

N° 3950.

ESTONIE ET FINLANDE

Convention concernant l'entretien et l'utilisation des câbles sous-marins entre les deux pays, ainsi que les communications télégraphiques et téléphoniques échangées au moyen de ces câbles. Signée à Helsinki, le 16 avril 1936.

ESTONIA AND FINLAND

Convention concerning the Upkeep and Use of the Submarine Cables between the Two Countries, and also concerning Telegraphic and Telephonic Communication by Means of these Cables. Signed at Helsinki, April 16th, 1936.

¹ TRADUCTION. — TRANSLATION.

No. 3950. — CONVENTION² CONCERNING THE UPKEEP AND USE OF THE SUBMARINE CABLES BETWEEN ESTONIA AND FINLAND AND ALSO CONCERNING TELEGRAPHIC AND TELEPHONIC COMMUNICATION BY MEANS OF THESE CABLES. SIGNED AT HELSINKI, APRIL 16TH, 1936.

French official text communicated by the Estonian Minister for Foreign Affairs and by the Permanent Delegate a. i. of Finland to the League of Nations. The registration of this Convention took place August 1st, 1936.

THE PRESIDENT OF THE REPUBLIC OF ESTONIA and THE PRESIDENT OF THE REPUBLIC OF FINLAND have decided, on the basis of the Agreement³ regarding the rights of ownership of the submarine cables between Estonia and Finland, concluded at Helsinki on October 29th, 1921, to conclude, subject to ratification, a new Convention concerning the upkeep and use of the submarine cables between Estonia and Finland and also concerning telegraphic and telephonic communication by means of these cables. For this purpose, they have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF ESTONIA :

M. Hans REBANE, Envoy Extraordinary and Minister Plenipotentiary of Estonia at Helsinki ;

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

M. Gunnar Ernst Fredrik ALBRECHT, Director-General of Posts and Telegraphs of Finland ;

Who, having communicated their full powers, found in good and due form, have agreed as follows :

Article 1.

The Posts and Telegraphs Administrations of Estonia and Finland shall conclude a mutual agreement as to which cables shall be used respectively for the despatch of telegrams, telephone messages and both telegrams and telephone messages.

Article 2.

The two Administrations shall arrange for the purchase and upkeep of the instruments for measuring cables and other requisite equipment.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Came into force August 1st, 1936.

³ Vol. XIII, page 167, of this Series.

Article 3.

Each Administration shall be responsible for the upkeep of the halves of cables nearest its own coast. Should a cable be damaged, the two Administrations shall carry out the necessary measuring operations in order to determine the locality of the damage, shall repair the latter and shall inform each other of the results both of the measurements and of the repairs undertaken. Both Administrations shall be entitled to send representatives to be present at such operations, which shall, however, not be postponed pending the arrival of any such representative.

Article 4.

The cost of maintaining and repairing cables shall be equally divided, Estonia defraying half of the amount expended by Finland and Finland paying half of the amount expended by Estonia for such purposes. The respective accounts for such expenditure shall be compared and the balance settled annually in December.

Article 5.

The cost of maintaining the underground and overhead telegraph or telephone lines connecting the cables with the respective telegraph or telephone stations, and also the cost of transferring cable-ends from one place to another, shall be defrayed by each Administration in respect of the territory of its own State, without the other Administration sharing in defraying such expenses.

Article 6.

Should the military authorities of the two contracting States wish, in the event of joint military action, to have cables at their disposal, the desired number of cables shall be immediately placed at their disposal and the rates specified in the present Convention shall not apply. The military authorities of the two States shall be severally responsible for the upkeep and, if necessary, the repair of such cables. After the conclusion of peace, the cables shall at once be handed over to the Posts and Telegraphs Administrations.

Article 7.

The telegraph offices at Tallinn and Helsinki shall despatch telegrams by means of the Morse, Hughes or any other apparatus, according to the intensity of the traffic. Telegrams shall be despatched at any time of the day or night.

Article 8.

The two Administrations shall mutually agree as to the strength of the electric current to be employed for telegraphing.

Article 9.

The cables shall be used for the exchange between the two contracting States of both terminal telegrams and telegrams in transit. In respect of these telegrams there shall, in addition to terminal

or transit dues, be a cable charge, the amount of which and its allocation as between the two countries shall be fixed as shown in the following table :

Nature of Communications	Per word		
	Cable charge	Estonia's share	Finland's share
	Gold centimes		
For messages between :			
1. Estonia and Finland	4	2	2
2. (a) Estonia, on the one hand, and Denmark and Norway, on the other, <i>via</i> Uusikaupunki	3.5	1	2.5
(b) Estonia, on the one hand, and Great Britain, the Irish Free State and Germany, on the other, <i>via</i> Uusikaupunki and between Estonia and the U. S. S. R.	3.5	1.75	1.75
(c) Estonia and Sweden <i>via</i> Uusikaupunki	7	2.5	4.5
3. (a) Finland and the U. S. S. R.	3.5	1.75	1.75
(b) Finland and Danzig <i>via</i> Latvia and Poland direct	4	2	2
(c) Finland and Lithuania <i>via</i> Latvia	4.5	2.25	2.25
(d) Finland and Poland <i>via</i> Latvia	5	2.5	2.5
All other communications in Europe	7	3.5	3.5
Communications outside Europe	12	6	6

Should any of the routes for the despatch of telegraphic messages between Estonia and Sweden, Estonia and Norway, Estonia and Denmark, Estonia and England, Estonia and Germany prove, for any reason, to be cheaper than the transit route through Finland, the cable charge shall, in order that the total charge may be the same, be correspondingly reduced or entirely cancelled.

The cable charge shall not be thus reduced or cancelled unless transmission by the route in question is at least as rapid as by the route through Finland.

Article 10.

As regards the reciprocal despatch of telegraphic correspondence, the compilation and audit of accounts and the settlement of balances, and also as regards all operations relating to the telegraph service, the two Posts and Telegraphs Administrations of the contracting States shall observe the provisions of the International Telecommunication Convention in force, and the Telegraph Regulations annexed thereto, except as otherwise provided in the present Convention.

Article 11.

The telephone service shall be governed by the provisions of the International Telecommunication Convention in force and the Telephone Regulations annexed thereto, and also by the *avis* of the International Telephone Consultative Committee which have been approved by the two Administrations. The classes of calls admitted shall be jointly agreed upon by the two Administrations.

Article 12.

For the fixing of terminal charges in the telephone service :

The territory of Estonia shall comprise one zone only.

The territory of Finland shall be divided into five zones, defined as follows :

Zone A shall comprise the province of Aland ;

Zone B shall comprise Finnish territory situated to the south of latitude 62° N. and west of longitude 26° E. ;

Zone C shall comprise the territory situated to the south of latitude 62° N. and east of longitude 26° E. ;

Zone D shall comprise the territory situated between latitudes 62° N. and 64°30' N. ;

Zone E shall comprise the territory situated to the north of latitude 64°30' N.

Terminal Shares.

The share accruing to each Administration per unit of charge, including the proportional charges for the use of submarine cables, shall be fixed as follows :

Estonia.

For each call originating in or destined for Estonia : 0.90 gold franc.

Finland.

For each call originating in or destined for Finland :

Zone A	. . . . .	1.80	gold francs
" B	. . . . .	0.90	" "
" C	. . . . .	1.50	" "
" D	. . . . .	1.50	" "
" E	. . . . .	2.10	" "

Article 13.

The provisions of Articles 4, 7, 9, 10 and 11, and also the charges referred to in Article 9 above, may at any time be modified by joint agreement between the two Posts and Telegraphs Administrations.

Each Administration reserves the right, after duly notifying the other Administration, to modify, so far as its own territory is concerned, the limits of the zones and the charges mentioned in Article 12.

Article 14.

The present Convention shall come into force one month after the exchange of the instruments of ratification.

The present Convention shall replace the Convention¹ signed at Helsinki on April 20th, 1925, regarding the upkeep and use of the Estonian-Finnish submarine cables and telegraphic and telephonic communication between Estonia and Finland by means of these cables.

The present Convention shall be of indefinite duration and may be denounced subject to three months' notice.

Done in duplicate at Helsinki, this 16th day of April, 1936.

(L. S.) Hans REBANE.

(L. S.) G. E. F. ALBRECHT.

¹ Vol. LI, page 31, of this Series.