

N° 758.

FINLANDE ET NORVÈGE

Convention concernant la frontière
entre le Gouvernement de Fin-
mark et le Bailliage de Petsamo,
avec Protocole final, signés à Chris-
tiana, le 28 avril 1924.

FINLAND AND NORWAY

Convention concerning the Frontier
between the Province of Finmark
and the Territory of Petsamo, and
Final Protocol, signed at Chris-
tiana, April 28, 1924.

¹ TRADUCTION. — TRANSLATION.

No. 758. — CONVENTION BETWEEN THE REPUBLIC OF FINLAND AND THE KINGDOM OF NORWAY, CONCERNING THE FRONTIER BETWEEN THE PROVINCE OF FINMARK AND THE TERRITORY OF PETSAMO, 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,

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

Have decided, for that purpose, to conclude a Convention concerning the frontier between the Province of Finmark and the County of Petsamo 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 upon the following articles :

Article I.

The frontier between Norway and Finland from the intermediate boundary mark at Mutkavaara as far as the frontier cairn No. 362 situated on the upper course of the Jakobselv (Vuoremajoki) shall remain as traced at the time of the last Norwego-Russian frontier delimitation and demarcation, and in conformity with the maps prepared on the occasion of the perambulation of the frontier in 1896. The maps in question are annexed to the present Convention.

The map (semi-topographical) in six sheets of the frontier between Norwegian Finmark and the Russian Government of Archangel, on a scale of 1 : 42,000.

Sheets III-VI and part of Sheet No. II show the frontier referred to above.

Map of the Island of Suolo-Kouschk on a scale of 1 : 8,400.

Seven plans on a scale of 1 : 8,400 of the neighbourhood of the following boundary cairns :

No. 362, or the Jakobselv Cairn.

No. 361, or the Baenajavre Cairn.

No. 360, or the Neidjavre Cairn.

Nos. 359, 358, 357 and 356, situated near the churches of Boris and Gleb.

No. 355 or the Raja Njarg Cairn.

No. 354, or the Rajavaras Cairn.

The intermediate boundary mark of Mutkavaara.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

In the portions of the Pasvik (Patsjoki) where the position of the line of demarcation cannot be clearly discerned from the above-mentioned maps, the frontier shall follow the median line of the channel.

Article II.

From Cairn No. 362 the frontier shall follow the course of the Jakobselv (Vuoremajoki) as far as its mouth, running throughout along the median line of the channel and down the centre of the lakes formed by the river.

Article III.

From the point where the channel ends in the Arctic Ocean beyond the mouth of the Jakobselv (Vuoremajoki) the dividing line between the territorial waters of the two Contracting States shall be drawn in such a way that any point on the said line shall be situated at an equal distance from the coasts of the two States, measured from the nearest point on the mainland, islands, islets or reefs which is not perpetually submerged.

Article IV.

With a view to preventing alterations in the beds of rivers or water-courses owing to erosion or silting, the State which might suffer damage or inconvenience thereby shall be entitled to take in its own territory such measures as may be necessary. If such changes should occur so suddenly that no preventive action was possible, the State concerned shall be entitled to take the necessary measures on its own territory to restore the situation previously existing, provided that such action is taken as soon as possible after the damage has occurred.

The measures in question must not affect the waters in such a way as to inflict damage or inconvenience on the other State or on its nationals.

Article V.

As soon as possible after the ratification of the present Convention, the Contracting States shall despatch Commissioners to the spot with instructions to perambulate the frontier, to restore, if necessary, the cairns and other boundary marks, to clear any timber which may have grown on the frontier line, and to set up such fresh boundary marks as may be required.

Article VI.

With a view to fixing the course of the frontier in the Jakobselv (Vuoremajoki) and in the territorial waters the Commissioners mentioned in Article V shall prepare and sign a map, together with a description, indicating the frontier which is to be recognised until the next perambulation.

Article VII.

The frontier shall be perambulated every twenty-five years in the manner laid down in Articles V and VI. If at any time between these periodical inspections it is found necessary to undertake a full or partial perambulation of the frontier, this shall be done if either of the Contracting Parties so request.

Article VIII.

Any disputes regarding the interpretation or application of the present Convention, which it has not been possible to settle by negotiations, shall be referred to the Permanent Court of International Justice unless the Contracting States have specially agreed to decide it in some other manner.

Article IX.

The present Convention, which is drawn up in the Norwegian, Finnish, Swedish and French languages, the French text being authentic, 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, on April 28, 1924.

(Signed) C. F. MICHELET.

(Signed) ROLF THESLEFF.

FINAL PROTOCOL.

When proceeding to the signature of the Convention between Norway and Finland concerning the frontier between the Province of Finnmark and the County of Petsamo, the undersigned, being duly authorised for this purpose, have given the following undertakings on behalf of their Governments :

Article I.

The Contracting States declare that neither they themselves nor their nationals possess in the co-terminous districts in question any claim, having reference to the territory of the other State, whether in virtue of previous international instruments, custom or usage, excepting such private rights as the claimants may possess under the laws of the last-named State and which they may make in its Courts.

Article II.

The Contracting States have agreed to the following arrangement concerning the Lapps, known as " Skoltelapper ", dwelling in the Valley of the Pasvik (Patsjoki), who formerly engaged in salmon fishing in the Norwegian Fjords of Bökfjord and Jarfjord.

The Norwegian Government, being desirous of compensating the Lapps for the loss of the aforesaid fisheries, though not admitting any obligation to do so or recognising that the Lapps have any fishing rights in those waters, undertakes to hand over, for their benefit, the sum of 12,000 gold Norwegian Crowns (Kr. 12,000). This sum shall be paid to the Government of Finland in exchange for a formal declaration on the part of the above mentioned Lapps renouncing, on behalf of themselves and of their successors, all claims to the said fisheries or to any further compensation in this respect.

The Government of Finland, being concerned for the welfare of the Lapps in question, undertakes, for its part, to advise them to accept the arrangement referred to above, and should they fail to do so, the Government of Finland undertakes, in conformity with the principles laid down in Article I of the present Protocol, not to support any claim which the Lapps may subsequently advance in regard to this matter.

In faith whereof, the respective 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) C. F. MICHELET.

(Signed) ROLF THESLEFF.