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No. 6031

FINLAND, DENMARK, NORWAY and SWEDEN

Agreement concerning co-operation in ice-breaking (with Protocol). Signed at Helsinki, on 20 December 1961

Official texts: Finnish, Danish, Norwegian and Swedish.

Registered by Finland on 12 January 1961.

FINLANDE, DANEMARK, NORVÈGE et SUÈDE

Convention sur la coopération pour l'utilisation des brise-glace (avec Protocole). Signée à Helsinki, le 20 décembre 1961

Textes officiels finnois, danois, norvégien et suédois.

Enregistrée par la Finlande le 12 janvier 1961.

[TRANSLATION — TRADUCTION]

No. 6031. AGREEMENT¹ BETWEEN FINLAND, DENMARK,
NORWAY AND SWEDEN CONCERNING CO-OPERATION
IN ICE-BREAKING. SIGNED AT HELSINKI, ON 20
DECEMBER 1961

The Governments of Finland, Denmark, Norway and Sweden, desiring to facilitate the continuity of navigation and to promote safety at sea in Scandinavian waters during the winter months through co-operation in ice-breaking and through uniform regulations concerning ice-breaking operations, have agreed as follows :

Article 1

Scandinavian co-operation in ice-breaking shall be maintained in the Gulf of Bethnia, in the Ålandshav, in the Baltic Sea north of the parallel of latitude passing through Dueodde (on Bornholm), and in the Sound, the Kattegat and the Skagerrak between open water and those coastal waters which are protected against sea ice, drifting ice, pack ice and similar ice barriers.

Article 2

Each of the Contracting States shall use for purposes of Scandinavian co-operation in ice-breaking, where necessary, all available ice-breakers owned or hired by it which are not strictly indispensable to ice-breaking operations in its own coastal waters.

The ice-breakers of each Contracting State shall be used primarily for operations in waters adjacent to its own territory. Regional co-operation shall, as the need arises, be instituted primarily in the following areas :

Between Finland and Sweden : in the Gulf of Bethnia, the Ålandshav and the northern part of the Baltic Sea ;

Between Denmark and Sweden : in the Sound and the waters to the south, in the Kattegat and in the southern Skagerrak ; and

Between Norway and Sweden : in the northern Skagerrak.

Article 3

Over and above what is provided for in articles 1 and 2, Scandinavian co-operation in ice-breaking may be pursued to such extent and in such forms as may be agreed upon between the competent authorities of the Contracting States.

¹ Came into force on 20 December 1961, the date of signature, in accordance with article 18.

Article 4

The work of the ice-breakers used by a Contracting State shall be directed by the ice-breaking service of that State, in co-operation, where necessary, with the ice-breaking services of the other Contracting States.

Where ice-breakers from more than one State are used in co-operation in a given area, the method of directing the joint operations shall be agreed upon between the ice-breaking services concerned.

Responsibility for directing the work of ice-breakers owned or hired by one Contracting State may be transferred to the ice-breaking service of another Contracting State by agreement in each individual case between the ice-breaking services of the States concerned.

Article 5

Ice-breakers used by the Contracting States shall enjoy in each Contracting State the same rights and privileges as the ice-breakers of that Contracting State.

Article 6

Where necessary in order to obtain information on the extent of sea ice formation, aerial reconnaissance shall be organized, by agreement between the ice-breaking services concerned in each individual case or for a specified period :

over the Gulf of Bothnia and the Baltic Sea north of the parallel of latitude passing through the Bogskär lighthouse : by Finland and Sweden ;

over the rest of the Baltic Sea east of the meridian of longitude passing through the Falsterbo lighthouse : by Sweden ;

over the Kattegat : by Denmark ; and

over the Skagerrak : by Denmark, Norway and Sweden.

The collection of further information on ice conditions shall be arranged between the competent authorities.

Article 7

Unless special circumstances require otherwise, vessels in need of assistance shall be accorded it, irrespective of nationality, in the following order of priority :

1. vessels in distress or in need of assistance because of danger to the lives of persons on board ;

2. vessels bound for or coming from one of the Contracting States, priority being given to passenger vessels and to vessels carrying goods of particular importance ;

3. other vessels.

Article 8

The competent authorities of the Contracting States shall issue uniform regulations requiring any vessel which may need assistance from ice-breakers of one of the Contracting States to give advance notice of its arrival and to furnish any information concerning the vessel and its cargo which is requested by the ice-breaking service. The said regulations shall also specify the considerations which will determine whether a vessel giving such notice can expect assistance from an ice-breaker, and shall indicate what the master of a vessel giving such notice must bear in mind with regard to ice conditions, and the consequences to the vessel of failure to comply with the orders or instructions communicated to it.

Article 9

A joint signal table prepared by the competent authorities of the Contracting States shall be employed in sound signalling between ice-breakers and vessels receiving assistance.

Article 10

During the hours of darkness, ice-breakers used by a Contracting State shall carry on the masthead, as a special identifying mark, a blue light visible from any point on the horizon.

Article 11

The ice-breaking services of the Contracting States shall make arrangements to supply vessels in Scandinavian waters by air or by ice-breaker where they consider such assistance strictly indispensable.

Payment for goods so supplied, at purchase price, shall be recovered from the owner of the vessel. No charge shall be made for the transport of goods to vessels faced with an emergency through no fault of their own.

Article 12

No charge shall be made for towage or other assistance provided under this Agreement by ice-breakers of the Contracting States. The provisions of this article shall not, however, apply to salvage operations.

Article 13

None of the States participating in Scandinavian ice-breaking operations assumes any responsibility for delay, damage or other loss suffered by a vessel or its crew, passengers or cargo by reason of ice conditions.