

N° 3578.

**FINLANDE ET
UNION DES RÉPUBLIQUES
SOVIÉTIQUES SOCIALISTES**

Convention relative à la chasse au phoque et à la pêche dans le lac Ladoga, et protocole. Signés à Moscou, le 25 mai 1934.

**FINLAND
AND UNION OF SOVIET
SOCIALIST REPUBLICS**

Convention concerning Fishing and Sealing in Lake Ladoga, and Protocol. Signed at Moscow, May 25th, 1934.

TEXTE RUSSE. — RUSSIAN TEXT.

№ 3578. — КОНВЕНЦИЯ ¹ МЕЖДУ СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК И ФИНЛЯНДИЕЙ О РЫБНОМ И ТЮЛЕНЬЕМ ПРОМЫСЛЕ НА ЛАДОЖСКОМ ОЗЕРЕ, ПОДПИСАННАЯ В ГОР. МОСКВЕ, 25-го МАЯ 1934 ГОДА.

Finnish and Russian official texts communicated by the Permanent Delegate of Finland accredited to the League of Nations. The registration of this Convention took place January 7th, 1935.

Центральный Исполнительный Комитет Союза Советских Социалистических Республик с одной стороны, и Президент Финляндской Республики с другой стороны, решив, согласно постановления статьи 21 Мирного Договора, подписанного в городе Юрьеве 14 октября 1920 ² года, заключить Конвенцию об условиях и о порядке производства гражданами каждого из договаривающихся государств, рыбного и тюленьего промысла в принадлежащей другому государству части Ладожского озера, а равно о мерах, которые должны быть приняты для развития рыбоводства в упомянутом озере, назначили для того своими Уполномоченными :

Центральный Исполнительный Комитет Союза Советских Социалистических Республик :

Бориса Спиридоновича Стомонякова, Заместителя Народного Комиссара по Иностранным Делам ;

Президент Финляндской Республики :

Барона А. С. Ирве-Коскинен, Чрезвычайного Посланника и Полномочного Министра Финляндии,

которые, по взаимном пред'явлении своих полномочий, признанных составленными в должной форме и в законном порядке, согласились о нижеследующем :

Статья 1.

Финляндия предоставляет гражданам Союза Советских Социалистических Республик право заниматься на условиях, указанных в настоящей Конвенции, рыбной ловлей и тюленьим промыслом в принадлежащей Финляндии части Ладожского озера, находящейся между государственной границей обоих государств и прямой линией, проведенной от мыса Полвана на западном берегу этого озера, через северную оконечность острова Манчинсаари до деревни Усикуля в Сальминском приходе на восточном берегу озера.

¹ The exchange of ratifications took place at Helsinki, November 21st, 1934.
Came into force November 21st, 1934.

² Volume III, No. 1, page 6, of this Series.

¹ TRANSLATION.

No. 3578. — CONVENTION BETWEEN FINLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING FISHING AND SEALING IN LAKE LADOGA. SIGNED AT MOSCOW, MAY 25TH, 1934.

THE PRESIDENT OF THE REPUBLIC OF FINLAND of the one part and THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS of the other part, having decided, in accordance with the provisions of Article 21 of the Peace Treaty signed at Dorpat on October 14th, 1920, to conclude a Convention regarding conditions and methods of fishing and sealing with which the nationals of each of the Contracting States must comply in the part of Lake Ladoga belonging to the other State and regarding the measures to be taken to develop pisciculture in that lake, have for this purpose appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

Baron A. S. YRJÖ-KOSKINEN, Finnish Envoy Extraordinary and Minister Plenipotentiary ;

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

M. Boris Spiridonovitch STOMONIAKOFF, Deputy People's Commissary for Foreign Affairs ;

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

Finland grants to the nationals of the Union of Soviet Socialist Republics the right, under conditions laid down in the present Convention, to engage in fishing and sealing in the part of Lake Ladoga belonging to Finland situated between the frontier of the two States and a straight line drawn from Cape Polvana on the west shore of that lake through the northern extremity of the island of Mantsinsaari to the village of Uusikylä in the parish of Salmis on the eastern shore of the lake.

The Union of Soviet Socialist Republics grants to the nationals of Finland the right, under conditions laid down in the present Convention, to engage in fishing and sealing in the part of Lake Ladoga belonging to the Union of Soviet Socialist Republics lying between the frontier of the two States and a straight line drawn from the cape of Morva on the western shore of the lake to the mouth of the River Olonka on the eastern shore of the lake.

Vessels engaging in fishing and sealing in the waters of the other Contracting State shall not, however, approach the shore and islands to within a distance of less than one kilometre, except in the cases provided for in Article 3, § 3, and in Article 4 of the present Convention.

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

Article 2.

In the waters mentioned in Article 1 of the present Convention the nationals of the Contracting States shall be entitled to engage in fishing and sealing from May 1st to November 30th of each year, subject to the conditions laid down in the present Convention. Should one of the Contracting States desire its nationals to engage in fishing or sealing in the above-mentioned waters during winter, the question of the conditions and methods shall be settled by an additional agreement to be concluded through diplomatic channels.

Fishing and sealing shall be carried on from motor vessels, sailing vessels and rowing boats, and also from trawlers, the number of which shall not exceed five for each Contracting State, by means of all the gear and methods permitted to the nationals of the country. The use of explosives, poisons or stupefying substances for purposes of fishing shall, however, be prohibited.

The use of trawls shall only be allowed on the special vessels mentioned above.

Article 3.

During their stay in the waters of the other Contracting State, vessels engaged in fishing and sealing and the persons on board them shall comply with the laws, regulations and provisions of the competent authorities in force in that State and, in addition, with the following provisions :

§ 1. Each fishing or sealing vessel shall be provided with the following documents drawn up in the Russian and Finnish languages :

(a) A permit to carry on fishing and sealing in the waters of the other Contracting State issued by the authorities of the State of which the owner of the vessel is a national. The permit must show the correct name of the owner of the vessel (in the case of individuals, the Christian name and surname), the address, the place of registration of the vessel in the country to which it belongs, the Christian name and surname of the person responsible for the operation of the vessel and a list of the articles carried on board. Trawlers shall be exempt from the obligation to give a list of the articles carried on board if they have the usual cargo documents on board ;

(b) Identity certificates for each person on board.

The list of the said persons, visa'd by the frontier authorities of the State issuing the permit, shall be transmitted each year fifteen days before the beginning of fishing and sealing to the frontier authorities of the other State through the Frontier Commissioners or the Presidents of the Local Control Commissions.

Vessels engaged in fishing and sealing shall be prohibited from carrying, apart from the necessary equipment for navigation and the catch, any cargo whatever except the gear and material necessary for fishing or sealing, the containers for preserving and salting the catch, the necessary quantity of provisions (spirituous liquors being prohibited) and clothing.

Note : Specimens of the fishing and sealing permits and identity papers are annexed to the present Convention.

§ 2. Any vessel engaged in fishing or sealing shall bear on the starboard side of the bows on the outside in large letters (not less than 12 cm. high) the number of the permit mentioned in § 1 and the name of the place where the vessel is registered, in the Russian and Finnish languages.

§ 3. Before the beginning of the fishing or sealing in the waters of the other Contracting State, the vessel shall be registered by the owner or the person responsible

for its operation in the corresponding frontier station of that State. The frontier authorities of the Contracting States shall communicate to each other in due time, through the Frontier Commissioners or the Presidents of the Local Control Commissions, lists of the stations where registration may take place.

§ 4. During the night (from sunset to sunrise), vessels situated in the waters of the other Contracting State shall either move to a distance of not less than 10 km. from the shores and islands or return to the waters of their own State.

§ 5. At the request of the frontier authorities of the State in whose waters a fishing or sealing vessel is situated, the persons on board shall submit for verification the documents in their possession and the articles carried on board the vessel. Should articles of contraband or articles not included in the cargo list of articles carried on board (§ 1) be found on the vessel, the illegal cargo shall be confiscated and the guilty persons shall be prosecuted in accordance with the laws of the country in whose waters such articles have been discovered.

§ 6. Should the fishing or sealing vessels of one of the Contracting States go beyond the boundaries of the fishing zones mentioned in Article 1 of the present Convention (with the exception of cases provided for in Article 4 of the present Convention), the vessel referred to may be detained by the authorities of the other Contracting State and proceedings may be taken against the persons on board, especially the owner or the person responsible for the operation of the vessel, in accordance with the laws of the place where the vessel is detained.

§ 7. The vessels of persons who have committed minor breaches of the fishing and sealing or navigation regulations in the waters of the other Contracting State, as well as these persons themselves, may not be detained, except in cases mentioned in §§ 4, 5 and 6 of the present Article, by the authorities of that State, who shall enter a note regarding the breach on the fishing permits. Such a note may also be entered in the cases mentioned in §§ 4, 5 and 6, if the authorities who have discovered the breach do not consider it necessary to detain the guilty parties.

In these cases the persons who have committed the breach shall be responsible for it to the authorities of their own State in accordance with the laws of that State. If the fishing permit bears three endorsements of the kind referred to, the person in question shall be deprived of the right of fishing or sealing for the remainder of the season. This prohibition shall also extend to the right of the said persons to carry on fishing or sealing on other vessels.

Article 4.

It shall not be considered as a breach of the present Convention or of the laws and regulations of the Contracting States if fishing or sealing vessels enter the waters of the other State or approach its shores in case of storms, fogs, ice and other accidents of navigation (*relâche forcée*).

Article 5.

Nationals of the Contracting States shall be exempt from all Customs or other dues payable on importation or exportation and from all taxes or charges levied in connection with the importation into or the exportation from the waters of the other Contracting State of the catch, gear, recipients, provisions, clothing and all articles connected with fishing or sealing.

Article 6.

For the purpose of increasing and preserving the supply of fish in Lake Ladoga, the Contracting States shall apply the following measures :

§ 1. The Union of Soviet Socialist Republics shall maintain in operation the State fish hatcheries at Volkhov and Svirsk and shall arrange each year for the systematic stocking of the waters of Lake Ladoga and of its tributaries with fry of salmon, whitefish and pike-perch.

Finland shall maintain in operation the State fish hatchery of Vuohensalo in the parish of Käkisalm and shall provide each year for the systematic stocking of the waters of Lake Ladoga and its tributaries with fry of salmon, char and whitefish.

The Contracting States shall inform each other each year of the quantity of fry with which their fish hatcheries have stocked the waters of Lake Ladoga and its tributaries.

The Contracting States shall take the necessary measures to increase as far as possible the quantity of fry referred to in the present paragraph at present provided by their respective fish hatcheries for the stocking of Lake Ladoga and its tributaries.

§ 2. The authorities of the Union of Soviet Socialist Republics and of Finland shall take effective measures to preserve the spawning grounds in the tributaries of Lake Ladoga.

§ 3. The two Contracting States agree that the possibility of mutual visits to the fish hatcheries, as well as exchanges between their fish hatcheries of information regarding the experience or knowledge they have gained, should be provided for and that in general the necessary scientific co-operation must be ensured.

Article 7.

The term "nationals" within the meaning of the present Convention shall be understood to refer not only to individuals but also to State establishments and undertakings, scientific organisations, collective undertakings and other legal entities engaged in fishing.

Article 8.

The present Convention is subject to ratification. It shall come into force on the date of the exchange of the instruments of ratification. The exchange of instruments of ratification shall take place at Helsinki as soon as possible and in any case not later than November 15th, 1934.

Article 9.

The present Convention may be denounced at any time by either of the Contracting Parties and shall cease to be in force on the expiry of one year from the date of denunciation.

Regardless of such denunciation, the provisions of the Convention shall apply to the fishing season during which the Convention shall have ceased to be in force as a result of such denunciation.

Article 10.

The present Convention is drawn up in duplicate, each copy being in the Russian and Finnish languages and both texts being regarded as authentic.

In faith whereof the Plenipotentiaries of the Contracting States have signed the present Convention and have thereto affixed their seals.

Done at Moscow, this 25th day of May, 1934.

(L. S.) A. S. YRJÖ-KOSKINEN.

(L. S.) B. STOMONIAKOFF.

PROTOCOL.

On proceeding on this day's date to sign the Convention between Finland and the Union of Soviet Socialist Republics with regard to fishing and sealing in Lake Ladoga, the Plenipotentiaries of the Contracting States have agreed on the following provisions :

I.

Instructions shall be given to the persons responsible for the operation of trawlers to carry on their fishing in such a manner that no damage is caused to the tackle of persons fishing from small boats. In particular, these instructions shall include orders to skirt round places in which small boats are fishing.

2.

The Plenipotentiaries of the Contracting States understand the first paragraph of Article 3 of the above-mentioned Convention to mean that each State retains the right to prohibit trawling in places where small fishing boats have assembled.

In faith whereof the Plenipotentiaries of the Contracting States have signed the present Protocol, drawn up in duplicate, each copy being in the Russian and Finnish languages and both texts being regarded as authentic.

Done at Moscow, this 25th day of May, 1934.

A. S. YRJÖ-KOSKINEN.

B. STOMONIAKOFF.

ANNEX No. 1.

FISHING PERMIT No.

In accordance with the Convention between Finland and the Union of Soviet Socialist Republics concerning fishing and sealing in Lake Ladoga concluded on May 25th, 1934, the holder of this permit is granted the right to engage in fishing and sealing in the zone of Lake Ladoga belonging to the Union of Soviet Socialist Republics and mentioned in the Convention, and to enjoy all the rights and privileges provided for in the Convention during his stay in that zone.

The holder of the present permit
 having his permanent domicile at
 is entitled to engage in fishing or sealing on board the
 registered at

The person responsible for the operation of this vessel is
 having his permanent domicile at

The vessel is allowed to carry the following cargo :

The present permit is valid from May 1st to November 30th, 193.....

Issued at 193

.....
 (Signature and seal of the frontier authorities.)

FISHING PERMIT No.

In accordance with the Convention between Finland and the Union of Soviet Socialist Republics concerning fishing and sealing in Lake Ladoga concluded on May 25th, 1934, the holder of this permit is granted the right to engage in fishing and sealing in the zone of Lake Ladoga belonging to Finland and mentioned in the Convention, and to enjoy all the rights and privileges provided for in the Convention during his stay in that zone.

The holder of the present permit
 having his permanent domicile at
 is entitled to engage in fishing or sealing on board the
 registered at

The person responsible for the operation of this vessel is
 having his permanent domicile at

The vessel is allowed to carry the following cargo :

The present permit is valid from May 1st to November 30th, 193.....

Issued at 193

.....
 (Signature and seal of the frontier authorities.)

ANNEX No. 2.

CERTIFICATE OF IDENTITY No.

Space
for photograph.
The frontier authorities
are alone authorised
to affix and to stamp
the photograph.

The present certificate of identity is issued for the purposes provided for in the Convention between Finland and the Union of Soviet Socialist Republics, concerning fishing and sealing in Lake Ladoga, concluded on May 25th, 1934.

It is hereby certified that the holder of this certificate
is registered at
and has his residence at
The certificate is valid until 193.....
Issued at 193.....

.....
(Signature and stamp of the frontier authorities.)

Date of birth
Height
Colour of hair
Colour of eyes
Special characteristics.....