

No. 15029

**FINLAND
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreement concerning co-operation and mutual assistance
in customs matters. Signed at Berlin on 25 November
1975**

Authentic texts: Finnish and German.

Registered by Finland on 28 September 1976.

**FINLANDE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord relatif à la coopération et à l'assistance mutuelle en
matière de douanes. Signé à Berlin le 25 novembre 1975**

Textes authentiques : finnois et allemand.

Enregistré par la Finlande le 28 septembre 1976.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC CONCERNING CO-OPERATION AND MUTUAL ASSISTANCE IN CUSTOMS MATTERS

The Government of the Republic of Finland and the Government of the German Democratic Republic,

Desiring to develop their co-operation in customs matters, in the belief that such co-operation will assist the customs administrations of the two States in their efforts both to expedite the traffic of goods and passengers between the two States and simplify customs clearance and effectively to prevent offences against customs laws,

Have agreed as follows:

Article 1. For the purposes of this Agreement:

(a) The term “customs laws” means laws and other provisions relating to the import, export and transit of goods and foreign currency, and provisions relating to customs duties and other taxes, prohibitions and restrictions on the traffic of goods and foreign currency across the frontier and to customs inspection;

(b) The term “central customs authorities” means, in the Republic of Finland, the Directorate of Customs of the Republic of Finland and, in the German Democratic Republic, the Central Customs Administration of the German Democratic Republic;

(c) The term “customs authorities” means all customs posts subordinate to the “central customs authorities”.

Article 2. The central customs authorities shall co-operate in accordance with the provisions of this Agreement by exchanging information and furnishing assistance to each other with a view to simplifying customs formalities as much as possible and thereby expediting the traffic of goods and passengers between the two States and to detecting and combating offences against the customs laws of the two States.

Article 3. The central customs authorities shall:

- (a) exchange experience in respect of their activities, the application of technical advances and other matters of mutual interest;
- (b) exchange information concerning the customs laws of their States.

Article 4. The customs authorities of the two States shall, within their field of competence:

- refuse to permit the export of goods the import of which into the customs territory of the other State is prohibited;

¹ Came into force on 28 May 1976, i.e., 30 days after the date on which the Contracting Parties informed each other, by an exchange of diplomatic notes, that their constitutional requirements had been fulfilled, in accordance with article 14.

- restrict the export to the customs territory of the other State of goods which there is reason to believe will be illicitly traded in the other State to such quantities as will preclude their being illicitly traded.

Article 5. The central customs authority of one of the States shall, at the written request of the central customs authority of the other State, exercise surveillance within its area of jurisdiction over:

- (a) the entry and exit of persons whom the requesting central customs authority believes to be habitually or professionally engaged in illicit trade;
- (b) the movement of goods under article 4 of this Agreement;
- (c) vehicles, ships, aircraft or other means of transport which there is reason to believe will be used for the illicit import of goods into the Republic of Finland or the German Democratic Republic.

Article 6. The central customs authorities shall inform each other, on their own initiative or upon written request, concerning:

- (a) goods known to be the object of illicit trade;
- (b) new means or methods of committing offences against customs laws;
- (c) persons known or reasonably suspected to be engaged in illicit trade in the territory of the other State, and vehicles, ships, aircraft or other means of transport which there is reason to believe have been used or might be used for such illicit trade;
- (d) operations known or believed to be aimed at illicit trade in the other State;
- (e) certificates of origin, invoices or other documents of doubtful authenticity or known to be forged;
- (f) other particulars known to the central customs authority concerned which may contribute to the elucidation of offences against customs laws in the traffic of goods and passengers between the two States.

Article 7. The central customs authorities may take special measures for the surveillance of goods imported in contravention of customs laws. Surveillance may be exercised by means of a certificate issued by the customs authorities of one of the States for presentation to the customs authorities of the other State evidencing that certain goods have been lawfully imported.

Article 8. The central customs authorities shall inform each other concerning offences against customs laws committed in their customs territory by nationals of the other State.

Article 9. 1. Correspondence for the purposes of the provisions of this Agreement shall be carried on directly between the central customs authorities. In their correspondence, the central customs authorities shall use the German language.

2. Requests under the provisions of this Agreement which are submitted to the central customs authority of the other State shall be substantiated.

Article 10. Any report or information received under this Agreement shall be treated as confidential, that is to say, it shall be used solely for the purpose of countering, investigating and preventing offences against customs laws.

Article 11. The central customs authorities may decline to furnish the assistance provided for in this Agreement if such assistance might be prejudicial to the sovereignty, security, public policy or other essential interests of their State.

Article 12. 1. The central customs authorities may, if necessary, enter into direct contact with each other in order to discuss problems connected with the implementation of this Agreement.

2. The central customs authorities shall be empowered to conclude arrangements on matters connected with the implementation of this Agreement.

Article 13. This Agreement shall not affect the rights and obligations of the Contracting Parties arising from other international agreements concluded by them.

Article 14. This Agreement shall enter into force 30 days after the date on which the two Contracting Parties inform each other by an exchange of diplomatic notes that their constitutional requirements for the entry into force of the Agreement have been fulfilled.

Article 15. 1. This Agreement is concluded for an indefinite period.

2. Either Contracting Party may denounce this Agreement by means of a note signifying its intention to the other Contracting Party. In such a case, the Agreement shall terminate upon the expiry of a period of six months following the receipt of the note.

DONE at Berlin on 25 November 1975, in duplicate in the Finnish and German languages, both texts being equally authentic.

For the Government of the Republic of Finland:
OSMO KOCK

For the Government of the German Democratic Republic:
GERHARD STAUCH
