

No. 746

**UNION OF SOVIET SOCIALIST REPUBLICS, UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND, AUSTRALIA, BYELORUSSIAN
SOVIET SOCIALIST REPUBLIC, CANADA, etc.**

**Treaty of Peace with Finland. Signed at Paris, on 10 February
1947**

*Official texts: Russian, English, French and Finnish. (Russian and English
texts are authentic.)*

Registered by the Union of Soviet Socialist Republics on 15 March 1950.

**UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES,
ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE
DU NORD, AUSTRALIE, REPUBLIQUE SOCIALISTE
SOVIETIQUE DE BIELORUSSIE, CANADA, etc.**

**Traité de paix avec la Finlande. Signé à Paris, le 10 février
1947**

*Textes officiels russe, anglais, français et finnois. (Les textes russe et anglais font
foi.)*

Enregistré par l'Union des Républiques socialistes soviétiques le 15 mars 1950.

No. 746. TREATY¹ OF PEACE WITH FINLAND. SIGNED AT
PARIS, ON 10 FEBRUARY 1947

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, and the Union of South Africa, as the States which are at war with Finland and actively waged war against the European enemy States with substantial military forces, hereinafter referred to as "the Allied and Associated Powers", of the one part,

and Finland, of the other part;

Whereas Finland, having become an ally of Hitlerite Germany and having participated on her side in the war against the Union of Soviet Socialist Republics, the United Kingdom and other United Nations, bears her share of responsibility for this war;

Whereas, however, Finland on September 4, 1944, entirely ceased military operations against the Union of Soviet Socialist Republics, withdrew from the war against the United Nations, broke off relations with Germany and her satellites, and, having concluded on September 19, 1944, an Armistice with the Governments of the Union of Soviet Socialist Republics and the United Kingdom, acting on behalf of the United Nations at war with Finland, loyally carried out the Armistice terms; and

Whereas the Allied and Associated Powers and Finland are desirous of concluding a treaty of peace which, conforming to the principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and will form the basis of friendly relations between them, thereby enabling the

¹ Came into force on 15 September 1947 upon the deposit with the Government of the Union of Soviet Socialist Republics of the instruments of ratification by the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, in accordance with article 36.

List of States which have deposited instruments of ratification with the Government of the Union of Soviet Socialist Republics and dates of deposit thereof:

Union of Soviet Socialist Republics.....	15 September	1947
United Kingdom of Great Britain and Northern Ireland.....	15 September	1947
Byelorussian Soviet Socialist Republic	15 September	1947
Ukrainian Soviet Socialist Republic	15 September	1947
Finland	15 September	1947
India	19 September	1947
Canada	19 September	1947
Czechoslovakia	14 October	1947
New Zealand	31 December	1947
Union of South Africa	17 May	1948
Australia	10 July	1948

Allied and Associated Powers to support Finland's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions.

PART I TERRITORIAL CLAUSES

Article 1

The frontiers of Finland, as shown on the map annexed to the present Treaty¹ (Annex I), shall be those which existed on January 1, 1941, except as provided in the following Article.

Article 2

In accordance with the Armistice Agreement of September 19, 1944, Finland confirms the return to the Soviet Union of the province of Petsamo (Pechenga) voluntarily ceded to Finland by the Soviet State under the Peace Treaties of October 14, 1920,² and March 12, 1940. The frontiers of the province of Petsamo (Pechenga) are shown on the map annexed to the present Treaty (Annex I).

PART II POLITICAL CLAUSES

SECTION I

Article 3

In accordance with the Armistice Agreement, the effect of the Peace Treaty between the Soviet Union and Finland concluded in Moscow on March 12, 1940, is restored, subject to the replacement of Articles 4, 5 and 6 of that Treaty by Articles 2 and 4 of the present Treaty.

Article 4

1. In accordance with the Armistice Agreement, the Soviet Union confirms the renunciation of its right to the lease of the Peninsula of Hango, accorded to

¹ See insert between pages 304 and 305 of this volume.

² League of Nations, *Treaty Series*, Volume III, page 5.

it by the Soviet-Finnish Peace Treaty of March 12, 1940, and Finland for her part confirms having granted to the Soviet Union on the basis of a fifty years lease at an annual rent payable by the Soviet Union of five million Finnish marks the use and administration of territory and waters for the establishment of a Soviet naval base in the area of Porkkala-Udd as shown on the map annexed to the present Treaty (Annex I).

2. Finland confirms having secured to the Soviet Union, in accordance with the Armistice Agreement, the use of the railways, waterways, roads and air routes necessary for the transport of personnel and freight dispatched from the Soviet Union to the naval base at Porkkala-Udd, and also confirms having granted to the Soviet Union the right of unimpeded use of all forms of communication between the Soviet Union and the territory leased in the area of Porkkala-Udd.

Article 5

The Aaland Islands shall remain demilitarized in accordance with the situation as at present existing.

SECTION II

Article 6

Finland shall take all measures necessary to secure to all persons under Finnish jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

Article 7

Finland, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

Article 8

Finland, which in accordance with the Armistice Agreement has taken measures for dissolving all organisations of a Fascist type on Finnish territory, whether political, military or para-military, as well as other organisations con-

ducting propaganda hostile to the Soviet Union or to any of the other United Nations, shall not permit in future the existence and activities of organisations of that nature which have as their aim denial to the people of their democratic rights.

Article 9

1. Finland shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered or abetted war crimes and crimes against peace or humanity;

(b) Nationals of any Allied or Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Finland shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Helsinki of the Soviet Union and the United Kingdom, who will reach agreement with regard to the difficulty.

SECTION III

Article 10

Finland undertakes to recognise the full force of the Treaties of Peace with Italy, Roumania, Bulgaria and Hungary and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

Article 11

Finland undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations and the Permanent Court of International Justice.

Article 12

1. Each Allied or Associated Power will notify Finland, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Finland it desires to keep in force or revive. Any

provisions not in conformity with the present Treaty shall, however, be deleted from the above-mentioned treaties.

2. All such treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

PART III

MILITARY, NAVAL AND AIR CLAUSES

Article 13

The maintenance of land, sea and air armaments and fortifications shall be closely restricted to meeting tasks of an internal character and local defence frontiers. In accordance with the foregoing, Finland is authorised to have armed forces consisting of not more than:

(a) A land army, including frontier troops and anti-aircraft artillery, with a total strength of 34,400 personnel;

(b) A navy with a personnel strength of 4,500 and a total tonnage of 10,000 tons;

(c) An air force, including any naval air arm, of 60 aircraft, including reserves, with a total personnel strength of 3,000. Finland shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

These strengths shall in each case include combat, service and overhead personnel.

Article 14

The personnel of the Finnish Army, Navy and Air Force in excess of the respective strengths permitted under Article 13 shall be disbanded within six months from the coming into force of the present Treaty.

Article 15

Personnel not included in the Finnish Army, Navy or Air Force shall not receive any form of military training, naval training or military air training as defined in Annex II.

Article 16

1. As from the coming into force of the present Treaty, Finland will be invited to join the Barents, Baltic and Black Sea Zone Board of the International Organisation for Mine Clearance of European Waters and shall maintain at the disposal of the Central Mine Clearance Board all Finnish minesweeping forces until the end of the post-war mine clearance period, as determined by the Central Board.

2. During this post-war mine clearance period, Finland may retain additional naval units employed only for the specific purpose of minesweeping, over and above the tonnage permitted in Article 13.

Within two months of the end of the said period, such of these vessels as are on loan to the Finnish Navy from other Powers shall be returned to those Powers, and all other additional units shall be disarmed and converted to civilian use.

3. Finland is also authorised to employ 1,500 additional officers and men for minesweeping over and above the numbers permitted in Article 13. Two months after the completion of minesweeping by the Finnish Navy, the excess personnel shall be disbanded or absorbed within the numbers permitted in the said Article.

Article 17

Finland shall not possess, construct or experiment with any atomic weapon, any self-propelled or guided missiles or apparatus connected with their discharge (other than torpedoes and torpedo launching gear comprising the normal armament of naval vessels permitted by the present Treaty), sea mines or torpedoes of non-contact types actuated by influence mechanisms, torpedoes capable of being manned, submarines or other submersible craft, motor torpedo boats, or specialised types of assault craft.

Article 18

Finland shall not retain, produce or otherwise acquire, or maintain facilities for the manufacture of, war material in excess of that required for the maintenance of the armed forces permitted under Article 13 of the present Treaty.

Article 19

1. Excess war material of Allied origin shall be placed at the disposal of the Allied Power concerned according to the instructions given by that Power.

Excess Finnish war material shall be placed at the disposal of the Governments of the Soviet Union and the United Kingdom. Finland shall renounce all rights to this material.

2. War material of German origin or design in excess of that required for the armed forces permitted under the present Treaty shall be placed at the disposal of the Two Governments. Finland shall not acquire or manufacture any war material of German origin or design, or employ or train any technicians, including military and civil aviation personnel, who are or have been nationals of Germany.

3. Excess war material mentioned in paragraphs 1 and 2 of this Article shall be handed over or destroyed within one year from the coming into force of the present Treaty.

4. A definition and list of war material for the purposes of the present Treaty are contained in Annex III.

Article 20

Finland shall co-operate fully with the Allied and Associated Powers with a view to ensuring that Germany may not be able to take steps outside German territory towards rearmament.

Article 21

Finland shall not acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

Article 22

Each of the military, naval and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Finland or, after Finland becomes a member of the United Nations, by agreement between the Security Council and Finland.

PART IV

REPARATION AND RESTITUTION

Article 23

1. Losses caused to the Soviet Union by military operations and by the occupation by Finland of Soviet territory shall be made good by Finland to

the Soviet Union, but, taking into consideration that Finland has not only withdrawn from the war against the United Nations, but has also declared war on Germany and assisted with her forces in driving German troops out of Finland, the Parties agree that compensation for the above losses will be made by Finland not in full, but only in part, namely in the amount of \$300,000,000 payable over eight years from September 19, 1944, in commodities (timber products, paper, cellulose, sea-going and river craft, sundry machinery, and other commodities).

2. The basis of calculation for the settlement provided in this Article shall be the United States dollar at its gold parity on the day of the signing of the Armistice Agreement, i.e. \$35 for one ounce of gold.

Article 24

Finland, in so far as she has not yet done so, undertakes within the time-limits indicated by the Government of the Soviet Union to return to the Soviet Union in complete good order all valuables and materials removed from its territory during the war, and belonging to State, public or co-operative organisations, enterprises or institutions or to individual citizens, such as: factory and works equipment, locomotives, rolling stock, tractors, motor vehicles, historic monuments, museum valuables and any other property.

PART V

ECONOMIC CLAUSES

Article 25

1. In so far as Finland has not already done so, Finland shall restore all legal rights and interests in Finland of the United Nations and their nationals as they existed on June 22, 1941, and shall return all property in Finland of the United Nations and their nationals as it now exists.

2. The Finnish Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Finnish Government in connection with their return. The Finnish Government shall nullify all measures,

including seizures, sequestration or control, taken by it against United Nations property between June 22, 1941, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the present Treaty, application shall be made to the Finnish authorities not later than twelve months from the coming into force of the Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Finnish Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

4. (a) The Finnish Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a United Nations national has suffered a loss by reason of injury or damage to property in Finland, he shall receive from the Finnish Government compensation in Finnish marks to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Finnish nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 8 (a) of this Article, but which have suffered a loss by reason of injury or damage to property in Finland, shall receive compensation in accordance with sub-paragraph (a) above. This compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Finland but shall be subject to the foreign exchange control regulations which may be in force in Finland from time to time.

(d) The Finnish Government shall accord to United Nations nationals the same treatment in the allocation of materials for the repair or rehabilitation

of their property in Finland and in the allocation of foreign exchange for the importation of such materials as applies to Finnish nationals.

(*e*) The Finnish Government shall grant United Nations nationals an indemnity in Finnish marks at the same rate as provided in sub-paragraph (*a*) above to compensate them for the loss or damage due to special measures applied to their property during the war, and which were not applicable to Finnish property. This sub-paragraph does not apply to a loss of profit.

5. All reasonable expenses incurred in Finland in establishing claims, including the assessment of loss or damage, shall be borne by the Finnish Government.

6. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts imposed on their capital assets in Finland by the Finnish Government or any Finnish authority between the date of the Armistice and the coming into force of the present Treaty for the specific purpose of meeting charges arising out of the war or of meeting the costs of reparation payable to any of the United Nations. Any sums which have been so paid shall be refunded.

7. The owner of the property concerned and the Finnish Government may agree upon arrangements in lieu of the provisions of this Article.

8. As used in this Article:

(*a*) "United Nations nationals" means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status at the date of the Armistice with Finland.

The term "United Nations nationals" also includes all individuals, corporations or associations which, under the laws in force in Finland during the war, have been treated as enemy;

(*b*) "Owner" means the United Nations national, as defined in sub-paragraph (*a*) above, who is entitled to the property in question, and includes a successor of the owner, provided that the successor is also a United Nations national as defined in sub-paragraph (*a*). If the successor has purchased the

property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law;

(c) "Property" means all movable or immovable property, whether tangible or intangible, including industrial, literary and artistic property, as well as all rights or interests of any kind in property.

Article 26

Finland recognises that the Soviet Union is entitled to all German assets in Finland transferred to the Soviet Union by the Control Council for Germany and undertakes to take all necessary measures to facilitate such transfers.

Article 27

In so far as any such rights were restricted on account of Finland's participation in the war on Germany's side, the rights of the Finnish Government and of any Finnish nationals, including juridical persons, relating to Finnish property or other Finnish assets on the territories of the Allied and Associated Powers shall be restored after the coming into force of the present Treaty.

Article 28

1. From the coming into force of the present Treaty, property in Germany of Finland and of Finnish nationals shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Finland and of Finnish nationals removed by force or duress from Finnish territory to Germany by German forces or authorities after September 19, 1944, shall be eligible for restitution.

3. The restoration and restitution of Finnish property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

Article 29

1. Finland waives all claims of any description against the Allied and Associated Powers on behalf of the Finnish Government or Finnish nationals arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, whether or not the Allied

or Associated Power was at war with Finland at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers;

(b) Claims arising from the presence, operations or actions of forces or authorities of Allied or Associated Powers in Finnish territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Finland agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Finnish ships or Finnish goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest.

3. Finland likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Finnish Government or Finnish nationals against any of the United Nations whose diplomatic relations with Finland were broken off during the war and which took action in co-operation with the Allied and Associated Powers.

4. The waiver of claims by Finland under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Finnish ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Convention on prisoners of war now in force.

Article 30

1. Pending the conclusion of commercial treaties or agreements between individual United Nations and Finland, the Finnish Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Finland:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Finland shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined for territory of any other of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Finland. These provisions shall not apply to commercial aviation;

(d) Finland shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Finnish territory, including the right to land for refueling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Finnish territory without landing. These provisions shall not affect the interests of the national defence of Finland.

2. The foregoing undertakings by Finland shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Finland before the war; and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

Article 31

1. Any disputes which may arise in connection with Articles 24 and 25 and Annexes IV, V and VI, part B, of the present Treaty shall be referred to a Conciliation Commission composed of an equal number of representatives of the United Nations Government concerned and of the Finnish Government. If agreement has not been reached within three months of the dispute having been referred to the Conciliation Commission, either Government may require the addition of a third member to the Commission, and, failing agreement between the two Governments on the selection of this member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding.

Article 32

Articles 24, 25, 30 and Annex VI of the present Treaty shall apply to the Allied and Associated Powers and France and to those of the United Nations whose diplomatic relations with Finland have been broken off during the war.

Article 33

The provisions of Annexes IV, V and VI shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

PART VI
FINAL CLAUSES

Article 34

1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Helsinki of the Soviet Union and the United Kingdom, acting in concert, will represent the Allied and Associated Powers in dealing with the Finnish Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Two Heads of Mission will give the Finnish Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Finnish Government shall afford the said Two Heads of Mission all necessary information and any assistance which they may require for the fulfilment of the tasks devolving on them under the present Treaty.

Article 35

1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Two Heads of Mission acting under Article 34, except that in

this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 36

The present Treaty, of which the Russian and English texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Finland. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the Union of Soviet Socialist Republics.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the Union of Soviet Socialist Republics, which shall furnish certified copies to each of the signatory States.

LIST OF ANNEXES

- I. Map¹ of the Frontiers of Finland and the Areas mentioned in Articles 2 and 4
- II. Definition of Military, Military Air and Naval Training
- III. Definition and list of war material
- IV. Special provisions relating to certain kinds of property:
 - A. Industrial, Literary and Artistic Property
 - B. Insurance
- V. Contracts, Prescription and Negotiable Instruments
- VI. Prize Courts and Judgments

¹ See insert between pages 304 and 305 of this volume.

ANNEX I

(See Articles 1, 2 and 4)

MAP¹ OF THE FRONTIERS OF FINLAND AND THE AREAS
MENTIONED IN ARTICLES 2 AND 4

ANNEX I I

(See Article 15)

DEFINITION OF MILITARY, MILITARY AIR AND NAVAL TRAINING

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organized study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission, and the organised study of air tactics, strategy and staff work.

3. Naval training defined as: the study, administration or practice in the use of warships or naval establishments as well as the study or employment of all apparatus and training devices relative thereto, which are used in the prosecution of naval warfare, except for those which are also normally used for civilian purposes; also the teaching, practice or organised study of naval tactics, strategy and staff work including the execution of all operations and manoeuvres not required in the peaceful employment of ships.

ANNEX I I I

(See Article 19)

DEFINITION AND LIST OF WAR MATERIAL

The term "war material" as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

¹ See insert between pages 305 and 305 of this volume.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

Category I

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft; breechless or recoilless guns and flamethrowers, barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in sub-paragraphs 1-4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary materials or charges, filled or unfilled; all means for exploding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

Category II

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self-propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness, used for protective purposes in warfare.

Category III

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

Category IV

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition, aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices or apparatus of any kind, including specially designed harbour defence booms, except as required by salvage, rescue or other civilian uses, as well as all equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be especially designed for the construction, testing, maintenance or housing of the same.

Category V

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of their design or construction are prepared for, any of the appliances referred to in sub-paragraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

Category VI

Asphyxiating, lethal, toxic or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

Category VII

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging or filling of, or for use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

Category VIII

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

ANNEX IV

SPECIAL PROVISIONS RELATING TO CERTAIN KINDS OF PROPERTY

A. INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY

1. (a) A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Finland of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Finland or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Finland or during the war, shall be entitled within twelve months after the coming into force of the present Treaty to apply for corresponding rights in Finland, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Finland against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in industrial, literary and artistic property which were in force in Finland at the outbreak of the war or which are recognised or established under part A of this Annex and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Finland for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Finland of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Finland and its nationals. Nothing, however, in these provisions shall entitle Finland or its nationals to more favourable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Finland be thereby required to accord to any of the Allied and Associated Powers or its nationals more favourable treatment than Finland or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Finland who, before the coming into force of the present Treaty, had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under part A of this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Finland, such permission shall take the form of a non-exclusive licence granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 31 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in part A of this Annex shall be construed to entitle Finland or its nationals to any patent or utility model rights in the territory of any of the

Allied and Associated Powers with respect to inventions, relating to any article listed by name in Annex III of the present Treaty, made, or upon which applications were filed, by Finland, or any of its nationals, in Finland or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Finland shall likewise extend the benefits of the foregoing provisions of this Annex to France, and to other United Nations, which are not Allied or Associated Powers, whose diplomatic relations with Finland have been broken off during the war and which undertake to extend to Finland the benefits accorded to Finland under the said provisions.

8. Nothing in part A of this Annex shall be understood to conflict with Articles 25 and 27 of the present Treaty.

B. INSURANCE

1. No obstacles, other than any applicable to insurers generally, shall be placed in the way of the resumption by insurers who are United Nations nationals of their former portfolios of business.

2. Should an insurer, who is a national of any of the United Nations, wish to resume his professional activities in Finland, and should the value of the guarantee deposits or reserves required to be held as a condition of carrying on business in Finland be found to have decreased as a result of the loss or depreciation of the securities which constituted such deposits or reserves, the Finnish Government undertakes to accept, for a period of eighteen months, such securities as still remain as fulfilling any legal requirements in respect of deposits and reserves.

A N N E X V

CONTRACTS, PRESCRIPTION AND NEGOTIABLE INSTRUMENTS

A. CONTRACTS

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in paragraphs 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, shall not relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and there shall remain in force such parts of any contract

as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and re-insurance shall be subject to separate agreements between the Government of the Allied or Associated Power concerned and the Government of Finland.

B. PERIODS OF PRESCRIPTION

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations, affecting persons or property, involving United Nations nationals and Finnish nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Finnish territory on the one hand, and on the other hand in the territory of those United Nations which grant to Finland, on a reciprocal basis, the benefit of the provisions of this paragraph. These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Finnish territory to the prejudice of a national of one of the United Nations, the Finnish Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Finnish Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

C. NEGOTIABLE INSTRUMENTS

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment, or to give notice of

non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment, has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

D. GENERAL PROVISION

For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

ANNEX VI

PRIZE COURTS AND JUDGMENTS

A. PRIZE COURTS

Each of the Allied and Associated Powers reserves the right to examine, according to a procedure to be established by it, all decisions and orders of the Finnish Prize Courts in cases involving ownership rights of its nationals, and to recommend to the Finnish Government that revision shall be undertaken of such of those decisions or orders as may not be in conformity with international law.

The Finnish Government undertakes to supply copies of all documents comprising the records of these cases, including the decisions taken and orders issued, and to accept all recommendations made as a result of the examination of the said cases, and to give effect to such recommendations.

B. JUDGMENTS

The Finnish Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into

force of the present Treaty to submit to the appropriate Finnish authorities for review any judgment given by a Finnish court between June 22, 1941, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Finnish Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term "United Nations nationals" includes corporations or associations organised or constituted under the laws of any of the United Nations.

В УДОСТОВЕРЕНИЕ ЧЕГО нижеподписавшиеся Полномочные Представители подписали настоящий Договор и приложили к нему свои печати.

СОВЕРШЕНО в Париже на русском, английском, французском и финском языках, февраля десятого дня тысяча девятьсот сорок седьмого года.

IN FAITH WHEREOF the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE in the city of Paris in the Russian, English, French and Finnish languages this tenth day of February, One Thousand Nine Hundred Forty-Seven.

EN FOI DE QUOI, les Plénipotentiaires soussignés ont apposé leurs signatures et leurs cachets au bas du présent Traité.

FAIT à Paris, le dix février mil neuf cent quarante-sept, en langues russe, anglaise, française et finlandaise.

Tämän vakuudeksi allekirjoittaneet täysivaltaiset edustajat ovat tämän sopimuksen allekirjoittaneet ja sineteillään varustaneet.

Tehtiin Pariisissa Venäjän, Englannin, Ranskan ja Suomen kielillä, kymmenentenä päivänä helmikuuta vuonna tuhat yhdeksänsataa neljäkymmentäseitsemän.

За Союз Советских Социалистических Республик:

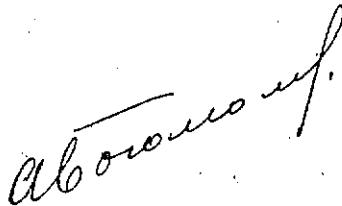
For the Union of Soviet Socialist Republics:

Pour l'Union des Républiques Soviétiques Socialistes:

Sosialististen Neuvostotasavaltojen Liiton Puolesta:



V. MOLOTOV

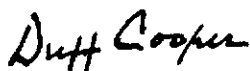


A. BOGOMOLOV

За Соединенное Королевство Великобритании и Северной Ирландии:
For the United Kingdom of Great Britain and Northern Ireland:
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:
Ison-Britannian ja Pohjois-Irlannin Yhdistyneen Kuningaskunnan Puolesta:

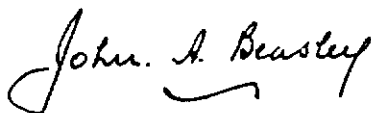


ERNEST BEVIN



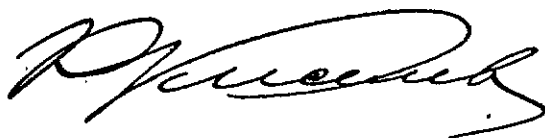
DUFF COOPER

За Австралию:
For Australia:
Pour l'Australie:
Australian Puolesta:



JOHN A. BEASLEY

За Белорусскую Советскую Социалистическую Республику:
For the Byelorussian Soviet Socialist Republic:
Pour la République Soviétique Socialiste de Biélorussie:
Valko-Venäjäin Sosialistisen Neuvostotasavallan Puolesta:



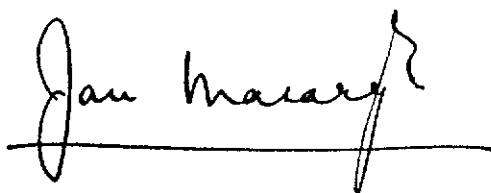
K. V. KISELEV

За Канаду:
For Canada:
Pour le Canada:
Kanadan Puolesta:

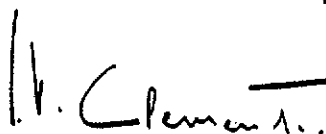


GUY P. VANIER

За Чехословакию:
For Czechoslovakia:
Pour la Tchécoslovaquie:
Tsekkoslovakian Puolesta:

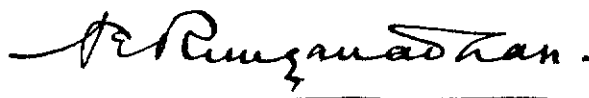


JAN MASARYK



I. V. CLEMENTIS

За Индию:
For India:
Pour l'Inde:
Intian Puolesta:



A. E. RUNGANADHAN

За Новую Зеландию:
For New Zealand:
Pour la Nouvelle-Zélande:
Uuden-Seelannin Puolesta:




W. J. JORDAN

За Украинскую Советскую Социалистическую Республику:
For the Ukrainian Soviet Socialist Republic:
Pour la République Soviétique Socialiste d'Ukraine:
Ukrainan Sosialistisen Neuvostotasavallan Puolesta:



I. SENIN

За Южно-Африканский Союз:
For the Union of South Africa:
Pour l'Union Sud-Africaine:
Etelä-Afrikan Unionin Puolesta:

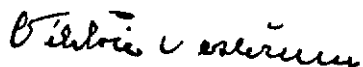


W. G. PARMINTER

За Финляндию:
For Finland:
Pour la Finlande:
Suomen Puolesta:



CARL ENCKELL



VIHTORI VESTERINEN



JOHANN HELO