

**No. 14457**

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**FINLAND  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on co-operation for the prevention of hijacking  
of civil aircraft. Signed at Helsinki on 23 August 1974**

*Authentic texts: Finnish and Russian.*

*Registered by Finland on 12 December 1975.*

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**FINLANDE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Accord de coopération pour la prévention des détour-  
nements d'aéronefs civils. Signé à Helsinki le 23 août  
1974**

*Textes authentiques : finnois et russe.*

*Enregistré par la Finlande le 12 décembre 1975.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS ON CO-OPERATION FOR THE PREVENTION OF HIJACKING OF CIVIL AIRCRAFT

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

Having regard to the friendly, good-neighbourly relations based on the Treaty of friendship, co-operation and mutual assistance of 6 April 1948<sup>2</sup> between Finland and the Soviet Union,

Desiring to co-operate with each other in preventing the hijacking of civilian aircraft, which poses a threat to human life and seriously hampers the operation of air services, irrespective of whether the aircraft is on an international or domestic flight,

Noting that the extreme danger presented by the hijacking of civilian aircraft has given rise to well-founded, constantly increasing international concern, which is shared by the two Parties,

Attaching great importance to the development of international co-operation in the field of civil aviation,

Have agreed as follows:

*Article 1.* 1. A Contracting State in whose territory an aircraft registered in the other Contracting State has landed as a result of a hijacking shall immediately inform the diplomatic or nearest consular mission of the State of registration concerning the landing of the said aircraft and shall also inform the mission in the event that the hijackers have been detained, arrested or taken into custody.

2. Representatives of the diplomatic or consular authority of the Contracting State in which the hijacked aircraft is registered shall, upon receiving such information, be afforded an opportunity to proceed to the site of the aircraft's landing in order to establish contact with the crew and passengers of the aircraft and perform other functions normally exercised by consuls.

3. A representative of the airline to which the hijacked aircraft belongs shall be afforded an opportunity to proceed to the site of the aircraft's landing.

*Article 2.* The authorities of the Contracting State in whose territory the hijacked aircraft has landed shall provide the necessary aid and assistance to members of the crew and passengers of the aircraft so that they may continue the flight to its destination or return to their point of departure. Injured and sick persons shall be given the necessary medical care, including, where necessary, hospitalization. The aircraft's cargo and the baggage of passengers and members of the crew shall be returned to the airline to which the hijacked aircraft belongs for transfer to their rightful owners.

<sup>1</sup> Came into force on 23 August 1975, i.e., 30 days after the date upon which the Contracting Parties had notified each other of the completion of their formalities, in accordance with article 13.

<sup>2</sup> United Nations, *Treaty Series*, vol. 48, p. 149.

*Article 3.* 1. The Contracting State in whose territory the hijacked aircraft has landed shall, at the request of the Contracting State in which the aircraft is registered, take immediate measures to extradite to that Contracting State any persons who are suspected on the basis of sufficient information of having committed the offence of hijacking the aircraft.

2. In the event that the hijackers are nationals of the Contracting State in whose territory the aircraft has landed, they shall not be extradited to the State of registration and shall be liable to prosecution in the State of which they are nationals.

3. The measures referred to in paragraphs 1 and 2 of this article shall be carried out without regard to the motives by which the hijackers were actuated.

*Article 4.* 1. The Contracting State in which the hijacked aircraft is registered shall endeavour to inform as soon as possible the Contracting State in whose territory the aircraft has landed whether it intends to submit an application for extradition. The application for extradition must be submitted through the diplomatic channel not later than two months after the State of registration of the hijacked aircraft is informed of the hijacking of the aircraft in accordance with article 1, paragraph 1, of this Agreement. This shall not, however, preclude submission of the application for extradition prior to receipt by the State of registration of the said information if it learns by some other means of the hijacking of the aircraft.

2. The application for extradition shall be accompanied by a certified copy of the warrant of arrest, a description, where possible, of the circumstances of the offence, information concerning its legal definition, the text of law defining the offence, and any available information on the person in respect of whom the application is being submitted.

3. The Contracting States shall provide each other with the information in their possession and such other data as they may receive concerning the circumstances of the hijacking of the aircraft, including data relating to the preliminary investigation.

*Article 5.* Papers, weapons, personal effects and baggage of extradited persons shall be delivered to the Contracting State in which the aircraft is registered.

*Article 6.* 1. Where the hijacker has committed, in the territory of the Contracting State to which the application for extradition is addressed, another offence of a more serious nature than the one in connexion with which the application for extradition was submitted and where, as a result of such other offence, injury has been caused to bodies corporate or nationals of the said Contracting State or a third State, then, if criminal proceedings have been instituted against the person in question, his extradition may be postponed until the proceedings have been concluded or the sentence has been completed or remitted.

2. Where the postponement of extradition would make prosecution impossible because of the expiry of the period of statutory limitation or might create difficulties in the prosecution of the person whose extradition is sought, the Contracting State in which the hijacked aircraft is registered may apply for temporary extradition for the purposes of prosecution. The said Contracting State shall return the person temporarily extradited to it immediately upon the conclusion of the preliminary or judicial investigation, without executing the sentence and not later than three months from the date of the temporary extradition.

*Article 7.* A Contracting State which is applied to for the extradition of a hijacker may make execution of the application conditional upon such person not being prosecuted for an offence which was committed before his extradition and which was not the offence for which he was extradited and upon his not being delivered to a third State, save with the consent of the State applied to.

*Article 8.* 1. The authorities of the Contracting State in whose territory the hijacked aircraft has landed shall take all possible measures to ensure that the aircraft and any material evidence and documents relating to the hijacking are preserved.

2. The Contracting State in which the aircraft is registered or by which it was leased shall be afforded an opportunity, if necessary, to send to the site of the aircraft's landing a reserve crew or individual members thereof, specialists and necessary spare parts for repairing the aircraft and rendering it airworthy. At the request of the said State, the authorities of the State in whose territory the hijacked aircraft has landed shall provide assistance in repairing the aircraft.

3. The Contracting State in whose territory the hijacked aircraft has landed shall afford the Contracting State in which the aircraft is registered an opportunity to send another civilian aircraft to transport the passengers and members of the crew if the hijacked aircraft cannot be used for that purpose.

4. The Contracting State in whose territory the hijacked aircraft has landed shall, at the request of the Contracting State in which the aircraft is registered, permit the said aircraft to fly to the territory of that State or to any other location. Where necessary, the Contracting State in which the aircraft is registered shall be entitled to remove the aircraft by such method as it deems appropriate, including removal in disassembled form.

*Article 9.* The Contracting State in which the hijacked aircraft is registered shall, in accordance with a procedure to be established by agreement between the Parties, reimburse the Contracting State in whose territory the aircraft has landed for all expenses incurred by its authorities or organizations in connexion with the implementation of this Agreement.

*Article 10.* Where applications for extradition of the same person are received from more than one State, the Contracting State to which they are addressed shall decide which application is to be granted.

*Article 11.* The provisions of this Agreement shall not affect the rights or positions of the Contracting Parties in matters relating to the exercise of their jurisdiction, the regulation of entry to or exit from the country, regulations governing aliens, the granting of the right of asylum, the regulation of air traffic and the operation of their respective laws.

*Article 12.* By agreement between the Contracting Parties, amendments and additions may be made to this Agreement through the signature of separate documents, which shall be regarded as constituting an integral part of the Agreement.

*Article 13.* This Agreement shall enter into force 30 days after the Contracting Parties notify each other of the completion of the formalities required for the entry into force of the Agreement in accordance with the domestic legislation of the Contracting Parties.

*Article 14.* This Agreement shall remain in force for a term of five years from the date of its entry into force.

Unless one of the Contracting Parties denounces the Agreement six months before the expiry of the above-mentioned five-year term, it shall remain in force for successive five-year terms until such time as one of the Contracting Parties gives written notice six months before the expiry of the current five-year term, of its intention to terminate the Agreement.

DONE at Helsinki on 23 August 1974, in duplicate in the Finnish and Russian languages, both texts being equally authentic.

For the Government of the Republic of Finland:

RICHARD TÖTTERMAN

For the Government of the Union of Soviet Socialist Republics:

IGOR ZEMSKOV

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