

Agreement Between the Government of the Union of Soviet Socialist Republics, the Government of Norway and the Government of Finland Concerning the Regulation of lake Inari by Means of the Kaitakoski Hydro-Electric Power Station and Dam

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

Considering that, when they come into operation, the Kaitakoski hydro-electric power station and dam will serve as the control installation for Lake Inari in place of the Niskakoski dam, and

Desiring to serve in the best possible manner the interests of all three Parties in the regulation of Lake Inari,

Have decided to conclude, this Agreement and have for this purpose appointed as their plenipotentiaries:

The Government of the Union of Soviet Socialist Republics: Dmitry Grigorevich Kotilevsky, Chief Engineer of the Central Power Board under the State Planning Committee of the USSR;

The Government of Norway: Hans-Christian Boehlke, Chief of Division in the Royal Ministry of Foreign Affairs;

The Government of Finland: Soini Palasto, Consul-General, Adviser to the Ministry of Foreign Affairs;

who, having exhibited their full powers, found in good and due form, have agreed as follows:

Article 1

The Government of the Soviet Union shall have the right to regulate Lake Inari by means of the Kaitakoski hydro-electric power station and dam, which are shown on the attached map (annex No. I), within the limits of the water-levels in the control reservoir of Lake Inari—minimum 115.67 metres above sea level and maximum 118.03 metres above sea level.

These levels are given according to the Finnish system of altitude measurement and relate to the benchmark of 118.04 metres above sea level on the bank of the Nellimvuono inlet of Lake Inari, which is marked on the attached map (annex No. 2).

Article 2

The Government of the Soviet Union, in regulating Lake Inari, shall follow the " Regulations for the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam " which constitute an integral part of this Agreement (annex No. 3).

The Government of the Soviet Union undertakes to ensure that the Kaitakoski hydro-electric power station and dam and the course of the river Paatsjoki between Lake Inari and the

Kaitakoski hydro-electric power station are in such condition that the discharge of water from Lake Inari may proceed at all times in accordance with the aforesaid Regulations.

Article 3

If, in the light of experience in the operation of the Kaitakoski hydro-electric power station and dam or in timber-floating, or in connexion with the construction and operation of any new electric power stations or dams on the river Paatsjoki, it is found necessary to amend the Regulations referred to in article 2 of this Agreement, such amendments shall be made by agreement between the Ministry of Electric Power Station Construction of the USSR, the Royal Norwegian Ministry of Industry and Handicrafts and the Ministry of Transport and Public Works of Finland. These Ministries are hereafter referred to in this Agreement and the attached Regulations as " the USSR Ministry ", " the Norwegian Ministry " and " the Finnish Ministry " respectively.

Article 4

The Government of Finland undertakes not to carry out and not to authorize another to carry out any measures likely to affect the regime of Lake Inari or of the river Paatsjoki.

Article 5

The USSR Ministry, the Norwegian Ministry and the Finnish Ministry shall each appoint a representative authorized to act on the Ministry's behalf in matters relating to the implementation of this Agreement. For this purpose the representatives of the Norwegian Ministry and the Finnish Ministry shall have access to the Kaitakoski area.

Each Ministry shall inform the Ministries of the other Contracting Parties of the appointment of its representative.

Article 6

Officials of the USSR Ministry and the Norwegian Ministry shall have access to the water-level observation post situated on the bank of the Nellimvuono inlet in the territory of Finland upon presentation to the Finnish frontier authorities of an identity certificate drawn up in accordance with the form attached to this Agreement (annexes Nos. 4 and 5).

Article 7

Any dispute arising between the USSR Ministry, the Norwegian Ministry and the Finnish Ministry concerning the application of this Agreement shall be settled by a Mixed Commission composed of two members appointed by the USSR Ministry, two members appointed by the Norwegian Ministry and two members appointed by the Finnish Ministry. If agreement is not reached in the Mixed Commission, the dispute shall be settled by the Government of the USSR, the Government of Norway and the Government of Finland through the diplomatic channel.

Article 8

This Agreement shall supersede:

The Agreement between the Government of the Union of Soviet Socialist Republics and the Government of Finland concerning the regulation of Lake Inari by means of the Niskakoski control dam, signed at Moscow on 24 April 1947;

The Protocol for the implementation of the Agreement of 24 April 1947 between the Government of the Union of Soviet Socialist Republics and the Government of Finland concerning the regulation of Lake Inari by means of the Niskakoski control dam, signed at Helsinki on 29 April 1954;

The Protocol concerning amendments to the Regulations of 24 April 1947 for the regulation of Lake Inari in connexion with the use of the Niskakoski dam and to the Protocol of 29 April 1954 concerning amendments to paragraph 2 of the said Regulations, signed at Oslo on 24 February 1956.[1]

Article 9

This Agreement shall enter into force on the date of its signature.

DONE at Moscow on 29 April 1959 in three copies, each in the Russian, Norwegian and Finnish languages, the three texts being equally authentic.

IN WITNESS WHEREOF the aforesaid plenipotentiaries have signed this Agreement and have thereto affixed their seals.

For the Government of the Union of Soviet Socialist Republics: D.G. KOTILEVSKY For the Government of Norway: Hans-Christian BOEHLKE For the Government of Finland: Soini PALASTO

ANNEX No. 1

SCHEMATIC MAP

ANNEX No. 2

CHART SHOWING POSITION OF BENCHMARK FOR REGULATION OF LAKE INARI

ANNEX No. 3

REGULATIONS FOR THE REGULATION OF LAKE INARI BY MEANS OF THE KAITAKOSKI HYDRO-ELECTRIC POWER STATION AND DAM

1. The flow of water from Lake Inari shall be so regulated that the water-level of the lake does not rise above 118.03 metres above sea level nor fall below 115.67 metres above sea level.

The levels relate to the benchmark of 118.04 metres above sea level which is carved in the rock at the end of the Nellimvuono inlet of Lake Inari and is marked on the map attached to

the Agreement of 29 April 1959 between the Government of the USSR, the Government of Norway and the Government of Finland concerning the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam.

2. The flow of water from Lake Inari shall be continuous within the limits of a daily mean discharge of 120 to 240 cubic metres per second on condition that the water-level of Lake Inari does not rise above 118.03 metres above sea level nor fall below 115.67 metres above sea level and that the rate of discharge at the Rajakoski hydro-electric power station can fluctuate within a daily range of 80 to 240 cubic metres per second.

With a view to preparing Lake Inari to receive the spring flood, preventing any rise above the maximum permissible water-level of the lake and limiting the volume of flood discharge and the flood levels on the river Paatsjoki below the Rajakoski hydro-electric power station, the flow of water from Lake Inari shall be regulated on the basis of forecasts and recommendations drawn up by the Finnish Ministry, in accordance with the following conditions:

(a) The water-level of Lake Inari shall be lowered to a level not exceeding 116.53 metres above sea level by 1 May. If the forecasts indicate that the spring flood will be very heavy, the water-level of Lake Inari shall be reduced to below 116.53 metres above sea level by 1 May; however, during the period from the beginning of January to the end of April the discharge from the lake shall not exceed 280 cubic metres per second;

(b) After 1 May the discharge of water from Lake Inari may be gradually increased but shall not exceed 450 cubic metres per second before the water-level of Lake Inari has risen to 118.03 metres above sea level.

If in the case of very heavy floods the water-level of Lake Inari threatens to rise above 118.03 metres above sea level, the rate of discharge may, as an exceptional measure, be increased up to 500 cubic metres per second when the water-level reaches 117.98 metres above sea level. This shall be the maximum permissible rate of discharge;

(c) When the water-level of Lake Inari falls to 116.28 metres above sea level, the rate of discharge may be reduced to 75 cubic metres per second, and when the level falls below 115.83 metres above sea level, the rate may be reduced to 45 cubic metres per second. This shall be the minimum permissible rate of discharge.

3. For the purpose of allowing the machinery of any hydro-electric power station on the river Paatsjoki to be overhauled, the discharge of water from the lake may be reduced to 85 cubic metres per second for not more than 15 days a year. Between 1 June and 15 September such reduction shall be allowed only in cases of urgent necessity.

4. In special circumstances or when the spillway of the Rajakoski hydro-electric power station must be inspected and repaired, the management of that station may stop, the flow of water at Rajakoski completely for not more than eight hours, provided that the Norwegian frontier authorities are given notice thereof, in advance if possible.

5. The rate of discharge of 120 to 240 cubic metres per second referred to in paragraph 2, first sub-paragraph, above shall be maintained in connexion with the floating of timber in the river Paatsjoki. In case of special need the daily mean discharge shall, on the basis of a request made by the Finnish or the Norwegian Party ten days in advance, be maintained at not less than 150 cubic metres per second for a total period of not more than 30 days a year. The

requested rate of discharge must not coincide with the overhaul of the machinery of hydro-electric power stations on the river Paatsjoki.

6. The rate of discharge may not be suddenly increased or decreased to such an extent as to be prejudicial to private or public interests.

In years when there is an abundance of water, the Finnish Ministry shall communicate to the Norwegian Ministry forecasts concerning the amount of water and recommendations for its discharge.

7. The Finnish Ministry shall supply to the Kaitakoski hydro-electric power station and to the future Skogfoss hydro-electric power station in good time forecasts of the volume of run-off into Lake Inari expected during the periods 1 November to 30 April, 1 May to 31 July and 1 August to 31 October, special forecasts concerning summer floods and, in case of necessity, new forecasts in the course of the said periods. In connexion with the discharge of water, the Kaitakoski hydro-electric power station shall follow the recommendations given by the Finnish Ministry on the basis of the said forecasts.

8. The water-level of the control reservoir shall be determined by means of the automatic water-level gauge which is maintained in the Nellimvuono inlet of Lake Inari by the Finnish Ministry.

The discharge of water from Lake Inari shall be calculated daily in cubic metres per second from the flow of water through the turbines and dam-sluices of the Kaitakoski hydro-electric power station. For this purpose the USSR Ministry shall as soon as possible prepare at its own expense graphs showing the recorded flow of water through the turbines, the flood-gate and the timber-floating gate. Copies of these graphs shall be supplied to the Finnish Ministry and the Norwegian Ministry. Until such time as the said graphs have been prepared, the USSR Ministry shall determine the flow of water from Lake Inari on the basis of readings taken at hydro-electric power stations below Kaitakoski.

9. The Finnish Ministry shall keep a daily log of the mean readings of the water-level gauge in the Nellimvuono inlet.

The USSR Ministry shall keep a daily log of the mean daily discharge of water from Lake Inari and also of the mean readings of the water-level gauge to be installed by the USSR Ministry at its own expense in the river Paatsjoki above the Kaitakoski hydro-electric power station. After the graphs referred to in paragraph 8, second sub-paragraph, have been prepared, the USSR Ministry shall keep a separate daily log of the mean flow of water through the turbines of the Kaitakoski hydro-electric power station and a separate daily log of the corresponding discharge through the dam-sluices of that hydro-electric power station.

The Norwegian Ministry shall keep a daily log of the mean levels of Lake Björnvatn. Extracts from the logs and copies of the water-level graphs shall be communicated to the other Parties on request.

10. For the purpose of forecasting the volume of run-off into Lake Inari, the Finnish Ministry shall make the necessary measurements of precipitation.

The USSR Ministry and the Norwegian Ministry shall also make the necessary measurements of precipitation.

11. The USSR Ministry shall maintain in good condition the gate for timber-floating at the Kaitakoski dam.

The USSR Ministry shall, by agreement with the Finnish Ministry, participate in such measures as may in future be found necessary to preserve the stocks of fish.

12. The levels prescribed in these Regulations are given according to the Finnish system of altitude measurement which, according to the results of the levelling carried out by the Soviet Party in 1956, differs by minus 1.87 m from the altitude system used by the Norwegian Party on the section of the river Paatsjoki extending from the Rajakoski hydro-electric power station to the Barents Sea.

ANNEX No. 4

PHOTOGRAPH

Seal of the issuing authority

CERTIFICATE

The Ministry of Electric Power Station Construction of the USSR authorizes the following citizen of the USSR:

Autograph signature

Date of birth _____ Surname _____

Height _____ First name _____

Colour of hair _____ Patronymic _____

Colour of eyes _____

Distinguishing characteristics ____

To visit the water-level observation post situated on the bank of the Nellimvuono inlet in the territory of Finland.

This certificate is valid until ____ (day) _____ (month) 19 ____

(Signed) _____

_____(day) _____(month) 19 ____

Seal of the issuing of authority

Pursuant to the Agreement of 29 April 1959 between the Governments of the Soviet Union, Finland and Norway concerning the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam, the citizen of the USSR whose particulars appear above is authorized to proceed to the water-level observation post situated on the bank of the Nellimvuono inlet in the territory of Finland.

____ (day) _____ (month) 19____

Seal of the Finnish frontier guard

(Signed) _____

ANNEX No. 5

PHOTOGRAPH

Seal of the issuing authority

CERTIFICATE

The Royal Norwegian Ministry of Industry and Autograph signature Handicrafts authorizes the following Norwegian citizen:

Autograph signature

Date of birth _____ Surname _____

Height _____ First name _____

Colour of hair _____

Colour of eyes _____

Distinguishing characteristics ____

To visit the water-level observation post situated on the bank of the Nellimvuono inlet in the territory of Finland.

This certificate is valid until ____ (day) _____ (month) 19____

(Signed) _____

_____(day) _____(month) 19____

Seal of the issuing of authority

Pursuant to the Agreement of 29 April 1959 between the Governments of the Soviet Union, Norway and Finland concerning the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam, the Norwegian citizen whose particulars appear above is authorized to proceed to the water-level observation post situated on the bank of the Nellimvuono inlet in the territory of Finland.

_____(day) _____ (month) 19____

Seal of the Finnish frontier guard

(Signed) _____

Maps Relating to Treaty 4980

[ED: Map graphics removed]