

No. 2947

**UNION OF SOVIET
SOCIALIST REPUBLICS
and
FINLAND**

**Agreement (with Final Protocol) concerning the régime
of the Soviet-Finnish frontier. Signed at Moscow,
on 9 December 1948**

Official texts: Russian and Finnish.

Registered by the Union of Soviet Socialist Republics on 27 September 1955.

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
FINLANDE**

**Accord (avec Protocole final) relatif au régime de la fron-
tière soviéto-finlandaise. Signé à Moscou, le 9 dé-
cembre 1948**

Textes officiels russe et finnois.

Enregistré par l'Union des Républiques socialistes soviétiques le 27 septembre 1955.

[TRANSLATION — TRADUCTION]

No. 2947. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE REPUBLIC OF FINLAND CONCERNING THE RÉGIME OF THE SOVIET-FINNISH FRONTIER. SIGNED AT MOSCOW, ON 9 DECEMBER 1948

The Government of the Union of Soviet Socialist Republics of the one part and the Government of the Republic of Finland of the other part, desiring to determine means for maintaining the régime of the Soviet-Finnish frontier, to that end have resolved to conclude this Agreement, and for that purpose have appointed the undersigned as their plenipotentiaries, who, having exhibited their full powers, found in good and due form, have agreed as follows :

PART ONE

LINE OF THE FRONTIER, FRONTIER MARKS AND THE MAINTENANCE OF THE FRONTIER

Article 1

1. The frontier line between the Union of Soviet Socialist Republics and the Republic of Finland, as established by the Peace Treaty of 14 October 1920² between the Russian Soviet Federative Socialist Republic and the Republic of Finland, the Treaty of Peace of 12 March 1940 between the Union of Soviet Socialist Republics and the Republic of Finland, the Treaty of 3 February 1947³ between the Union of Soviet Socialist Republics and the Republic of Finland on the transfer to the territory of the Soviet Union of part of the State territory of Finland in the region of the Jäniskoski hydroelectric power station and the Niskakoski control dam, and the Treaty of Peace of 10 February 1947⁴ between the Allied and Associated Powers of the one part and Finland of the other part, is the line on the ground as determined in the demarcation documents signed on 28 April 1938, 18 November 1940, 26 October 1945 and 7 December 1947 by the Mixed USSR and Republic of Finland Commissions for the Demarcation of the State frontier between the USSR and the Republic of Finland.

¹ Came into force on 8 April 1949, upon the exchange of the instruments of ratification at Helsinki, in accordance with article 28.

² League of Nations, *Treaty Series*, Vol. III, p. 5.

³ United Nations, *Treaty Series*, Vol. 216, No. 2939

⁴ United Nations, *Treaty Series*, Vol. 48, p. 203.

2. The frontier line of the Porkkala-Udd area, which the Soviet Union has leased from the Republic of Finland, is the line on the ground as determined in the demarcation documents signed on 16 December 1944 by the Mixed Soviet-Finnish Demarcation Commission.

3. The frontier line determined in the said documents shall also divide vertically the air space and subsoil.

This line is referred to in this Agreement as the "frontier" or the "frontier line".

Article 2

The Contracting Parties undertake so to maintain the frontier marks and clearings marking the frontier line between the USSR and Finland that the situation, nature, form, size and colour of the marks and the width and cleanliness of the clearings meet all the requirements set forth in the frontier demarcation documents.

Note: The term "frontier marks" shall hereinafter be understood to mean : large wooden frontier posts, small wooden frontier posts, wooden and stone pyramids, reference and concrete marks and spars, as well as trigonometric and other marks fixed on the frontier line and serving as frontier marks.

Article 3

The maintenance of the frontier marks shall be shared by the Contracting Parties as follows :

1. The USSR shall maintain those frontier marks which are in the territory of the USSR; Finland shall maintain those frontier marks which are in Finnish territory.

2. Frontier marks situated on the land frontier line itself shall be maintained as follows :

- (a) marks bearing even numbers, by the USSR;
- (b) marks bearing odd numbers, by Finland.

3. Frontier marks situated on the sea frontier line itself shall be maintained as follows :

- (a) marks in the sector of the Gulf of Finland south of and including spar buoy No. 6, by the Soviet Union; marks in the sector north of spar buoy No. 6, by Finland;

- (b) marks in the western sector of the sea frontier of the Porkkala-Udd leased area and on Humaljärvi lake, by the Soviet Union; marks in the eastern sector, by Finland.

Article 4

1. Surveys of the condition and situation of the frontier marks shall be made by the competent authorities of the Contracting Parties at their discretion and in accordance with article 3. In addition to unilateral surveys, representatives of the competent authorities of the two Contracting Parties shall make an annual joint control survey of the frontier marks.

2. In the case of the land frontier, the joint control survey of frontier marks shall be made in July; in the case of the sea frontier, it shall be made, in spring, not later than fourteen days after the ice has broken up and, in winter, within the same period after the ice has formed. The placing of spar buoys shall be carried on independently by each Contracting Party by the date of the joint control survey of the sea frontier.

The competent authorities of the two Contracting Parties shall agree on the exact dates of each particular joint control survey.

3. Should it become necessary to make an extra joint control survey of frontier marks in any year, the competent authorities of one Contracting Party shall give written notice to that effect to the competent authorities of the other Contracting Party. The extra joint control survey of frontier marks shall be made not later than ten days after such notice has been given by the competent authorities of one Contracting Party.

4. A record of the joint survey shall be drawn up by representatives of the competent authorities of the Contracting Parties in four copies, two in Russian and two in Finnish.

Article 5

1. If a frontier mark is removed, destroyed or damaged, it shall forthwith be restored or repaired by the competent authorities of the Party in the territory of which the frontier mark is situated or with which responsibility for maintaining it rests. The competent authorities of one Contracting Party shall notify the competent authorities of the other Contracting Party in writing at least ten days before work on the restoration or repair of a frontier mark begins.

2. Repair work on a frontier mark which under article 3 one of the Contracting Parties is responsible for maintaining shall be performed independently by that Party. Representatives of the competent authorities of the other Contracting Party are entitled to be present during such work.

Article 6

1. The restoration of removed or destroyed frontier marks shall be effected by the competent authorities of one Party in the presence of representatives of the competent authorities of the other Party. Replaced frontier marks must conform to the specifications laid down in the demarcation documents. When a frontier mark is restored, the representatives of the competent authorities of the two Contracting Parties shall draw up a record in four copies, two in Russian and two in Finnish.

2. If, at the time of the restoration of a frontier mark that has been removed, there is no clear indication of its site, the competent authorities of the two Contracting Parties shall refer to the frontier demarcation documents.

Article 7

1. If the competent authorities of one Contracting Party observe that a frontier mark situated in the territory of the other Contracting Party or a frontier mark which the other Contracting Party is responsible for maintaining has been removed, destroyed or damaged, they may call upon the competent authorities of the other Contracting Party to restore or repair the frontier mark. In such case, the competent authorities of the Party in the territory of which the mark observed to have been removed, destroyed or damaged is situated, or which is responsible for maintaining such mark, shall begin work on its restoration or repair forthwith, and in any event not later than ten days after the receipt of written notice of the removal, destruction or damage from the competent authorities of the other Contracting Party.

2. The Contracting Parties shall take measures for the proper protection of frontier marks and shall bring to justice any person found guilty of moving, damaging or destroying a frontier mark. In such a case, the frontier mark damaged or destroyed by a national of one Party shall be restored at that Party's expense.

Article 8

1. A frontier clearing, throughout its width as determined on the ground in the course of the demarcation of the Soviet-Finnish frontier and as specified

in the relevant decisions of the Mixed Soviet-Finnish Demarcation Commissions, shall be maintained in good order and, when necessary, cleared of bushes and scrub obscuring it.

2. Each Party shall clean the frontier clearing on its own territory. The competent authorities of the Contracting Parties shall notify each other at least ten days before work on the cleaning of a frontier clearing begins. Representatives of the competent authorities of the other Contracting Party are entitled to be present during such work.

PART II

REGULATIONS GOVERNING THE USE OF FRONTIER WATERS AND OF RAILWAYS AND MAIN ROADS INTERSECTING THE FRONTIER LINE

Article 9

The Contracting Parties shall take appropriate measures to ensure that in the use of frontier waters the provisions of this Agreement are observed and the relevant rights and interests of the other Contracting Party are respected.

Article 10

1. Vessels of the two Contracting Parties shall be entitled to free use of narrow lake passages and rivers along which the frontier line runs.

2. On lakes and rivers intersected by the frontier line, vessels (ships) may navigate only up to the frontier line.

3. Vessels (ships) navigating in frontier waters may not tie up to the other Party's bank or remain at anchor in frontier waters except in distress (storm, shipwreck, etc.). In such case, the competent frontier authorities shall assist each other as necessary.

Article 11

1. Vessels of the Contracting Parties may navigate in frontier waters only during daylight. At night they must either be tied up to their own bank or anchored in their own waters.

2. All vessels navigating in frontier waters shall fly their national flag and be marked with clearly visible numbers (painted in black or white) or with their registered name.

Article 12

1. Nationals of the two Contracting Parties may fish in frontier waters up to the frontier line in accordance with the regulations in force in their respective territories, but are prohibited from :

(a) using explosive, poisonous or narcotic substances that result in the large-scale destruction or mutilation of fish ;

(b) fishing in frontier waters at night.

2. The preservation and breeding of fish in frontier waters, the protection of fish in specified reaches, fishing seasons and other economic measures in connexion with fishing may be regulated by special agreement between the Contracting Parties.

Article 13

The Contracting Parties shall ensure that the frontier waters are kept clean and are not artificially polluted or fouled in any way. They shall also take measures to prevent wilful damage to the banks of frontier waters.

Article 14

The competent authorities of the Contracting Parties shall, as far as possible, exchange such information concerning the level and volume of, and ice on, frontier waters as might avert danger from flooding or from drifting ice. The said authorities shall, as necessary, agree on a regular system of signals during periods of high water or drifting ice.

Article 15

This Agreement shall not affect the floating of timber in frontier waters or traffic on railways, main roads and waterways intersecting the frontier line. Such matters shall be settled by special agreement between the Contracting Parties.

PART III

HUNTING, FORESTRY AND MINING

Article 16

1. Each Contracting Party shall ensure that the hunting regulations in force in its territory are strictly observed near the frontier line and that game-animals or birds are not shot or pursued across the frontier during hunting.

2. The competent authorities of the Contracting Parties shall, where necessary, agree on all matters relating to the preservation of game-animals and birds and on identical closed seasons in specified parts of the frontier.

Article 17

1. Each Contracting Party shall so conduct its forestry in land adjacent to the frontier as not to harm the forestry of the other Contracting Party.

2. If a forest fire breaks out near the frontier, the Contracting Party in whose territory the fire began shall take all due and possible steps to localize and extinguish the fire and to prevent it from spreading across the frontier.

3. If a forest fire threatens to spread across the frontier, the Contracting Party in whose territory the threat arises shall forthwith notify the other Contracting Party so that necessary measures may be taken to localize the fire.

4. If trees fall across the frontier line owing to natural causes or through felling, the competent authorities of the Contracting Parties shall take steps for the removal of the trees to the territory of the Party to which they belong.

Article 18

1. Mining and the prospecting of mineral deposits in the immediate vicinity of the frontier shall be governed by the regulations of the Party in whose territory the workings are situated.

2. In order to safeguard the frontier line there shall on each side thereof be a belt twenty metres wide within which the work referred to in paragraph 1 of this article shall ordinarily be prohibited and shall be permitted only in exceptional cases by agreement between the competent authorities of the Contracting Parties.

3. If in any particular case the establishment of the belts referred to in paragraph 2 of this article does not appear to be expedient, the competent authorities of the Contracting Parties shall agree on other precautionary measures to safeguard the frontier line.

PART IV

FRONTIER AUTHORITIES AND REGULATIONS FOR CROSSING THE FRONTIER

Article 19

The competent authorities referred to in this Agreement shall be: the frontier commissioners of the Union of Soviet Socialist Republics and the Republic of Finland, and their deputies and assistants, as described in the Convention between the Government of the USSR and the Government of the Republic of Finland concerning the procedure for the settlement of frontier disputes and incidents, signed at Moscow on 19 June 1948.

Article 20

1. The official places of residence and the sectors in the charge of the competent authorities referred to in article 19 shall be those specified in the protocol to the Convention of 19 June 1948 between the Government of the USSR and the Government of the Republic of Finland concerning the procedure for the settlement of frontier disputes and incidents.

2. Each Contracting Party shall notify the other through the diplomatic channel of any change affecting the matters dealt with in the above-mentioned protocol.

Article 21

The competent authorities of the Contracting Parties responsible for giving effect to the provisions of this Agreement shall be in direct communication with one another.

Article 22

For the purpose of giving effect to the provisions of this Agreement, the following persons may cross the frontier:

(a) the frontier commissioners of the Union of Soviet Socialist Republics and the Republic of Finland, their deputies and assistants, secretaries, translators, experts and technicians, on production of the credentials issued and viséd in conformity with the Convention of 19 June 1948 between the Government of the USSR and the Government of the Republic of Finland concerning the procedure for the settlement of frontier disputes and incidents;

(b) workers only if accompanied by representatives of the competent authorities. Workers shall not be provided with separate credentials. Their names shall be entered on a list, which shall be signed by the frontier commissioner of one Party and viséd by the frontier commissioner of the other Party.

Article 23

With regard to the organization and conduct of formal and informal meetings by the competent authorities of the two Contracting Parties, to the notification of decisions adopted, to the submission of unresolved matters and matters of special importance through the diplomatic channel for settlement, to the determination of the procedure for crossing the frontier and of the points at which the frontier may be crossed, to the exchange of official correspondence, to the safeguarding of the personal immunity of representatives of the competent authorities of the two Parties crossing the frontier and to other administrative and technical matters, the competent authorities of the two Contracting Parties shall comply with articles 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of the Convention of 19 June 1948 between the Government of the USSR and the Government of the Republic of Finland concerning the procedure for the settlement of frontier disputes and incidents.

Article 24

The cost of maintaining the staff responsible for giving effect to the provisions of this Agreement shall be defrayed by each of the Parties independently.

PART V

FINAL PROVISIONS

Article 25

Upon the entry into force of this Agreement, there shall be superseded the regulations for the continuous upkeep, and for supervision over the maintenance, of frontier marks and frontier clearings, being regulations annexed to the demarcation documents signed by the Mixed USSR and Republic of Finland Demarcation Commissions on 16 December 1944 and 26 October 1945.

Article 26

This Agreement shall remain in force for five years. If, not later than six months before the expiry of the Agreement, neither Contracting Party gives notice of its intention to terminate the Agreement or of its desire to make amendments thereto, the Agreement shall automatically remain in force for the next five years.

Article 27

This Agreement shall apply with equal force to the State frontier of the Union of Soviet Socialist Republics and the Republic of Finland and to the frontier of the Porkkala-Udd area leased by the Union of Soviet Socialist Republics from the Republic of Finland.

Article 28

This Agreement shall be ratified. The instruments of ratification shall be exchanged at Helsinki as soon as possible. The Agreement shall come into force on the exchange of ratifications.

Article 29

This Agreement has been drawn up in two copies, in the Russian and Finnish languages, both texts being equally authentic.

IN WITNESS WHEREOF the plenipotentiaries of the Contracting Parties have signed this Agreement and have thereto affixed their seals.

Moscow, on 9 December 1948.

For the Government of the Union of
Soviet Socialist Republics :

I. V. MAEVSKY

M. V. PETRUNKIN

[L.S.]

For the Government of the Republic
of Finland :

Ilmari BONSDORFF

K. SOMERTO

[L.S.]

FINAL PROTOCOL

When concluding the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Republic of Finland concerning the régime of the Soviet-Finnish frontier, the undersigned plenipotentiaries of the Contracting Parties agreed on the following provisions, which form an integral part of the Agreement.

Note to article 1 of the Agreement

The demarcation documents in respect of the Soviet-Finnish frontier are :

(a) the descriptive protocol relating to the line of the State frontier, the frontier maps and the protocols of frontier marks, signed by the Mixed USSR and Republic of Finland Demarcation Commission on 28 April 1938, 18 November 1940, 26 October 1945 and 7 December 1947, together with the annexes and supplements thereto;

(b) the descriptive protocol, maps and protocols of frontier marks, signed by the Mixed USSR and Republic of Finland Demarcation Commission on 16 December 1944 and relating to the frontier of the Porkkala-Udd area leased by the Union of Soviet Socialist Republics from the Republic of Finland.

Note to article 4 of the Agreement

The joint control surveys of frontier marks on the land frontier shall also include surveys of the width and cleanliness of frontier clearings.

Note to articles 9, 10, 11, 12, 13 and 14 of the Agreement

1. On all rivers intersected by the frontier line as well as on lakes and bays (Espoo and Viro bays) along which the frontier line runs, the frontier waters shall be deemed to be a strip 100 metres wide on each side of the frontier line.

2. Sections of rivers and narrow lake passages along which the frontier line runs shall be deemed to be frontier waters in their entirety.

Note to articles 11 and 12 of the Agreement

The term "night" shall be understood to mean the time between sunset and sunrise.

Note to article 19 of the Agreement

In the event that the Convention of 19 June 1948 between the Union of Soviet Socialist Republics and the Republic of Finland concerning the procedure for the settlement of frontier disputes and incidents should cease to be valid or should be amended, the Contracting Parties shall agree on the persons to whom the functions vested under the present Agreement in the frontier commissioners shall be transferred.

Note to the Protocol as a whole

This Final Protocol has been drawn up in two copies, in the Russian and Finnish languages, both texts being equally authentic.

IN WITNESS WHEREOF the plenipotentiaries of the Contracting Parties have signed this Final Protocol.

Moscow, on 9 December 1948.

For the Government of the Union of
Soviet Socialist Republics :

I. V. MAEVSTY
M. V. PETRUNKIN
[L.S.]

For the Government of the Republic
of Finland :

Ilmari BONSDORFF
K. SOMERTO
[L.S.]