

N° 4156.

**FINLANDE
ET TCHÉCOSLOVAQUIE**

Accord pour la répression de l'importation illicite de boissons alcooliques en Finlande. Signé à Praha, le 21 mars 1936.

**FINLAND
AND CZECHOSLOVAKIA**

Agreement for the Suppression of the Illicit Importation of Alcoholic Liquors into Finland. Signed at Prague, March 21st, 1936.

¹ TRADUCTION. — TRANSLATION.

No. 4156. — AGREEMENT² BETWEEN FINLAND AND CZECHOSLOVAKIA FOR THE SUPPRESSION OF THE ILLICIT IMPORTATION OF ALCOHOLIC LIQUORS INTO FINLAND. SIGNED AT PRAGUE, MARCH 21ST, 1936.

*French official text communicated by the Permanent Delegate a. i. of Finland to the League of Nations.
The registration of this Agreement took place August 3rd, 1937.*

THE PRESIDENT OF THE REPUBLIC OF FINLAND and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, being desirous of co-operating in the suppression of the illicit importation of alcoholic liquors into Finland,

Have decided to conclude an Agreement for that purpose and have accordingly appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

Monsieur Armas YÖNTILÄ, Finnish Chargé d'Affaires ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Monsieur Kamil KROFTA, Minister for Foreign Affairs ;

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

Article 1.

1. The Czechoslovak Government agrees that it will raise no objection if the Finnish authorities, outside the territorial waters of Finland, but within the zone specified below :

(a) Board the vessels hereinafter defined, flying the Czechoslovak flag, in order that enquiries may be addressed to those on board and examination made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavouring to import or have imported alcoholic liquors into Finland in violation of the laws there in force ;

(b) Search the vessel, if the enquiries and examination have shown a reasonable ground for suspicion that such import is being attempted or has taken place ; or

(c) Seize the vessel and escort it into a port of Finland for adjudication by the courts in accordance with the laws of Finland relating to the import of alcoholic liquors,

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 The exchange of ratifications took place February 18th, 1937.
Came into force March 5th, 1937.

if the enquiries, examination and search afford a reasonable cause for belief that the vessel has been employed to commit or in an attempt to commit an offence against the said laws, provided none of the measures referred to in this paragraph shall be taken against any vessel unless a decision to that effect has, in conformity with the Finnish law of May 9th, 1932, regarding the prevention of liquor smuggling from the open sea, been previously taken by the Finnish Council of Ministers in respect of any such vessel and unless the name of that vessel has been notified to the Czechoslovak Diplomatic Representative at Helsinki as being that of a suspected vessel.

2. The vessels to which the provisions of the preceding paragraph apply are private vessels (a) whose net register tonnage does not exceed 500 tons, (b) not owned, chartered or employed by the Government, and (c) registered in the Czechoslovak Republic.

3. The zone referred to in paragraph 1 of the present Article extends, in the Gulf of Bothnia, in the Baltic and in the Gulf of Finland, to twelve marine miles from the Finnish coast (including the Aaland and other Finnish islands).

Article 2.

1. No action shall be taken under the present Agreement against any vessel or any person, nor shall any such vessel or any person be liable to any penalty or forfeiture under the laws of Finland in respect of alcoholic liquors carried in vessels which are (a) listed as ship's stores or belong to persons travelling or employed on such vessels and do not exceed the quantities reasonably required for the voyage, and are duly declared in conformity with the Customs laws of Finland, or (b) are cargo destined for a port situated outside Finland and are kept under seal continuously while the vessel is within Finnish territorial waters or ports, or (c) are cargo destined for importation into Finland in accordance with the laws and regulations in force.

2. The penalties in respect of the illicit importation of alcoholic liquors imposed in Finland on vessels or on persons connected therewith shall be inflicted in such a manner as only to affect the actual persons guilty. No vessel shall — directly or indirectly — be made security for the payment of any fines or judicial expenses on account of alcoholic liquors unlawfully imported by one or more of the crew or other persons on board which are of an insignificant quantity, whatever the circumstances of the case, provided that the owner or master of the vessel are themselves not guilty of illicit importation and cannot be regarded as having been negligent in exercising the necessary supervision in this matter, having regard to the quantity of cargo and other circumstances.

Article 3.

1. The Government of the Republic of Finland will pay full compensation for any loss or damage caused by an interference by the Finnish authorities, in connection with the suppression of illicit imports of alcoholic liquors into Finland, with any vessel registered in Czechoslovakia which is not justified by or is contrary to the preceding provisions of this Agreement or goes beyond the provisions of this Agreement, including all cases where it is established that the vessel in fact had not imported and had not engaged in an attempt to import alcoholic liquors illegally into Finland.

2. Any claim under the preceding paragraph shall, if the Czechoslovak Government so requests, be referred for decision to an arbitrator to be selected by agreement between the High Contracting Parties or, in default of agreement, to be nominated by the President of the Permanent Court of International Justice.

3. It shall not be necessary that the individuals concerned shall have had recourse to any remedies open to them in the courts of Finland before the Czechoslovak Government presents any claim under the preceding paragraph.

Article 4.

The present Agreement shall come into force on the fifteenth day following the exchange of ratifications. It may be denounced by either High Contracting Party at any time by notification to the other through the diplomatic channel. The denunciation shall take effect six months after the date of the receipt of the notification.

In witness whereof the Plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

Done at Prague in duplicate in the French language, this 21st day of March, 1936.

(L. S.) Armas YÖNTILÄ.

(L. S.) D. K. KROFTA.