

# Sovereignty islands between Finland and Sweden

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**FINLAND**

XXV International Federation  
of Surveyors Congress, Kuala  
Lumpur, Malaysia, 16 – 21  
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## Background (1)

- According to the Hamina Treaty concluded in 1809, Sweden had to cede the territory of Finland to Russia.
- The border between Sweden and Russia in the north was drawn along the Tornionjoki, Muonionjoki and Könkämäeno Rivers
- Finland became independent in 1917 and the border with Sweden remained unchanged.

# Border between Finland and Sweden



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## Background (2)

- Many parcels of land belonging to farms along the new border rivers were situated on both sides of the rivers and on islands in the rivers.
- The peace treaty gave these landowners three years to decide on which side they wanted to live and to sell their property left on the other side.

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## Background (3)

- Nevertheless, border representatives conducting the demarcation found this situation to be destructive, and that the planned procedure should be replaced with land consolidation.

## Background (4)

- The demarcation agreement specified that arrangement of landownership should be settled primarily by land consolidation and secondarily by compulsory auction.
- In addition, according to the demarcation agreement, island owners would retain permanent possession of islands left on the other side of the border even after the land consolidation.

# Sovereignty islands

- These islands contained meadows and forests.
- Possessors of islands had to pay an annual sovereignty levy, from which came the term **sovereignty islands**.

## Background of legal status

- The special legal status of the islands is based
  - on a border arrangement agreement between Sweden and Russia concluded in 1810
  - a land consolidation agreement entered in 1821
  - decree given in 1823 by commissars authorised by the king of Sweden and the emperor of Russia confirming the exchange of parcels at the national border.
  - Signed lists of the sovereignty islands were compiled in 1823.

# Agreement of islands 1986

- Finland and Sweden entered an agreement concerning the sovereignty islands in 1986. This agreement preserves the special status of the islands.
- According to the agreement, Finns' sovereignty islands situated in Sweden are administered with ownership rights according to Finnish laws and Swedes' sovereignty islands situated in Finland are administered according to Swedish laws.

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## Finns' sovereignty islands situated in Sweden are administered with ownership rights according to Finnish laws



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# Agreement of islands 1986

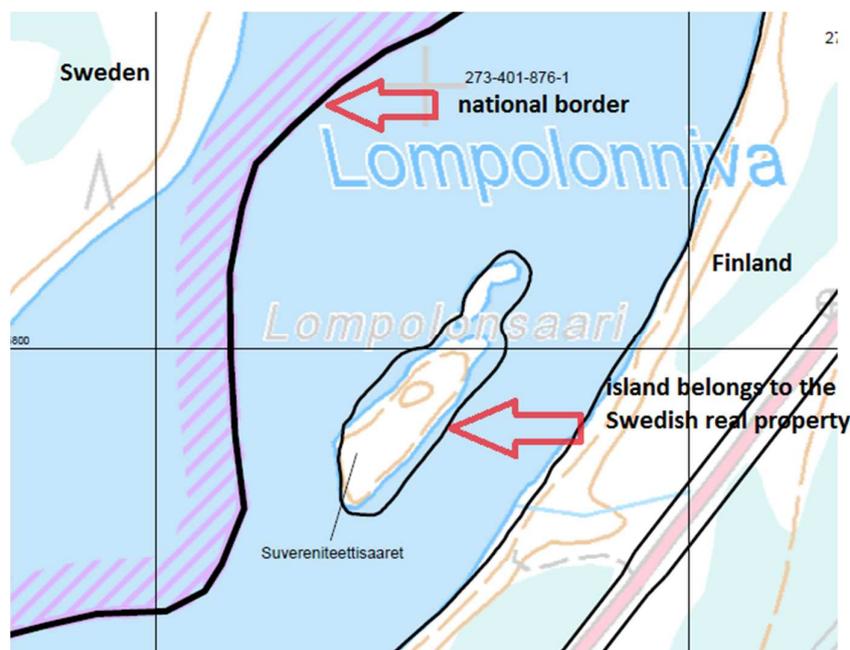
- Finnish laws are applied to islands on the Swedish side in cases of
  - ownership rights or limited property rights
  - conveyance of real property and other acquisition
  - conveyance of user rights or limited property rights
  - registration of title to real property
  - registration of special rights and mortgaging.

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## Swedes' sovereignty islands situated in Finland are administered according to Swedish laws



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# Lompolonsaari island in Finland belongs to Swedish real property



## Cadastral proceedings

- Islands possessed by Finns were not included in general parcelling or other survey proceedings.
  - Conveyancing, exchanges and partitions of real property by private agreement had been done and had not been subjected to survey proceedings.
- In 1987 a law was passed in Finland concerning real-estate-related legal measures connected to the sovereignty islands and examination of the national border.
  - As a result the sovereignty islands were subjected to supplementary parcelling proceedings.
  - The proceedings investigated to which registry units the areas on the islands belonged.

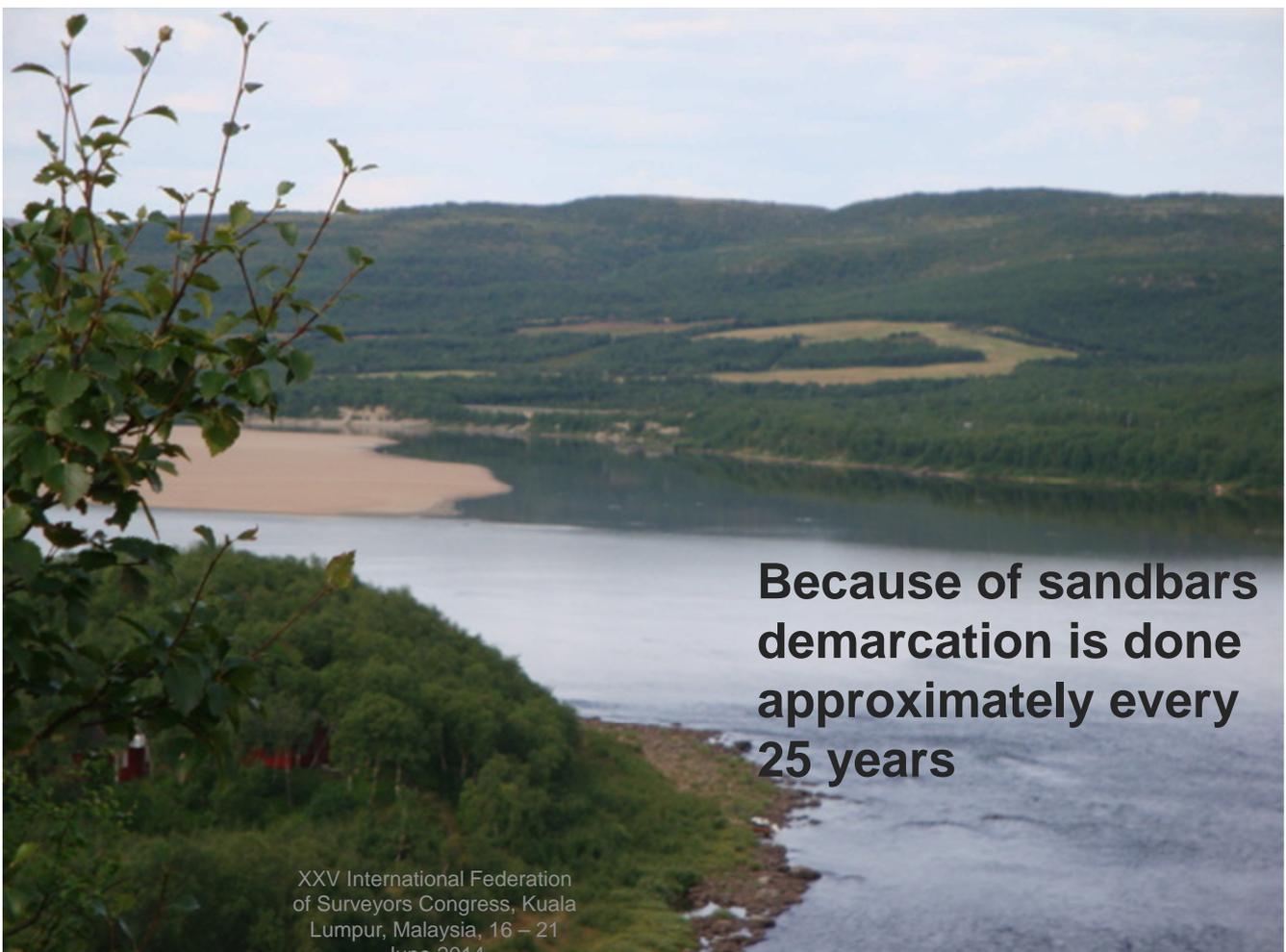
# Demarcation of national border

- The Hamina Treaty stipulated that the border which lay in rivers was to follow the deep channel; it did not specify whether the border follow the deepest part or the middle of the deep channel.
- Because of sandy soil the location of the deep channel changes over time, so new demarcation is needed.
- The main purpose of demarcation is to determine the location of the deep channel.
- Demarcation representatives from both countries are given guidelines specifying that the centreline of the deep channel should be used in demarcation.

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**Because of sandbars  
demarcation is done  
approximately every  
25 years**

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# Changes in the border

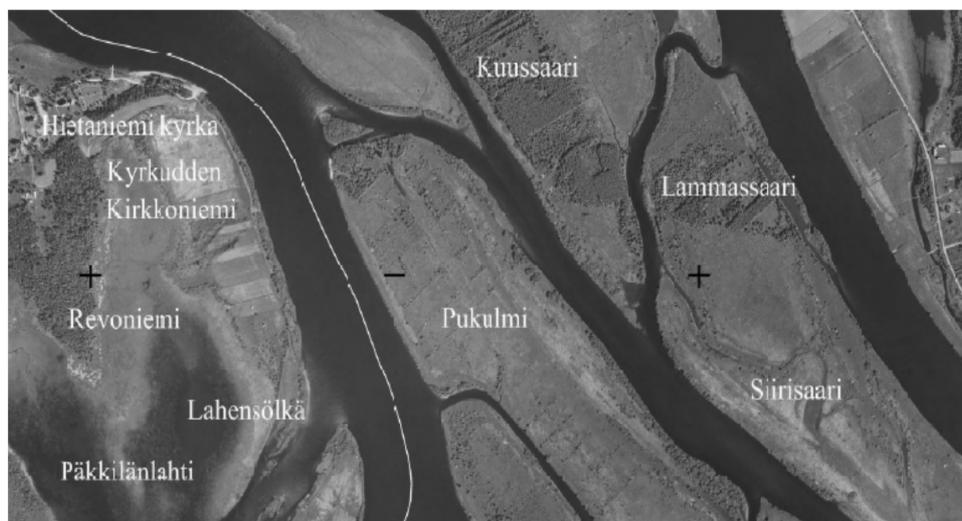
- Changes in the border line caused by changes in the deep channel are found mainly in the widest areas of the waterway, which form sandbars.
- The largest of these changes are over 100 metres and they occur on both sides of the border. In the most recent demarcation, changes in the surface area of the countries equalled about eight hectares.
- Because of the demarcations, a few sovereignty islands have earlier been shifted from one country to the other. In such cases it has been deemed that the islands have lost their sovereignty status.

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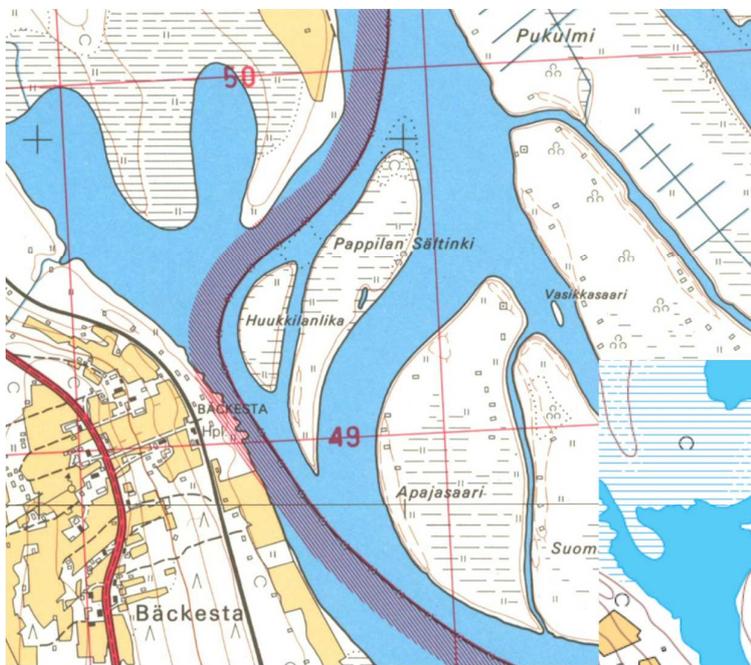
**Because the border defined by the deep channel cannot be marked in the terrain, its location is depicted by means of border maps and coordinates**



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1979

Map contains data from National Land Survey of Finland's base map from year 1979 and 02/2014, [http://www.maanmittauslaitos.fi/avoinnata-li-senssi-versio1\\_2014](http://www.maanmittauslaitos.fi/avoinnata-li-senssi-versio1_2014) of 2014  
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## Changes of national border

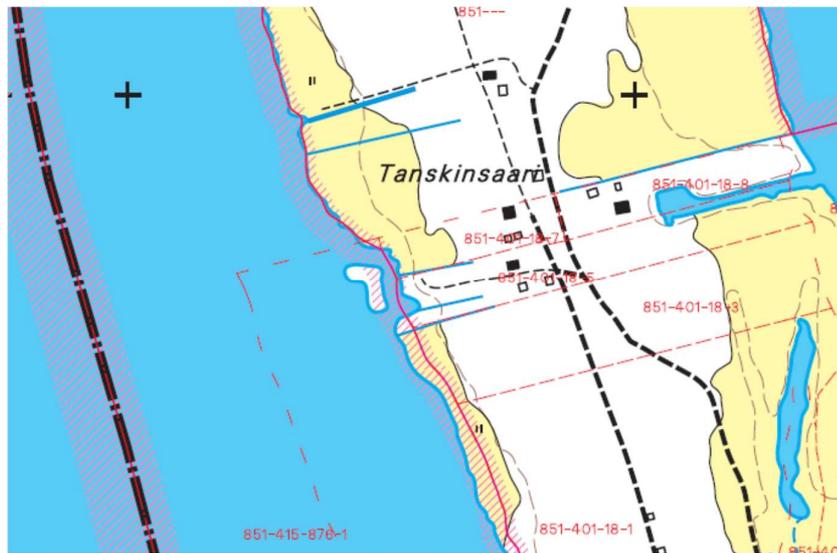
After 2007 demarcation



## Legal standpoints

- Alluviums formed around the islands and new alluvial islands are interesting from a legal standpoint. In demarcations carried out on the Finnish sovereignty islands they have been considered to belong to water areas belonging to Sweden.
- It has been decided in 1823 decree that trees growing and grown on the islands belong jointly to the islands' usufructuaries.
- A decree given in 1823 forbade construction of any buildings on the sovereignty islands with the exception of buildings needed for crop storage, but illegal buildings have nonetheless been built

# Buildings on sovereignty island



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## Most peaceful border in the world?

- Border between Finland and Sweden has been said to be the most peaceful border in the world.
- According Schengen agreement it is possible to cross the border between Finland and Sweden wherever.
- Passports and visas are not required. Customs clearance has to be done separately.
- In addition there is an agreement of these border rivers equitably using and fishing between Finland and Sweden. Fishing permits are common in these rivers.

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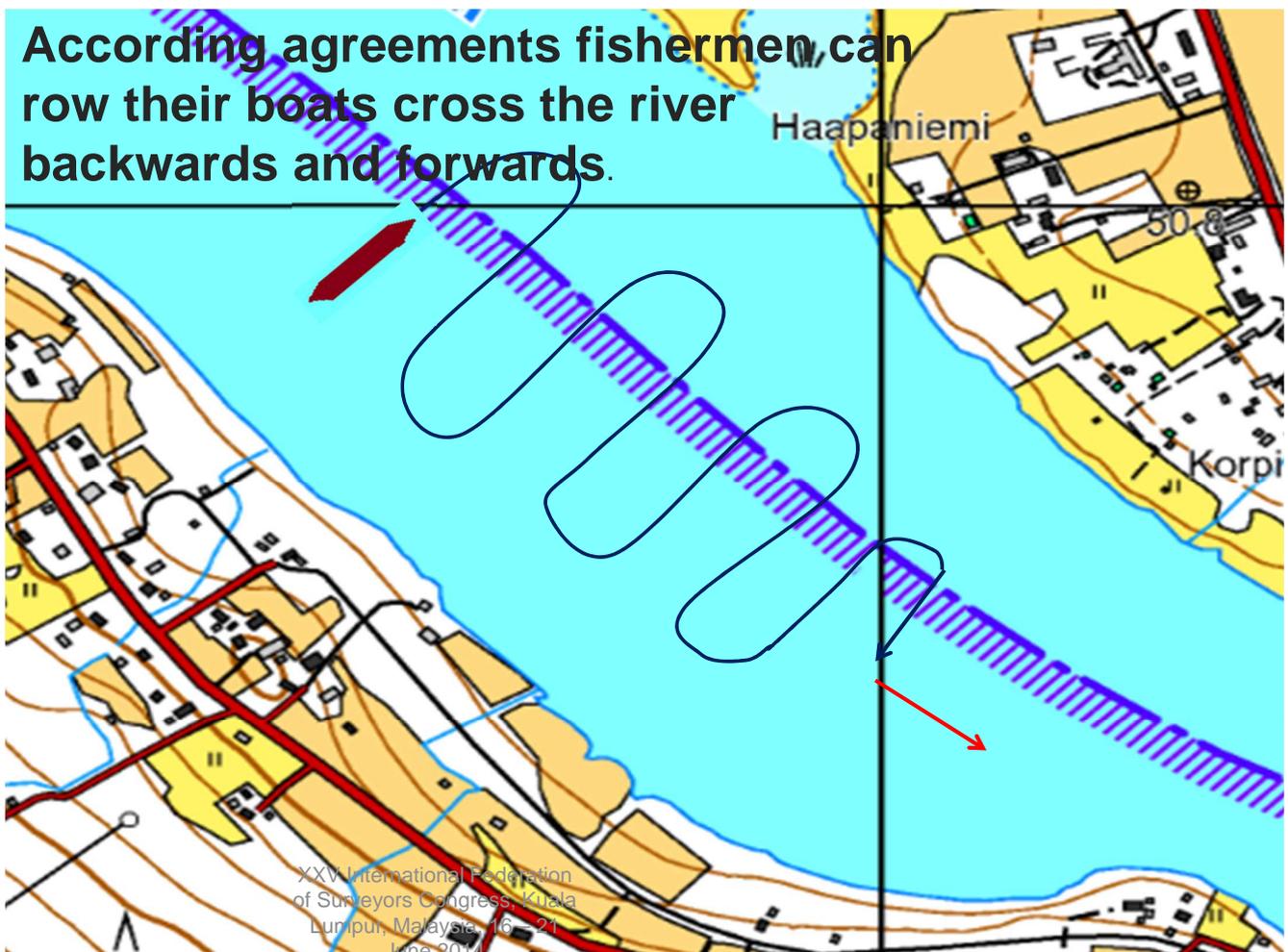
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According agreements fishermen can row their boats cross the river backwards and forwards.



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# Fishing with rods by rowing boat

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## Present

- Nowadays the sovereignty islands have little significance for agriculture.
- Sheeps are kept on some islands in the summer and reindeers are sometimes grazing there.
- Only a few of the largest islands have forests that are significant from the standpoint of forestry.
- Rivers between Finland and Sweden are famous because of salmon and fishermen use these islands for invasion when they have a break or they have to overhaul their fishing equipment

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## Sheeps are kept on some islands



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## No disputes

- significant from the global perspective is the fact that there have been no disputes over these islands between the countries, nor therefore has it been necessary to fight any battles over them!

# Thank You of Your attention!

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