

**No. 6548**

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**FINLAND  
and  
SWEDEN**

**Agreement respecting frontier customs co-operation.  
Signed at Stockholm, on 5 November 1962**

*Official texts: Finnish and Swedish.*

*Registered by Finland on 25 February 1963.*

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**FINLANDE  
et  
SUÈDE**

**Accord relatif à la coopération douanière à la frontière.  
Signé à Stockholm, le 5 novembre 1962**

*Textes officiels finnois et suédois.*

*Enregistré par la Finlande le 25 février 1963.*

[TRANSLATION — TRADUCTION]

No. 6548. AGREEMENT<sup>1</sup> BETWEEN FINLAND AND SWEDEN  
RESPECTING FRONTIER CUSTOMS CO-OPERATION.  
SIGNED AT STOCKHOLM, ON 5 NOVEMBER 1962

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The Government of Finland and the Government of Sweden, desiring to facilitate traffic between Finland and Sweden and, for that purpose, to simplify the customs control and the customs clearance of such traffic, have concluded the following Agreement respecting frontier customs co-operation :

*Article 1*

The Contracting States shall, in the manner specified in this Agreement, co-operate in the customs control and customs clearance of traffic between the two States. Such co-operation shall be designated "frontier customs co-operation" and shall be effected within control zones.

The control zones shall be constituted by an area three kilometres in width situated on each side of and running along the frontier between the two States.

Each State may, in consultation with the other State, decide that another area within which frontier customs co-operation is desirable shall also form a control zone. Such control zone may comprise a length of road, a length of railway with one or more station areas, an airfield, a fairway or a port area.

*Article 2*

The customs, import, export and other regulations of each State which concern traffic and the observance of which must be ensured by the customs authorities in the performance of the duties coming within the scope of frontier customs co-operation may be applied inside control zones in the territory of the other State in the course of the performance of customs functions for the State in which the said regulations were issued.

Measures in connexion with frontier customs co-operation taken on behalf of one State by the customs authorities or customs personnel of the other State shall be deemed to have been taken by the customs authorities or personnel of the first State.

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<sup>1</sup> Came into force on 27 January 1963, one month after the exchange of the instruments of ratification which took place at Helsinki on 27 December 1962, in accordance with article 11.

Seals applied by the customs authorities of one State shall be treated in the other State as if they had been applied by the customs authorities of the latter State.

Each State shall, through its central customs authorities, notify the corresponding authority of the other State beforehand which regulations are to apply when customs functions are being performed on its behalf in the territory of the other State. The said regulations shall be available for public inspection at the offices of the customs authorities in the control zones which come within the scope of frontier customs co-operation.

Coercive measures under the law of one State may be used inside the control zones in the territory of the other State only for the purposes of investigations directly connected with a smuggling offence or an attempted smuggling offence, and only in the circumstances for which provision is made in the legislation of both States.

#### *Article 3*

Each Contracting State undertakes to allow its officials to perform, inside control zones in the territory of both States, such customs functions on behalf of the other State as come within the scope of frontier customs co-operation.

#### *Article 4*

Each Contracting State undertakes to allow customs officials of the other State to perform inside control zones in its territory such customs functions on behalf of their own State as come within the scope of frontier customs co-operation.

Where customs functions are being performed on behalf of one State in the territory of the other State, the assistance of the police authorities of the latter State may be requested for the purposes of applying coercive measures.

#### *Article 5*

If either of the Contracting States seizes goods in circumstances in which the law of both States has been violated, the goods shall be handed over to the competent authority of the State in whose territory they have been seized, unless special circumstances otherwise require.

Where goods are handed over to an authority of one State in application of the provisions of the foregoing paragraph, the provisions in force in the other State regarding the forfeiture of the value of such goods shall not apply.

*Article 6*

The officials of one State shall, in the performance in the territory of the other State of acts coming within the scope of frontier customs co-operation, be granted the same official immunity from criminal liability as officials of the latter State.

*Article 7*

Each Contracting State shall give the central customs authorities of the other State particulars of the officials whom it has from time to time appointed to perform customs functions coming within the scope of frontier customs co-operation. Before the said officials may perform such customs functions, they must be approved by the aforesaid authorities.

To the extent that officials of one State are required to perform customs functions for the other State, they shall be bound by the instructions received from the competent authority of the latter State. General instructions shall as far as possible be communicated through the central customs authority of the officials' own State.

*Article 8*

Each Contracting State undertakes, in the event of any of its officials committing a breach of his official duties or a breach of discipline while he is required to perform customs functions for the other State, to take proceedings in respect of the offence in the same way as though it had been committed while the official was performing customs functions for his own State. Each State shall refrain from imposing penalties on officials of the other State in respect of any such breach of duties or discipline.

*Article 9*

Each Contracting State undertakes to make reparation for damage caused by any of its officials to the other State or to a third party by a wilful or negligent act during the performance of customs functions for the other State, in so far as the officials would be liable for the damage in virtue of the regulations of their own State. The customs officials shall not be personally liable to the other State.

*Article 10*

Either Contracting State may terminate the Agreement at six months' notice.

Either Contracting State may, with immediate effect, suspend the Agreement wholly or in part in the event of war or a threat of war or if other exceptional inter-

national or national circumstances so require. In such event the other State shall be notified forthwith of the measures taken.

*Article 11*

This Agreement shall be ratified, and the instruments of ratification shall be exchanged at Helsinki as soon as possible.

The Agreement shall come into force one month after the instruments of ratification have been exchanged.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed the present Agreement.

DONE at Stockholm on 5 November 1962, in duplicate, in the Finnish and Swedish languages, both texts being equally authentic.

Sakari TUOMIOJA

(L.S.)

Sven af GEIJERSTAM

*Subject to ratification  
with the consent of the Riksdag*

(L.S.)

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