

[TRANSLATION — TRADUCTION]

No. 8173. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING REINDEER. SIGNED AT HELSINKI, ON 4 JUNE 1965

The Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics,

Considering that good-neighbourly relations between Finland and the Soviet Union, based on the 1948 Treaty of Friendship, Co-operation and Mutual Assistance² between the Republic of Finland and the Union of Soviet Socialist Republics, have developed favourably and grown stronger,

Having regard to the fact that the Government of the Union of Soviet Socialist Republics has, in keeping with the wishes of the Government of the Republic of Finland, expressed willingness to co-operate in matters relating to reindeer-breeding in the frontier areas,

Proceeding on the basis of the 1960³ Agreement between the Government of the Republic of Finland and the Government of the USSR concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents,

Have decided to conclude this Agreement and for that purpose have appointed as their plenipotentiaries :

The Government of the Republic of Finland : Åke Frey, Counsellor in the Ministry of Foreign Affairs of Finland ;

The Government of the Union of Soviet Socialist Republics : Pavel Grigoryevich Krekoten, Counsellor-Minister in the Embassy of the USSR in Finland,

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

Article 1

The two Contracting Parties shall ensure that supervision is exercised over herds of reindeer in their frontier areas with a view to preventing reindeer, in so far as possible, from crossing the State frontier.

¹ Came into force on 12 March 1966, one month after the date of the exchange of the instruments of ratification, which took place at Moscow on 11 February 1966, in accordance with article 12.

² United Nations, *Treaty Series*, Vol. 48, p. 149.

³ United Nations, *Treaty Series*, Vol. 379, p. 277.

Article 2

This Agreement shall apply in the areas adjoining the Finnish-Soviet State frontier between the Muotkavaara triple frontier mark (at the junction of the State frontiers of Finland, the USSR and Norway) and frontier mark No. 697.

This Agreement shall not apply to wild reindeer or to those which have reverted to the wild state.

For the purposes of this Agreement, the term "competent authorities" refers to the frontier commissioners of the Republic of Finland and the Union of Soviet Socialist Republics and their deputies, who have jurisdiction within the areas referred to in the 1960 Agreement between the Government of the Republic of Finland and the Government of the USSR concerning the Régime of the Finnish-Soviet State Frontier and the Procedure for the Settlement of Frontier Incidents. The frontier commissioners may avail themselves of the services of the necessary number of experts in matters relating to reindeer-breeding.

Article 3

Whenever reindeer cross the Finnish-Soviet State frontier, the competent authorities of the Contracting Party whose territory the reindeer have entered shall, upon learning that the crossing has occurred, immediately so notify the competent authorities of the other Contracting Party.

In so doing, the competent authorities shall, if they possess such information, indicate where the reindeer crossed the frontier, where they are and, as accurately as possible, their number.

Where reindeer which have crossed the frontier join a herd of reindeer belonging to the other Contracting Party and it is necessary, in the opinion of the competent authorities of that Party, for the reindeer to be separated, the said authorities shall also indicate that fact in their notification.

Article 4

The competent authorities of the Contracting Party from whose territory reindeer have crossed the State frontier shall arrange to have them driven back to the territory of that Party.

With a view to the accomplishment of this task, the competent authorities of the two Contracting Parties shall each year appoint permanent drover teams composed of experienced reindeer-breeders, which, in carrying out their task, shall be entitled to cross the frontier into the territory of the other Contracting Party, under the leadership of their senior member and together with such vehicles, leader reindeer and reindeer dogs as are needed for the purpose of driving the reindeer back, at a place and time fixed by agreement between the competent authorities. The crossing of the frontier shall take place in the manner prescribed

by the 1960 Agreement between the Government of the Republic of Finland and the Government of the USSR concerning the Régime of the Finnish-Soviet State frontier and the Procedure for the Settlement of Frontier Incidents.

The duration of the drovers' stay in the territory of the other Contracting Party shall be determined by the competent authorities of that Party, having regard to the time required in each individual case for the purpose of driving the reindeer back.

While carrying out their task in the territory of the other Contracting Party, drover teams shall be accompanied by representatives of the competent authorities of that Party. The senior member of the drover team shall, at the frontier line, issue a receipt for the reindeer to the accompanying representative of the competent authorities of the Contracting Party from whose territory the reindeer were driven.

Article 5

The competent authorities of the Contracting Party whose territory reindeer have entered may, if they deem it expedient to do so, use their own resources to return the reindeer to the other side of the frontier. In such cases, the said competent authorities shall designate the time and the point on the frontier line at which the reindeer are to be returned. The Contracting Party from whose territory the reindeer came shall be required to send persons to accept the reindeer at the designated time and place; such persons shall issue a receipt for the reindeer.

The competent authorities of the Contracting Party whose territory the reindeer have entered may, if they deem it expedient to do so, drive the reindeer back forthwith and subsequently so inform the competent authorities of the other Contracting Party.

Article 6

Where the competent authorities of the Contracting Party whose territory reindeer have entered consider it necessary for the reindeer to be separated, such separation shall take place in the presence of a representative of the said authorities and of the leader of the reindeer drovers, who shall draw up a statement concerning the separation, specifying the exact number of reindeer to be returned and, in so far as possible, any marks on their hides and ears. The statement shall be drawn up in duplicate in the Finnish and Russian languages.

Article 7

Upon sending the notification referred to in article 3 of this Agreement, the Contracting Party whose territory reindeer have entered shall be entitled to claim compensation for their unauthorized stay in foreign territory amounting

to 5 per cent of the value of the reindeer counted. The value of the reindeer shall be determined on the basis of the prices for reindeer prevailing during the second half of November in the country to which the reindeer belong. The competent authorities shall exchange information concerning the said prices in December of each year.

If, ten days after the Contracting Party to which the reindeer belong has been requested to send reindeer drovers to take the reindeer back, the reindeer are still in foreign territory and no one has come to drive them back, the competent authorities of the Contracting Party in whose territory the reindeer are present without authorization shall send a second notification and shall be entitled to claim an additional 10 per cent of the value of the reindeer counted.

If, ten days after such second notification, the reindeer are still in foreign territory and no one has come to drive them back, the Contracting Party to which the reindeer belong shall forfeit any right to their return.

Article 8

The actual costs of searching for reindeer, separating them and driving them back and of any other measures connected with their return, as well as any damage caused by the reindeer or by the reindeer drovers referred to in article 4 of this Agreement in the territory of the other Contracting Party, shall be subject to repayment or compensation by the Contracting Party to which the reindeer belong.

Article 9

The sums due to each Contracting Party under articles 7 and 8 of this Agreement shall be calculated and paid in the manner prescribed by article 33 of the 1960 Agreement between the Government of the Republic of Finland and the the Government of the USSR concerning the régime of the Finnish-Soviet State frontier and the procedure for the settlement of frontier incidents and by the trade and payments agreement in force between Finland and the USSR on the date of payment.

Article 10

The competent authorities of the Contracting Parties shall, upon request, provide each other with a list of the reindeer marks registered in the frontier areas.

The competent authorities of each Contracting Party shall refrain from registering new reindeer marks which may easily be mistaken for marks previously registered in the territory of the other Contracting Party.

Article 11

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

Article 12

This Agreement shall enter into force one month after the date of the exchange of the instruments of ratification and shall remain in force for a term of five years.

The Agreement shall remain in force automatically for successive five-year terms unless one of the Contracting Parties denounces the Agreement six months before the expiry of its current term.

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

DONE at Helsinki on 4 June 1965.

For the Government of the Republic of Finland :
Åke FREY

For the Government of the Union of Soviet
Socialist Republics :
P. KREKOTEN