

No. 13492

**FINLAND
and
POLAND**

**Agreement relating to performance of rescue operations on the
Finnish and Polish territorial waters (with protocol). Signed
at Warsaw on 8 March 1973**

Authentic text: English.

Registered by Finland on 30 August 1974.

**FINLANDE
et
POLOGNE**

**Accord sur l'exécution d'opérations de sauvetage dans les eaux
territoriales finlandaises et polonaises (avec protocole). Signé
à Varsovie le 8 mars 1973**

Texte authentique : anglais.

Enregistré par la Finlande le 30 août 1974.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC RELATING TO PERFORMANCE OF RESCUE OPERATIONS ON THE FINNISH AND POLISH TERRITORIAL WATERS

The Government of the Republic of Finland and the Government of the Polish People's Republic,

Considering that the possibilities to save ships and their cargoes in danger may decisively depend on rapid measures of assistance,

Intending to provide a possibility for ships to make use of the most appropriate assistance in each emergency, and

Desiring to further the good neighbourly relations between the Republic of Finland and the Polish People's Republic,

Have agreed as follows:

Article 1. For the purposes of this Agreement:

a) "Ship" means any sea-going vessel of any type whatsoever, including floating equipment, either self-propelled or towed,

b) "Rescue operation" means any salvage operation, lifting, towing or other help from the sea, rendered to ships or cargoes,

c) "Territorial waters" means territorial seas and internal waters of a Contracting Party, lakes, rivers and channels excluded.

Article 2. When a ship flying the flag of one of the Contracting Parties and sailing or staying on the territorial waters of the other Contracting Party needs assistance because she has suffered average or is otherwise in danger, the master or the owner of the ship, or her insurer are entitled, after their own consideration, to call a ship flying the flag of either Contracting Party for rescue operations.

When a ship of one of the Contracting Parties gets into distress outside the territorial waters of the other Contracting Party and needs immediate help, she may be brought by another ship flying the same flag to the territorial waters of the other Contracting Party for repairs. In this case, with regard to the assisting ship, the procedure concerning the arrival in the territorial waters prescribed in article 3 of this Agreement shall be followed.

With regard to ships who are on the territorial waters of one Contracting Party, subject to the provisions of the Agreement, the laws and regulations in force in the territory of the respective Contracting Party concerning the arrival and stay of foreign ships and nationals have to be observed.

¹ Came into force on 22 April 1974, i.e., the thirtieth day after the exchange of notes (effected on 22 March 1974) confirming its approval under the legislation of each Contracting Party, in accordance with article 6.

Article 3. Free entrance of ships of one of the Contracting Part[ies] to the territorial waters of the other Contracting Party for purposes of performing rescue operations shall be permitted, provided that the appropriate Authorities of the Contracting Party concerned have been informed as soon as possible, but not later than at the moment when the salvage vessel or other assisting ship arrives to its territorial waters, of the kind of emergency, as also of the names of the organizations (enterprise, establishment) and vessels intending to carry out the rescue operations.

The transmissions of information mentioned in paragraph 1 of this Article is to be effected as agreed upon in the Protocol attached to this Agreement.

Article 4. This Agreement shall apply to naval vessels as far it is consistent with the laws and regulations in force at any time in the territory of the Contracting Party concerned regarding to the access of foreign naval vessels into its waters.

Article 5. This Agreement shall apply to the Finnish territorial waters of the Baltic Sea including the Gulf of Finland and the Gulf of Botnia, excluding the areas in which navigation or anchoring are forbidden as published in *Tiedonantoja merenkulkijoille*.

This Agreement shall apply to the Polish territorial waters of the Baltic Sea, excluding the areas in which navigation or anchoring are forbidden as published in *Wiadomosci Zeglarskie*.

The Contracting Parties will with favourable consideration and urgently treat the requests for permission to perform rescue operations in the forbidden areas referred to in this Article.

Article 6. This Agreement shall be approved in accordance with the legislation of each Contracting Party and shall enter into force on the 30th day after the exchange of notes confirming that such an approval has taken place.

This Agreement is of unlimited duration.

Either Contracting Party may terminate this Agreement by giving to the other Contracting Party through diplomatic channels a written notice of termination six months in advance.

DONE in Warsaw on the 8th day of March, 1973 in duplicate in the English language.

For the Government of the Republic of Finland:

PEKKA TARJANNE

For the Government of the Polish People's Republic:

JERZY SZOPA

PROTOCOL

At the time of signing the Agreement between the Government of the Republic of Finland and the Government of the Polish People's Republic relating to performance of rescue operations on the Finnish and Polish territorial waters, the Under-signed have agreed that the procedure of notifications or requests referred to in the Agreement shall be as follows:

1. On the part of Poland notifications or requests shall be made to Finland's Frontier Guard Service telex number 12-865 or via Helsinki Radio or via Finland's other coastal radio stations (cable address: rve Helsinki).

2. On the part of Finland notifications or requests shall be made to the Polish Ministry of Shipping either by telex number 814607 b pl, or via the coastal radio stations of Gdynia-Radio, Szczecin-Radio or Witowo-Radio (cable address: Zegmor Warsaw).

3. All messages shall be marked "urgency signal" (xxx).

DONE in Warsaw on the 8th day of March, 1973 in duplicate in the English language.

For the Government of the Republic of Finland:

PEKKA TARJANNE

For the Government of the Polish People's Republic:

JERZY SZOPA
