

N° 1634.

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## FINLANDE ET SUÈDE

Convention concernant l'exploitation en commun de la pêche du saumon dans les fleuves de Tornea (Tornio) et de Muonio, avec déclarations et règlements y annexés. Signée à Helsingfors, le 10 mai 1927.

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## FINLAND AND SWEDEN

Convention concerning the Joint Exploitation of the Salmon Fisheries in the Tornea (Tornio) and Muonio Rivers, with Declarations and Regulations annexed thereto. Signed at Helsingfors, May 10, 1927.

TEXTE SUÉDOIS.  
SWEDISH TEXT.

TEXTE FINNOIS.  
FINNISH TEXT.

N<sup>o</sup> 1634. — KONVENTION<sup>1</sup> MELLAN KONUNGARIKETS SVERIGE OCH REPUBLIKEN FINLAND-ANGAENDE ORDNANDET AV DET SAMFÄLLDA LAXFISKET I TORNE OCH MUONIO ÄLVAR. UNDERTECKNAD I HELSINGFORS DEN 10 MAJ 1927.

N<sup>o</sup> 1634. — RUOTSIN KUNINGASKUNNAN JA SUOMEN<sup>1</sup> TASAVALLAN VÄLINEN SOPIMUS YHTEISEN LOHENKALASTUKSEN JÄRJESTÄMISESTÄ TORNION JA MUONIONJOISSA, ALLEKIRJOITETTU HELSINGISSÄ, 10 PÄIVÄNÄ TOUKOKUUTA 1927.

N<sup>o</sup> 1634. — CONVENTION<sup>1</sup> ENTRE LE ROYAUME DE SUÈDE ET LA RÉPUBLIQUE DE FINLANDE CONCERNANT L'EXPLOITATION EN COMMUN DE LA PÊCHE DU SAUMON DANS LES FLEUVES DE TORNEÅ (TORNIO) ET DE MUONIO. SIGNÉE A HELSINGFORS, LE 10 MAI 1927.

*Textes officiels finnois, suédois et français communiqués par les ministres des Affaires étrangères de Suède et de Finlande. L'enregistrement de cette convention a eu lieu le 2 février 1928.*

*Finnish, Swedish and French official texts communicated by the Swedish and Finnish Ministers for Foreign Affairs. The registration of this Convention took place February 2, 1928.*

HANS MAJESTÄT KONUNGEN AV SVERIGE OCH REPUBLIKEN FINLANDS PRESIDENT,

besjälade av önskan att främja vänskapliga förbindelser och god grannsamja mellan de båda staterna,

hava beslutat i detta syfte träffa en överenskommelse angående ordnandet av det samfällda laxfisket i Torne och

HÄNEN MAJESTEETTINSA RUOTSIN KUNINGAS JA SUOMEN TASAVALLAN PRESIDENTTI,

haluten edistää ystävällisiä suhteita ja hyvää rajasopua molempien valtakuntien kesken,

ovat päättäneet tehdä sitä tarkoittavan sopimuksen yhteisen lohenkalastuksen järjestämisestä Tornion- ja Muo-

SA MAJESTÉ LE ROI DE SUÈDE ET LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE,

Animés du désir de favoriser les relations d'amitié et de bon voisinage entre les deux Etats,

Ont résolu de conclure à cet effet une convention relative à l'exploitation en commun de la pêche du saumon dans

<sup>1</sup> L'échange des ratifications a eu lieu à Stockholm, le 31 décembre 1927.

<sup>1</sup> The exchange of ratifications took place at Stockholm, December 31, 1927.

Till bekräftelse härav hava undertecknade, därtill vederbörligen bemyndigade, underskrivit denna deklaration och försett den med sina sigill.

Tämän vakuudeksi ovat allekirjoittaneet, siihen asianomaisesti valtuutettuina, allekirjoittaneet tämän selityskirjan ja varustaneet sen sineiteillään.

En foi de quoi les soussignés, dûment autorisés à cet effet, ont signé la présente déclaration et y ont apposé leurs sceaux.

Som skedde i Helsingfors i två exemplar den 10 maj 1927.

Tehty Helsingissä kahtena kappaleena toukokuun 10 päivänä 1927.

Fait à Helsingfors (*Helsinki*), en double expédition, le 10 mai 1927.

(L. S.) HAMILTON.

(L. S.) Väinö VOIONMAA.

Certifiée pour copie conforme :  
Stockholm,  
au Ministère royal des Affaires étrangères,  
le 28 janvier 1928.

*Le Chef des Archives :*  
Carl Sandgren.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 1634. — CONVENTION BETWEEN THE REPUBLIC OF FINLAND AND THE KINGDOM OF SWEDEN CONCERNING THE JOINT EXPLOITATION OF THE SALMON FISHERIES IN THE TORNEÅ (TORNIO) AND MUONIO RIVERS. SIGNED AT HELSINGFORS, MAY 10, 1927.

HIS MAJESTY THE KING OF SWEDEN and THE PRESIDENT OF THE REPUBLIC OF FINLAND, being desirous of promoting friendly and good neighbourly relations between the two States, have decided to conclude for that purpose a Convention concerning the joint exploitation of salmon fisheries in the Torneå (Tornio) and Muonio rivers, and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF SWEDEN :

Baron C. F. H. HAMILTON AF HAGEBY, His Envoy Extraordinary and Minister Plenipotentiary ;

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

Professor K. V. VOIONMAA, Minister for Foreign Affairs,

Who, having communicated their full powers, found to be in good and due form, have agreed on the following Articles :

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

*Article I.*

The salmon fisheries in the Torneå (Tornio) and Muonio rivers, from the mouth, which shall be regarded as being situated between the northern point of Hellelä on the Finnish side and the point of Virtakari on the opposite bank, which is the nearest point on Swedish territory, shall be jointly exploited upstream for as far as the said waterways form the boundary between Sweden and Finland and as far as salmon ascend these rivers, for the profit of the two Contracting States, with the exception, however, of the following fisheries (*skatteförsälda laxfisken — verolle myydyt lohenkalastukset*), namely, Sompaisenniska, Alainen Korpikoski, Syväkoste and Muuraissaari in Sweden, and Hellelä and Tuoppolansaari in Finland.

*Article II.*

So long as the joint exploitation of the fisheries continues, salmon and sea trout fishing shall be forbidden in that part of the coastal archipelago situated opposite the mouth of the river which is bounded on the side of the sea by a line drawn from the southern bank of the opening of the bay of Salmisviken (*Salmenlahti*) passing through the most southerly points of the Islands of Kraasli and Tirro and through the north-western point of the Island of Sällö up to the south-western point of the Island of Björkö (*Pirkö*).

In view of the fact that it is further required in the interests of the joint exploitation of the fisheries that a free passage should be left towards the south connecting the said waters with the strait separating the Islands of Stora Tervakari (*Iso Tervakari*) and Hamppuleiviskä, so that fish shall not be prevented from going up stream, it is also forbidden to place fishing appliances or tackle for fishing on either side of the said strait exceeding 200 metres in length.

*Article III.*

Each of the two Contracting States shall be entitled to half the yield of the fisheries.

*Article IV.*

The following fixed fishing appliances hitherto in use shall be removed, since they interfere with the floating of timber, namely the "pata" (*pato*) of Danski, Buumi, Törmä and Varttosaari. Furthermore, for the same reason the "pata-pato" of Marjosaari shall be transferred to a spot, situated between the small island of Palosaari and the Finnish coast, to be jointly decided on by the provincial administrations of the provinces of Norrbotten and Uleåborg (*Oulu*).

The "pata" (*pato*) of Kiviranta shall be maintained provisionally. However, on application made by the timber-floating Association of the frontier rivers of Torneå (*Tornio*) and Muonio (*Torneå och Muonio gränsälvars flottningsförening — Tornion ja Muonion rajajokien lauttausyhdistys*) and after consultation with the Commission provided for in Article XIII, the provincial administrations of the said provinces may decide that this "pata" shall also be removed. Such application must be made to the provincial administrations not later than October 1 of the year previous to that in which it is desired that the said fishery shall no longer be exploited.

The above-mentioned timber-floating Association shall pay to the Contracting States compensation for the loss of the fishery rents due to the discontinuance of the fisheries. The amount of such compensation shall be fixed for the first ten years' period of the duration of the present Convention in respect of the "pata-pato" of Danski, Buumi, Törmä and Varttosaari at 6,000 kronor yearly.

The amount of compensation to be paid for the loss of fishery rents in respect of the "pata-pato" of Kiviranta, should the same cease to be exploited, shall be fixed at 4,000 kronor yearly during the first ten years' period of the duration of the Convention.

The amount of compensation to be paid after the expiry of the first ten years' period of the duration of the Convention in respect of each fishery which has been discontinued shall be fixed jointly by the provincial administrations of the provinces of Norrbotten and Uleåborg (*Oulu*) after an enquiry has been carried out as provided hereafter in Article XIII.

#### Article V.

The fisheries shall be jointly exploited :

(a) At the places at which there are large fixed appliances for fishing at Sumisaari, Marjosaari and, so long as the same are maintained, at Kiviranta, and also at the largest "notvarp" (*apajapaikka*) of Karungi, of Vitsaniemi south of the "Kultaniitty", of Puittamonsaari (known as "Kultaniitty"), of Bockholmen and Laurinhieta ;

(b) By means of less important fisheries such as "strandpata" (*rantapato*), "notvarp" (*nuotta-apaja*) and other appliances for the purpose of salmon fishing ;

(c) By means of spinners and similar appliances.

#### Article VI.

Leases of the fisheries specified in Article V (a) shall be offered to the following persons, the "pata-pato" of Kiviranta for one year and the other fisheries for five consecutive years :

The "pata-pato" of Kiviranta and Sumisaari to the landowners (*hemmansägare-tillalliset*) of the Swedish villages of Mattila, Nedre Vojakkala and Övre Vojakkala and the Finnish villages of Kiviranta, Nedre Vojakkala and Övre Vojakkala (*Ala=ja Ylä-Vojakkala*) ;

The "pata" (*pato*) of Marjosaari, to the landowners of the Swedish villages of Matarengi, Haapakylä and Kuivakangas and the Finnish villages of Närkki, Kuivakangas and Kauliranta ;

The fisheries (*notvarp-nuotta-apajapaikka*) of Karungi, to the landowners of the Swedish and Finnish villages of Karungi ;

The "notvarp" (*apajapaikka*) of Vitsaniemi, Puittamonsaari and Bockholmen, to the landowners of the Swedish villages of Vitsaniemi, Päckilä and Koivukylä, and the Finnish villages of Kainuukylä and Armassaari ;

The "notvarp" (*apajapaikka*) of Laurinhieta, to the landowners of the Swedish village of Niemis and the Finnish village of Nuotioranta.

Should the offers not result in the conclusion of leases for the exploitation of the above-mentioned fisheries either with the landowners of all or some of the above-mentioned villages or with groups of landowners of the said villages, the fishing rights shall be put up for public auction.

Before the conclusion of a lease of the nature referred to in the present Article, provision shall be made for the measures of protection regarded as necessary for the purpose of preventing damage which might result from timber floating.

#### Article VII.

The fishing rights referred to in Article V (b) may be granted on application for periods of five consecutive years to the land-owning community known as "byalag" ("kyläkunta") within whose area the fisheries in question are situated.

Should a private person apply for a fishing rights concession, a lease of the said rights shall, before any decision is taken, be offered either to the "byalag" ("kyläkunta") or to one or more members of the "byalag" ("kyläkunta"), who have preferential rights thereto.

Before the conclusion of a lease of the nature referred to in the present Article, the place and method of exploiting the fisheries shall be fixed and decisions shall also be taken as to the measures of protection considered necessary for the purpose of preventing damage from timber floating.

*Article VIII.*

The right to fish with spinners and similar appliances shall be granted for a period of one calendar year provided that the duty is paid on a fishing permit valid for a given district mentioned by name on the permit.

*Article IX.*

Should fishing rights have been granted under the conditions provided for in Articles VI or VII, the persons leasing the same, if not less than five in number, shall form an association. The statutes of such association must be approved, if its headquarters are in Sweden, by the provincial administration of the province of Norrbotten, or, if its headquarters are in Finland, by the provincial administration of the province of Uleåborg (*Oulu*). The provincial administration of the other country shall, however, be given an opportunity of previously expressing its opinion on the proposed statutes.

The statutes of the association, which must be in agreement with the legislation on economic associations and co-operative undertakings in force in the country in which the headquarters of the association are situated, shall lay down provisions concerning the basis on which the members of the association participate in the same and the duty of the board of directors to supply detailed information as to the yield of the fisheries during the year and any other information desired.

Should the number of members be less than five, the provisions concerning the obligations incumbent on them shall be inserted in the lease of the fisheries.

*Article X.*

With a view to meeting the cost of supervision in the waters in which, under Article I, the fisheries are to be jointly exploited, and in the waters in which, under Article II, fishing is forbidden, each of the two Contracting States shall grant an annual credit of 3,000 kron or or the equivalent sum in Finnish money.

*Article XI.*

The two Contracting States shall jointly construct, maintain and exploit a hatcheries establishment at Äkäsjoki in the parish of Kolari in Finland for the purpose of improving the salmon fishing in the fishery zone. The expense thereby involved shall be met out of the yield of the charges paid for improving the salmon fisheries by the timber-floating Association of the frontier rivers of Torneå (*Tornio*) and Muonio, in accordance with the provisions of Article 2 of the Declaration of July 3 (June 20), 1917, concerning the organisation of the timber-floating service in the Torneå (*Tornio*) and Muonio rivers, which is contained in the agreement concluded on that date between the two Contracting States.

The said hatcheries establishment shall be managed by duly qualified persons appointed by the Directorate of Agriculture (*lantbruksstyrelse-maataloushallitus*) of each of the two countries.

Should the present Convention be denounced by either of the Contracting States, negotiations shall be undertaken with a view to continuing the common management of the hatcheries in the future.

*Article XII.*

So long as the salmon tithe at present levied has not been replaced by a fixed payment in money, a tenth part of the total yield of the salmon and sea trout fisheries shall be taken in kind as in the past and equally divided between the Contracting States for the benefit of those entitled to receive the tithes. Each of the two States shall have full liberty to divide the tithes among its nationals as it chooses.

*Article XIII.*

The provincial administrations of the provinces of Norrbotten and Uleåborg (*Oulu*) shall respectively represent the two Contracting States on all questions concerning the joint fisheries. Before the fisheries are leased out in accordance with the provisions of Article VI or Article VII, the said provincial administrations shall cause an enquiry into the conditions of the said leasing of the fisheries to be carried out by a Commission composed of three nationals of each of the Contracting States, one of whom shall be an official of the fisheries service, another an official of the central forests administration and the third a person acquainted with local conditions, all of whom shall be appointed by their respective countries. Before the question of the amount of compensation to be paid under Article IV by the timber-floating Association of the frontier rivers of Torneå (*Tornio*) and Muonio is again examined, a proposal for the fixing of the rate of the said compensation shall also be drawn up in the same manner. It shall be part of the duties of the said Commission to see that the interests both of the fisheries and of timber-floating are duly taken into consideration and safeguarded.

The said provincial administrations shall also carry out an enquiry by means of the same Commission (consisting, however, in this case only of two officials of the fishery service and two persons acquainted with local conditions) into the division of the fishery zone into districts with a view to the granting of fishing rights in accordance with the provisions of Article VIII and the fixing of the amount of the charge to be paid in the various districts in return for the granting of fishing permits.

*Article XIV.*

The present Convention, which has been drawn up in the Swedish, Finnish and French languages and the French text of which shall be authentic, shall be ratified as soon as possible, in respect of Sweden by His Majesty the King of Sweden and in respect of Finland by the President of the Republic of Finland, subject to approval by the respective Parliaments. The instruments of ratification shall be exchanged at Stockholm as soon as possible.

*Article XV.*

The present Convention shall come into force on January 1, 1928. It shall remain in force for a period of twenty years reckoned from the said date. Should it not be denounced by either of the Contracting States at least one year before the expiry of the said period, it shall remain in force for a further period of twenty years and shall then be regarded as extended for periods of twenty years unless denounced not less than one year before the expiry of the last period of twenty years.

Should the Convention be denounced, both States shall resume their rights to exploit the fisheries for their own profit within the limits of their territories.

In faith whereof the undersigned, duly authorised for that purpose, have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Helsingfors (Helsinki) on May 10, 1927.

(L. S.) HAMILTON.

(L. S.) Väinö VOIONMAA.

## DECLARATION

BY SWEDEN AND FINLAND CONCERNING THE ADOPTION OF REGULATIONS FOR FISHING  
IN THE FISHERY ZONE OF THE TORNEÅ (TORNIO) RIVER.

THE GOVERNMENT OF HIS MAJESTY THE KING OF SWEDEN and THE GOVERNMENT OF THE REPUBLIC OF FINLAND, having decided to take effective steps to regulate fishing in the Torneå (Tornio) River and its tributaries, have agreed as follows :

The attached Regulations concerning fishing in the Torneå (Tornio) River and its tributaries is approved *in toto* on behalf of the Government of His Majesty the King of Sweden, of the one part, and the Government of the Republic of Finland, of the other part.

The present Declaration which, together with the Regulations, is drawn up in the Swedish, Finnish and French languages, and in respect of which the French text shall be authentic for purposes of interpretation, shall be ratified on behalf of Sweden by His Majesty the King of Sweden, and on behalf of Finland by the President of the Republic of Finland, subject however, as far as Articles 13 and 14 are concerned, to the approval of their respective Parliaments ; the ratifications shall be exchanged as soon as possible at Stockholm.

The present Declaration shall come into force on January 1, 1928. So far as the duration of the validity and denunciation of this Declaration are concerned, the rules applicable shall be the same as those contained in Article XV of the Convention signed on this date between Sweden and Finland, concerning the joint exploitation of the salmon fisheries in the Torneå (Tornio) and Muonio Rivers.

In faith whereof the undersigned, duly authorised for the purpose, have signed the present Declaration and have thereto affixed their seals.

Done in duplicate at Helsingfors (*Helsinki*) on May 10, 1927.

(L. S.) HAMILTON.

(L. S.) Väinö VOIONMAA.

## REGULATIONS

CONCERNING FISHING IN THE FISHERY ZONE OF THE TORNEÅ (TORNIO) RIVER.

In addition to the provisions of the Convention of May 10th, 1927, between Sweden and Finland concerning the joint exploitation of the salmon fisheries in the Torneå (Tornio) and Muonio Rivers, the following provisions shall apply to fishing carried on in the fishery zone of the Torneå (Tornio) River.

*Article 1.*

The fishery zone of the Torneå (Tornio) River shall include the whole of the Torneå (Tornio) and Muonio Rivers and their tributaries up to the point on these waters to which salmon can be proved to ascend, and all the waters of the coastal archipelago off the mouth of the Torneå River in the Swedish and Finnish parishes of Nedertorneå (*Alatornio*). The provisions which follow shall not, however, apply to the specially privileged salmon fisheries (*laxpata-lohipato*) of the landowners (*byaman-kyläläiset*) of Kaakamo and Ruottala situated at the mouth of the Kemi River on the boundary of the Finnish parishes of Nedertorneå (*Alatornio*) and Kemi.



*Article 2.*

Salmon and sea trout fishing is forbidden from September 1st to the spring thaw. Sea trout may, however, be fished up to September 24th inclusive in the coastal archipelago and at the places where fixed fishing appliances are situated on the river, and they may also be fished in the river by spinners and similar appliances in the Swedish and Finnish parishes of Nedertorneå (*Alatornio*).

Subject to the exception provided for above, fishing appliances or tackle, whatever their name or nature, intended for salmon or sea trout fishing, may not therefore be left from September 1st to the spring thaw in waters in which fishing is carried on; this prohibition applies *a fortiori* to the placing or the using in any other way of such appliances and tackles in these waters.

At no time of year may salmon or sea trout under 25 centimetres in length be taken by rod or intentionally, in any other manner.

*Article 3.*

During the period in which salmon and sea trout fishing is forbidden, no fish of the said species may be offered for sale, bought, received or conveyed from one place to another unless legal proof can be adduced that it was taken during the period when fishing was allowed, or that it was otherwise acquired under conditions permitted by law. At no time of year may fish of the said species, the length of which is less than that provided for in Article 2, be offered for sale, bought, received or conveyed from one place to another.

*Article 4.*

The use of fixed fishing appliances, or "pata-pato" for the purposes of taking gwyniad shall only be allowed from July 25 to September 24 inclusive.

*Article 5.*

The seine nets (*notar:nuotat*) intended for taking salmon or sea trout must not have meshes the dimensions of which exceed the following: 12 times the distance between two knots for every 60 centimetres of uninterrupted length of the net measured when the said net is wet and stretched in the longitudinal direction of the meshes. Nevertheless, the seine nets used for the taking of fish in the fish pools known as "karsinapata" may have meshes of dimensions equivalent to not more than 15 times the distance between 2 knots for 60 centimetres of the length of the net.

The seine nets intended for the taking of other species of fish must, if used in rivers, have meshes of dimensions equivalent to not less than 16 times and not more than 20 times the distance between 2 knots for 60 centimetres of the length of the net, and they must not be longer than 80 metres. Should local reasons make it desirable that nets of larger dimensions should be used, an application to that effect may be submitted either to the provincial administration of the province of Norrbotten or to that of the province of Uleåborg (*Oulu*), which shall take a joint decision after an enquiry carried out as laid down in Article XIII of the Convention concerning the joint exploitation of the salmon fisheries.

The seine nets in use in the coastal archipelago must not (with the exception of those intended for taking the species of fish referred to hereafter in Article 7) have meshes, the dimensions of which are equivalent to more than 18 times the distance between two knots for 60 centimetres of length of net.

*Article 6.*

Subject to the exceptions provided for in Article 7, fixed nets (*nät-verkot*), hoop nets (*ryssjor-ryrsät*) save for those known as "storryssjor" ("isorysät") — and eelbucks (*mjärdar-merrrat*,

*tinor-lanat*) must not have meshes equivalent to more than 20 times the distance between two knots for 60 centimetres of the length of net.

The fixed nets (*nät-verkot*), the meshes of which have dimensions equivalent to more than 12 times the distance between two knots for 60 centimetres of the length of net, may only be used in the coastal archipelago and on fisheries in rivers in which salmon fishing is allowed.

The hoop nets known as "storryssjor" ("isorysät"), by which should be understood both hoop nets of all kinds having a height at any point exceeding 1.2 metres or fitted with slings exceeding that height, and all other fishing appliances of the said dimensions fitted with ground-netting (*nätbotten-verkkopohja*), must, if intended for taking small herring (*strömming-silakka*) or white gwyniad have meshes of dimensions equivalent to not less than 36 times and not more than 40 times, and, if intended for taking salmon, sea trout, ordinary gwyniad or any other species of fish equivalent to not more than 18 times the distance between two knots for 60 centimetres of the length of net in the part of the appliance or tackle known as "fiskhus" ("pesä").

Should it appear that the use of the "storryssjor" ("isorysät") intended for taking small herring or white gwyniad is liable to lead to the extermination of ordinary gwyniad, either State shall have the right to forbid or restrict the use of the same.

The use of "storryssjor" ("isorysät") in the rivers is forbidden.

#### Article 7.

Seine nets (*notar-ruottia*) or fixed nets (*nät-verkot*) having meshes of dimensions equivalent to not less than 30 and not more than 45 times the distance between two knots for 60 centimetres of length of net may be used in the coastal archipelago for taking smelt, white gwyniad, lenciscus vulgaris (*seipi-stäm*), bleak or small herring. Should it appear that the use of the fishing appliances referred to in the present Article is liable to lead to the extermination of the said species or of any other species of fish, either State shall have the right to forbid or restrict the use of the same.

#### Article 8.

In the "pata-pato" in which salmon fishing is not authorised under a concession granted by the Contracting States, the use of all appliances intended for taking salmon or sea trout, whatever be their designation and nature, is forbidden. In "pata-pato" of the above-mentioned kind intended for fishing gwyniad or other small species of fish it is therefore forbidden to use "mocknät" (*mutkaverkko*) or potkunät ("potkuverkko") or hoop nets (*ryssjor-rysiä*) or eelbucks (*mjärdar-mertoja tinor-lanoja*), the opening of or hoop round which measures more than 60 centimetres in diameter in any direction.

#### Article 9.

River lampreys ("nätting" or "nejonöga"-"nahkiainen") may in future be fished at the same period and under the same conditions as heretofore.

#### Article 10.

The use of fish-gig (*ljustring-tuohustaminen*) is forbidden. Anyone found in the waters of the fishery zone carrying torches (*ljustereld-tuohustuli*) or in possession of articles intended for the taking of fish by means of a fish-gig, shall be liable to the same penalties as those provided for the use of a fish-gig.

#### Article 11.

Fishing by means of the hoop nets known as "storryssjor" ("isorysät"), or by means of "bottengarn" ("pohjaverkot") or "mockor" ("mutkaverkot") or any other appliances intended for salmon fishing is forbidden in the coastal archipelago situated at the mouth of the Torneå (Tornio) River, in a zone limited towards the sea by a line drawn from the southern shore of

the opening of the bay of Salmisviken (*Salmenlahti*), through the most southerly points of the islands of Kraaseli and Tirro and the north-western point of the island of Sellö, up to the south-western point of the island of Björkö (*Pirkjö*).

The placing on either side of the channel of appliances or gear for fishing exceeding 200 metres in length is also forbidden in the strait separating the islands of Stora Tervakari (*Iso-Tervakari*) and Hamppuleiviskä.

*Article 12.*

All fixed fishing appliances intended for the taking of salmon, sea trout or gwyniad shall be opened each year in order to allow fish to pass freely immediately after the expiry of the time during which fishing is permitted. Before the end of the month of September, the closing nets (*stängselnät-sulkuverkot*) used in connection with fishing appliances and all timber which has been used for closing fishing appliances must be withdrawn from the water. The main fixed stakes (*huvudpälar-päävaajat*) of fishing appliances may, however, be left in their place up to the end of the year, after which they and all stones used in connection with fishing appliances must be removed to the bank.

All material used in the construction of the "pata-pato" intended for taking burbot in winter must be carefully withdrawn from the water and carried on to the bank before the spring thaw.

Should the owner of a fishing appliance fail to comply with the preceding provisions within the period laid down, the duly authorised representative of the public prosecutor's department concerned shall be entitled to cause the work not yet carried out to be completed, the cost of the same being recovered from the offender in the manner provided for by law.

*Article 13.*

Persons having the right to fish salmon, and their assistants, may, for purposes of exercising their right to fish, enter the property of riparian landowners, with the exception of ground built upon or pleasure or kitchen-gardens, and shall be entitled to dry their fishing appliances on the bank at places where the bank is not adjacent to land which is built on or cultivated. Riparian landowners shall, however, be entitled to be fully compensated for any damage or loss caused to them thereby.

Riparian landowners shall also, subject to pecuniary compensation in the case of damage or loss, grant free passage for purposes of fishing (*fishevattien-kalavesi*) to the holders of the above-mentioned fishing rights and their assistants, if the latter would otherwise be greatly inconvenienced in proceeding to the place at which they fish.

*Article 14.*

Legal proceedings in respect of offences against the provisions of the present Regulations shall be brought in the court of the place at which the offence has been committed. Should a national of one of the two Contracting States have committed an offence on the territory of the other Contracting State, but have ceased to reside there, proceedings will be brought against him in his own country before the court of the place nearest to the spot at which the offence was committed.

Disputes with regard to compensation due for damage or loss as provided for by Article 13 may be brought either before one of the courts referred to in the present Article or before the court of the place where the defendant has his domicile.

*Article 15.*

Any person guilty of a breach of the prohibitions laid down, or failing to comply with the present Regulations, shall, if proceedings are brought before a Swedish court, be liable to a fine of from 20 to 500 kron or, or, should proceedings be brought before a Finnish court, to a penalty of not more than 200 days' fines. Should the court so decide, the goods referred to in Article 3, the fishing tackle, fish unlawfully taken, and the fishing permit if one has been issued, shall be confiscated.

Should the fishing tackle and the fish unlawfully taken or offered for sale, the confiscation of which has been ordered, not be found, or should the fish unlawfully taken or offered for sale have deteriorated, the offender shall be liable for their full value.

*Article 16.*

Sums derived from fines and from confiscated fishing tackle, fish unlawfully taken, and goods, or the value of the same, shall become the property of the State. Should the person sentenced to a fine be unable to pay the full amount, the sum due shall be made good in some other manner according to the regulations laid down in the Penal Code.

*Article 17.*

Should a person fishing either in the close season or by means of appliances which are forbidden be taken in the act by an official of the public prosecutor's department, by a water bailiff, or by an official of the Fisheries Administration, the latter shall be entitled to seize not only the fishing tackle and catch of the offender but also his fishing permit and his boat, and to retain them until the offender has complied with the provisions of the law.

Officials of the public prosecutor's department, water bailiffs and officials of the Fisheries Administration may also seize fishing appliances which are forbidden under the present Regulations if they are found in a hut, a boat, a shed (*öppen sjöbod — avoin ranta-aitta*) or in any other place in the neighbourhood of a hut. Nevertheless, any person carrying out such seizure must, if not an official of the public prosecutor's department, immediately notify the latter, whose duty it shall be to publish the fact of the said seizure immediately by means of a notice posted up in a public building or in any other suitable place in the parish in which the seizure was effected. Should the owner not reveal his identity within one month from the date of the posting up of such notice, the articles seized shall become the property of the State.

Fish unlawfully taken or goods which are seized and which are liable to deterioration may, after they have been inspected and an estimate of their value has been made by two impartial persons, be sold under suitable conditions through the public prosecutor's department, which shall immediately inform the competent provincial Administration of the price obtained for them.

*Article 18.*

Persons duly commissioned for the purpose of supervising the enforcement of the present Regulations shall have the same powers and be entitled to the same protection as police officials.

*Article 19.*

The provincial Administrations of the provinces of Norrbotten and Uleåborg (Oulu) may, if application is made to them, grant a permit for fishing in the close season, or by a method which is forbidden, should this be requested for scientific purposes or in the interests of fish rearing. In such cases suitable instructions shall be given with a view to preventing any abuse, and the public prosecutor's department responsible for the district in question shall be notified.

*Article 20.*

The present Regulations shall come into force as from January 1, 1928.

Fishing appliances in use at the date of its coming into force which do not fulfil the conditions required by the Regulations may, if they are in accordance with the provisions of the previous Regulations, be used for a further period of three years.

## DECLARATION

BY SWEDEN AND FINLAND MODIFYING ARTICLE 2 OF THE DECLARATION IN FORCE BETWEEN THE TWO COUNTRIES CONCERNING THE REGULATIONS FOR FLOATING TIMBER IN THE TORNEÅ AND MUONIO RIVERS.

THE GOVERNMENT OF HIS MAJESTY THE KING OF SWEDEN, and THE GOVERNMENT OF THE REPUBLIC OF FINLAND having decided, by mutual agreement, to take effective measures with a view to laying down regulations in respect of joint salmon fishing in the Torneå (Tornio) and Muonio rivers, and having found it necessary for this purpose to make certain modifications in the Convention between the two countries concerning the floating of timber in the Torneå (Tornio) and Muonio rivers, have agreed as follows :

Article 2 of the Declaration concerning floating of timber in the Torneå (Tornio) and Muonio rivers made by Sweden and Russia on July 3 (June 20) 1927, and confirmed in so far as its validity in respect of the relations between Sweden and Finland is concerned by the exchange of Notes between the Ministries, dated May 10, 1920, shall be altered to read as follows :

“ Article 2.

With a view to the improvement of the fisheries in the Torneå (Tornio) and Muonio Rivers a duty of five öre or an equivalent sum in Finnish currency shall be levied on every cubic metre of timber floated, calculated according to the book of rates in force.

The said duty must be paid not later than December 1 of each year to the provincial administration of the province of Uleåborg (*Oulu*), the said administration being responsible for accounts and management in respect of sums thus levied after having come to an agreement with the provincial administration of the province of Norrbotten.”

The present Declaration, which is drawn up in the Swedish, Finnish and French languages and the French text of which shall be authentic for purposes of interpretation, shall be ratified and the ratifications shall be exchanged at Stockholm as soon as possible.

The present Declaration shall come into force immediately. The provisions of Article 3 of the above-mentioned Declaration of July 3 (June 20) 1917, shall apply so far as the duration of validity and denunciation of the said Declaration are concerned.

In faith whereof the undersigned, duly authorised for that purpose, have signed the present Declaration and have thereto affixed their seals.

Done at Helsingfors (Helsinki) in duplicate on May 10, 1927.

(L. S.) HAMILTON.

(L. S.) Väinö VOIONMAA.