

No. 24649

**FINLAND
and
SWEDEN**

Agreement concerning the sovereign islands. Signed at Stockholm on 19 June 1986

Authentic texts: Finnish and Swedish.

Registered by Finland on 13 March 1987.

**FINLANDE
et
SUÈDE**

Accord relatif aux îles souveraines. Signé à Stockholm le 19 juin 1986

Textes authentiques : finnois et suédois.

Enregistré par la Finlande le 13 mars 1987.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN FINLAND AND SWEDEN CONCERNING THE SOVEREIGN ISLANDS

The Governments of Finland and Sweden have agreed as follows:

Article 1

For the purposes of this Agreement, the term “sovereign islands” means those islands, parts of islands and capes situated in the Torne, Muonio and Könkämä rivers the special legal status of which is based on the Boundary Regulation Treaty of 20 (8) November 1810 between Sweden and Russia, the Exchange of Real Property Convention of 17 (5) January 1821 between the same Parties, and the Declaration of 16 September 1823 by the duly authorized commissioners of the King of Sweden and Czar of Russia endorsing the exchange of real property along the State boundary. Lists relating to the sovereign islands were drawn up and were signed on 4 and 13 September 1823.

Under the Agreement of 14 June 1985 constituting a partial endorsement of the 1981 survey of the State boundary between Finland and Sweden,² some of the islands lost their status as sovereign islands.

Detailed provisions concerning the sovereign islands are contained in a Notice issued by the aforesaid commissioners, which is included in a Protocol of 3 September 1823.

An account of the documents mentioned in the first and third paragraphs of this article is given in the *Nordisk Utredningsserie* (Nordic Reports Series) (NU 1975: 26 and 27).

Article 2

The provisions concerning the sovereign islands which are contained in the documents mentioned in article 1 shall continue in force, save as otherwise is apparent from this Agreement.

The provisions, relating to annual charges, of article II, fourth paragraph, of the Boundary Regulation Treaty of 20 (8) November 1810 shall cease to be in force.

Article 3

The sovereign islands situated in Sweden shall be held by virtue of proprietary rights according to Finnish law, and those situated in Finland by virtue of proprietary rights according to Swedish law.

Article 4

Finnish law shall be applied in the sovereign islands situated in Sweden in so far as concerns proprietary rights and limited rights *in rem*, transfer of proprietary rights and other acquisitions, and grants of usufruct or of other limited rights *in rem*.

¹ Came into force on 1 January 1987, i.e., the first day of the year following that in which the Parties had notified each other (on 12 December 1986) of its ratification, in accordance with article 7.

² United Nations, *Treaty Series*, vol. 1418, p. 115.

Finnish law shall also be applied to real-property creation and real-property registration and to title confirmation and mortgages. Swedish law shall be applied, *mutatis mutandis*, in the sovereign islands situated in Finland.

To the extent that Finnish law is applied in the sovereign islands situated in Sweden, Finnish courts and authorities shall be competent to deal with matters relating thereto. The same shall apply, *mutatis mutandis*, to Swedish courts and authorities in the case of the sovereign islands situated in Finland.

Article 5

The boundary of a sovereign island shall be determined in accordance with the map and other documents of the 1823 exchange of real property.

Where the boundary of a sovereign island is intended to follow a shoreline, the boundary shall be determined in accordance with the mean water-level at any given time.

Article 6

The special status of a sovereign island may be revoked if changed circumstances give reason for doing so.

An application for revocation of the special status of a sovereign island may be made by the landowner, local authority or county authority concerned to the central land-survey authority of either State. This authority shall take up the matter jointly with the central land-survey authority of the other country. The matter shall then be referred by both authorities to the Government concerned for a decision.

An agreement to revoke the special status of an island shall be conditional upon the real property of the island being unencumbered by any servitude or mortgage. Revocation of the special status of an island shall not of itself alter the proprietary rights to real property on the island.

Article 7

This Agreement shall come into force at the beginning of the year following that in which the Parties notify each other of the ratification of the Agreement.

IN WITNESS WHEREOF, the duly authorized representatives have signed this Agreement.

DONE at Stockholm on 19 June 1986 in two copies, in the Finnish and Swedish languages, both texts being equally authentic.

For the Government of Finland:

BJÖRN ALHOLM

For the Government of Sweden:

MATS HELLSTRÖM