

No. 9977

**FINLAND
and
NORWAY**

**Agreement concerning frontier customs co-operation.
Signed at Helsinki on 10 December 1968.**

Authentic texts: Finnish, Swedish and Norwegian.

Registered by Finland on 27 October 1969.

**FINLANDE
et
NORVÈGE**

**Accord relatif à la coopération douanière à la frontière.
Signé à Helsinki le 10 décembre 1968**

Textes authentiques: finnois, suédois et norvégien.

Enregistré par la Finlande le 27 octobre 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN FINLAND AND NORWAY CONCERNING FRONTIER CUSTOMS CO-OPERATION

The Government of Finland and the Government of Norway,
Desiring to facilitate traffic between Finland and Norway and, for that purpose, to simplify the customs control and customs clearance of such traffic,

Have concluded the following Agreement concerning 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 seven kilometres in width situated on each side of and running along the frontier between the two States.

Either 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 or an airfield.

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

¹ Came into force on 25 September 1969, i.e. one month after the exchange of the instruments of ratification, which took place at Oslo on 25 August 1969, in accordance with article 11.

customs personnel of the first State. 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 authority, 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 all custom-houses and customs posts in the control zones which come within the scope of frontier customs co-operation.

Measures of compulsion under the law of one State may be applied 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 circumstances provided for by the law of both States.

Article 3

Each Contracting State undertakes to permit 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 permit 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 purpose of applying measures of compulsion.

Article 5

If either of the Contracting States seizes goods in circumstances in which the regulations of both States have 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 first paragraph, the provisions in force in the 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 notify the central customs authority of the other State concerning officials whom it has from time to time appointed to perform such customs functions on behalf of the other State as come within the scope of frontier customs co-operation. Before the said officials may perform customs functions on behalf of the other State, they must be approved by the competent authority of that State.

To the extent that officials of one State perform customs functions on behalf of 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 one of its officials committing a breach of his official duties or a breach of discipline while he is performing customs functions on behalf of the other State, to take proceedings in respect of the offence in the same manner as if it had been committed while the official was performing customs functions on behalf of 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 as the result of a wilful or negligent act during the performance of customs functions on behalf of the other State, in so far as the said officials would be liable for the damage under the regulations of their own State. The customs officials in question shall not be personally liable to the other State.

Article 10

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

Either Contracting State may, with immediate effect, suspend the Agreement wholly or in part in the event of war or the danger of war or if other exceptional international 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 Oslo as soon as possible.

The Agreement shall enter into force one month after the exchange of the instruments of ratification.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Agreement.

DONE at Helsinki on 10 December 1968, in duplicate in the Finnish, Swedish and Norwegian languages, all three texts being equally authentic.

Ahti KARJALAINEN

Bredo STABELL