

**No. 14019**

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**SWEDEN  
and  
NORWAY**

**Protocol on the construction and maintenance of reindeer fences along certain sections of the international frontier (Jämtland county and Nord-Trøndelag and Sör-Trøndelag counties) (with annexes and maps). Signed at Stockholm on 13 December 1971**

*Authentic texts of Protocol: Swedish and Norwegian.*

*Authentic text of annex 1: Swedish.*

*Registered by Sweden on 20 May 1975.*

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**SUÈDE  
et  
NORVÈGE**

**Protocole relatif à la construction et à l'entretien de clôtures destinées à empêcher le passage des rennes sur certaines parties de la frontière internationale (comté de Jämtland et comtés de Nord-Trøndelag et de Sör-Trøndelag) [avec annexes et cartes]. Signé à Stockholm le 13 décembre 1971**

*Textes authentiques du Protocole : suédois et norvégien.*

*Texte authentique de l'annexe 1 : suédois.*

*Enregistré par la Suède le 20 mai 1975.*

## [TRANSLATION — TRADUCTION]

PROTOCOL<sup>1</sup> BETWEEN SWEDEN AND NORWAY ON THE CONSTRUCTION AND MAINTENANCE OF REINDEER FENCES ALONG CERTAIN SECTIONS OF THE INTERNATIONAL FRONTIER (JÄMTLAND COUNTY AND NORD-TRÖNDELAG AND SÖR-TRÖNDELAG COUNTIES)

*Article 1.* In order to prevent reindeer from crossing the international frontier during the snow-free period, reindeer fences shall be constructed along the following sections:

- a) From Vauldalen to Vandsjön through points A, B, C, D and E (cf. annex 1 and map annexes 3 and 4<sup>2</sup> to this Protocol) and in accordance with the frontier described in the Protocol based on the joint survey of 13 June 1968.
- b) From Lake Torrön to the Åbo customs house through points F, G and H (cf. annex 1 and map annex 2<sup>2</sup> to this Protocol). The precise course of the fence shall be determined by a joint survey to be carried out by representatives of the competent authorities in Sweden and Norway following consultations with reindeer owners in the Lapp towns and reindeer grazing areas concerned.
- c) From Hyddsjön to frontier marker No. 150 through points J, K and L (cf. annex 1 and map annex 3 to this Protocol). The precise course of the fence, which should essentially follow the course of the existing older reindeer fence, shall be determined by a joint survey to be carried out by representatives of the competent authorities in Sweden and Norway following consultations with the reindeer owners in the Lapp towns and reindeer grazing areas concerned.

*Article 2.* The fences along sections A-B, D-E, F-G and J-K (altogether approximately 49 km) shall be constructed and paid for by Sweden.

The fences along sections B-D, G-H and K-L (altogether approximately 49 km) shall be constructed and paid for by Norway.

*Article 3.* The fences shall be constructed as soon as possible, and, in particular, the fence running from Vauldalen to Vandsjön and that running from Lake Torrön to the Åbo customs house shall be completed not later than 31 December 1972 and the fence running from Hyddsjön to frontier marker No. 150 not later than 31 December 1973, provided that no difficulties arise because of unfavourable weather conditions, a shortage of labour or materials, or other significant unforeseen circumstances of a like nature.

*Article 4.* In determining the course of the fences, the joint survey referred to in article 1 (b) and (c) shall take into account the greatest possible extent, the need to protect the environment as well as the interest of private landowners in having their property protected against reindeer. Locations shall also be provided for the required number of gates and overpass bridges.

<sup>1</sup> Applied provisionally on 13 December 1971, and came into force definitively on 16 June 1972 by the exchange of the instruments of ratification, which took place at Oslo, in accordance with article 10.

<sup>2</sup> See insert in a pocket at the end of this volume.

*Article 5.* The construction and maintenance of fences may be carried out by Swedish or Norwegian authorities or by private contractors.

Fences shall be constructed essentially in accordance with one of the drawings contained in annexes 5–10,<sup>1</sup> in the case of annexes 5–7, the average distance between posts shall not exceed 300 cm.

Gates and overpass bridges shall be constructed essentially in accordance with the drawings contained in annexes 11 and 12.<sup>1</sup>

After a fence has been constructed, it shall be checked and approved by the competent authorities in Sweden and Norway.

The State which has constructed a fence along a given section shall be responsible for maintaining it in such condition that, during the snow-free period, it prevents reindeer from crossing the international frontier.

The competent authorities in Sweden and Norway shall have the right to inspect all fences, both during their construction and after their completion. Where a defect is found in a fence, the authorities may require that the necessary repairs should be carried out.

*Article 6.* Work carried out in connexion with the construction or maintenance of any of the fences referred to in article 1 by Swedish authorities or contractors on Norwegian soil or by Norwegian authorities or contractors on Swedish soil shall be regarded, from the standpoint of employment conditions, as having been carried out in such authorities' or contractors' own country.

In respect of goods intended for use in the work referred to in article 1, customs duty and tax shall be payable in accordance with the regulations applying to sale, renting or requisitioning in or importation to the Contracting State in which the authority or contractor carrying out the work manufactured, bought or rented the goods or paid duty on them. Accordingly, such goods may be transported free of customs duty and tax from one state to the other, provided that transport is effected by or on behalf of the authority or contractor carrying out the work and that, in the case of machinery, tools, materials and other articles not used up in the course of the work, the goods are taken back or exported after use.

The transport referred to in the second paragraph shall not give rise to any right to reimbursement of or exemption from customs duty or tax on the grounds that the goods have been exported to the other State.

For the purposes of this Protocol the term "tax" shall refer to State taxes and similar charges other than customs duties which are payable in respect of turnover, requisition or importation.

*Article 7.* Where the construction or maintenance of fences requires that work be carried out in the other State, the authorities of that State shall grant the necessary permits and in general facilitate the work in every possible way.

*Article 8.* In the case of State-owned land, the presence of Swedish reindeer in Norwegian territory east of the fence or of Norwegian reindeer in Swedish territory west of the fence shall not be regarded as a violation of the existing Swedish-Norwegian Agreement on the grazing of reindeer.<sup>2</sup>

<sup>1</sup> See insert in a pocket at the end of this volume.

<sup>2</sup> United Nations, *Treaty Series*, vol. 196, p. 19.

*Article 9.* Where differences of opinion arise with regard to the application of this Protocol, the matter shall be referred to a committee consisting of two members, one of whom shall be appointed by each Party. If the committee cannot reach agreement, the matter shall be referred to the Governments.

*Article 10.* This Protocol has been drawn up in duplicate in the Swedish and Norwegian languages, both texts being equally authentic.

The Protocol shall be applied on a provisional basis as from the date of its signature.

The Protocol shall be ratified and shall enter into force on the date of the exchange of the instruments of ratification. It shall remain in force for a term of 10 years as from that date.

If the Protocol is not denounced at least one year before the expiry of the first 10-year term, it shall remain in force for a further 10 years and shall thereafter be deemed to be extended for successive 10-year terms until such time as it is denounced at least one year before the expiry of the current 10-year term.

Stockholm, 13 December 1971.

KRISTER WICKMAN  
HENR. A. BROCH

#### ANNEX I

TO THE MINUTES OF THE MEETING OF 28-29 NOVEMBER 1967 FOR NEGOTIATIONS ON THE REINDEER FENCE ALONG THE SWEDISH-NORWEGIAN FRONTIER

*Description of geographical points mentioned in the proposal referred to in the minutes concerning an agreement on the construction and maintenance of fences along the Swedish-Norwegian frontier*

*Point A* is marked on map annex 3 and designates Vauldalen (intersection of the international frontier and the Funäsdalen-Röros road).

*Point B* is marked on map annex 3 and designates the north-westernmost tip of the Swedish lake Bolagen.

*Point C* is marked on map annex 3 and designates frontier marker No. 147.

*Point D* is marked on map annex 4 and designates the intersection of the international frontier and the northern shore of Grasejtjärn (approximately 2.8 km south of frontier marker No. 146).

*Point E* is marked on map annex 4 and designates the intersection of the international frontier and the northern shore of Vandsjön (approximately 0.5 km south of frontier marker No. 144).

*Point F* is marked on map annex 2 and designates the point where Ganälven empties into Lake Torrön.

*Point G* is marked on map annex 2 and designates the intersection of the international frontier and the northern shore of Grundtjärn (approximately 2.3 km south of frontier marker No. 172).

*Point H* is marked on map annex 2 and designates the Åbo customs house.

*Point J* is marked on map annex 3 and designates the southernmost tip of Hyddsjön.

*Point K* is marked on map annex 3 and designates the existing reindeer fence along the international frontier 1.1 km north of frontier marker No. 150 A.

*Point L* is marked on map annex 3 and designates frontier marker No. 150.