a case, a frontier mark damaged or destroyed by the inhabitants of one Party shall be restored at that Party's expense.

PART II

REGULATIONS GOVERNING THE USE OF FRONTIER WATERS AND OF RAILWAYS AND MAIN AND OTHER ROADS INTERSECTING THE FRONTIER LINE

Article 11

1. In the case of all rivers intersected by the frontier line and of lakes and coastal bays along which the frontier line runs, a strip of water 100 metres wide on either side of the frontier line shall be deemed to be frontier waters.

2. Those sections of rivers and the narrow sections of lakes along which the frontier line runs shall be deemed to be frontier waters in their entirety.

Article 12

1. Vessels of the two Contracting Parties shall be entitled to navigate freely in the narrow sections of lakes and in the rivers along which the frontier line runs.

2. On lakes and rivers intersected by the frontier line, ships (boats) may navigate only up to the frontier line.

3. Ships (boats) navigating in frontier waters may not tie up to the other Party's bank or remain at anchor in frontier waters except in distress (storm, shipwreck, etc.). In such case, the competent authorities shall assist each other as necessary.

Article 13

1. Vessels of the Contracting Parties may navigate in frontier waters only during daylight and shall at night either be tied up to their own bank or be anchored in their own waters. Night shall be the period between sunset and sunrise.

2. All vessels navigating in frontier waters shall fly their national flag and be marked with clearly visible (black or white) numbers or with their registered name.

3. Vessels of one Contracting Party navigating in frontier waters in conformity with the regulations set forth in paragraphs 1 and 2 may not be detained by the authorities of the other Contracting Party or be compelled to anchor or tie up or to undergo a search or a document check.

Article 14

If unidentified objects or animal carcasses are discovered in frontier waters or on the banks of one Contracting Party, the competent authorities of that Party shall take measures to establish the ownership thereof.

The identity of human corpses discovered in frontier waters or on the banks thereof shall, if necessary, be established jointly by representatives of the competent authorities of both Contracting Parties.

Article 15

The Contracting Parties shall ensure that the frontier waters are kept clean and are not artificially polluted or fouled in any way. They shall also take measures to prevent wilful damage to the banks of frontier waters.

Article 16

1. The Contracting Parties shall take appropriate measures to ensure that in the use of frontier waters the provisions of this Agreement are observed and the relevant rights and interests of the other Contracting Party are respected.

2. Where failure to comply with the requirements of paragraph 1 occasions material loss to one Contracting Party, compensation for that loss shall be paid by the Party to whose negligence the loss is attributable.

Article 17

The competent authorities of the Contracting Parties shall, as far as possible, exchange such information concerning the water level, water volume and ice conditions in frontier waters as might avert danger from flooding or from drifting ice. In addition, the said authorities shall, as necessary, agree on a regular system of signals during periods of high water or drifting ice.

Article 18

This Agreement shall not affect the floating of timber in frontier waters nor traffic on railways, main roads and waterways intersecting the frontier line; such matters shall be settled by special agreement between the Contracting Parties.

Article 19

The Contracting Parties shall take steps to ensure that sectors of railways, main and other roads and waterways which intersect the frontier and are open to traffic are maintained in proper condition. Each Contracting Party shall keep them in repair at its own expense up to the frontier line.

Exceptions to this regulation may be provided for in agreements between the relevant authorities of the two Contracting Parties.

PART III

FORESTRY, FISHING, HUNTING AND MINING

Article 20

1. Each Contracting Party shall so manage its forests in land adjacent to the frontier as not to impair the forest management of the other Contracting Party.

2. If a forest fire breaks out near the frontier, the Contracting Party in whose territory the fire began shall take all possible measures within its power to localize and extinguish the fire and to prevent it from spreading across the frontier.

3. If a forest fire threatens to spread across the frontier, the Contracting Party in whose territory the threat arose shall forthwith notify the other Contracting Party so that appropriate measures may be taken to contain the fire at the frontier.

4. If trees fall across the frontier line owing to natural causes or though felling, the competent authorities of the Contracting Parties shall take measures for the removal of the trees to the territory of the Party to which they belong. The competent authorities of the Contracting Party to which the trees belong shall notify such occurrences to the competent authorities of the other Party.

Article 21

1. Nationals of the two Contracting Parties may fish in frontier waters up to the frontier line in accordance with the regulations in force in their respective territories, but shall be prohibited from :

- (a) Using explosive, poisonous or narcotic substances or resorting to other means that result in the large-scale destruction or mutilation of fish ;
- (b) Fishing in frontier waters at night.

2. The preservation and breeding of fish in frontier waters, prohibitions against the catching of fish of particular species in specified areas, fishing seasons and other measures concerning fishing may be regulated by special agreement between the relevant authorities of the Contracting Parties.

Article 22

1. Each Contracting Party shall ensure that the hunting regulations in force in its territory are strictly observed near the frontier line and that, while hunting is being carried on, shooting across the frontier and the pursuit of wild animals or birds across the frontier are prohibited.

2. The competent authorities of the Contracting Parties shall, where necessary, agree on all matters relating to the preservation of wild animals and birds and on matters for establishing identical closed seasons in specified parts of the frontier.

Article 23

1. Mining and the prospecting of mineral deposits in the immediate vicinity of the frontier shall be governed by the regulations of the Party in whose territory the workings are situated.

2. In order to safeguard the frontier line, there shall on each side thereof be a belt twenty metres wide in which the work referred to in paragraph 1 shall ordinarily be prohibited and shall be permitted only in exceptional cases by agreement between the competent authorities of the Contracting Parties.

3. If in any particular case it is not expedient to establish the belts referred to in paragraph 2, the competent authorities of the Contracting Parties shall agree on other precautionary measures to safeguard the frontier line.

PART IV

FRONTIER COMMISSIONERS AND THEIR POWERS AND DUTIES

Article 24

The competent authorities referred to in this Agreement shall be the frontier commissioners of the Republic of Finland and of the Union of Soviet Socialist Republics and their deputies and assistants.

Article 25

1. The Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics shall each appoint frontier commissioners and deputy frontier commissioners.

2. The frontier commissioners of both parties shall, in the sectors for which they are responsible, co-operate in performing the duties arising out of the provisions of this Agreement.

3. When acting as representatives of the Contracting Parties, the deputies shall have all the powers of the frontier commissioners.

Article 26

1. The official places of residence and the sectors in the charge of the frontier commissioners shall be those specified in the Protocol¹ to this Agreement.

2. Each Contracting Party shall communicate the names of the frontier commissioners and their deputies to the other Party through the diplomatic channel.

3. Each Contracting Party shall in each particular case notify the other through the diplomatic channel of any change affecting the matters dealt with in the Protocol to this Agreement.

¹ See p. 366 of this volume.

Article 27

1. The frontier commissioners shall be entitled to appoint the necessary number of assistants and to call in experts.

2. The frontier commissioners of both Parties shall communicate to each other the names and official places of residence of their assistants.

The appointment of assistant frontier commissioners shall be announced, and their official places of residence designated, by the frontier commissioners at their first meeting after the entry into force of this Agreement.

3. The number of assistant frontier commissioners and their official places of residence may be changed by the frontier commissioners concerned during the period of validity of this Agreement. The frontier commissioner of the other Party shall be notified in writing of such changes.

4. When so ordered by the frontier commissioners, the assistants shall carry out the functions arising out of article 29 of this Agreement and such other tasks as relate to the implementation of this Agreement.

Article 28

Written credentials in the Finnish and Russian languages shall be issued to the persons referred to in article 24 of this Agreement, namely :

The frontier commissioners of the Republic of Finland and their deputies, by the commanding officer of the Finnish Frontier Guard ;

The frontier commissioners of the Union of Soviet Socialist Republics and their deputies, by the commanding officer of the Frontier Forces of the Union of Soviet Socialist Republics ;

Assistants of the frontier commissioners, by the frontier commissioners concerned.

Article 29

The frontier commissioners of both Parties shall :

A. Take the necessary measures to prevent incidents which are apt to arise on the frontier.

B. Investigate and, where appropriate, settle all frontier incidents, including :

- (1) Shooting across the frontier at persons or into the territory of the other Contracting Party ;
- (2) The killing or wounding of persons in the territory of one Contracting Party as the result of shots fired across the frontier, the infliction of bodily harm and other injury to the health of such persons or the use of violence against them ;
- (3) Utterances or actions offensive to the other Party ;

- (4) The illegal crossing of the frontier by officials in the course of, or in connexion with, their duty ;
- (5) The unintentional crossing of the frontier by individuals ;
- (6) The illegal carriage of persons across the frontier into the territory of the other Party ;
- (7) The crossing of the frontier by aircraft outside the authorized lanes, and the illegal crossing of the frontier by river and other ships and boats ;
- (8) The discovery of fishing vessels and fishing equipment, timber, etc. which happen to be in the territory of the other Party as a result of natural causes ;
- (9) The moving, damaging, or destruction of frontier or navigation channel marks ;
- (10) Photographing of the frontier territory of the other Party ;
- (11) The theft, destruction or damaging of State or other property in the frontier territory of the other Party ;
- (12) The movement of reindeer, domestic animals and poultry across the frontier ;
- (13) The spread of fire across the frontier into the territory of the other Party ;
- (14) Other frontier incidents which do not require settlement through the diplomatic channel.

C. Investigate and settle compensation claims of all kinds arising out of frontier incidents and presented by one of the Parties or by persons in its territory.

In settling a frontier incident, the frontier commissioners shall also decide questions concerning the procedure for the return of property which, in connexion with the frontier incidents enumerated in paragraphs (7), (8), (11) and (12) of this article, happen to be in the territory of the other Party.

Article 30

1. Persons who have been detained for unintentionally crossing the frontier illegally into the territory of one Contracting Party shall without undue delay be handed over to the frontier commissioner of the Party from whose territory they have crossed.

2. The frontier commissioners shall decide on the procedure for the return of the persons referred to in paragraph 1. The Contracting Parties may not refuse to readmit such persons.

Article 31

1. The frontier commissioners shall take the necessary measures to prevent any persons from illegally crossing the frontier in either direction.

2. Questions concerning the return of persons who have intentionally crossed the frontier which cannot be settled directly by the frontier commissioners shall be dealt with through the diplomatic channel.

Article 32

1. The frontier commissioners shall take all measures within their power to settle incidents arising on the frontier. Each frontier commissioner may, at his discretion, refer any matter of particular importance for settlement through the diplomatic channel after notifying the frontier commissioner of the other Party.

2. All frontier incidents of particular gravity, such as homicide or serious bodily harm, shall in every case be referred for settlement through the diplomatic channel.

In all such cases, however, the frontier commissioners shall make the necessary inquiries into the incident and record the results in a joint minute.

3. Frontier incidents which cannot be settled by agreement between frontier commissioners shall be referred for settlement through the diplomatic channel.

Nothing in this article shall preclude the possibility of a matter that was dealt with through the diplomatic channel from being referred back to the frontier commissioners for settlement.

4. Decisions taken jointly by the frontier commissioners in settlement of a frontier incident shall be binding and final and shall take immediate effect as soon as the minutes relating to the matter investigated are signed.

Article 33

The frontier commissioners shall deal with and settle all matters relating to claims for damages.

The amount of compensation due to each Party, on the basis of the agreements arrived at concerning damages, shall be calculated by the frontier commissioners quarterly as of 31 March, 30 June, 30 September and 31 December. For the determination of the amounts of damages to be paid, the frontier commissioners shall submit appropriate statements to the Ministry of Foreign Affairs of the Republic of Finland and the Ministry of Foreign Affairs of the USSR. The procedure for the eventual settlement of accounts shall be determined through the diplomatic channel.

Article 34

Each Party shall defray all costs incurred in discharging its obligations under this Agreement, including the cost of maintaining the staff responsible for giving effect to the Agreement.

The procedure for the settlement of accounts in respect of costs arising out of the provisions of this Agreement shall be determined through the diplomatic channel.

Article 35

1. The frontier commissioners and their deputies shall ordinarily perform their joint functions at formal and informal meetings. Minutes shall be drawn up on the occasion of each formal meeting and shall briefly indicate the proceedings of the meeting, the decisions taken and the time-limit fixed for their implementation.

Minor questions may be settled by correspondence or other means of communication between the frontier commissioners unless either commissioner insists that such a question be dealt with at a formal or informal meeting.

2. Assistant frontier commissioners shall ordinarily perform their joint functions at informal meetings. On the occasion of each informal meeting between assistants, minutes shall be drawn up and shall set out in detail the action taken by them and their conclusions and proposals, if any. Decisions of assistants shall not have effect until confirmed by the frontier commissioners. Such confirmation shall be effected through an endorsement on the minutes drawn up by the assistants or through an exchange of letters between the frontier commissioners.

Matters on which assistant frontier commissioners cannot agree shall be referred to the frontier commissioners for settlement.

3. Minutes of formal meetings of the frontier commissioners and their deputies and of informal meetings between their assistants shall be drawn up in duplicate in the Finnish and Russian languages.

Article 36

A formal or informal meeting of the frontier commissioners 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 if possible be given forthwith, and in any case not later than forty-eight hours after the receipt of the request. If the date proposed for the meeting is unacceptable, another date shall forthwith be proposed in the reply.

If a frontier commissioner requests a formal or informal meeting, the frontier commissioner of the other Party shall attend in person unless absent for a valid reason (e.g., illness, official travel or leave). In such a case his deputy shall replace him and shall so notify the frontier commissioner of the other Party in good time. By agreement between the frontier commissioners, formal and informal meetings may also take place between their deputies.

Informal meetings between assistants may take place only by order of the frontier commissioners.

Formal or informal meetings between the frontier commissioners or their assistants may also be attended by secretaries and interpreters and, where necessary, by experts of both Parties.

Article 37

The formal and informal meetings referred to in article 36 shall as a rule be held in the territory of the Party whose frontier commissioner has convened the meeting. Nevertheless, the frontier commissioners or their assistants may depart from this principle when it is expedient to do so.

Formal or informal meetings shall be directed by the frontier commissioner or the deputy or assistant frontier commissioner of the Party in whose territory the negotiations are taking place.

The agenda of a formal meeting shall be proposed at the time the request for the meeting is submitted and shall be settled by means of preliminary discussions or of correspondence. In exceptional cases, items not on the agenda may be dealt with by mutual consent.

Article 38

In order to ascertain the facts, the frontier commissioners and their assistants may by previous agreement conduct inquiries into frontier incidents on the spot.

Such inquiries shall be directed by the Party in whose territory they are held.

Suitable records or other documents relating to the inquiries shall be drawn up and be subsequently annexed to the minutes of the meeting. Such records and documents shall be drawn up in conformity with the provisions of article 35.

Joint inquiries on the spot shall not be deemed to be judicial investigations or similar proceedings within the competence of the judicial or administrative authorities of either Party.

Article 39

The frontier commissioners shall inform each other as soon as possible of action taken in accordance with the decisions adopted at a formal or informal meeting.

Article 40

1. The frontier commissioners shall by agreement designate meeting points on the frontier for the exchange of official correspondence and the delivery of persons and property.

The frontier commissioners or their assistants shall agree on the place and the time of each such delivery.

2. Persons shall be delivered by the frontier commissioners or their deputies or assistants personally ; correspondence and property may be delivered by the local commanding officers of the Finnish Frontier Guard and of the Frontier Forces of the USSR by order of, and in the absence of, the frontier commissioners.

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

4. Reindeer, domestic animals and poultry shall, at the discretion of the frontier commissioners, be delivered at meeting points at the point where the animals crossed the frontier or elsewhere.

5. The frontier commissioners shall establish by agreement the form of receipts to be given for correspondence, animals and other property.

6. The frontier commissioners shall agree upon the signals to be used to summon the frontier guards of the other Party.

7. The meeting points on the frontier and the signals referred to in paragraph 6 shall be determined by the frontier commissioners at their first meeting after the entry into force of this Agreement.

The number and site of such meeting points may be changed by agreement between the frontier commissioners.

Article 41

1. The frontier commissioners and their deputies, assistants, secretaries, interpreters and experts may cross the frontier to perform official functions arising out of the provisions of this Agreement.

The frontier commissioners and their deputies and assistants shall cross the frontier by virtue of the written credentials provided for in article 28 of this Agreement, the said credentials to bear the photograph and signature of the holder (for specimen credentials see annexes 1¹ and 2²). The credentials of an assistant shall also bear the visa of the frontier commissioner of the other Party.

2. Secretaries, interpreters and experts shall cross the frontier by virtue of certificates issued by the frontier commissioner of their Party. The said certificates shall bear the photograph and signature of the holder and the visa of the frontier commissioner of the other Party (for specimen certificate see annex 3³).

3. The visas referred to in paragraph 2 and the visas for the credentials of assistant frontier commissioners shall be issued for an unlimited number of frontier crossings and shall be valid for twelve months.

¹ See p. 370 of this volume.

² See p. 372 of this volume.

³ See p. 374 of this volume.

4. Persons whose presence is required for the clarification of any matter may cross the frontier in either direction by virtue of a certificate valid for a single crossing of the frontier within a period of twenty-four hours. The certificate shall be signed by the frontier commissioner of one Party and visaed by the frontier commissioner of the other Party (for specimen certificate see annex 4¹).

5. Groups of workers may cross the frontier only in daytime and in the company of a group leader and shall do so by virtue of a general list of names which shall be appended to the certificate issued to the group leader and shall be visaed by the frontier commissioner of the other Party.

6. Workers of one Contracting Party crossing into the territory of the other Party may take with them only their tools and means of transport, on condition that the same are returned, and also such food and tobacco as are needed for the duration of their work.

If the work extends over a period of several days, the said articles may be left at the place of work with the consent of the competent authorities of the other Contracting Party.

7. The competent authorities of one Contracting Party shall forthwith notify the competent authorities of the other Party of the loss of a frontier crossing certificate.

The competent authorities of one Party shall notify the other of the cancellation of any frontier crossing certificate.

Article 42

1. The frontier shall be crossed only at the points designated in accordance with article 40 of this Agreement unless the frontier commissioners or their assistants have agreed on some other crossing point.

2. The date and hour of each crossing of the frontier by the persons referred to in article 41, paragraphs 1 and 2, of this Agreement shall be notified in good time, and in no case less than forty-eight hours in advance, to the nearest frontier-guard unit of the other Party, which shall send an escort to the meeting-place.

3. The frontier commissioners and other persons referred to in article 41, paragraphs 1 and 2, of this Agreement may cross the frontier in uniform and bearing hand arms.

Article 43

1. The frontier commissioners, their deputies and assistants and the other persons referred to in article 41, paragraphs 1 and 2, of this Agreement shall be

¹ See p. 376 of this volume.

guaranteed personal immunity and the inviolability of official documents in their possession.

The above-mentioned persons may take with them to the territory of the other Party, free of customs duty and other charges, the articles and means of transport necessary for their work, on condition that the same are returned, and also such food and tobacco as are needed for their personal consumption.

2. The persons referred to in article 41, paragraphs 4 and 5, of this Agreement shall be granted immunity and may not be detained during their stay in the territory of the other Party.

3. The persons referred to in this article shall for their protection be provided with one or more guards, who shall also act as an escort during the stay of these persons in the territory of the other Party.

Article 44

Each Party shall grant to persons of the other Party who are in its territory in connexion with the performance of duties under this Agreement any necessary assistance in obtaining transport, lodging and facilities for communicating with their own authorities.

Article 45

The right to cross the frontier for the purpose of giving effect to the provisions of this Agreement shall be suspended fully or partially, according to the circumstances, in the event of the frontier being closed to traffic for health or other imperative reasons.

The competent authorities of the other Party shall be informed in advance of the suspension of the right to cross the frontier.

PART V

FINAL PROVISIONS

Article 46

This Agreement shall be 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 in Moscow as soon as possible.

Article 47

This Agreement shall remain in force for a period of five years from the date of its entry into force. The Agreement shall automatically be renewed for successive

periods of five years if neither of the Contracting Parties denounces it six months before the expiry of the current term of the Agreement or gives notice of a desire to make amendments thereto.

Article 48

This Agreement replaces the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet frontier, signed in Moscow on 9 December 1948,¹ and the Convention between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the procedure for the settlement of frontier disputes and incidents, signed in Moscow on 19 June 1948, both of which instruments have expired.

This Agreement has been drawn up in duplicate in the Finnish and Russian languages, both texts being equally authentic.

SIGNED at Helsinki, on 23 June 1960.

For the Government of the Republic of Finland :

Ralf TÖRNGREN

For the Government of the Union of Soviet Socialist Republics :

A. ZAKHAROV

P R O T O C O L

In pursuance of article 26 of the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents, signed at Helsinki on 23 June 1960,² the undersigned plenipotentiaries of the Contracting Parties confirm that frontier commissioners shall be appointed for the following sectors :

A. *In the case of the Union of Soviet Socialist Republics :*

1. The frontier commissioner for the Talvikylä area, whose permanent place of residence shall be at Rajakoski. He shall be in charge of the sector extending from the three-sided frontier mark (the junction of the State frontiers of Finland, the USSR and Norway) to frontier mark No. B/34.

2. The frontier commissioner for the Kuolajärvi area, whose permanent place of residence shall be in the town of Kuolajärvi. He shall be in charge of the sector extending from frontier mark No. B/34 to frontier mark No. 774.

¹ United Nations, *Treaty Series*, Vol. 217, p. 135.

² See p. 330 of this volume.

3. The frontier commissioner for the Uhtua area, whose permanent place of residence shall be in the village of Uhtua. He shall be in charge of the sector extending from frontier mark No. 774 to frontier mark No. 673.

4. The frontier commissioner for the Repola area, whose permanent place of residence shall be in the village of Repola. He shall be in charge of the sector extending from frontier mark No. 673 to frontier mark No. 584.

5. The frontier commissioner for the Suojärvi area, whose permanent place of residence shall be in the village of Suojärvi. He shall be in charge of the sector extending from frontier mark No. 584 to frontier mark No. III/139.

6. The frontier commissioner for the Sortavala area, whose permanent place of residence shall be in the town of Sortavala. He shall be in charge of the sector extending from frontier mark No. III/139 to frontier mark No. II/123.

7. The frontier commissioner for the Viipuri area, whose permanent place of residence shall be in the town of Viipuri. He shall be in charge of the sector extending from frontier mark No. II/123 to the terminal point of the State sea frontier between the USSR and Finland in the Gulf of Finland, marked by spar buoy No. 14.

B. In the case of the Republic of Finland :

1. The frontier commissioner for the Lappi area, whose permanent place of residence shall be in the town of Rovaniemi. He shall be in charge of the sector extending from the three-sided frontier mark (the junction of the State frontiers of Finland, the USSR and Norway) to frontier mark No. IV/117.

2. The frontier commissioner for the Kainuu area, whose permanent place of residence shall be in the town of Kajaani. He shall be in charge of the sector extending from frontier mark No. IV/117 to frontier mark No. 655.

3. The frontier commissioner for the Pohjois-Karjala (North Karelia) area, whose permanent place of residence shall be in the town of Joensuu. He shall be in charge of the sector extending from frontier mark No. 655 to frontier mark No. II/128.

4. The frontier commissioner for the Kaakkois-Suomi (South-east Finland) area, whose permanent place of residence shall be in the village of Imatra. He shall be in charge of the sector extending from frontier mark No. II/128 to the terminal point of the State sea frontier between Finland and the USSR in the Gulf of Finland, marked by spar buoy No. 14.

This Protocol has been drawn up in duplicate in the Finnish and Russian languages, both texts being equally authentic.

SIGNED at Helsinki, on 23 June 1960.

For the Government of the Republic of Finland :

Ralf TÖRNGREN

For the Government of the Union of Soviet Socialist Republics :

A. ZAKHAROV

ANNEX 1

SPECIMEN

Page 1

(Size : 15 × 10 cm)

CREDENTIAL

SPACE FOR PHOTOGRAPH

SPACE FOR STAMP

.....
Signature of holder

Page 2

The Government of Finland [the Government of the Union of Soviet Socialist Republics], on the basis of the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents, signed at Helsinki, on 23 June 1960, has appointed
(title)

.....
(surname and given names)

as the Frontier Commissioner (Deputy Frontier Commissioner) of Finland [of the Union of Soviet Socialist Republics] for the
(designation of sector)

sector of the Finnish-Soviet frontier from frontier mark No
to frontier mark No

.....
(title, surname)

is hereby empowered to perform the functions provided for in the above-mentioned Agreement and in connexion therewith is entitled to cross the Finnish-Soviet frontier in the sector specified and to remain in the frontier zone of the USSR [of Finland].

Commanding Officer of the Finnish Frontier Guard [Commanding Officer of the Frontier Forces of the USSR]
(title, surname)

SPACE FOR STAMP

Helsinki [Moscow]..... 19...

Page 3

(Russian [Finnish] text of page 2)

ANNEX 2
SPECIMEN

Page 1

(Size: 15 x 10 cm)

CREDENTIAL

SPACE FOR PHOTOGRAPH

SPACE FOR STAMP

.....
Signature of holder

Page 2

In virtue of article 27 of the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents, signed at Helsinki, on 23 June 1960

(title)

.....
(surname and given names)

residing at

born on

(day, month and year)

has been appointed Assistant Frontier Commissioner for the

(designation of sector)

..... sector of the Finnish-Soviet frontier.

.....
(title, surname)

is hereby empowered to perform the functions provided for in the above-mentioned Agreement and in connexion therewith is entitled to cross the Finnish-Soviet frontier in the sector between frontier marks No. and No. and to remain in the frontier zone of the USSR [of Finland].

Frontier Commissioner of Finland [of the USSR]

(title, surname)

SPACE FOR STAMP

..... 19....
(Place of issue)

Page 3

(Russian [Finnish] text of page 2)

Page 4

This credential has been presented to me and will remain valid from 19.. to 19...

Frontier Commissioner of the USSR [of the Republic of Finland]

(title, surname)

SPACE FOR STAMP

..... 19...

(Russian [Finnish] text of page 4)

A N N E X 3

SPECIMEN

Page 1

(Size: 15 x 10 cm)

CERTIFICATE

SPACE FOR PHOTOGRAPH

SPACE FOR STAMP

..... Signature of holder

Page 2

In virtue of articles 27 and 41 of the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents, signed at Helsinki, on 23 June 1960

(title)

(surname and given names)

residing at

born on

(day, month and year)

who is the of the Frontier Commissioner for the (title of office)

..... sector, is entitled to cross the Finnish-Soviet frontier in both directions in the sector between frontier marks No. and No.

and to remain in the frontier zone of the USSR [of Finland].

Frontier Commissioner of Finland [of the USSR]
(title, surname)

SPACE FOR STAMP

..... 19...
(Place of issue)

Page 3

(Russian [Finnish] text of page 2)

Page 4

This certificate has been presented to me and will remain valid from
19.... to 19....

Frontier Commissioner of the USSR [of the Republic of Finland]
.....
(title, surname)

SPACE FOR STAMP

.....19....

(Russian [Finnish] text of page 4)

A N N E X 4

SPECIMEN

Page 1

(Size : 15 x 10 cm)

CERTIFICATE

Valid for a single crossing of the Finnish-Soviet frontier in both directions

Page 2

In virtue of article 41 of the Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents, signed at Helsinki, on 23 June 1960

.....
(surname and given names)

residing at
born on
(day, month and year)

is entitled to cross the Finnish-Soviet frontier in both directions at
(name of point)

meeting point and to remain in the frontier zone of the USSR [of Finland].

Valid from o'clock 19..
to o'clock 19..

Frontier Commissioner of Finland [of the USSR]
(title and surname)

SPACE FOR STAMP

..... 19..
(Place of issue)

Page 3

(Russian [Finnish] text of page 2)

Page 4

This certificate has been presented to me and will remain valid for the period stated on pages 2 and 3.

Frontier Commissioner of the USSR [of the Republic of Finland]
.....
(title and surname)

SPACE FOR STAMP

..... 19..

(Russian [Finnish] text of page 4)

