

N° 757.

FINLANDE ET NORVÈGE

Convention concernant la circulation
des voyageurs sur le Pasvik
(Patsjoki) et sur le Jakobselv (Vuore-
majoki), avec Protocole final, si-
gnés à Christiania, le 28 avril 1924.

FINLAND AND NORWAY

Convention concerning the Passage
of Travellers over the Pasvik
(Patsjoki) and the Jakobselv (Vuore-
majoki), and Final Protocol, signed
at Christiania, April 28, 1924.

¹ TRADUCTION. — TRANSLATION.

No. 757. — CONVENTION BETWEEN THE REPUBLIC OF FINLAND AND THE KINGDOM OF NORWAY, CONCERNING THE PASSAGE OF TRAVELLERS OVER THE PASVIK (PATSJOKI) AND THE JAKOBSELV (VUOREMAJOKI), SIGNED AT CHRISTIANIA, APRIL 28, 1924.

HIS MAJESTY THE KING OF NORWAY and THE PRESIDENT OF THE REPUBLIC OF FINLAND, having conducted negotiations through their duly appointed delegations in regard to the neighbourly relations existing between them as a result of the acquisition by Finland of the district of Petsamo,

Being desirous of maintaining the good and neighbourly relations subsisting between the two countries,

Have decided, for that purpose, to conclude a Convention regarding the passage of travellers on the Pasvik (Patsjoki) and on the Jakobselv (Vuoremajoki) and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF NORWAY :

M. Christian Fredrik MICHELET, His Majesty's Minister for Foreign Affairs ;

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

Dr. phil. Rolf THESLEFF, Envoy Extraordinary and Minister Plenipotentiary accredited to His Majesty the King of Norway,

who, after having exchanged their full powers found in good and due form, have agreed on the following articles :

Article I.

On the Pasvik (Patsjoki) from a point on the line of demarcation between the frontier cairns Nos. 354 and 355 as far as a point on the line of demarcation above the waterfall of Skoltefos (Koltak ngäs), and also on the Jakobselv (Vuoremajoki), travellers belonging to either of the Contracting States shall be entitled to make use of the waters in the territory of the other State so far as is necessary for their journey.

Article II.

The right referred to in Article I shall include the right to land on the shores wherever this may be necessary for the passage, towing or portage of the boats. No fires may be lighted on the territory of the other State, nor may it be used for any but the above-mentioned purposes.

Article III.

During their passage through the territory of the other State the travellers shall be exempt from the obligation to produce passports and shall, together with their vehicles and their baggage,

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

be exempt from all Customs inspections and from all dues or taxes, with the exception of those laid down in Article IV.

Article IV.

While in the territory of the other State, travellers may use the trolley-ways ("trallebaner") and other transport appliances which exist, or may subsequently be provided, for the use of the public, on condition that they pay the tolls and conform to the regulations which are laid down, in regard to their use, for the subjects of the State which owns them.

Article V.

The people dwelling on the shores of the Pasvik (Patsjoki) and of the Jakobselv (Vuoremajoki) shall be allowed to cross into the territory of the other State in the neighbourhood of the frontier, without being subject to unnecessary formalities, provided that they comply with such rules as may have been agreed upon by the competent authorities of both Contracting States.

Article VI.

The present Convention shall not be applicable :

- (a) to the military forces, or to members of organisations which may be held to be analogous thereto ;
- (b) to consignments destined for military purposes, and
- (c) to the transport of arms, munitions or any other object of contraband.

Article VII.

The provisions of the present Convention shall not prevail over any measures which either of the Contracting States may take on its own territory in order to comply with its obligations as a neutral Power, or from considerations of public safety or of justice, or in the interests of the Customs service, or with a view to the protection of men, animals or plants against contagious diseases, or for furthering the exploitation of hydraulic power, timber floating, and fisheries.

Article VIII.

The present Convention shall not be applicable if either of the Contracting States should engage in war.

Article IX.

The extent to which, and the conditions on which, either of the Contracting States shall allow the passage of travellers belonging to the other Party over that portion of the Pasvik (Patsjoki) below the waterfall of Skoltefos (Kolttakings), which is its own exclusive territory, shall be governed by the legislation of the State to which the territory in question belongs, provided, however, that foreign travellers shall not be subjected to higher dues or taxes than is necessary to meet the Customs control and other expenses.

Article X.

This Convention shall be valid for five years, reckoned from the date of the exchange of ratifications, and if it is not denounced by the one or the other of the Contracting States twelve months

before the expiration of the period of five years, it shall remain in force until twelve months after the date of its denunciation by either of the Contracting States.

Article XI.

This Convention, which is drawn up in the Norwegian, Finnish, Swedish and French languages, the French being the authentic text, shall be ratified and the ratifications shall be exchanged as early as possible at Helsingfors.

In faith whereof, the Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done at Christiania, in duplicate, April 28, 1924.

(Signed) ROLF THESLEFF.

(Signed) C. F. MICHELET.

FINAL PROTOCOL.

When proceeding to the signature of the Convention between Norway and Finland concerning the passage of travellers on the Pasvik (Patsjoki) and the Jakobselv (Vuoremajoki), the undersigned, being duly authorised for this purpose, have given the following undertakings on behalf of their Governments :

Article I.

Each Contracting State shall be free to decide for itself, when applying Article VI(a) of the present Convention, which organisations shall be considered as analogous to military forces.

Article II.

If either State should consider the frontier guards of the other State as analogous to military forces the former State shall be bound, during three years after the exchange of ratifications, not to exclude the members of the said frontier guards from the application of the Convention, provided that they do not cross into its territory in groups of more than five persons, and that they do not carry arms on such occasions.

In matters of international and domestic law, the frontier guards who cross into the territory of the other State shall receive the same treatment as civilians.

After the expiration of the aforesaid period of three years the provisions of this article shall cease to apply unless either of the Contracting States should wish them to be renewed.

In faith whereof, the Plenipotentiaries have signed the present Final Protocol, which shall have the same force and the same validity as if its provisions were included in the text of the Convention itself.

Done at Christiania, in duplicate, on April 28, 1924.

(Signed) ROLF THESLEFF.

(Signed) C. F. MICHELET.