

# FINLAND

A DEMOCRACY OF THE NORTH



HELSINKI

FINLAND  
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SELECTED ARTICLES FROM  
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## PREFACE

As a consequence of the Second World War, most European nations are passing through difficulties of both political and economic nature. Finland constitutes no exception to this general rule. In her case it is a fact, however, that the framework of her political structure, as molded by centuries of experience and development, proved capable of withstanding the strain and hardships of two wars. The Constitution she gave herself in 1919 stands intrinsically intact, and the Finnish democracy faces the postwar tasks of rehabilitation convinced of the soundness of its principles.

Two treaties agreed upon by Finland and the nations against whom she found herself engaged in war, viz. the Peace Treaty signed in Moscow on March 12, 1940, and the Peace Treaty signed in Paris on February 10, 1947, govern Finland's position as an independent republic. The Finnish people see in a faithful and scrupulous fulfilment on their part of the obligations laid down in these documents a guarantee for Finland's future existence and security. By so doing they hope to further also the best interests of all peoples aspiring to a durable solution of problems left by a devastating war.

The working of Finnish democracy and the international position of Finland as defined in the above-mentioned instruments constitute the main theme of this booklet. The articles contained hereinafter are selected from those appearing in the Finland Year Book, 1947. In publishing them under a separate cover the Publisher hopes to render a service to students seeking information on Finland's political life and present position as a member of the Family of Nations.

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# TERRITORY, FRONTIERS AND POPULATION OF FINLAND

## LOCATION, SIZE AND FRONTIERS

Finland is the most northerly independent state in the world. The distance from its southern point to the equator is 6,600 kilometres, from its most northerly point to the North Pole 2,200 kilometres, or one-third the distance. One-third of Finland's north to south length stretches into the Frigid Zone, beyond the Arctic Circle. Alaska, the Arctic archipelagoes of North America, the southern half of Greenland and north Siberia are in the same latitudes as Finland, sparsely settled or completely uninhabited wildernesses.

Finland is part of the great peninsula which penetrates from the vast East European land-masses far into the ocean, the North Atlantic. Finland's favourable climate is to a very great extent a gift of the Atlantic and the warm, humid currents blowing over the country from the ocean. Even the thousands of lakes, the endless forests and marshlands which temper the winter-cold, are advantageous climatic factors. Finland's general lowland character is also of great importance. This low relief is the most marked difference between Finland and those parts of Sweden and Norway, also to some extent of the Soviet Union, which lie between the same latitudes. Both climatically and as regards communications this low relief can be described as a definite asset. Of the people who inhabit the areas of Europe between the 60th and 70th parallels more than one-third live in Finland, despite the fact that country covers but one-seventh of the total area between these latitudes.

Finland in many respects forms an intermediate country between Scandinavia and East Europe. Its relief is intermediate between the Scandinavian mountains and the East European plains. The flora and fauna show a mixture of both western and eastern elements

and even ethnographically this position has left permanent marks on the country. The western and south-western parts have from ancient times been inhabited by a western people, who form one-tenth of the total population; in the east where, before the recent surrender of territory, small groups of the eastern neighbour's vast race had found a home, a fairly large Greek-Orthodox population is to be found.

Finland, with its long, narrow shape differs very considerably from the ideal form of a state, the circle. The greatest length, from the Cape of Hanko in  $59^{\circ} 48' 30''$  North to the great band of the River Tenosjoki in Utsjoki in  $70^{\circ} 5' 30''$ , is 1,160 kilometres. The greatest width, from Virmajärvi Lake in the Ilomantsi district in  $31^{\circ} 35' 20''$  East to the coast of the Gulf of Bothnia (approximately  $21^{\circ}$  East), is something like 600 kilometres. The capital, like the economically important southern parts of the country, lie far from the centre. The northern parts of the country are sparsely populated. The two northernmost administrative districts, the provinces of Oulu and Lapland, covering practically half of the country's total area, are inhabited by only one-seventh of the population.

Finland's political territory covers an area of 337,113 sq. km, of which 305,543 sq. km or 90,6 per cent consists of dry land and 31,570 sq. km or 9,4 per cent of lakes and waterways. The Porkkala district west of the capital, which has been leased to the Soviet Union for fifty years, has an area of 390 sq. km. The territory surrendered to the Soviet Union on March 12, 1940 and September 19, 1944 totals 46,058 sq. km, composed of parts of the Viipuri and Kuopio provinces (Carelia) 26,915 sq. km. or 58.5 per cent, the Salla district 8,169 sq. km. or 17,7 per cent and Petsamo 10,974 sq. km. or 23,8 per cent of the total area surrendered.

The length of Finland's land-frontiers is 2,511 kilometres. The frontier with Sweden, which follows the Muonio and Tornio rivers, is 536 kilometres long, that with Norway mainly running along the Teno river and in the west the watershed between the Gulf of Bothnia and the Atlantic, is 729 kilometres and the frontier with the Soviet Union, mainly following the watershed between the White Sea and the Baltic, is 1,246 kilometres long. In the north the eastern frontier cuts at two points, Inari and Kuusamo, provinces with an outlet towards the east, to the Arctic Ocean and the White Sea. Further south the frontier diverges from the watershed towards the west, the Repola-Porajärvi district, emptying its waters into

he Lake Saimaa—Vuoksi River System, being within the Soviet Union. The eastern frontier in the south cuts both the natural (Vuoksi River) and the artificial (Saimaa Canal) outlet of the Saimaa—Vuoksi watersystem.

The coast-line of the Gulf of Bothnia, the Baltic and the Gulf of Finland totals 1,100 kilometres. In the Aaland Sea and at Bogskär the frontier follows the international three-mile limit, a line drawn three nautical miles (5.43 km) outside the outer archipelago and protruding points. Everywhere else on the Finnish coast the northern four-mile line (7.24 km) is considered as the frontier.

## POPULATION

Despite the fact that Finland is one of the largest countries on this continent, it is in regard to population one of the smallest, having at the last census December 31, 1940, 3,695,617 inhabitants. The estimated population in 1944 was 3,765,500 persons, the civil register in Jan. 1, 1946, showed 3,736,510, and the church-registered population, which also includes emigrants, in December 31, 1946, was 4,053,700. With her 3 <sup>3</sup>/<sub>4</sub> millions Finland is fourth from the bottom among the European nations. Only Albania, Eire and Norway have a smaller population, the populations of Denmark and Switzerland amounting to something like that of Finland. The density of population, 11.1 inhabitants per square kilometre (12.3 inhabitants per square kilometre of dry land area), is smaller than in any other European state, with the exception of Norway (and Iceland). Finland is thus one of Europe's most sparsely populated countries, a natural explanation for which is her northern location. The state of Minnesota in the United States has an approximately similar density of population.

The distribution of population is uneven, varying greatly from district to district. Owing to climatic and natural geographical factors, the most northerly parts of the country are far more sparsely populated than the south.

The reasons for this uneven distribution of population are not only geographical, but also historical. Finland has been colonized from the south and the west. At the beginning of Modern Age, some four hundred years ago, the backwoods spread far to the south. The whole of the north part of the Lake Plateau, as far as the



Tampere—Savonlinna line and the vast watershed areas between the Gulf of Bothnia and the Gulf of Finland still remained almost completely uninhabited. At the time of the first census in Sweden—Finland, in 1749, the present Finnish area had a population of slightly over  $\frac{1}{2}$  million. In 1811 the population amounted to a million, in 1880 to 2 millions, in 1910 to 3 millions. The increase of population was partly due to colonization by settlers in the east and the north, partly to the quick growth of towns and industrial districts especially since 1880. In 1749 only 5 per cent of Finland's population lived in towns, in 1880 the inhabitants of urban areas amounted to 9 per cent and in 1936 to 31 per cent of the total population.

The population is ethnically divided into two, the Finnish and the Swedish one. The third original group, the Lapps in northern Finland, in the Enontekiö, Inari and Utsjoki districts, is at present numerally insignificant amounting to 2,346 persons in 1940. The Swedes populate two areas, a northern one consisting of a coastal strip 20 to 50 kilometres wide in southern Bothnia with the town of Vaasa as a centre, and a southern one including Åland and the south part of the Turku province archipelago, continuing from there eastwards as a 20 to 50 kilometres broad belt of the south coast as far as the Kymi River. The first mentioned area includes one-third, and the latter two-thirds of Finland's Swedish-speaking population. At the last census they numbered 353,985 or 9.6 per cent of the total population. Despite the continuous growth of this national minority — in 1865 they amounted to only 250,000, in 1890 to 320,000 and in 1930 to 343,000 — it has steadily decreased in comparison with the more rapidly growing Finnish majority, which colonized the backwoods in the inner parts of the country.

In 1749 Finland's Swedes numbered 16.3 per cent, in 1865 13.9 per cent, in 1890 13.6 per cent, in 1910 11.6 per cent and in 1930 10.1 per cent of the total population. Swedes also live, besides in these areas where the towns, however, have a large Finnish population, in small colonies in the inland towns and industrial districts. The Finnish capital has a strong Swedish-speaking element. The great majority of the Swedish-speaking population, something like 60 per cent, are however farmers or are engaged in other rural occupations. — Other nationalities are sparsely represented in the largest cities, chiefly in Helsinki. Russians number 7,210 or over  $\frac{2}{3}$  of the total 10,753 (1940).

The religion of Finland is Lutheran. The Orthodox Church, however, does not only include the comparatively few Russians, but also a great many Finns chiefly from the areas surrendered to the Soviet Union, north of Lake Ladoga. The Koltta-Lapps evacuated from the Petsamo district are also Greek Orthodox. In 1943 the Greek Orthodox Church in Finland included something over 70,000 persons,  $\frac{4}{5}$  in the country and  $\frac{1}{5}$  in the towns. Members of the Jewish Faith number (1940) only 1,500 and two-thirds of them are in the capital.

The former population of the surrendered areas, totalling 410,403 persons, now live scattered over the whole country; the four southern provinces include practically half (45.6 per cent), and the Vaasa province over a quarter (28.5 per cent) of them.

Anthropologically the Finns belong to the tall, fair race, which populates the northern parts of Europe. The average length of conscripts 1938 was 171.5 cm. The Nordic racial element, slender, and tall, with oval face and cranium, is found in the west and the southwest, being most marked in Aaland, and the East-Baltic racial element, characterised by a somewhat shorter build, broader face and cranium, in the east and north.

The most distinctive feature in the development of settlement since Finland became independent has been the move from the country to the towns and other urban areas. This migration, the growth of the town and decrease of the rural population is unfortunately not revealed by the official population statistics, which in a case like this very inaccurately registers changes in the geographical distribution of the population. According to official statistics the country population in 1930 was 2,752,000 and in 1940 2,833,000, thus showing an increase of approximately 80,000 persons in 10 years. On the other hand, however, a more detailed examination shows that some forty of the rural communes, partly suburbs, partly typical industrial districts, increased by 110,000 persons during the same period and thus in fact that the population in the remaining approximately 500 rural communes has decreased by 30,000 persons. The loss of population by migration, has therefore during the period 1930—40 been greater in these districts than the natural growth of population.

Official statistics also present a misleading picture of the real division of the population between towns and rural districts. The

statistics include both market-towns and urban areas, of which the people were registered upto 1943, as rural communes. Thus officially on January 1st, 1946, 24.1 per cent (902,349 persons) lived in towns and 75.9 per cent (2,834,161 persons) in rural districts. If the population of market-towns and the urban areas be added to those of the towns, the corresponding figures would be 29 per cent (1,085,165 persons) and 71 per cent (2,651,510 persons). Even these numbers are not really correct. The rural districts include many large, industrial communities, such as for instance Voikka and Kuusankoski on the Kymi River and Vuoksenniska, Imatra and Tainionkoski on Vuoksi River, which the official statistics do not separate, and they are counted as rural districts, although in view of their size and general character they have more right to be counted as urban areas than many of the small towns. This also applies to many of the suburbs of the large towns, which are not separated in the population statistics. In spite of this it has been possible on the basis of graphic curves and other facts showing the increase of population in communes with such unrevealed densely populated areas, to calculate their approximate figures at different times. This calculation indicates that in 1936 69 per cent of the population lived in purely rural districts. Such a considerable movement to towns has taken place since then, that at present less than two-thirds of the people live in the purely rural districts.

While the rural population as a whole thus sharply decreased during the period 1920—1940, that of the urban areas has greatly increased (by 56.8 per cent during the period 1920—36). Many of the towns in the north and east, Lahti, Kemi, Kajaani, Lappeenranta, have more than doubled their population, numerous industrial districts in the same areas, Lauritsala, Outokumpu, Ylävuoksi, Varkaus, Rovaniemi, Lieksa, have multiplied their population many times. On the other hand, many of the coastal towns in the west have decreased or show an extremely insignificant growth. The same is true also of a number of industrial districts in the same area. The result of this has been that the centre of gravity of the country's population has moved towards the north-east. The reason for the migration is that industrialisation has been rapid during the period of independence. The industries have attracted the surplus rural population. The occupational statistics elucidate this still further.

The agricultural population reached its maximum, 2,020,000 persons, in 1920, by 1930 it had decreased slightly to 2,015,000 persons and in 1940 greatly to 1,901,000 persons. Its percentage of the total population in 1920 was 65.1 per cent, in 1930 59.6 per cent and in 1940 51.5 per cent. The number of individuals engaged in industry and in handicrafts, on the other hand, continues to grow at an ever-increasing speed. In 1920 these branches occupied 460,000 persons, in 1930 570,000 persons and in 1940 775,000 persons. Their percentage of the total population was 14.8 per cent in 1920, 16.9 per cent in 1930 and 21 per cent in 1940. The same is true of all other town occupations. Communications, trade, public utility services and free occupations in 1920 engaged a total of 310,000 persons, in 1930 400,000 persons and in 1940 585,000 persons. Their percentage of the total population was in 1920 10 per cent, in 1930 12.3 per cent and in 1940 15.8 per cent. More widely regarded the main characteristics of development become even more pronounced. At the end of the 19th century (1880) nearly  $\frac{4}{5}$  (77.1 per cent) of Finland's population earned their living from farming, and only one eighth from typical town occupations, such as industry and handicrafts, communications, trade, public utility services and free occupations. In 1920 barely  $\frac{2}{3}$  (65.1 per cent) were engaged in agriculture and  $\frac{1}{4}$  (24.8 per cent) were getting their living from town occupations. In 1930 saw the corresponding figures  $\frac{3}{5}$  (59.6 per cent), and  $\frac{3}{10}$  (29.2 per cent). In 1940 agriculture engages only half (51.5 per cent) of the population, but on the other hand urban occupations nearly  $\frac{2}{5}$  (36.8 per cent).

Emigration to the United States started in Finland later than in most other European countries. The relative statistics start in 1893 and give the number of emigrants for the first years as approximately 5,000 a year, but during the first years of the twentieth century, 1901—05, as 16,000 a year. A total of 330,000 persons emigrated during the period 1893—1930. Nearly half the emigrants (158,000 persons) went from the Vaasa province. From the narrow Swedish-speaking coastal strip in East Bothnia alone some 48,000 persons emigrated, of which however about half have since returned. Although a considerable number of emigrants returned to their homecountry as soon as they had gathered a sufficient amount of capital, the number of emigrants and their descendants abroad is still quite considerable: 350,000 in the United States, 65,000 in Canada.

## THE HISTORICAL BACKGROUND OF FINNISH DEMOCRACY

The first genuinely historical document regarding Finland was a bull addressed by Pope Alexander III on September 9, 1172, to the Archbishop of Upsala, to the Swedish bishops acting under him and to Guttorm, Jarl (High Constable of) Sweden. In this document the Holy Father states that complaints are arriving from many quarters concerning the behaviour of the Finns. These, he says, promise to remain good Christians every time they are threatened with a hostile force, but they forget their promise as soon as the danger is over. Accordingly, the Pope considers that measures are necessary to put an end to a state of affairs which is incompatible with Christian doctrine.

The Holy Father's lamentations clearly refer to the fact that the efforts of Eric IX, King of Sweden, and Archbishop Henry to christianize the Finns in 1155 by force of arms, hardly gave positive results in spite of a temporary victory. The Finns, deeply attached to the faith of their forefathers, to their social order, and especially to their independence, seem to have offered a stubborn resistance to the new religion and to a foreign domination which would naturally lead to a new political and social system. The fact that only Finns in general are mentioned in the bull, without any reference to a central power, seems to confirm the fact that no such power existed at that time. The purport of the said document also proves that the Roman Church was in no way prepared to abandon its plans of bringing Finland under its influence.

What were, indeed, the beliefs and customs that the Finns defended with such fierceness? A detailed study of the legends orally transmitted, archaeological, ethnological and philological investigations, and various comparative researches compel the

conclusion that the Finns, at that time, had long ago passed from the state of nomadic hunting to that of settled farming. In their religious life they combined the veneration of their ancestors with the worship of various spirits whose favour they tried to solicit by means of offerings in consecrated spots such as fountains, orchards and hillocks. Magic and sorcery played an important part in religious practice, and the priests enjoyed an authority which no doubt had its worldly sides too. Social ties, at first mostly springing from family relationships, gradually developed, and eventually were determined by territorial conditions. In the communities of free peasants either within the limits of a village or a wider region, disputes were settled by a popular assembly, which also made the laws and managed the affairs of the community. Landowners alone had the right to vote, men employed by others and slaves having no possibility to make their voice heard at the assemblies. One of the notables acted as chairman of the assembly. The housewife enjoyed considerable authority and much respect in the home. These communities were scattered over a vast territory sparsely inhabited by tribes often engaged in feuds, and not united by any central organization. Finnish legends speak of many heroes, but of no kings.

However primitive this order may have been, concentrating in the same hands the executive, the legislative and the judiciary power, it reveals certain definitely democratic elements. The laws, being made at the popular assembly by the landowners, who necessarily represented family interests, expressed the will of a majority, a will respected by free consent by all the members of the community. Here also are found the first indications of an elective system for which the Finnish people subsequently showed so great a predilection that one is entitled to believe that its origins go back to the time when Finnish social structure issued from the stage of family communities.

The Roman Church and the Swedish power needed more than a century and a half to establish themselves gradually in Finland. The Swedish influence especially was but weak in the beginning, as that country at that time was torn by internal strife. Indeed, the Church was the first to establish a central organization, viz. an episcopate, the authority of which gradually extended to the whole country. Subsequently, this authority was consolidated with the assistance of two Swedish armed interventions, one in

the middle, and the other at the end of the 13th century. This was how the Kingdom of Sweden-Finland came into existence.

Acts of war, however, played a much smaller part in the unification of Finland and Sweden than a slow, but continuous assimilation due to a religion which had become common to both, to a striking similitude between the social orders originally prevailing on both sides of the Gulf of Bothnia, and eventually to measures of defence against a common enemy. Among the Finnish population, women and menials, who formed its majority, could but welcome a religion which, while preaching love, humility and the equality of men before God, condemned material strength and violence, the objects of pagan worship. On the other hand, the Finnish peasants could find no reason to oppose a political and social order which was so imbued with liberalism as that coming from Sweden. At that period the provinces enjoyed practically complete political autonomy, and they recognized only the authority of a common king. This king, who was elected by the people and who could be dismissed by them, was the uncontested chieftain in war, but he had little power in peacetime. His main task was that of maintaining public order, but in doing so he had to keep his pledge not to violate the rights of the people who swore allegiance to him on that condition alone. As far back as in those days king and citizen alike recognized the authority of the law which the people themselves had created and approved, and which therefore was sacred to them.

In those old provinces which had a comparatively primitive economic and social life, a direct government by the people worked easily, all the more so as the areas to be administered were small. The people could meet to discuss public affairs, to make laws and settle disputes. This political system, democratic and simple as it was, nevertheless met with increasing difficulties as political, social and economic interests began to extend beyond the limits of the province and gradually began to pursue aims which could only be realized under the authority of a state. This fusion took centuries to become effective and it necessarily caused a division of labour which in turn led to an increasing social differentiation.

The Roman Church, jealous of its independence and even claiming control in worldly matters, demanded and obtained certain privileges by means of which the clergy became an independent order under the leadership of high prelates. Church property was exempted from

taxation, and in conformity with canon-law, members of the clergy were not subject to the ordinary jurisdiction. All violations of canon-law, whether committed by the faithful or by priests, had to be judged by the ecclesiastical authorities. Canon-law also influenced legislation and succeeded in securing a firm position among all new laws. In one respect, however, the Church suffered a severe set-back; that was when it claimed the sole right to nominate the parish priests. The people vigorously opposed this demand, and in Finland and in Sweden alike, the Church had to be content with appointing the one of its candidates who had been elected by the parishioners. The people thus gave proof of their strong adherence to the elective system, a democratic principle which in this particular case has been followed to this very day.

All citizens capable of bearing arms had to help to defend the country. Warfare, however, required leaders, horsemen, arms and armour, and in the first place, a main body of trained soldiers. The king surrounded himself with a body-guard, and peasants who had sufficient means became professional soldiers, the richest among them equipping according to their wealth, detachments of which they took command. In exchange for the services they rendered the king by placing themselves at his disposal for military undertakings, they obtained certain privileges, the most important of which was at first exemption from all taxes. Such privileges subsequently increased in number, and the bestowal of fiefs was soon among the principal ones. These fiefs, however, never became hereditary, and feudalism, as it existed in Finland and Sweden never acquired the extent and power it attained in other countries, and, above all, it never led to the calamity which was serfdom. The various privileges with which the permanent cadres of the army were endowed gave rise to a new social class, the Nobility.

Improved means of communication increased the importance of the fairs which were generally held at highway crossings or near harbours protected by castles. Traders and craftsmen settled there in the course of time, and thus towns began to spring up. The town-dwellers acquired certain privileges and eventually formed a separate social class, the Burghers.

Noblemen, priests and burghers, all had the same origin, viz. the free peasants. Those of these last who continued to be farmers, eventually formed, together with their families and the labourers they employed, the largest section of the population, one which



gradually came to be considered as a separate order, namely the Peasantry.

The unified state required, of course, central bodies. The king, in governing the country, surrounded himself with counsellors chosen from among the higher clergy and the richest and most powerful noblemen. Thus was formed the King's Council, later called the Council of the Realm, and the precursor of to-day's State Council or Cabinet. When important matters had to be decided, taxes raised, and laws made, the king convened meetings on a broader basis. The clergy and the nobility, and later also representatives of the burghers and the peasantry, took part in these. The first assembly of this kind was held in 1435; it was followed by others, finally becoming the Diet of the Four Estates which later became the »Riksdag». The regional assemblies gradually lost their legislative authority and confined themselves to the management of local affairs and the settlement of lawsuits, thus becoming lower courts of justice.

The laws passed by the various provincial assemblies were codified for the first time in the beginning of the 14th century by order of King Magnus Eriksson, and a second time, about a hundred years later, by King Christopher. This code, known under the name of »Landslag» — Law of the Country, was completely revised in 1734, and many of its provisions are still in force on both sides of the Gulf of Bothnia.

Having united her fate with that of Sweden, Finland, ever since the 13th century, has contributed to the political and social development of the realm. In 1362 she was called to share in the election of the king, and later, to take a seat in the Diet of the Four Estates. Until the beginning of the 19th century, when Finland was annexed by the Russian Empire, her people, on an equal footing with those of Sweden, shared both the successes and the misfortunes of the latter's foreign and home policy.

The whole of the constitutional history of Finland during the Swedish era cannot be recapitulated in this short survey. It may nevertheless be useful in this connection to examine briefly to what extent democratic principles were applied in legislation, in the judiciary and in administration; to see if the Riksdag was the true expression of the nation's will, and to outline the evolution of the civic rights and public liberties of the people.

According to the Law of the Country no existing law could be amended, nor could a new law be enacted without the consent of the people. The same applied to taxation. This rule was respected in principle, but it underwent certain modifications in the course of time. The king or the representatives of the crown claimed the right to enforce special measures with a view to maintaining public order. The king acquired the initiative in respect of legislation, but the Estates nevertheless could exercise the same right of initiative by means of petitions. Economic development increased the need for administrative bodies and regulations, and this gave rise to the enactment by royal decree of a series of laws which were accepted and tolerated by the people so long as they did not violate any current laws. No law prescribed how often the Diet was to meet, and it was convened at the discretion of the king alone. At the end of the 17th century the Diet surrendered its legislative power to King Charles XI, and the period of autocratic power which followed culminated during the reign of Charles XII. The disastrous consequences of this reign, again, led to a period when the Riksdag was omnipotent, and the king was merely a figure-head all through that part of the 18th century known as the Epoch of Liberty. The numerous mistakes for which the Riksdag was responsible prepared the soil for the *coup d'état* which Gustavus III staged in 1772 in order to re-establish the balance between the prerogatives of the Riksdag and those of the Crown. This balance was upset in favour of the Crown by a second *coup d'état* by Gustavus III in 1789. Initiative in legislative matters became the king's exclusive prerogative and the Riksdag could be convened at his discretion alone. It goes without saying that the king's right to enact decrees, so long as no existing laws were violated, was maintained.

The Law of the Country authorized the king to raise special taxes in time of war, and the Crown made frequent use of this right. The population also suffered at times from the exactions in which nobles indulged in their fiefs, and as surveyors in the royal estates.

Despite all these violations of the people's sovereignty, it deserves to be noted that all through the Swedish era in Finland the principle was maintained, at least formally, that no existing law could be amended, nor any new law enacted, without the consent of the people's representatives.

According to the Law of the Country, the king exercised the executive power by virtue of a commission granted by the people who did not confirm his election until he had undertaken to respect their rights. During the reign of Gustavus Wasa the crown became hereditary, but when a dynasty died out it fell to the people's representatives to choose the prince who was to succeed to the throne. As the nobility and the clergy had begun to exercise a decisive influence on the election of the king, executive power became the object of frequent and violent struggles between the king and the nobles. The Riksdag, where the order of the Nobility played a leading part, was also drawn into this strife. It often happened that the king appealed to the people for help to check the ambition of the nobility, but it must be admitted that the Council of the Realm and the Diet often intervened to moderate the king's aspirations towards excessive power. A certain control of royal power thus existed, but it disappeared completely after the second *coup d'état* of Gustavus III who abolished the Council of the Realm and broke the resistance of the nobility.

The Law of the Country forbade the king to make his troops to fight outside the country's boundaries, the aim of this being to prevent the starting of wars of aggression. This rule was not always observed, and it was suspended by Gustavus III who claimed the sole right to decide on war and peace.

The administration of justice, at first exercised independently by the people's provincial assemblies, was equally vested in the king who then could settle all disputes and make a final pronouncement in all cases that had passed the provincial assemblies. Eventually, the kings bestowed this right upon special deputies, thereby creating the Courts of Appeal. As the custom of final appeal to the king had nevertheless been maintained, it resulted in the creation, by Gustavus III of a third instance, the Supreme Court of Justice.

In the beginning all men present at the popular assembly agreed to the judgement given. This custom was not maintained, and it became obligatory to elect from among the peasants of the district a number of lay assessors to assist the judge-president. These assessors not only deliberated on the verdict of the court, they also took part in the examination of the case, and if their opinion was unanimous it outweighed that of the president. This form of jurisdiction, in which the representatives of the people

took an active part, has been maintained ever since in the rural district courts, and as an application of democratic principles it constitutes one of the most desirable in the history of Finland's institutions. It should be added that the independence of the courts of justice was respected during the whole period of Finland's union with Sweden.

In drawing up, the balance-sheet of the constitutional regimen during this era, from the point of view of democratic practice, it is clear that the national representation, in the form of the Diet of the Four Estates, actually expressed the will of a minority only. The nobility, the clergy and the burghers stood for a fraction only of the whole population. In the beginning their privileges implied obligations too, most of which, however, fell into oblivion in course of time. As to the order of the Peasantry, whose representatives had little to say in the Riksdag, it included merely land-owners and therefore did not represent more than a small section of the rural population. Workmen in the towns and farm labourers alike, not to speak of the women, had no political rights whatsoever. This fact alone justifies the opinion that the political regimen prevailing during the Swedish era, and especially during its latter period, had laid the formal foundations only of a democracy which was still far from being fully realized in spite of the existence of popular representation.

The inviolability of the individual and his property is certainly the most important of civic rights. This principle was recognized in the provincial laws even before they were written down, and it was inscribed in the King's Act of the Law of the Country. Slavery for prisoners of war was definitely abolished at the beginning of the 14th century. Individual freedom was respected by all Swedish kings, and by all Russian Czars also, with the exception of the last of the Romanoffs. This freedom can be said to have been inviolable ever since a social order existed in Sweden and Finland.

Owing to the privileges granted to the nobility, to the clergy, and in a less degree to the burghers, there could be no question of the equality of all citizens before the law. Public offices were reserved for the nobility and the clergy, and not until the end of the Swedish era were members of other orders admitted to them.

Neither the Roman nor the Lutheran Church tolerated freedom of conscience, and all heretical tendencies were rigorously suppressed.

Such religious impulses as could spring up in spite of such a spirit of intolerance were exposed to the worst kinds of persecution, notwithstanding the fact that they sought more to oppose the formal aspect of religion than its doctrine.

The freedom of the written word was not a practical question before printing was invented. Books, which were mainly written by priests, remained very rare, and censorship measures were not employed before the end of the 17th century. During the so-called Era of Liberty, in the 18th century, freedom of thought expressed in writing was much widened, and the credit for this is largely due to the Finn, Anders Chydenius, a member of the Clergy Order. During the reigns of Gustavus III and his son the censorship was more rigorous than ever before.

Association was more a duty than a right in the age of brotherhoods and corporations. Political parties did not appear until the Era of Liberty. No regulations proper existed pertaining to the freedom of association, and in practice it was limited only when the governing power found it necessary.

When Finland became incorporated with the Russian Empire after the war of 1808—09, Czar Alexander I did not abuse his victory. Before the Finnish Diet of the Four Estates, which had been convened at Borgå at the end of March, 1809, he gave assurance to the Finnish people that he would respect their laws and constitutional rights. The Finnish people, he said, henceforth was raised to be a nation among the nations. While a part of the Russian Empire, Finland remained politically and economically autonomous. Her constitutional regimen, her administrative and judicial organization, and her local self-government were maintained. The only changes in political organization which took place were those by which central organs common to Finland and Sweden were replaced by others.

The reign of Alexander I had begun in a spirit of liberalism, but its end was darkened by a reactionary trend which gained further ground during the reign of Nicholas I (1825—55). Political life in Finland came to a standstill, and the Diet was no longer convened. The censorship was more oppressive than ever and the liberty of association was restricted.

An era of political awakening began for Finland after the accession of Alexander II. It had been preceded by a national awakening which had given the Finnish people faith in themselves. The Diet

was once more convened in 1863, and a new fundamental law was enacted in which its composition and the procedure for its sessions were established. Its sessions were to be held at regular intervals. Although this law respected the political rights of the four orders, it created a representation that was national only in name. Its achievements in the way of legislation were nevertheless considerable. Elementary education was organized on a popular basis and higher education was much developed. The laws pertaining to the autonomy of rural and urban communes were codified, and women obtained communal suffrage in rural districts in 1865, and in townships in 1872; this right, however, was much curtailed by the fact that the franchise was based upon payment of taxes. Furthermore, economic life was stimulated by a law proclaiming the freedom of trade.

Political parties began to appear in Finland during this period and the subsequent reign of Alexander III. They originated in the language quarrel between the Finnish- and Swedish-speaking elements of the population, but in course of time their programmes covered a wider field of political activity. From the democratic point of view the outstanding political feature of the two last decades of the 19th century was the birth of the labour movement. Its representatives held their first congress in 1893. A later congress in 1899 resolved to found a Labour Party, the first aim of which was to achieve political suffrage for all men and women of 21 or over. In spite of the fact that such an aim seemed utopic at that time it was reached in 1906, thanks to a concurrence of circumstances which were as unexpected as they were propitious.

Nicholas II, after succeeding his father Alexander III on the Russian throne, continued and further developed the reactionary policy that had obscured the last years of his predecessor's reign. In doing so he also broke his oath to Finland, an oath all previous Czars had respected. A campaign of oppression and Russification was launched; the country's constitution was repeatedly violated, and in the face of such a situation the Finnish people adopted an attitude of passive resistance which soon received the moral support of the Western world. On the other hand, the disastrous Russo-Japanese war had increased general discontent among the Russian people, this eventually leading to numerous assassinations and revolutionary risings. This restlessness spread to Finland, and a general strike broke out here at the end of October, 1905. Faced

by the danger of a situation becoming progressively worse, the Czarist government found it wisest to retire. Russia obtained national representation, and in Finland all measures conflicting with the constitution were rescinded. The Diet availed itself of this opportunity in 1906 to enact a new constitutional law, the Diet Act, and a new electoral law, by the terms of which the Four Estates Diet was replaced by a Single Chamber Diet whose 200 members were elected by universal, secret and proportional ballot of all citizens of both sexes aged 24 or over. Finland was thus the first country in Europe to grant women the same political rights as men. In 1906 the Diet also passed a law giving freedom of speech and of the press, as well as freedom of meeting and association. This law was sanctioned by the Czar, who the following year also approved a law stating the conditions under which public meetings could take place.

The instruments and prerequisites of a democratic evolution had thus been created, but it did not materialize before Finland proclaimed its independence on December 6, 1917. At the end of the same year the principle of universal suffrage was extended to local government elections, and in 1919 the new constitution was sanctioned. This constitution includes all the principles of modern democracy, which is confirmed by the fact that no amendments to its essential parts have been proposed after the two recent wars and the move towards the Left which took place in the general elections of 1945.

This survey would be very incomplete if it did not mention the important role played by self-government in the life of the rural communes. After the legislative and executive power had become centralized, the old provincial assemblies had to surrender their prerogatives, and eventually the form of local administration, which survived referred in the beginning, mainly to the management of Church estates. Later, however, it extended to economic and social matters. In exercising such administrative local self-government the Finnish people have not only learned to manage their public affairs; what is still more important, they have realized that political rights place a responsibility on those who exercise them, and that the first expression of the due appreciation of freedom is the fulfilment of the duties it implies.

# THE REPUBLIC OF FINLAND

## *ITS POLITICAL AND ADMINISTRATIVE STRUCTURE*

### I. POLITICAL ORGANIZATION

According to the Constitution the Sovereign power is vested in the people represented by their delegates assembled in Diet. The Diet wields legislative power in conjunction with the President of the Republic. The President is also invested with supreme executive powers. Government is carried on by the President and a Council of Ministers (Council of State) styled herein the Government. Judicial power is wielded by independent courts of law. The setting up of incidental courts is prohibited.

The President of the Republic is elected from among Finnish-born citizens for a term of six years. Normally the election is carried out by a College of 300 Electors chosen specially for the purpose by general election. The regular date for these elections is January 15—16th. Nomination of presidential candidates before the election campaign is not necessary. The President enters on his term of office on March 1st. The first President was elected by the Diet in 1919, as there had not been time for the enactment of special laws to govern the election. After the outbreak of the Second World War, Parliament twice decided on the exceptional step of itself electing a President.

The President enjoys relatively wide powers. He may summon Parliament to an Extraordinary Diet. He may also dissolve it. He has the right of initiative in matters of legislation, and other Government representations as well require his approval. He approves laws. He may refuse to sanction a Bill, and if he fails to sign one within three months he is regarded as having refused



his approval. Should the Diet, however, after new elections pass in its original form a Bill that has not received the President's approval, the Bill becomes law. The President is thus unable permanently to prevent the enactment of a law. The President also issues executive decrees relating to various administrative matters, providing they do not involve amendments to laws. He appoints all higher officials, including military and church officials. The President has the power of granting Finnish citizenship and releasing a Finnish citizen from his citizenship. He possesses powers of amnesty in individual cases, though for a general amnesty special legislation is essential. The President can also grant dispensations. He is the Commander-in-Chief of the armed forces, but may in time of war delegate these powers to another, as has been done.

The article vesting in the President the power to decide the nation's relations with other Powers has proved specially important. In matters affecting war or peace, however, he can only decide with the consent of the Diet. Similarly, the approval of Parliament is necessary for treaties concluded with other Powers falling within the sphere of legislation or requiring the approval of Parliament under the Constitution, for example because they involve public expenditure.

These extensive presidential powers have not remained mere dead letters. The first President of the Republic, K. J. Ståhlberg, in particular, made purposeful use of his powers and did not hesitate to dissolve Parliament.

But while vesting great power in the President the Constitution presupposes the exercise of these powers under the supervision of the Government or the Diet. It is with this intention that the Constitution lays down that the President shall make his decision at meetings of the Government following a presentation of the case by the Minister concerned. The President is not bound to accept the opinion of that Minister or indeed that of the Government as a whole; nevertheless, for the President's decision to become valid it must be countersigned by the Minister concerned, who may refuse his signature provided he is prepared to resign his office. Should the President then be unable to secure a new Minister willing to sign, or an entire new Government if the dissentient Minister's colleagues announce their solidarity with him, the President finds himself in a blind alley. Ståhlberg once let matters go so far that he accepted the resignation of the Government

and then having dissolved the Diet, carried on with a non-party Government of experts until the subsequent General Election provided him with the basis for the appointment of a Government on regular parliamentary lines.

Supervision of the President's use of his powers has proved to be specially difficult in the sphere of foreign policy, particularly if some Ministers are prepared to support his policy. Thus during the war, President Ryti managed foreign relations without submitting even all questions of war or peace to the Diet. On occasion he did not even inform the Government as a whole, but made his decision in conjunction with the Minister for Foreign Affairs or a few other Ministers. After the war President Ryti was impeached under the terms of the Armistice for his foreign policy and the sentence imposed on him was in part determined by his omission to observe the proper constitutional forms.

In normal circumstances a President cannot be impeached for his official acts unless these involve treason or high treason and unless Parliament approves the impeachment by a three-fourths majority. In such cases the tribunal is the Supreme Court.

Parliament consists of a single chamber. It is composed of 200 Members. Its ordinary life is three years.

In regard to the nomination of candidates at the General Election, the only condition imposed is that not less than fifty voters, forming a Voters' Committee, in writing bind themselves to vote for their candidate. The nomination paper of such a committee may include even two candidates. The candidate whose name appears first is then credited with all the votes recorded on the list, and the second candidate with half that number. Voting is by secret ballot, direct and based on the principle of proportional representation. For election purposes the country is divided into electoral areas, of which there are now 15. The number of seats allotted to each area is decided by the Government on the basis of the number of inhabitants in each as shown by the census register. The number of Members returned by the different areas now varies between 8 and 31. Suffrage is universal and thus extends also to women. Voters' Committees unite in their electoral areas into electoral unions. The division of the seats within an electoral area is effected between the different electoral unions on a proportional basis, in other words, in proportion to the number of votes received by the respective unions.

The voting age was reduced on Nov. 24th, 1944, from 24 to 21. In regard to restrictions on the right to vote it may be mentioned that prior to 1944 persons serving in the regular army were not entitled to vote; now they are only ineligible for election. Persons under guardianship or sentenced for vagrancy to detention in labour institutes or to forced labour and persons deprived of civic rights lose their votes.

Any person entitled to vote is eligible for election. A person eligible for election may appear as a candidate in any electoral area or in several simultaneously.

The procedure is the same in the election of the Electors who decide on the President of the Republic.

The regular date for the General Election is July 1st; if Parliament has been dissolved, the General Election is held within a stipulated period. The Diet assembles annually without special prorogation at the beginning of February. Parliament may itself decide on a different date. After a dissolution the new Parliament assembles after the elapse of a stipulated period. The regular length of a Diet is 120 days, but it may itself prolong or reduce the period during which it is in session. In general, the growth of parliamentary business has led to a frequent prolongation of the Session. During the past few years Parliament, with a few brief intervals, has sat practically all the year round.

Parliament elects its own Speaker and two Deputy-Speakers. Together with the Chairmen of the various committees these constitute the Speakers' Council.

A new Diet assembling after a General Election is required to proceed without delay to the election by proportional representation of not less than 45 Electors for the duration of the Diet, who shall in turn elect members to sit on the different parliamentary committees. The committees required by law are the Constitutional Committee, the Laws Committee, the Foreign Relations Committee, the Finance Committee and the Bank Committee. The statutory strength of a committee is 17, except in the case of the Finance Committee, which has a membership of 21, and that of the Bank Committee, which has 13. Deputy-members are also elected to a minimum of a fourth of the regular members. The Diet may, if it wishes, appoint other committees. Thus, during the wars, a Committee on Military Affairs was appointed. At extraordinary Sessions of the Diet only the committees required for the business

in hand need be elected. By a decision of the Diet, the Finance Committee may continue to sit after the Diet has gone into recess or has terminated. Similarly, the Government may summon the Foreign Relations Committee even while the Diet is not assembled.

A kind of substitute for a First Chamber is formed by the Grand Committee. This consists of not less than 45 Members, the aim being in general to secure the most competent Members of Parliament for this committee. It considers and expresses its opinion on Bills or matters relating to taxation or loans coming up before the Diet in full session.

Parliament also appoints the State Auditors and nine delegates to supervise the administration of the Bank of Finland, which is subordinate to the Diet.

In connection with the work of the Diet it should be noted that taxes, also customs duties, are fixed by law, similarly the general bases for pensions and for fees for State services. Parliament approves the Budget, and new offices or posts may be founded only within the confines of the Budget appropriations. Government loans require parliamentary sanction, as do the general directives for the care of State property.

The Diet must deal with Government Bills, but Members too have the right of initiative. Such initiative may take the form of a Bill for a new law or an amendment to an existing law, a motion for the inclusion in the next Budget of a specific appropriation, or a motion couched in more general terms calling on Parliament to express to the Government its desire that the Government should take certain action in some matter falling within its competency. Motions of the latter type usually arise where a legislative or other measure calls for additional information which the Government is better equipped to procure than Parliament, or where a matter is one for the executive authorities. Members' Bills must be submitted within a prescribed period after the opening of a Diet. Later, a private motion is permissible only if a decision by the Diet, a Government Bill or some other event during the Diet in progress gives direct cause for such action, and also in such cases the motion must be submitted within a stipulated period after the event in question has come to the notice of the Members.

A Member may submit a *question* to a Minister on a subject falling within the latter's sphere. Whether an answer is given and

when, is left to the discretion of the Minister. Should, however, he decide not to answer, he must inform the Diet of the reasons for his refusal. No debate or vote is permissible in connection with a question.

*Interpellations* may also be addressed to a Member of the Government on matters concerning his Department on condition that not less than 20 Members of the Diet signify their adherence in writing. An answer must be given to an interpellation within 15 days unless notification is given by the Government within the same period that no answer can be given, in which case the reasons must be stated. Interpellations are followed by debates, at the conclusion of which the Diet is required to define its attitude to the Government's answer. If this is found satisfactory, the Diet adopts, on a motion by the Speaker, a resolution calling for an unqualified return to the order of the day. It is open, however, to the Diet, on a motion by a Member, to pass a resolution for a qualified return to the order of the day or calling for the matter to be submitted to the Constitutional, Laws or other Committee. As a rule the Government announces in advance the type of resolution it will accept as a vote of confidence. The Diet can then express non-confidence by passing a resolution differing from that acceptable to the Government.

Matters dealt with usually pass first through a committee stage. In the case of Government Bills and bills for laws this is compulsory. As a rule, therefore, business comes up for decision in the Diet on the basis of a committee report. Bills involving legislation, taxation or Government loans are required to be read three times at different meetings of the Diet in full session. After the first reading a bill goes to the Grand Committee, which reports on it and appends any eventual recommendations. The bill then comes up for a second reading. If then the report of the Grand Committee is accepted unaltered, the second reading is declared closed, failing which the bill goes back to the Grand Committee, which now reports on the amendments passed by the Diet which then makes its final decision in full session at a third reading.

The treatment of any business which the Diet has not had time to conclude during a regular session is resumed at the next, unless a General Election has been held in between. Questions and interpellations alone do not pass on to the next Diet.

## II. POLITICAL PARTIES

Between 1906, when the present single-chamber Diet came into being as the result of a parliamentary and suffrage reform, and 1918, the political parties represented in Parliament comprised three Finnish-speaking parties, viz., an Old-Finn, a Young-Finn and a Farmers' Party, a Swedish People's Party, and a Social Democratic Party recruited from both lingual groups. The Old-Finns tended in general to conservatism and aspired to the leadership of the Finnish-speaking population, but stressed at the same time the importance of maintaining good relations with the Russian Empire even if that meant bargaining away Finland's rights. The Young-Finns were in the main Liberal and attached the greatest weight to an uncompromising defence of the nation's rights. The Farmers' Party endeavoured to play the part of special champions of the farmers' interests. The Swedish People's Party was at that time Conservative in the general direction of its policy, but included Liberal elements. The only plank on which all members of the party were unanimous was the maintenance of the position gained by the Swedish-speaking element in public life. On the whole, the party stood for unflinching defence of the nation's rights. The Social-Democrats sought to carry into effect a Socialist programme by democratic methods.

Events set in motion by the revolution that broke out in Russia in 1917 led to civil war in Finland in which the victors were the bourgeoisie, who received a small amount of armed help from Germany in the closing stages of the struggle. Thereafter an idea that had already been nurtured in some circles of making Finland a monarchy and procuring a king from Germany, loomed larger in public life. The resulting controversy over the form of government to be adopted provided the impulse for new political groupings. Finnish Conservatives founded the Coalition Party, Liberals the Progressive Party. The 1919 elections were a victory for the republican element; out of 200 seats the Farmers secured 42, the Progressives 26 and the reconstructed Social-Democratic Party 80. The Liberal element in the Swedish People's Party was also strengthened. After the Social-Democratic Party, under the influence of its new leaders, had begun to incline more and more towards a cautious revisionist policy, party members with extremist views resigned and founded a second Leftist Party. In the 1922 elections

this new party secured 27 seats. The authorities, however, obstructed the activities of the party, which, therefore, was reconstructed under a new name, but after the 1929 elections it was unable to take the field at all as an independent party. Open activities by the Communist Party were prohibited. It operated underground, led from abroad, until able to resume its open activities after the signing of the Armistice in the autumn of 1944.

During the general world depression in the early 1930's an anti-democratic movement was launched in Finland, originally as the Lapua Movement, which finally led to the founding of a new party, the IKL (Patriotic People's Movement), with a membership recruited mostly from the Coalition Party. This party modelled itself at first chiefly on the Italian Fascists, then later on the German Nazis.

Two minor Small Farmers' Parties have sporadically appeared on the political scene. A separate Swedish Left has also existed, with a strength of 1—3 seats in the Diet. Recently it adopted the title of the Swedish Liberal Party.

In general there have been no great variations in the parliamentary strength of the parties, above all no landslides. The Progressive Party has declined in strength, similarly the Swedish People's Party. From the low point resulting from the dispute over the form of government the parliamentary strength of the Coalition Party rose again to a maximum of 42 in 1930, only to dwindle again to 25. The strength of the Farmers' Party has varied between 42 and 60. The number of Social-Democrat Members returned has greatly depended on the opportunities for action by the other Leftist groups. Whenever these have been able to take the field separately, the Social-Democrats have lost seats. The record for the Social-Democratic Party was 85 seats in 1939. When the other Leftist groups were able to come into the open they secured 18—27 seats.

Since the Armistice of 1944 considerable changes have taken place in the relative strength of the parties. The majority held by the non-Socialist parties has dropped to 101 against 99. The decline in the number of Swedish Members has been accompanied by a decline in the influence of the Conservative element, and in the party the Liberal element is now in the majority. The Conservative Coalition Party now holds only 28 seats, and the IKL has been dissolved. In the Progressive Party, which holds 9 seats, Right wing influence has grown stronger, with the result that the

party has drawn considerably nearer to the Coalition Party. The Farmers' Party now holds 49 seats; in this party it is the Left wing which has grown stronger. The Social-Democrats secured 50 seats in the elections, and the Communist Party (SKP) 39, while other Leftist groups co-operating with the Communists returned 10 members. These latter groups are in general former Social-Democrats in opposition to that party. The majority of them reorganized themselves anew in March 1946 as a new party styled the Socialist Unity Party (SYP).

The number of Members returned by the different parties in elections between 1919 and 1945 is shown in the appended table.

Year of election	Social-Democratic Party	Farmer's Party	National Coalition Party	Swedish People's Party	Progressive Party	Leftist Socialist Parties	IKL (Patriotic People's Movement)	Communist Party	Others
1919	80	42	28	22	26	—	—	—	2
1922	53	45	35	25	15	27	—	—	—
1924	60	44	38	23	17	18	—	—	—
1927	60	52	34	24	10	20	—	—	—
1929	59	60	28	23	7	23	—	—	—
1930	66	59	42	21	11	—	—	—	1
1933	78	53	15	21	11	—	17	—	5
1936	83	53	20	21	7	—	14	—	2
1939	85	56	25	19	6	—	8	—	2
1945	50	49	28	14	9	10	—	39	1

In the autumn of 1944 the Communist Party and the Left Wing Socialists who subsequently adopted the title of the Socialist Unity Party founded a joint action body known as the Finnish People's Democratic League (SKDL). This league is thus not an actual political party, but it has nevertheless acquired considerable political importance not least for the reason that its members form a definite parliamentary group.

In the sphere of party politics there remains to be mentioned the agreement for joint action drawn up by the three biggest



parliamentary groups, viz., the Social-Democrats, the SKDL and the Farmers, in the spring of 1945, an agreement which constituted the political foundation for the coalition Government now in power. Though not included in this «Big Three Pact», the Swedish People's party also is represented in the Government which has behind it 163 Members out of a total of 200.

### III. THE GOVERNMENT AND ITS FUNCTIONS

The Government assists the President in the administration of the country. It includes a Prime Minister and a number of Ministers up to a maximum fixed by law, at present 18. There are 11 Ministries, viz., Foreign Affairs, Justice, Interior, Finance, Defence, Education, Agriculture, Transport and Public Works, Trade and Industry, Social Affairs and a Ministry of Supply founded during the war. To some of these Ministries, notably the Ministry of Finance, the Ministry of Agriculture and the Ministry for Social Affairs, an Assistant Minister has customarily been attached. Since the Armistice two Ministers have been in charge of the Ministry for Foreign Affairs. In matters relating to foreign trade they are assisted by the Minister of Trade and Industry. There are no Under-Secretaries of State. A permanent official, the Chancellor of Justice, is attached to the Government for the supervision of the legality of decisions made. The Minister of Justice and at least one other Minister must be lawyers. Five Members of the Government constitute a quorum.

Members of the Government must be born Finnish citizens. All Members of the Government must enjoy the confidence of the Diet. They are responsible to the Diet for their official acts. Once a year the Government must submit to the Diet a report on its actions, similarly the Chancellor of Justice.

All decisions by the President are prepared at meetings of the Government, with the exception of military appointments. Thus it devolves on the Government, in co-operation with the President, to draft Bills, Budget Estimates and proposals for Government loans to be laid before the Diet. In conjunction with the President the Government issues executive decrees in matters where this is permissible. In the case of matters which the Government can decide without the President, it issues Government Orders, and

these too are published in the Statute Book. Ministries may also in certain cases make decisions of a general character in their own spheres for publication in the Statute Book. All appointments of civil servants are made by the Government unless these are specially reserved for decision by the President or the Government Office concerned.

The Government works in large measure as a collective body, much more than is the case in many other countries. In practice, however, the tendency has been for the Government to transfer to the various Ministries an increasing number of matters for independent decision.

The Government has its own Chancellery, subordinated to the Prime Minister, which prepares and reports on matters affecting the Government as a whole and also manages the Government's relations with the President's Chancellery and the Diet. In other respects, matters dealt with by the Government are submitted to it by the Ministry within whose sphere they fall. This is done by a permanent official of the Ministry concerned; for decision by the President, the Minister concerned reports the case, but a permanent official in charge of the matter is required to be present.

For the preparation of business the Government appoints from among themselves a Foreign Relations Committee and a Finance Committee, and may in case of need appoint other, usually temporary committees. The Foreign Relations Committee mostly consists of five Ministers, the Prime and Foreign Minister and three others, the Finance Committee of four Ministers, the Prime and Finance Minister and one other, with the Minister to whose province the financial matter to be discussed belongs as the fourth member.

A Minister present at a meeting of the Government shares the responsibility for the decisions made unless he has recorded his dissent in the minutes. In normal circumstances this happens very rarely, but in time of war and post-war difficulties it has happened more frequently. The permanent official reporting a matter also has the right to absolve himself of responsibility by recording his dissent in the minutes.

With a view to speeding up business the Ministries have tended of late to refer more and more matters for decision by the higher permanent officials on their own responsibility. On such occasions

two officials usually take part in the decision, one of lower rank who prepares and presents the matter, and one of higher rank who approves his subordinate's proposal. In accordance with old tradition it has been customary in Finland for most Government documents, and often those issued by other authorities, to carry two signatures. Latterly the tendency has been to increase the independent authority of individual officials to decide and sign.

The supervision of the legality of decisions made by the Government rests with the Chancellor of Justice who is assisted by an Assistant Chancellor. In case of doubt the Government expressly seeks his opinion. Opinions on Government Bills may also be sought from the Supreme Court and the Supreme Administrative Court.

#### IV. THE JUDICIAL SYSTEM

The judicial system is in large part a heritage from the old connection with Sweden. The lowest instances are the rural Circuit Courts and the corresponding Municipal Courts. The former comprise a legally trained Judge and a number of local jurors, not less than 7 and not more than 12. They are not jurymen in the English sense, but rather paid local experts permanently appointed to assist the Circuit Judge, for the latter may form his judgement at his own discretion, unless it is unanimously opposed by the jurors. The Court appoints the jurors from among nominees put forward by the local authorities. The Circuit Judges are appointed by the Supreme Court.

At present the country is divided into 49 circuits, each under its own judge. Most of the circuits are divided into assize areas, each with its own jurors. At least one assize must be held in both the first and the second half of a year, and oftener if the number of assize areas in the circuit permits. In case of need special assizes are held.

A Municipal Court is a tribunal consisting of no less than three Judges, the Chairman of which is a Burgomaster appointed by the Supreme Court. The larger cities maintain a special Judicial Burgomaster, whose duties are separate from those appertaining to the Civic Mayor presiding over the Board of Magistrates. The other judges of a Municipal Court are chosen by the Municipal Council. In the larger towns the rule is for these judges also to

be trained lawyers, and their Municipal Courts function in several departments.

In addition to the dispensation of justice proper, the Circuit and Municipal Courts also deal, to some extent in full session, but since 1946 also through their clerks, with such matters for public announcement as claims to title-deeds, amortization, matters concerning guardianship and marriage settlements. There is no organized notary system in Finland.

Matters relating to distraint are dealt with in the rural areas by the Provincial Governor, in cities by the Board of Magistrates, but appeal is open as in the case of other litigation.

Appeals against verdicts by Circuit or Municipal Courts may be made to a Court of Appeal, of which there are three. In matters of minor importance the decision of a Court of Appeal is final, in others further appeal is open to the Supreme Court. Trials for treason and high treason are always begun in a Court of Appeal, which is also the first instance for offences committed in an official capacity by judges of inferior courts and higher officials.

The Public Prosecutor in the Circuit Courts is the local Sheriff, in the Municipal Courts the City Attorney, in the Courts of Appeal the Attorney attached to the court, and in the Supreme Court the Chancellor of Justice or a person appointed by him.

In the inferior courts cases are dealt with orally, but the submission of written statements for inclusion in the records has become increasingly common. Sessions of the inferior courts are public, unless special circumstances demand a hearing in camera. The appellate courts invariably sit in private. They deal with cases solely on the basis of written evidence.

The hearing of evidence is in principle of a formal character. Evidence by two witnesses is regarded as binding.

In addition to their judicial duties the Courts of Appeal and the Supreme Court are entrusted with certain duties connected with the administration of the law, including various appointments. A plan for a complete reorganization of the judicial system is under consideration, one aim being to speed up the work of the inferior courts. With this intention a system of preliminary investigation is being evolved, following which the trial proper would be wholly oral and lead direct to a verdict. The territory covered by the courts would be reduced and the number of courts increased accordingly.

It is open to anyone to act as his own advocate in all instances, and similarly anyone possessing civic rights may represent another person in every instance. Efforts have been made to limit the right to act as an advocate, especially in the higher courts, to trained lawyers, but these strivings have invariably failed because of a widespread belief that the rights of persons in poor circumstances might thereby be prejudiced because of inability to engage legal counsel.

For matters relating to the division of land there is a special Land Division Court in each Court of Appeal area, from whose decisions appeal can be made to the Court of Appeal. The Land Reform now being carried out has been entrusted to local Colonization Boards, with a Supervisory Board as an appellate instance.

Military offences are tried by Military Courts, with a Military High Court to hear appeals.

Certain ecclesiastical matters are dealt with by the Bishop's Chapter. The appellate instance in this case is a Court of Appeal.

Appeals against decisions by private insurance companies or the State Insurance Office relating to compensation for labour accidents while at work are heard by a special Insurance Court. This court also deals with indemnity for disability or death incurred in military service. Against certain of its decisions appeal is open to the Supreme Court. A special court deals with matters concerning collective agreements and another with cases arising out of labour contracts.

Litigation in the administrative sphere is dealt with on other lines. Appeals against decisions by lower officials, state or municipal, are in general addressed to the Provincial Administrations, with a further right of appeal to the Supreme Administrative Court.

To deal with appeals against administrative action taken against civil servants for breaches of their official duty there is a special Civil Service High Court.

The highest supervisor of the judicial system has been from olden times the Chancellor of Justice. The present Constitution called for the appointment of a separate Solicitor-General attached to Parliament to supervise the course of justice as well as the legality of the acts of civil servants. On the whole, his powers coincide with those of the Chancellor of Justice, but since the founding of the post efforts have been made to maintain a certain division of labour between the two.

Any impeachment of a Minister, the President or a member of the Supreme Court or the Supreme Administrative Court or the Chancellor of Justice for illegal acts of an official character is dealt with by a special State Court. So far, this court has met on a single occasion only, when it dismissed the charge.

Trials based on the Armistice chiefly in respect of certain crimes against peace were dealt with by a War Responsibility Tribunal expressly set up for the purpose, whose judgments were based on special legislation enacted for this particular purpose, as it would have been impossible to secure uniform treatment of the charges under the existing criminal legislation or render sentences corresponding to the real gravity of the acts committed.

For the trials arising out of the extensive concealment of arms on the occasion of the Armistice and the unauthorized drafting of mobilization plans, special divisions of the Military High Court have similarly been set up and special penalties enacted in order to ensure the speedy treatment on uniform lines of a matter of wide dimensions in regard to the number of persons involved.

The Finnish judicial system is traditionally based on the principle of a division of power. The present Constitution affirms this principle. The judicature functions in complete independence. The Supreme Court appoints the judges of the inferior courts and certain other officials connected with the judicature, and submits nominations in the case of appointments invested in the President. The Supreme Administrative Court submits nominations of its own members to the President and itself effects other appointments. Judges are not dismissable until their retirement at the age of 70. Members of the Civil Service High Court, the military members of the Military Tribunals and the expert members of the Insurance Court are appointed for stipulated periods only. To uphold the dignity of the courts, public criticism of judgements which have acquired legal force is prohibited and may lead to penalties.

## V. THE CENTRAL GOVERNMENT OFFICES AND SUBORDINATE INSTITUTIONS

Certain Supreme Boards and other central Government Offices established long ago continued to function after the various sections of the Economic Department of the Senate, which carried out

the duties of a Government during Finland's Grand-Duchy period, had been converted under the new Form of Government of 1919 into Ministries. And since then new Government Offices have been added. Some of these were subsequently, in the interests of rationalization and centralization, merged with the appropriate Ministries as sub-sections of these. Of the existing Government Offices the most important are listed below.

Working under the Government Chancellery is a *Statistical Central Office*. The State Information Bureau founded during the war and still maintained, though on a greatly reduced scale, is also subordinate to this Chancellery.

The Ministry of Justice has now taken over as a sub-section the Prisons Board and its system of prisons, which was formerly merely subordinate to the Ministry.

Subordinate to the Ministry of the Interior are the Provincial Administrations under their *Provincial Governors* and the police force in its entirety, including the separately operating *Political Police*. The Medical Service also works under the Ministry of the Interior. At its head is a *Board of Public Health*, a collegiate body consisting of a Director-General and Medical Councillors representing the different branches of the medical service.

Under the Ministry of Finance is a *Paymaster General's Office* entrusted with the care of the public finances. Other offices subordinate to this Ministry are the *State Audit Office* for the auditing of the Government's accounts, a *Stamp and Excise Duty Office* and the *Postal Savings Bank*, the business of which has greatly expanded since the adoption of the postal cheque system; further, the *Customs Office*, at the head of which is a Customs Board. The *Bank Inspection* and the inspection of pawnbroking offices also work under this Ministry. To assist the Ministry a separate Economic Department for economic investigations and planning was added during the war.

Of the offices working under the Ministry of Education the most important is the *Board of Education*. The authority of this board extends to People's and Workers' Institutes as well as to elementary and secondary schools. The Helsinki University, although it enjoys extensive powers of self-government, is subordinate to the Ministry; further the Jyväskylä College of Pedagogics. Other subordinate bodies are the Libraries Commission, the State Archives, and Government Committees for science, art and athletics.

In the case of the Ministry of Agriculture the most important subordinate office is the *Board of Agriculture*, which is also in charge of fishery matters. Working under the Ministry is also the *Board of Forestry*, which in addition to supervising the care of private forests is in charge of all state-owned forests. Other offices are a *Forest Research Institution* comprising many sections, the *Meteorological Institution* and the *Geodetical Institution*. The *Veterinary Service* and the attached *Meat Inspectorate* operate directly under the respective sections of the Ministry. In charge of colonization work, the intensification of which was made essential by the loss of territory arising out of the war, is a separate section of the Ministry.

Among the services subordinate to the Ministry of Transport and Public Works, the *Board of Railways* takes the first place. With a few insignificant exceptions, all the Finnish railways are state-owned. Noteworthy in size and importance is also the *Postal and Telegraphic Board*. This board is also in charge of the state-owned telephone service, which includes an interurban and other networks. Recently a controlling interest in the Aero Company, which enjoys almost a monopoly of the Finnish air services, passed into the Government's hands, and the Ministry now watches over the State's interests in the company. The drafting of concerted plans for greater efficiency of output and the organization of the labour supply, was entrusted to this Ministry in 1946; to assist it a special *Economic Council* was created in the autumn of the same year and entrusted with fairly wide powers, though the schemes evolved under these powers must be submitted for approval by the Government in full session. The *Building Board* is not only in charge of all Government buildings, but exercises the necessary control over private building enterprise. The *Board of Roads and Waterways* is also subordinate to this Ministry.

The Ministry of Trade and Industry has under it the *Board of Navigation*, which supervises navigation in coastal seas as well as in the extensive lake systems of the country. Attached to it is a *Hydrographical Institution*. The *State Licence-Commission* founded during the war and still controlling all import and export trade, thus an extremely important body from the economic point of view, is subordinate to this Ministry; similarly, the *State Purchasing Centre* for supplying the State offices founded some years ago in



the interests of economy. The Ministry's authority further covers the *Geological Commission*, the *State Technical Research Institute*, the *Hall-mark Office* for Gold and Silver articles and the *Electricity Inspection Office*. Most vocational training institutions all the way up to the Institute of Technology and the State Technical Institutes are subordinate to this Ministry. The commercial high schools are not state institutions, nor in general are the other commercial schools. Early in 1946 a *Nationalization Committee* on a broad basis was appointed to consider which branches of economic enterprise or which enterprises might with advantage be transferred from private ownership to the State and to draft the recommendations arising out of its investigations. This important committee is subordinate to the Ministry of Trade and Industry.

The biggest office working under the Ministry for Social Affairs is the *State Accident Office*. It is the first instance for all claims in respect of compensation in Government service or Government works, indemnities to conscripts, war disabled persons and relatives of fallen soldiers. The second instance for such claims, the *Insurance Court* working under the Ministry, is an appellate court for other claims in respect of industrial accidents as well. Factory inspection is directly entrusted to a section of the Ministry, similarly the inspection of welfare work and trade schools. The state-owned Alcohol Monopoly Company operates under the supervision of the Ministry. Owing to the difficult housing situation created by the war, a Housing Section was added to the Ministry a few years ago.

## VI. LOCAL AND OTHER SELF-GOVERNMENT

1. *Local Government*. Since earliest times local affairs have been administered locally. First the village communities, then wider areas conducted their public affairs at local councils, later to some extent at sessions of the District Courts and still later, in the case of some matters, at parish meetings and meetings of landowners. The Government did nothing to organize rural local government on a statutory basis until very late, first by a decree of 1865, then in a comprehensive fashion in 1898. Municipal government was

organized much earlier. Already in 1340 Magnus Eriksson of Sweden guaranteed the towns local self-government. Various general rules were promulgated later, but on the whole during the period of Swedish rule each town received separately from the King its charter of privileges, which were regarded as being in the nature of constitutional rights. Uniform rules relating to municipal self-government were not issued in Finland until 1873, and then in the form of an Imperial Edict.

For a long time, participation in local government was limited to privileged groups of citizens, in the rural areas mostly land-owners and in the cities only merchants and artisans with burgher rights. Certain extensions of local franchise were made in the latter half of the 19th century, but the first essential reform was brought about by the new Local Government Acts of 1917, which granted universal and equal local suffrage and eligibility to all citizens of 21 and upwards, with a few minor exceptions. After Leftist elements had lost for a time their earlier influence as a result of the civil war of 1918, certain provisions of the new local government legislation were amended in a conservative spirit, but universal suffrage was maintained as the basis of local government. In the following years a number of important improvements, chiefly of a technical administrative character, were made in local government legislation, especially in 1927 and 1934, so that on the whole this legislation satisfies modern requirements. Only local taxation has remained unamended and is still relatively old-fashioned, being based on an income tax of the same percentage for all sizes of income. The assessment is thus non-progressive, and the flat percentage varies only in accordance with the estimated local need of revenue in each separate case.

Article 51 of the Form of Government lays down that local government shall be based on self-government by citizens as defined in greater detail by special legislation. The same article presupposes the founding of larger local government units than the municipality or rural commune, but so far no such larger areas have been constituted. In practice matters have been arranged in such a way that different municipalities and communes have, in accordance with certain conditions laid down in special legislation, agreed to co-operate on a voluntary basis in such joint affairs as the building of local roads, hospitals and mental institutions, etc.

For purposes of State government the country is divided into provinces (at present 10) and these into sheriff's areas. These administrative units are wholly unconnected with any bodies elected or otherwise appointed by the local population, and are administered solely by civil servants, at the head of each province being the Provincial Governor and at that of a sheriff's area a Sheriff.

Local government is concentrated in municipalities, urban districts and rural communes. There are 35 municipalities, 25 urban districts, and 487 rural communes.

There is no sharp dividing line between State and local affairs. In practice the municipalities and communes are allowed to manage all local matters concerning public order, economic activities and social welfare not expressly reserved by legislation for the Government, as is the case, for example, with the police force and matters appertaining to it.

In regard to many matters within the sphere of local government, detailed Government orders exist as to their organization. This is the case, for instance, with elementary schools, sanitation, town-plans for the municipalities, building inspection, etc. Certain matters, again, must be submitted to the State authorities for approval. A case in point is the raising of loans for a period exceeding two years. Municipalities and urban districts are required to submit such decisions to the Government for approval, and rural communes to the Provincial Governor. State authorities also approve the general ordinances in respect of local sanitary measures, policing, fire brigade work, building enterprise, harbour rules, etc. In all these cases the State authority is entitled either to approve or refuse to approve a local decision, but not to amend it, though in forming his decision he may take into account, over and above the legal aspect of the measure, its expediency.

Even in cases where the approval of a State authority is not expressly stipulated, the Government has a general right to supervise the acts of local government organs. In practice this right finds expression in the right of any citizen to appeal against decisions by local government authorities to a State authority, in the last instance to the Supreme Administrative Court. The appeal, however, is against the legality and not the expediency of the decision. Nevertheless, even in respect of expediency, ultimate appeal may in some cases be carried to the Government.

State supervision is also apparent in the circumstance that the appointment or the approval of the appointment of some local government officials is invested in State authorities. A Burgomaster is appointed by the State (the Supreme Court) from among nominees put forward by the municipality; in other cases, such as those of municipal medical officers, elementary school inspectors, and in rural areas elementary school teachers as well, the Government merely approves the appointment. With these few exceptions, the appointment of local government staffs rests wholly with local government bodies.

In actual practice the State has acquired additional opportunities for control thanks to the fact that it defrays part of the expenditure of various local institutions. This applies in particular to elementary schools, mental hospitals and aid to the poor.

The basis of local government is provided by the municipal and communal elections held throughout the country every third year in November. At these elections the Municipal and Communal Councils are elected. A Municipal Council consists of 15—59 members, according to the size of the city. The strength of Communal Councils varies in practice, according to the population of the commune, from 12 to 18.

Several divergencies exist in the organization of the local administration in town and country. The municipalities maintain a special City Executive. At its head is a Town Manager elected for life by the Municipal Council. In the bigger cities there are further 2—5 Assistant Town-Managers, these too salaried regular officials. In addition the Executive comprises members elected for a term of years, in number not less than 4 and in every case sufficient to constitute a majority. These members are usually elected from the Municipal Council, after which they no longer take part in the current activities of the Council, but instead attend meetings of the Executive. Their only remuneration is a fee for each meeting.

In the rural communes the Chairman of the Communal Council, elected for three years, is at the head of the local administration. The post is generally regarded as a mark of confidence and carries with it no other remuneration than the fee for meetings. The body corresponding to the City Executive is the Communal Board.

Only municipalities have their own inferior courts, the Municipal Court. For certain special legal matters and purposes of distraint

the municipalities maintain a Board of Magistrates. In the smaller cities the members of these courts are often identical, but in the big cities each has its own bench. Rural communes are served by the Circuit Court of their Judicial District, the same applying to urban districts and densely populated areas. In other respects the urban districts can most closely be ranked with the cities.

In municipalities and rural communes alike local government is in large measure carried out with the aid of special boards appointed in the number found necessary. The members of these boards, usually 5—9 in number, are elected by the Municipal and Communal Councils for a period of 1—3 years. In general the establishment of such boards is at the discretion of the Council, but some are expressly required by law. The boards have the right of decision in executive and current matters. In the municipalities contact between the boards and the Executive is assured by the presence at board meetings of a member of the Executive, who has the right of speech, but not the right to vote. The Executive is indeed in a position to make decisions of its own differing from those of the board, and then over-riding the latter. In the rural communes the Communal Board does not enjoy a corresponding right to over-ride decisions by other local boards.

The funds for carrying on these varied activities are granted by the Municipal or Communal Council. The revenue needed for the purpose is raised by local taxation or taken from the revenue from communal enterprises and institutions or other sources of income. The size of the local tax is decided by the Municipal or Communal Council within limits set by legislation, but otherwise independently of the State authorities.

The regular method of reaching decisions at Council meetings is by a simple majority. Nevertheless, in certain cases a two-thirds majority is required. This is the case in regard to the sale of municipal property other than building sites, and loans raised for a period exceeding two years, further, the pledging, usually mortgaging, of property, new financial grants or increases in previous grants, and the creation of permanent funds.

Local government activities within the framework sketched above are fairly extensive, as shown by the expenditure entailed in comparison with other public expenditure. Thus in 1938, the last year of peace, the joint expenditure of all municipalities and rural communes amounted to a figure corresponding to 60,9 per cent

of the State expenditure in the same year. If it is remembered that State expenditure includes fairly heavy military expenditure, the cost of representation abroad, etc., it will be seen that in the sphere of domestic administration proper, State expenditure was not appreciably higher than that of all Finnish municipalities and rural communes.

2. *Self-Government of the Aaland Islands.* The position of the Aaland Islands is exceptional. The population of about 28,000 comprises approximately 7 per cent of the Swedish-speaking population of Finland, which in turn equals over 9 per cent of the total population. During the difficult years 1918—1920 the islanders sought to transfer their allegiance to Sweden. The matter gave rise to differences of opinion between Finland and Sweden which were ultimately submitted for decision to the League of Nations. The decision left the islands under Finnish sovereignty, but presupposed the granting by Finland of special guarantees to this minority exceeding the equal citizenship rights generally enjoyed by the Swedish-speaking element. The Act of 1920 relating to self-government for the Aaland Islands was accordingly amended in 1922. Under the act the local Aaland bodies enjoy considerable independent powers especially in the economic and cultural spheres. The islands have their own Provincial Congress, which elects a Provincial Council, at the head of which is a Land Councillor. The Finnish Government is represented by a Provincial Governor with veto rights in respect of decisions of a legislative character passed by the Provincial Congress.

Contrary to what is the case elsewhere in Finland, the Aaland Congress and the communes are under no obligation to provide schools other than in the Swedish language. The communes need not maintain public schools with Finnish as the language of tuition even when the number of Finnish-speaking children is that which elsewhere renders the provision of such schools obligatory. Nor may the Finnish State establish Finnish elementary schools without the consent of the commune concerned. Thus, in the event of opposition by the local authorities, Finnish-speaking children in the Aaland Islands can be taught in their own language only in private schools.

To discourage the migration of Finns from the mainland to the Aaland Islands such people are debarred from voting in either local or provincial elections until after the elapse of five years

from the date on which they acquired domiciliary rights. Before that they are not entitled to purchase real estate. Thus, in the Aaland Islands the ordinary rights of Finnish citizens other than those belonging to the local population are subject to certain important restrictions. On the other hand, citizens from the Aaland Islands are under no restriction in regard to rights elsewhere in Finland, but acquire, for instance, suffrage rights along with domiciliary rights and may purchase real estate on the same conditions as other Finnish citizens.

Another important privilege accorded to the islanders is their exemption from military conscription. To offset this, men are obliged to serve for a like period in the pilot service, but in practice, opportunities for the fulfilment of this obligation can be provided for a very limited number only, and the abolition of the system is being considered.

Revenue in the Aaland Islands is inadequate to meet local expenditure, and the Finnish Government has regularly been obliged to furnish the balance. Should, in the opinion of the Provincial Congress, the Finnish Government have failed to observe all of its legal obligations towards the islands, appeal could formerly be made to the League of Nations. This right of appeal has now lapsed following the dissolution of the League.

A revision of the legislation relating to the Aaland Islands is under consideration with a view to clearing up various points and satisfying the additional demands of the islanders.

3. *Ecclesiastical Self-government.* In Finland the Evangelical Lutheran Church is in the position of an established church. In its own affairs it enjoys extensive powers of self-government, based on participation in it by members of congregations. Every confirmed member of a congregation who has reached the age of 24 has a vote, with an additional vote on reaching the age of 40 or after having been married ten years.

Church matters are dealt with at congregational meetings held twice a year, but extraordinary meetings may also be held in case of need or by order of a State authority. The congregational meeting elects a Vestry and a Church Steward to deal with current matters. The voting members of a congregation themselves elect their clergymen from among three candidates nominated by the Bishop's Chapter as being the most highly qualified of the applicants. On certain conditions, however, a congregation may itself nominate

locally favoured fourth candidate. The clergyman who receive most votes is declared elected. Usually only a fraction of a congregation attends congregational meetings and elections of clergymen. On occasion, however, elections may arouse lively interest.

Complaints against measures or decisions by church bodies may be made either to the Bishop's Chapter of the bishopric or to the Provincial Governor. According to the nature of the case, further appeal against the decision of the Bishop's Chapter is open either to a Court of Appeal or the Supreme Court of Administration; against decisions by the Provincial Governor appeal can be made only to the Supreme Administrative Court.

Bishops are appointed by the President from among the three candidates who have received the most votes from the combined clergy of the bishopric, similarly the Archbishop from among the three nominees elected by the combined Bishop's Chapters.

The Church enjoys taxation rights. The Church Tax is calculated at a declared percentage of the State income and property tax paid. Rural congregations further mostly possess old landed property, which is utilized to provide part of the salary paid to the local clergy.

The Evangelical Lutheran Church carries out many duties of an official character, chief among which are the keeping of parish registers and the issue of official documents based on these.

4. *Self-government of Helsinki University.* Article 77 of the Form of Government maintains the ancient self-government rights of the State University. New laws or decrees affecting the university may not be enacted before the Grand Consistory consisting of all the permanent professors has been heard.

The affairs of each faculty are administered by a Faculty Meeting of professors under their Dean. The affairs of the university as a whole are administered by the Grand Consistory, which appoints from its midst, for the care of current business, a Small Consistory, to which belong, among others, the Rector and Vice-Rector and the Faculty Deans.

Nominations for university teachers are made by the faculty concerned. These nominations require the approval of the Grand Consistory. The appointment is thereafter made by the President of the Republic from among three nominees put forward in this fashion.



The highest administrative official of the university is its Chancellor, who submits matters relating to the university to the Government, in the first instance the Minister of Education. The Chancellor is appointed by the President from among persons nominated by the Grand Consistory.

In certain cases the university authorities have disciplinary powers over students.

## VII. GENERAL RIGHTS OF FINNISH CITIZENS

The Finnish Constitution embodies numerous detailed provisions defining the rights of citizens. It assures them equality in the eyes of the law and protection of life and honour and personal liberty. The property rights of private persons are similarly guaranteed, but expropriation against full compensation may be resorted to in the public interest by a special law enacted for the purpose. The privacy of the home is inviolable; the circumstances in which a house-search may be resorted to are specially defined by law. Privacy of the mails, telegrams and the telephone is similarly inviolable. Citizens are also assured the right of meeting and of association, freedom of speech and freedom of the Press. In normal times there is no censorship.

During the war the Government was given temporary powers by the Diet to limit the constitutional rights and privileges of citizens.

Citizens are guaranteed the right of private and public worship and the right to resign from a religious community, to which is attached the right to enter another church or remain outside of any. The established position of the Evangelical Lutheran Church nevertheless denotes in practice certain special privileges for this church and its members which other religious communities and their members lack.

The Constitution further contains the provision, important in regard to the principle embodied, that the labour of citizens is under the special protection of the nation.

Of the population of Finland about 9 per cent are Swedish-speaking. The Constitution contains special articles dealing with the rights of this element. Members of this section of the population have the right to use their own language in law courts and in any

dealings with administrative authorities — Finnish-speaking citizens enjoy the same rights in Swedish-speaking areas. In the delimitation of administrative areas care must be taken to include the smallest possible lingual minority. For practical purposes the rights of both lingual groups are defined in detail in special legislation embodying the principle laid down in the Constitution that these are to be organized on similar grounds.

The phrase «similar grounds» has led to differences of opinion regarding its proper interpretation. Thus it has been debated whether cultural appropriations for the Swedish-speaking minority are to be granted according to apparent need or on a per capita basis. Historical causes are responsible for the circumstance that especially earlier there were relatively more Swedish-speaking secondary school pupils and university students. The provision of similar educational facilities for the Swedish-speaking element consequently entailed higher expenditure per pupil and student than in the case of the Finnish-speaking element because of the much smaller absolute number of Swedish-speaking pupils and students, for the cost of education does not of course increase in direct ratio to the number for which it is provided. Thus, a per capita interpretation would in reality place the Swedish-speaking minority at a disadvantage.

To watch over the separate rights of the Swedish-speaking element a Swedish section functioning in relative independence is attached to the Board of Education. This lingual group also constitutes a separate bishopric. A proposal is under consideration for the amalgamation of certain mainly Swedish-speaking areas along the central sector of the Bothnian coast into a homogenous Swedish-speaking province.

The due observance of the provisions guaranteeing the rights of the individual is, in common with that of other legal provisions, under the special supervision, over and above that of other authorities, of the Chancellor of Justice and the Parliamentary Solicitor-General, to whom private citizens or groups of citizens may turn if they regard their rights as having been violated.

The Finnish Constitution thus seeks in different ways to ensure the rights and liberties of the individual. The same applies to other legislation as well. True, in the days of the Lapua Movement in the early 1930's the rights of citizens were restricted to some extent by legislation of an exceptional character, and this was

still more the case during the recent wars. In practice much may also depend on the way in which laws are applied and interpreted. Formerly a certain discrimination was apparent in the severity with which laws were applied to radical Leftists, even in courts of law, the judgements of which gave grounds for complaints. During the recent wars, in particular, the Government often acted with biased severity against persons holding different opinions. In this respect an improvement is apparent since the recent growth of Left influence; the application of the Constitution and other laws has become more equitable and the measure of legal protection and freedom of action enjoyed by any opposition that keeps within the law greater.

## THE PARLIAMENTARY SYSTEM IN FINLAND

Already towards the end of the period when Finland, as an autonomous Grand Duchy, was united with the Russian Empire, certain attempts at parliamentary practice appeared with regard to the relations between the National Representation and the home Government, the Senate. When the famous politician and patriot, *Leo Mechelin*, became the leader of the Senate in 1905, it was composed with due regard to political party opinions and the same procedure was observed even after he retired in 1908. However, the renewed policy of oppression of Czarist Russia that began the following year frustrated these attempts at a parliamentary system, and a real parliamentary emergence occurred only in the spring of 1917, after the Czar-régime had been overthrown: when a Government representing all the political parties was formed. From this time onwards the principle that a Government must be based on popular representation has been observed in Finland.

However, the development did not stop even at that, but — as was the case in many states after the First World-War — the parliamentary maxim was incorporated in the Constitution itself. This happened provisionally already in the autumn of 1917, and ultimately by the stipulation in the Republican Constitution of 1919 which expressly prescribes that the members of the *Council of State* — i.e., the premier and the other ministers — «must enjoy the confidence of the Diet». They are thus legally bound to resign, should the Parliament pass a vote of censure on the Government — unless the head of the State makes use of his right to dissolve the Parliament and «appeal to the people».

It is beyond all doubt that the preponderance of the power of the State was in this way and by the stipulations giving the Parlia-

ment the final word with regard to legislation and taxation transferred to the people's representatives. But the framers of the Constitution did not wish to concentrate all power in the hands of the Parliament. An attempt was made to create, *within the general frame of parliamentary government*, conditions for an executive power independent to a certain extent. Indeed, a system of government in which a parliamentarism of an Anglo-French type would be modified in an »American» direction. And as regards the question of a closer realisation of this idea in the Constitution, there was a pattern ready. During the Russian era the Czar — the Grand Duke of Finland — had not had any practical opportunity to deal personally with all the questions that, according to the fundamental laws, he ought to have decided; he had, consequently, handed over the right of decision on many matters to the Senate, and reserved for himself only the most important of them. Those who elaborated Finland's Republican mode of government were to a certain degree influenced by this division that existed of old. On the one hand they determined the position of *the President*, on the other hand that of *the Council of State*, in such a way that most of the administration duties were imposed upon the Council of State, responsible to the Parliament, whilst certain important powers were reserved for and assigned to the President, because it was thought that he, at least to some extent, and under some circumstances, would be able to exercise them personally. (Some of these prerogatives are the right of dissolution and the right of veto, the right of issue administrative ordinances, and the right, with certain exceptions, to decide foreign policy.) In order to strengthen the authority of the President, it was decided that he should not be elected by the Parliament, but by special electors chosen by the people.

By this effort to combine the parliamentary system with a certain amount of »American» presidential power, Finland's Republican Constitution of 1919 differs from most of the new forms of government that sprang into existence after the First World War. They were, as a rule, purely parliamentary constitutions ascribing to the head of the State the honour of a very modest, almost a merely representative and decorative role. In Esthonia it was even considered that a special head of State was unnecessary. Only *one* other post-war Constitution, the German »Weimar-Constitution» of 1919, had in this respect a certain resemblance to

that of Finland. However, there is no question of any German influence here, because a complete draft of the Finnish Constitution existed already in the autumn of 1917.

In wide circles — not least among experts in constitutional law — there was at the outset much scepticism in regard to combining the parliamentary system with real authority vested in the Head of the State. It was considered that the development would in practice follow the same course as in the Third French Republic: the President would be able to exercise only a very limited influence. However, quite contrary misgivings prevailed among the Socialist Left; here it was considered that a dangerous dualism had been introduced into the Constitution, seriously threatening the parliamentary government system.

How then has the practical application developed?

It cannot be gainsaid that the parliamentary system was the dominating feature of constitutional life in Finland — at any rate during the period before the last Great War. The Parliament as well as the Governments dependent on the confidence of the Parliament in the twenties and thirties left, in most respects, their stamp upon the political life (here one must not overlook the non-parliamentary pressure that in 1930 was exercised upon the Diet by the so-called Lapua-movement). But on the other hand it is evident that the people were wrong who predicted, at the birth of the Constitution, that the presidential authority would in practice be quite insignificant. On the contrary, it has from time to time had a comparatively great influence. It has not always been necessary to make a direct use of its constitutional power, but it has taken the shape of a personal influence which has not been so much noticed outside. In addition to this there has been an independent exercising of constitutional prerogatives, sometimes in forms that have aroused no little attention. In other words, the parliamentary system in Finland has, not only on paper but also in practice, included a certain amount of independent presidential power.

The cause of this can at least partly be found in the *political party conditions*. If there had been only two great political parties and thus an opportunity to create stable, homogeneous majorities in the people's representation, then it is probable that there would have been in Finland — as is the case in Britain, the mother-

country of the parliamentary system — less opportunity for independent activity by the Head of the State.

In describing the parliamentary system in Finland it is, on the whole, impossible to disregard the political party system. A parliamentary system without political parties cannot be imagined. Indeed, it has rightly been said that they are its primary cause. The character and functions of a political party system in any country is the determining factor also for the shaping of the parliamentary system.

The fact that Finland has had a pronounced manyparty system has been of the greatest importance in shaping its parliamentary system. Five, at times even six parties of some importance, have been represented in the Parliament since 1919. The Socialist *Left* was represented by two parties in the twenties, Social-Democrats and Communists, which together used to control about 40 per cent of the seats. After the Communist movement in 1930, under the pressure of the «Lapua-Movement», had been declared illegal, the Left was represented exclusively by the Social-Democrats who gradually succeeded in appropriating the previous Communist votes also. Since 1944 there have again been two big Left parties, the Social-Democrats and the Communists, which latter, together with the small «Socialist Unity Party» and some non-party representatives, form the «Democratic Union of the Finnish People» (SKDL). The elections of 1945 led to a definite increase of the Socialist Left as a whole, now constituting one-half of the people's representatives (the SKDL group alone 25 per cent). The non-Socialist part of the Parliament has always been divided; the strongest group being the «Farmers' Party», the strength of which since 1919 has varied between 20 and 30 per cent of the total number of representatives. Together with the «National Progressive Party» which, since the end of the twenties, has been very unimportant numerically (about 5 per cent of the mandates, occasionally even less), the Farmers' Party, has been traditionally considered to form the *Centre* proper in the people's representatives. The *Right* has primarily been represented by the «National Coalition Party», for a time also by a reactionary radical group now forbidden, the «Patriotic People's Movement» (IKL), which had taken as an example the continental dictatorship States. The Coalition Party, which in 1930 reached its maximum strength (42 mandates out of 200), is now represented by about 15 per cent of the total

number of parliamentary members. Apart from the division into a Right and a Centre there is the «Swedish People's Party», representing the Swedish-speaking minority (except those of them who vote with the Left parties). The numerical strength of this Party has successively decreased since the twenties, and it now holds only 7 per cent of the mandates in Parliament.

As no political party has had a majority in the Parliament, *coalition ministries* have been preferred, composed of two or more political parties. During the first four years after 1919 these coalitions were mostly «Ministries of the Centre», supported by the Farmers' and Progressive Parties, whilst in the years 1924—26 a certain leaning towards the Right became noticeable in the government policy. The period 1927—30 was the era of «one party government». Even the Social-Democrats — who had previously, as a rule, shown antagonism towards «Minister-Socialism» — accepted government responsibility for a time. The year 1930 — under the influence of the «Lapua-Movement» — introduced a new era, characterized by an effort to bring about a «bourgeois coalition». Up to 1936 the governments consisted of persons drawn from all the four bourgeois parties, even though the support of these four was uncertain at times. From 1937, after a short interval with a «Centre government», a new system was introduced: a coalition of Social-Democrats and Agrarians with the small Progressive Party holding the balance. In the autumn of 1939, when the world situation became threatening, this coalition was extended to include representatives of the Swedish People's Party, and after the outbreak of the «Winter War» representatives of the Coalition Party also joined this coalition government. Thereafter, and up to 1944, the government policy was based upon «a general coalition», occasionally supported even by the IKL-group. The coalitions changed character after the armistice in the autumn of 1944: the Right has retired and the preponderance of power has shifted to the Left. Within this coalition the previously mentioned SKDL-group is now playing an important rôle, at present (April 1947) occupying one-third of the seats in the Cabinet.

The numerous government changes are conspicuous. It should, however, be noted that *the continuity* has, as a rule, been comparatively well preserved. Government changes have seldom meant abrupt reversals of governmental policy. The same persons have, to a very large extent, returned to the various minis-



tries. The parliamentary system in Finland has in this respect resembled the practice in France.

The ability of parliamentary leadership has varied considerably during different periods. Particularly in the twenties there was a complaint of «weak» governments. A rather distinct change took place already in the thirties, and during the war years the Parliament — as was the case in other countries at war — accommodated itself mostly to the nominal exercise of the legislative, taxing and controlling power. Even since this time the government leadership in Finland has been, in certain respects, stronger than before the war.

## DAMAGES AND LOSS OF LIFE CAUSED BY THE WAR IN 1941—1945

Finland's war in 1941—1945 resolves itself into two parts, indeed, into two separate wars, the first of which was fought against the Soviet Union between June 25, 1941 and September 19, 1944, and the second one against Germany between September 15, 1944 and April 27, 1945.

So far it is not yet possible to give a quite definite estimate of the damages caused by the war, nor can the loss of life be exactly given, as the fate of all those reported missing is not yet quite clear, and as loss of life still occurs which should be looked upon as having been caused directly by the war. Taking all this into consideration, one can, however, present the following facts.

The number of soldiers killed in action and of soldiers who have died of wounds, as well as civilians who lost their lives in the war against the Soviet Union in 1941—1944 is shown in the table below.

In 1941 .....	25,000
• 1942 .....	7,600
• 1943 .....	4,300
• 1944 .....	16,700
<hr/>	
Total .....	53,600

Approximately 1,000 of these were civilians. In addition, there are about 5,000 missing.

The total number of persons killed during the Winter War (1939—1940) was about 24,000. During the two wars fought

against the Soviet Union in 1939—1944 about 78,000 persons, or about 2 per cent of the population of Finland, thus lost their lives.

Damages caused to dwellings during the war in 1941—1944 occurred principally in the area that Finland ceded to the Soviet Union, or which belonged to the Soviet Union already before the war. The damages caused within the present frontiers of Finland, apart from lesser damages caused by artillery fire in the summer 1941, in the immediate neighbourhood of frontier, were due to air raids, and are as below:

	brick houses	wooden houses
Destroyed .....	130	1,500
Damaged .....	400	1,850

Finland is a land of forests, consequently one might think that forest-fires during the war caused great damage. Thanks to the rigid anti forest-fire system, however, only about 48,000 hectares of forest were burnt down in all during the whole war in 1941—1944 — less than during some of the years of peace.

The areas that Finland ceded to the Soviet Union, as a result of the wars in 1939—1940 and 1941—1944, comprised about 46,000 square kilometres, inhabited by 436,000 persons. Before the areas were ceded, these people moved to other parts of Finland where they now live as displaced persons.

The merchant marine of Finland comprised in 1939 about 670,000 gross tons. In 1939—1940 Germany confiscated about 22,000 tons of this amount, one-half of which was returned in 1942—1943. During the war operations in 1939—1945 50 ships were lost, representing a total tonnage of about 113,000 tons, and about 190 sailors were drowned. After Great Britain in December, 1941, had declared war upon Finland, Great Britain and the United States confiscated about 100,000 tons. Almost one-half of this amount was sunk during the war.

The war fought against Germany in 1944—1945 lasted only 224 days, and the operations, beginning on September 15, 1944, took place at first on the northern side of the Oulu River in North Finland, principally along the North Baltic coast, and between the Oulu River and Rovaniemi (which areas are partly rather densely inhabited), and afterwards from October 15, 1944, until

April 27, 1945, in Lapland, in areas which are very sparsely inhabited, with the exception of a few church-villages and some other relatively densely populated areas.

This war in the North differed quite essentially from the previous ones in the sense that the retiring Germans committed unheard of destruction. They destroyed practically all the highway bridges in North Finland, including a good many of the culverts, most of the telephone poles for hundreds of kilometres, often every second one, by blowing them up. These damages may still be looked upon as directed against purely military objects, but in addition to these they also carried out, from the beginning of October, an organized destruction of inhabited areas which cannot be excused on military grounds, for the Germans knew quite well that the Finnish Army was not dependent upon these houses for billeting purposes. In addition, they burnt down backwoods villages and houses that were situated many tens of kilometres from the highways, at the end of bad local roads, and which, consequently, could have no military importance. The greatest havoc took place at the market town of Rovaniemi, the centre of the Lapland district where about 8,000 persons lived. When the Finns returned to this market town, principally consisting of wooden houses, there was nothing left but chimneys and smoking ruins. The stone houses had been blown up. At certain places the Finns, in spite of destroyed roads and large mine-fields, were able to surprise the German forces in such a way that some centres of population could be at least partly saved.

The Finnish losses during the war operations against the Germans were about 800 killed, and about 2,900 wounded.

The Germans destroyed 25,000 household and business premises, and damaged about 16,000 houses. They also destroyed 125 schools, 165 churches and other communal or congregational buildings, and 130 were damaged.

Damages caused to privately owned buildings were estimated at more than 9,000 million Finnish marks, according to the price level of 1945, in addition to State buildings to the value of more than 700 million F. marks, whilst damages caused to movables were estimated at more than 1,300 million F. marks. The Germans also destroyed roads, kept up by parishes and villages, to the value of 100 million F. marks. They destroyed 700 of the 900 more important bridges in North Finland to the value of more

than 1.200 million F. marks. To other communications, among them roads kept up by the State, to railways and to landing grounds, the Germans caused damages of more than one thousand million Finnish marks, and to rolling stock of more than 300 million F. marks. Damages caused to lines of communication are calculated at 200 million F. marks, damages to forests at 30 million F. marks. Damages caused to the harvest of the year is estimated at 145 million F. marks.

In the autumn of 1944 Germany confiscated about 30,000 gross tons of shipping, in addition to 30 vessels of less than 500 tons. However, smaller vessels and part of the seagoing tonnage, about 20,000 tons, though in a bad condition, have been recovered.

During the war and afterwards 7,000 German land mines have been disarmed, in addition to 250,000 shells used as mines. After the war operations some 50 civilians were killed or wounded by mine-explosions, and 75 men employed in mine-clearing were killed while working. The mine-clearing has directly cost 80,000,000 Finnish marks, in addition to succour paid out to relatives of the killed and to the disabled.

The above damages, caused by the German armed forces during the period September 1944 to April 1945, have been calculated according to unrevised and partly summarily made conservative calculations based on the price-level of September 1945. The total amount exceeds 14.5 thousand million Finnish marks, or 120,650,000 dollars.

## THE PEACE TREATIES CONCLUDED BY FINLAND IN 1940 AND 1947

During World War II Finland became involved in two wars. The first, the so-called Winter War, came to an end when Finland and the Soviet Union concluded peace in Moscow on March 12th, 1940. On February 10th, 1947, Finland signed in Paris another peace treaty putting an end to the state of war that had existed between her and ten Allied and Associated Powers since 1941. Parties to this treaty, besides Finland, were the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, and the Union of South Africa.

The texts of both the Moscow Treaty and that of Paris with Annexes are found among the Appendices to this book. As these instruments constitute a contractual basis for Finland's international relations, a summary of the salient points of the said treaties will be presented with a few relevant comments.

The preamble to the treaty signed in Paris records certain facts relating to the actions taken by Finland in connection with her withdrawal from war. It is stated that Finland broke off relations with Germany and her satellites, and, having concluded on September 19, 1944, an Armistice with the Governments of the Union of Soviet Socialist Republics and the United Kingdom, acting on behalf of the United Nations at war with Finland, loyally carried out the Armistice terms. In Article 23, relating to reparation payments, reference is made to the changed attitude of Finland to Germany in these words: "Finland has not only withdrawn from the war against the United Nations but has declared war on Germany and assisted with her forces in driving German troops

out of Finland». From this an inference of some importance can readily be made. The signing of the Treaty of Paris has not brought about the cessation of the state of war between Finland and Germany. Finland's present position in this respect is not unlike that of all the powers which waged war on Germany. The Preamble declares on the other hand that the new treaty will settle the questions still outstanding as a result of the war between Finland and the Allied and Associated Powers and will form the basis of friendly relations between them, «thereby enabling the Allied and Associated Powers to support Finland's application to become a member of the United Nations».

This declaratory pronouncement on the part of the Allied and Associated Powers can be conceived as an encouragement for Finland to apply at an early date for the membership of the United Nations.

## FRONTIERS

Under the terms of the Treaty of Moscow Finland ceded to the Soviet Union «the whole of the Karelian Isthmus, the city of Viipuri and Viipuri Bay with the islands thereof, the western and northern coastal area of Lake Ladoga with the towns of Käkisalme and Sortavala and the church village of Suojärvi, a number of islands in the Gulf of Finland, the territory east of Märkäjärvi and the church village of Kuolajärvi, and parts of the Rybachi and Sredni Peninsulas».

The new treaty draws the frontiers of Finland as they existed after the Peace of Moscow with one exception. The province of Petsamo through which Finland since 1920 had had access to the Arctic Ocean is returned to the Soviet Union.

The total area of territories ceded by Finland as the result of her two wars is about 46,000 sq. km. Within her new boundaries Finland comprises 337,113 sq. km. land and water.

## POLITICAL OBLIGATIONS

Part II of the Treaty of Paris contains political clauses pertaining solely to Finland, as well as clauses identical with stipulations to be found in treaties signed, also in Paris on February 10, 1947, by Bulgaria, Hungary, Rumania and Italy.

Among the former there is first a clause concerning the restoration in its full effect, with the exception of three of its articles, of the Peace of Moscow. Article 3 of the Moscow treaty, thus restored, reads:

»Both Contracting Parties undertake to refrain from all acts of aggression directed against each other, and undertake not to conclude any alliance or to become parties to any coalition directed against either of the Contracting Parties.»

This article, seemingly clear though it is, may give rise to differences as to the latitude of movement permissible to each of the parties in its relations with other powers. In Article 7, likewise restored, Finland grants to the Soviet Union transit rights for goods between the Soviet Union and Sweden. Under the terms of this article a new railway has already been constructed with a view to furthering this transit traffic by the shortest route between the Soviet Union and Sweden.

Under Article 4 of the Treaty of Moscow, Finland agreed to lease the Peninsula of Hanko to the Soviet Union for thirty years for the establishment of a naval base. Replacing this article, Article 4 of the Paris Treaty, in accordance with the Armistice Agreement, confirms the renunciation by the Soviet Union of its right to the lease of Hanko. Finland on her part confirms having granted to the Soviet Union on the basis of a fifty years lease the use and administration of territory and waters for the establishment of a Soviet naval base in the area of Porkkala.

The Hanko lease covered 116.9 sq. km. and the agreed annual rent was fixed at eight million Finnish marks; the Porkkala territory comprises 393.4 sq. km., the annual rent amounting to five million Finnish marks.

Finland further grants to the Soviet Union the use of her railways, waterways, roads and air routes for the transport of personnel and freight despatched from the Soviet Union to the naval base of Porkkala. The right of unimpeded use by the Soviet Union of all means of communication between the Soviet Union and the Porkkala is likewise granted by Finland.

The other political clauses, common in the main both to the Finnish Peace Treaty and the other treaties signed in Paris, refer to the human rights and the fundamental freedoms of all persons under Finnish jurisdiction; to the setting free of all persons confined on account of their activities in favour of, or because of their sym-



pathies with the United Nations; to the dissolving and prohibiting of organizations conducting propaganda hostile to the Soviet Union or to any of the United Nations, or having as their aim the denial to the people of their democratic rights.

Article 9 of the Finnish Treaty, concerning the apprehension and surrender for trial of persons accused of having committed, ordered or abetted war crimes and crimes against peace and humanity, has also its counterpart in the treaties made with Bulgaria, Hungary, Italy and Rumania. In pursuance of Article 13 in the Armistice Agreement, Finland already in 1945 created a special tribunal to try war-time political leaders considered responsible for her becoming involved, in 1941, in the war against the Soviet Union and its Allies, or having impeded her earlier withdrawal from the war. In all eight Finnish leaders, the so-called »war-responsibles», among them a former President of the Republic, were arraigned and found guilty. It should be noted, however, that none of the accused was charged with having planned or consented to criminal acts, violating either the laws of warfare or the basic principles of civilized penal law. Persons accused for offences of the latter category have been or are presently to be prosecuted before tribunals applying Finnish penal laws enacted before the World War II.

In addition to the aforementioned obligations the political clauses of the Paris Treaty require Finland to recognize the full force of other treaties signed in Paris on February 10, 1947; to acquiesce in the liquidation of the League of Nations and the Permanent Court of International Justice; and to keep in force or revive pre-war bilateral treaties, with regard to which a notification to that effect is made by the Allied or Associated Powers concerned within a period of six months from the coming into force of the present treaty.

## MILITARY TERMS

In conformity with the principles applied by the Allied and Associated Powers in drafting the military, naval and air clauses of treaties so far concluded between them and their former enemies, the Finnish Treaty lays down detailed limitations of the right of Finland to maintain land, sea and air armaments. The armed forces of Finland shall be, in the words of the Treaty, »closely restricted

to meeting tasks of an internal character and the local defence of frontiers.

Finland is authorized to have a land army with a total personnel of 34,400, a navy with a personnel of 4,500 and a total tonnage of 10,000 tons, and an air force of 60 aircraft with a total personnel of 3,000.

It is further stipulated that Finland shall not possess, construct or experiment with any atomic weapon or other modern weapons listed in the treaty, nor shall she retain, produce, or otherwise acquire, or maintain facilities for the manufacture of, war materials in excess of that required for the maintenance of the armed forces permitted under the treaty.

Besides these restrictions of a permanent character the treaty contains provisions of temporary importance regulating the disposal both of personnel and of war material of the armed forces in excess of strengths permitted. Finland's participation in the mine clearance of the European waters is provided for by allowing her to retain additional naval units employed only for mine-sweeping purposes.

As a result of the military, naval and air clauses here outlined, Finland must evidently be regarded as being henceforth in the position of a demilitarized state. This circumstance, besides having its bearing upon the future foreign policy of the country, may, on the other hand, contribute to its speedy rehabilitation.

## REPARATION PAYMENTS AND RESTITUTION OF SOVIET PROPERTY

The Armistice Agreement of September 19, 1944, apart from providing a pattern upon which the territorial issues concerning Finland were settled, also fixed the amount of reparation payments.

Article 23, paragraph 1, of the Paris Treaty restates Finland's reparation obligations in the following words:

•Losses caused to the Soviet Union by military operations and by the occupation by Finland of Soviet territory shall be made good by Finland to the Soviet Union, but, taking into consideration that Finland has not only withdrawn from the war against the United Nations but has declared war on Germany and assisted with her forces in driving German troops out of Finland, the Parties agree that compensation for the above losses will be made by

Finland not in full, but only in part, namely in the amount of \$ 300,000,000 payable over eight years from September 19, 1944, in commodities (timber products, paper, cellulose, sea-going and river craft, sundry machinery, and other commodities).

Under the terms of the second paragraph of the same article the basis of calculation is the United States dollar on the day of the signing of the Armistice, i.e. 35 dollars for one ounce of gold.

The deliveries of goods in payment of the reparations are being effected according to a schedule agreed upon between the Soviet authorities and Finland. The working of the plan has been facilitated to a considerable degree by the understanding on the part of the Soviet Government of the difficulties under which Finland is labouring in discharging her reparation obligations.

The restitution to the Soviet Union of all valuables and materials removed by Finland from the Soviet territory during the war was also undertaken by Finland under the terms of the Armistice. While reiterating the clause pertaining to this obligation, the treaty takes due account of the fact that the restitution of the property in question was completed in 1946 when the Soviet Union waived all further claims with regard to goods found difficult to return.

## ECONOMIC CLAUSES

Part V of the Paris Treaty, Articles 25—35 inclusive deals with the legal rights and interests in Finland of the United Nations and their nationals as well as with German assets in Finland and the property rights of the Finnish Government and Finnish nationals on the territories of the Allied and Associated Powers and on German territory.

The property rights, as they existed on June 22, 1941, are to be restored to the United Nations and their nationals, and in cases where property cannot be returned or where, as a result of the war, a United Nations' national has suffered a loss by reason of injury or damage to property in Finland, he will be compensated by the Finnish Government in Finnish marks to the extent of two-thirds of the sum necessary to purchase similar property or to make good the loss suffered.

As to the German assets in Finland, they have been transferred to the Soviet Union by the Allied Control Council for Germany,

and Finland, besides recognizing the Soviet rights to these assets, undertakes to take all necessary measures to facilitate such transfers. An agreement implementing this undertaking was concluded between the Soviet Union and Finland on February 3, 1947.

Finnish rights relating to Finnish property or other assets on the territories of the Allied and Associated Powers will be restored, and property in Germany of Finland and of Finnish nationals shall no longer be treated as enemy property and is, in cases where such property was removed by force or duress from Finland to Germany, eligible for restitution.

Finland, on the other hand, waives all claims of any description against the Allied and Associated Powers arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939. Among claims specifically enumerated are those for losses or damages sustained as a consequence of acts of Allied forces or authorities and claims arising from the presence, operations or actions of Allied forces or authorities in Finnish territory.

Included in this part of the treaty are provisions granting the United Nations, pending the conclusion of commercial treaties or agreements, most-favoured-nation treatment in matters concerning trade and commerce with Finland and in matters pertaining to commerce, industry, shipping and other forms of business activity of United Nations nationals within Finland. The United Nations shall have, furthermore, equality of opportunity in obtaining international commercial aviation rights in Finnish territory.

The rest of the clauses of the Paris Treaty deal with the settlement of disputes arising in connection with the execution and interpretation of its provisions. Finally Article 36 decrees that the Treaty shall come into force immediately upon the deposit of the ratifications by the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland.

#### PRINCIPLES OF GOOD NEIGHBOUR POLICY ENDORSED BY FINLAND

Under the leadership of Mr. J. K. Paasikivi, Prime Minister in 1944—1946 and since March 1946 the President of Finland, the country has adopted in her relations to the Soviet Union an attitude

of close co-operation and good-will. The lessons of two wars have brought home to the Finns the necessity of an unequivocal acceptance of the duties of what is known as the Good Neighbour Policy.

There was in the Diet a debate on the Paris Treaty on January 27, 1947. The leaders of the party groups, no doubt voicing the feelings of the Finnish people in general, were unanimous in stressing the importance of honest and scrupulous fulfilment by Finland of all the treaty obligations. This attitude was shared by even the spokesman of the Opposition who expressed the opinion that the treaty does not square with the principles of justice. «It is our firm resolve, nevertheless», he told the Diet, «loyally to carry out the terms of the treaty and to strive to establish good relations between our country and the Soviet Union.»

The creation of a good neighbour relationship with the Soviet Union is generally accepted as being the principal objective of the Finnish post-war policy. This was made clear at a solemn peace festival at Helsinki on the day of signature of the Paris Peace Treaty. In the presence of a representative audience including the Allied Control Commission and members of the Finnish Government, Mr. R. Svento, one of the ministers at present responsible for the foreign affairs of Finland, made the following declaration:

«We, on our part, promise to you with whom we have been at war,

that we will never abandon the road of friendship and close co-operation which we have adopted towards the Soviet Union, and that we will continue to maintain friendly relations with Great Britain;

that we will not tolerate any attempts on Finnish territory to conspire against the cause of peace;

that we will not oppose the imperative norms of the new international law as agreed upon jointly by the Allied Nations.»

This pledge given on the authority of the Finnish Government denotes the disposition of the Finnish people now seeking to perfect the foundations of their national independence by resorting to a policy — Good Neighbour Policy — which in the Western Hemisphere has proved to contribute to the welfare of all concerned.

## FINLAND'S WAR REPARATION PAYMENTS

The first and most important step in the transition from war economy after the armistice was the organization of national economy to meet the war reparations obligation.

300 MILLION DOLLARS = 6 MILLION STANDARDS OF  
SAWN TIMBER

The Finnish war reparations to the Soviet Union are based on article 11 of the Armistice Agreement concluded on September 19th, 1944, which states: — »Losses caused by Finland to the Soviet Union by military operations and the occupation of Soviet territory will be indemnified by Finland to the Soviet Union to the amount of three hundred million dollars payable over six years in commodities (timber products, paper, cellulose, seagoing and river craft, sundry machinery).» The basis of calculation of the reparation payments is the American dollar at a gold parity of 35 dollars to 1 ounce of gold.

The special agreement under which the detailed deliveries against reparation commitments were determined, was signed in Helsinki on December 17th, 1944. The reparations year, however, was calculated as from September 19th.

In this special agreement the method of assessing the value of the reparation deliveries was more closely defined. It provided that the deliveries be assessed on the basis of world market prices in U.S. dollars prevailing in 1938, however, so that the prices for machinery, equipment and ships are increased by 15 per cent and those of finished industrial goods by 10 per cent.

Since in this way the fixing of the prices for reparation goods was fairly uncertain, it is difficult to obtain a correct picture of

the burden which the total reparations demanded imposed on Finland, more particularly as the value of money and the parities between the different exchanges have become most unstable after the war. At the 1938 rates of exchange the total amount of the reparations would correspond to roughly 2 ½ times the pre-war annual value of the Finnish harvest. A fairly concrete picture is also obtained if it is pointed out that the 300 mill. dollar reparations correspond to roughly 6 million standards of sawn timber, assessed according to the method of calculation laid down in the agreement.

### THE PRINCIPAL BURDEN OF REPARATIONS RESTS ON DELIVERIES OF METAL AND ENGINEERING PRODUCTS

The deliveries of reparation payments are distributed between the different branches of production as follows: —

Woodworking products .....	100	mill. doll. =	33.3 %
Old tonnage .....	14	» » =	4.7 %
New tonnage .....	60	» » =	20.0 %
Cable products .....	25	» » =	8.3 %
Machinery and apparatuses .....	101	» » =	33.7 %
		<hr/>	
Total		300 mill. doll. =	100 %

As will be seen from the above table, the products of the wood-working industries represent exactly one-third of the total reparation deliveries, whereas the share of the products of the metallurgical and engineering industries is two-thirds. Even in the event of Finland's productive resources having remained in every respect the same as they were during the last prewar years, the payment of these reparations would have necessitated considerable changes in her industrial structure. The export capacity of the country rested before the war essentially on the woodworking industries, the products of which represented over 80 per cent of Finland's peace-time exports. The engineering industries on the other hand had previously worked essentially for the home market, and even there they had a comparatively weak position. Exports of the metal and engineering industries before the war only represented about 4 per cent of the total value of exports, and at the same time imports

of machinery and apparatuses alone represented about one-fifth of the total annual imports. In consequence of the reparation commitments Finnish engineering industries have had to expand rapidly and this is particularly true of heavy engineering, which before the war was the weakest of them.

Without going into details it may be pointed out briefly that the reparation deliveries of sawn timber represent about 46 per cent, of plywood 86 per cent, of pulp wood 123 per cent, of paper 46 per cent, of cellulose 52 per cent, of cardboard 91 per cent, and of mechanical pulp 49 per cent of the exports of these goods in 1938.

During the first year of reparations Finland transferred to the U.S.S.R. altogether 105 units of shipping, including her best and most modern ships. This number included 28 freight steamers, representing a tonnage of nearly 100 000 tons dead-weight, 4 passenger steamers, 2 tankers, 7 deep-sea tugs, 2 icebreakers, 18 coastal tugs, 18 smaller passenger steamers, 11 smallish freight vessels, 14 iron barges and one 1,800 ton floating-dock. At its maximum in 1938 the Finnish mercantile marine corresponded to only about one-third of the tonnage employed for carrying her imports and during the war it had suffered considerable losses. As a result of the war and the reparation payments, Finland has lost more than two-thirds of her prewar tonnage.

The programme for reparation deliveries of new ships comprises altogether 460 units. The list includes 50 deep-sea tugs of 600—800 HP, 39 sea and river tugs of 400—500 HP, 8 motor ships of 3,000 tons, 4 ocean going vessels of 2,000—3,200 tons, 10 ocean going trawlers, 5 barges of 2,000—3,000 tons, 200 partly wood, partly iron barges of 1,000 tons, 90 ocean-going schooners and 4 complete floating-docks.

Cable deliveries comprise 34,375 tons of bright copper conductors, 2,600 kilometres of power transmission cables and 1,700 kilometres of control cables.

The reparation deliveries of machinery and apparatuses include various machines for chemical woodworking industries, several complete factory plants, such as those for the following: 3 sulphite cellulose factories, each for an annual output of 40,000 tons of bleached cellulose, 2 cardboard mills for an annual output of 58,000 tons, 2 woodpulp mills for 50,000 tons, 4 paper mills each for 30,000 tons, 11 factories for prefabricated houses for



1,800 houses of 50 sq. metres floor-space each, 6 plywood factories for 12,000—15,000 cu. metres each, and 2 woodflour mills for 2,000 tons annually, as well as many woodworking machines, specially for sawmills, locomotives, goods trucks, goods elevators, winches, electric machinery and apparatuses etc. Of electric motors alone, more than 60,000 have to be delivered, if the motors delivered together with machines and apparatuses are included.

## ANNUAL DISTRIBUTION OF REPARATION DELIVERIES

In the Armistice Agreement it was provided that Finland should pay her reparations in the form of six annual instalments of 50 mill. gold dollars. By an agreement of December 31st, 1945, based on an oral promise given somewhat earlier by Generalissimo Stalin, the reparations period was prolonged to 8 years. The annual instalments for the remaining period were at the same time reduced proportionately, which resulted in the following annual distribution of reparations (in millions of gold dollars).

	Delivered during I year	To be delivered II year	III—VII year	VIII year
Machinery and apparatuses	5.1	11.4	14.1	14.1
Cable products .....	2.9	3.2	3.2	3.2
Tonnage .....	17.6	7.1	8.2	8.1
Paper and pulp products ...	14.8	7.7	6.1	6.1
Timber and wood products ...	11.1	6.2	3.9	3.9
Total	51.5	35.6	35.5	35.4

## RESULTS OF THE FIRST AND SECOND REPARATION YEARS

In the first year of reparations Finnish deliveries exceeded the annual instalment by 1.5 mill. dollars, in spite of the fact that minor deficits arose in engineering deliveries. In the deliveries of

the first year, the products of the woodworking industries represented almost exactly half. For the second year this share was fixed at 39 per cent, but during the last 6 years the proportion of these products is restricted to 28 per cent. The share of the metal and engineering products during the first two years was correspondingly smaller, but increases during the later years to 72 per cent of the annual instalments.

The second reparations year, expiring on September 19th, 1946, was both economically and technically more difficult than the first year. Deliveries of both raw materials and machine tools for the engineering industries, which had to be imported, were often greatly delayed. Also the transport of the reparation goods to the Soviet Union often imposed such a strain on our transport facilities that the fulfilment of the tasks often seemed very doubtful. In view of these latter in 1946 a certain amount of Soviet Union rolling stock was placed at Finland's disposal for reparation transport.

The result of the reparation deliveries during the second year was as follows according to figures not yet finally revised (in millions of reparation dollars):

	Imposed	Delivered	Balance
Machinery and apparatus .....	11.4	10.0	-1.4
Cable products .....	3.2	3.6	+0.4
Tonnage .....	7.1	6.9	-0.2
Paper and Pulp products .....	7.7	8.3	+0.6
Timber and wood products .....	6.2	7.6	+1.4
Total	35.6	36.4	+0.8

The annual deliveries are divided into monthly instalments, and in the event of the goods not being delivered within the stipulated time, a fine of 5 per cent per month or 60 per cent per year has to be paid, and is payable separately for each group in which the delay occurred. The fine has to be paid either in the form of similar goods to those in respect of which the delay took place, or in the form of goods specially designated by the Soviet Union. The clause of the agreement dealing with the fines states that unless the various plants or installations are delivered completely

within the stipulated period, the fines will apply as if no delivery at all had taken place.

In respect of the first reparations year, when the original instalment of 50 mill. dollars was exceeded by 1.5 mill. dollars, goods to the extent of 253,000 dollars had to be delivered in payment of fines for delays. On the fines account for the second year a sum of 420,000 dollars had accrued up to the end of January 1947, but at the end of February this sum had already risen to more than 688,000 dollars. Of these fines accruing for delays in deliveries against the second annual instalment the Soviet Union on February 2nd stated that an amount of 266,000 dollars was accepted as having been paid, and the outstanding total of fines due was therefore reduced by this amount.

The final peace treaty signed in Paris on February 10th, 1947, brought no changes in the terms of the reparation payments embodied in the Armistice Agreement.

#### THE DIFFERENCE IN THE VALUE OF REPARATION DOLLARS AND PRESENT DOLLARS

At the end of January 1947, reparation deliveries had attained the sum of 100 mill. reparation dollars, equal to one-third of the total reparations. According to official export statistics the total value of reparation deliveries since September 1944 up to the end of January 1947 totalled 177.5 mill. dollars. In this calculation the value of reparation deliveries expressed in Finnish marks has been converted into dollars at the official rate of exchange in force at each date. The 100 million reparation dollars would thus equal 177.5 million dollars of present value. Since, however, the officially quoted dollar rate during the later part of 1944 and also during part of 1945 was somewhat lower than the real parity, the increase in the dollar value of the reparations burden when expressed in current dollar value may be reduced from 77.5 per cent to about 70 per cent. If it is assumed that the proportion of the additional burden does not change in subsequent years, the originally imposed reparation of 300 mill. dollars would in reality represent a sum of about 510 millions of post-war dollars.

## OTHER PAYMENTS OF A REPARATION NATURE

In addition to war reparations proper there are the payments and impositions caused by the so-called restoration deliveries, by the surrender of war booty, the surrender of German property and the transfer of German assets etc.

*Restoration deliveries.* Under the terms of the Armistice Agreement Finland was under an obligation to return to the Soviet Union all the goods removed from Soviet territory during the war and to restore them in good condition. This stipulation also applied to all property which Finland had taken to or built up in occupied Soviet territory and subsequently removed.

The fulfilment of this condition was divided into two parts, 1) the restoration of goods removed from Soviet territory in their original condition, and 2) the compensation by deliveries of other goods for such goods as were removed and could no longer be restored. Up to August 1945 restoration goods of the first category to the amount of 28.1 mill. dollars were delivered, out of which 22.1 mill. dollars represented an actual return of goods which had been removed. By agreement in September 1945 the remaining restoration obligation was fixed at 22 mill. dollars. The method of assessing the deliveries was the same as in the reparations agreement in addition to which Finland undertook to defray the cost for transporting the goods to their ultimate destination in the Soviet Union. By the early part of April 1946 8 million reparation dollars worth of goods of this category had been delivered, this sum equalling 13.8 mill. worth of post-war dollars. Up to early May further deliveries of 2.6 mill. reparation dollars, or 4.2 mill. post-war dollars had been made. At that time Finland was released from the remainder. The value of restoration dollars thus rose to a total of 46.1 mill. post-war dollars, of which 22.1 mill. dollars was in respect of goods actually returned to Soviet territory.

*Surrender of War booty.* The surrender of war booty also imposed a considerable economic burden on Finland. Finland had to transport the war booty to the frontier of the Soviet Union, and the cost of collection, transport etc. rose to about 7.0 mill. dollars. In addition it should be taken into consideration that Finland had a claim of about 5 mill. dollars in respect of material surrendered to and work carried out for the German forces. The total burden arising

out of the surrender of war booty thus reached about 12 mill. dollars.

*German property and assets in Finland.* Under the terms of the Potsdam Agreement of the summer of 1945 the Soviet Union gained possession in 1946 of German property in Finland. It represented a value of about 4 mill. dollars. On February 3rd, 1947, an agreement was concluded with the Soviet Union on the basis of the Potsdam Agreement covering the transfer of the German assets in Finland. They represented a value of altogether 44.1 mill. dollars of which the proportion of unpaid deliveries of war materials was 27.7 mill. dollars.

In this connection it may be mentioned that the Finnish counter-claims on Germany, including the claims on the commercial clearing account and the damage caused by German military operations in Northern Finland total about 122 million dollars. The question of these still remains open.

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The various difficulties in the way of punctual reparation deliveries, arising mainly from delays in the deliveries of imported raw materials and requisites, became increasingly acute in the early months of 1947. As a result of these Finland for the first time lagged behind the total dollar sum of reparations due for payment at that time. Nevertheless she has exploited all resources available to her to fulfil her payments according to the time-table. After the expansion and technical improvement of her industrial plant, which Finland has undertaken since the armistice, she should have a real possibility of fulfilling the task, provided extreme efforts are made to this end. And it is the determined and unanimous aim of the people of Finland to fulfil the obligations imposed on her under the Armistice Agreement.

# A P P E N D I X I

## FORM OF GOVERNMENT ACT OF FINLAND

Promulgated at Helsinki, July 17, 1919.

Whereas Finland has become an independent and sovereign State, it has been deemed necessary to develop and consolidate its constitution by new statutes having the character of fundamental laws, which, while securing the necessary stability of the State, enlarge the powers of the National Assembly, and guarantee the legal rights and liberties of the citizens. Therefore, in conformity with the decision of the Diet, taken in accordance with the procedure prescribed in Article 60 of the Diet Act of July 20, 1906, the following Form Government for Finland is hereby sanctioned.

### CHAPTER I.

#### *General provisions.*

**Article 1.** Finland is a sovereign Republic, its constitution being established by this Form of Government Act and by other fundamental laws.

**Article 2.** Sovereign power in Finland belongs to the people, represented by their delegates assembled in Diet.

Legislative power shall be exercised by the Diet in conjunction with the President of the Republic.

Supreme executive power is vested in the President of the Republic. In addition to the President there shall be for the general

government of the State, a Council of State consisting of a Prime Minister and the necessary number of ministers.

The judicial power shall be exercised by independent tribunals and, in final instance, by the Supreme Court and the Supreme Administrative Court.

**Article 3.** The territory of the Finnish Republic is indivisible.

Its boundaries cannot be modified except with the consent of the Diet.

**Article 4.** The rights of Finnish citizenship belong to every person born of Finnish parents and to every woman of foreign nationality who has married a Finnish citizen.

A citizen of another country may be admitted to Finnish citizenship in accordance with the conditions and procedure laid down by law.

## CHAPTER II.

### *General rights and legal protection of Finnish citizens.*

**Article 5.** All Finnish citizens shall be equal before the law.

**Article 6.** Every Finnish citizen shall be protected by law as to life, honour, personal liberty and property.

The labour of citizens shall be under the special protection of the State.

Expropriation of property for general need with full compensation shall be regulated by law.

**Article 7.** Every Finnish citizen shall have the right of sojourn in his country, of freely choosing his place of residence and of travelling from one place to another, unless otherwise provided by law.

The right of Finnish citizens to leave the country is regulated by special provisions.

**Article 8.** Every Finnish citizen shall have the right to worship in public and in private upon condition that he does not violate the law or good morals; he shall be at liberty also, in conformity with such special regulations as may govern the matter, to leave the religious community to which he belongs and to join another such community.

**Article 9.** The fact of belonging to any special religious community or of not belonging to any such community shall in

no way detract from the rights and duties of Finnish citizens. In respect to public posts and offices restrictions defined by law shall, however, remain in force until otherwise enacted.

Article 10. Finnish citizens shall enjoy freedom of speech and the right of printing and publishing written or pictorial representations without any previous authorization. They shall also be free to meet, without any previous interference for the discussion of public affairs and for any other legitimate purpose. They shall also enjoy the right of forming associations not contrary to law or good morals.

The rules concerning the exercise of these rights shall be issued by law.

Article 11. The domicile of Finnish citizens shall be inviolable.

The conditions under which domiciliary searches may be ordered and carried out shall be determined by law.

Article 12. The secrecy of postal, telegraphic and telephonic communication shall be inviolable, unless exceptions are provided by law.

Article 13. A Finnish citizen shall be tried by no other court than that which by law has jurisdiction over him.

Article 14. Finnish and Swedish shall be the national languages of the Republic.

The right of Finnish citizens to use their mother tongue, whether Finnish or Swedish, before the courts and the administrative authorities, and to obtain from them documents in such languages, shall be guaranteed by law; care shall be taken that the rights of the Finnish speaking population and the rights of the Swedish speaking population of the country shall be promoted by the State on similar grounds.

The State shall provide for the intellectual and economic needs of the Finnish speaking and Swedish speaking populations on similar grounds.

Article 15. No title of nobility nor other hereditary dignity shall be conferred in the Republic.

Article 16. These provisions concerning the general rights of Finnish citizens shall constitute no obstacle to the establishment by law of restrictions which are necessary in time of war or insurrection and at any time whatsoever as far as persons in military service are concerned.



## CHAPTER III.

### *Legislation.*

**Article 17.** The organization and the functions of the Diet are regulated by the Diet Act.

**Article 18.** The right of proposing the enactment of a new law or the amendment, interpretation, or repeal of a law in force shall belong to the President as well as to the Diet.

The President of the Republic shall exercise his right of initiating legislation by introducing bills to the Diet. Bills shall be drafted by the Council of State. According to the nature of the matter the opinion of the Supreme Court or of the Supreme Administrative Court or of both these Courts may be requested upon such bills.

The exercise of the right of the Diet to initiate legislation is determined by the Diet Act.

**Article 19.** Bills adopted by the Diet shall be submitted to the President of the Republic for his sanction. The President may, on such bills, request the opinion of the Supreme Court or the Supreme Administrative Court or of both these Courts, according to the nature of the question involved.

The bill must be sanctioned in the wording adopted by the Diet. If a bill is not sanctioned by the President, it shall nevertheless come into force without his sanction if the Diet, after a new election, re-adopts it without amendment by a majority vote. Otherwise the bill shall be regarded as having lapsed.

If the President has not sanctioned a bill within three months after it has been submitted for his sanction, this shall be regarded as a refusal of sanction.

**Article 20.** The preamble of every law shall include a statement that it has been enacted in conformity with the decision of the Diet, and, if the law has been enacted in accordance with the procedure required for the enactment of fundamental laws, this too shall be stated.

Every law, whether it be sanctioned or whether it come into force without the sanction of the President, shall be signed by the President and countersigned by the competent Minister, after which it shall be published by the Council of State in the Statute Book of Finland.

Article 21. The right of the President to issue decrees is determined by Article 28.

Article 22. Laws and decrees as well as bills submitted by the Government to the Diet, and the replies, representations, and other documents addressed by the Diet to the Government shall be drawn up in the Finnish and the Swedish languages.

#### CHAPTER IV.

##### *Government and administration.*

Article 23. The President of the Republic shall be elected by the people of Finland from among the natural born citizens of Finland. His term of office shall be six years.

The election of the President shall be made by three hundred presidential electors. In choosing these electors, the regulations in force for elections to the Diet shall be observed in respect to suffrage and eligibility, and, in so far as applicable, also to the mode of election, the procedure of voting, and the designation of deputy-electors.

The choosing of electors shall take place on the fifteenth and sixteenth of January; and on the fifteenth of February following the electors shall assemble under the chairmanship of the Prime Minister to elect the President. The vote shall be by secret ballot. If a candidate obtains more than half of the votes cast, he shall be declared elected; otherwise a new ballot shall immediately be taken, and if no candidate obtains an absolute majority this time, another ballot shall be taken between the two candidates who obtain the highest number of votes on the second count. In case of an equal number of votes the decision shall be by lot.

If a member of the Diet is elected President, his mandate as a member shall cease. A State official, who is elected President shall be regarded as having resigned his office.

If a day fixed in Paragraph 3 of this Article or elsewhere in this Form of Government Act falls upon a Sunday or public holiday, the nearest following workday shall be substituted for it.

Article 24. The President shall enter upon the execution of his office on the first of March following his election, and in the

presence of the Diet shall make at this time the following solemn vow:

«I, (full name), elected by the people of Finland President of the Republic of Finland, do hereby vow that in the execution of my office of the President I will truly and faithfully obey and uphold the constitution and the laws of the Republic, and that I will to my utmost power promote the welfare of the people of Finland.»

**Article 25.** If the President is prevented from discharging the duties of his office, these shall be exercised by the Prime Minister. If his disability is a lasting one, a new President shall be elected as soon as possible, who shall enter on the execution of his office immediately after the election.

**Article 26.** For the exercise of his functions the President shall receive an annual emolument, the amount of which shall be fixed by law, and which shall be neither increased nor diminished during his term of office.

**Article 27.** The President shall have power to summon the Diet to an extraordinary session, to issue orders for elections to the Diet, to open and close the sessions of the Diet, to order new elections, and to dissolve the Diet.

**Article 28.** In cases not otherwise provided for in this present Form of Government Act and where such a right has not been vested in the Council of State, the President shall have the right to issue decrees upon matters which have heretofore been regulated by administrative provisions, as well as decrees regulating the execution of laws, the administration of State property, and the organization and operation of administrative services and public institutions. Decrees shall contain no provision implying a modification of a law.

The procedure for the issue and publication of decrees shall be the same as provided in Article 20, Paragraph 2, in respect to laws.

**Article 29.** In particular cases, after hearing the opinion of the Supreme Court, the President may, by granting pardon, remit or reduce a sentence. In respect, however, to the pardoning of a member of the Council of State or of the Chancellor of Justice, existing special stipulations must be observed. A general amnesty may be granted only by special law.

The President may also grant dispensation from the provisions of the law in cases in which the law allows of such dispensations.

**Article 30.** The President shall be Commander-in-Chief of the armed forces of Finland; he shall have the power in time of war to transfer his command to another.

**Article 31.** The President may grant Finnish citizenship to a citizen of another country and may release a Finnish citizen from his citizenship.

**Article 32.** The President shall supervise the administration of the State, and for this purpose he may require information from the heads or the governing bodies of public departments and institutions, and he may order inspections to be made.

**Article 33.** The President shall determine the relations of Finland to foreign powers, yet the treaties concluded with foreign powers must be approved by the Diet in so far as they contain stipulations falling within the domain of legislation or otherwise requiring, according to the constitution, the consent of the Diet. Decisions of peace and war shall be taken by the President with the consent of the Diet.

All communications to foreign powers or to the diplomatic representatives of Finland abroad must be made through the Minister to whose competency the management of foreign affairs belongs.

**Article 34.** The decision of the President shall be made in the Council of State upon the report of the Minister to whose competency the question involved belongs.

To become valid, presidential decisions must be signed by the President and countersigned by the Minister who has reported upon the matter. This rule, however, shall not apply to the matters referred to in Articles 32 and 47.

If the decision of the President concerns the entire Council of State, it shall be countersigned by the appropriate reporter<sup>1)</sup> of the Council.

Special rules are issued on the reporting of military matters of command or appointments, and also regarding the countersigning of presidential decisions on such matters.

The countersigner of a decision made by the President shall be responsible for the correctness of the instrument in which it is laid down.

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<sup>1)</sup> The civil servant who reports on the matter concerned to the Council of State.

Article 35. If a Minister finds a decision made by the President to be contrary to law, he shall refer his opinion to the Council of State, which shall thereupon proceed as is set forth in Article 45. If the decision is contrary to a fundamental law the Minister must refuse his countersignature.

Article 36. The members of the Council of State, who must enjoy the confidence of the Diet, shall be appointed by the President from among natural born citizens of Finland known for their honesty and ability.

The Minister responsible for the administration of justice, and at least one other Minister must have legal training.

Article 37. The Council of State shall have a Chancellor of Justice, who must possess an outstanding knowledge of the law. The Chancellor of Justice shall have by his side a deputy Chancellor of Justice, who in case of need shall take his place.

Article 38. The Council of State shall consist of as many Ministries as are necessary for the different branches of administration. Each Ministry shall be headed by a Minister.

The number of Ministries and the general determination of their spheres of competency shall be confirmed by law, but the detailed rules concerning the distribution of work among the Ministries and the organization of the Council of State in other respects shall be enacted by decree.

Article 39. The Prime Minister shall be chairman of the Council of State; in case he is unable to attend, his place shall be taken by the highest-ranking Minister present. When the President of the Republic attends he shall preside over the Council.

Article 40. The matters devolving upon the Council of State shall be handled in plenary session, excepting when matters of a specific nature by decree have been committed for decision to a Minister in his capacity as head of a Ministry.

A quorum of the Council shall consist of five members.

Article 41. The Council of State shall execute the decisions of the President and decide on matters which according to the law fall within its competence, as well as on other questions of government and administration which have not in the present Form of Government Act or in any other law or decree, been either reserved for the President or committed to a Minister in his capacity as head of a Ministry or to an inferior authority.

The extent to which matters relating to the administration of justice, the University of Helsinki, and the Armed Forces, are withdrawn from the competence of the Council of State, is defined by special regulations.

**Article 42.** If the Council of State is in doubt as to its competence definitively to decide any matter, the President of the Republic shall settle this question of competence.

**Article 43.** The members of the Council of State shall be responsible to the Diet for the execution of their office.

Every member of the Council of State who has taken part in the settlement of any matter by the Council shall be responsible for the decision reached, unless he shall have placed his dissension on record in the minutes.

**Article 44.** All questions considered by the Council of State must have been prepared by the competent Ministry.

Each Ministry shall supervise administration within its own sphere of activity, and shall take measures to enforce the laws, decrees and decisions of the Council of State.

**Article 45.** If it should happen that a decision taken by the President which is to be executed by the Council of State is found to be contrary to law, the Council, after hearing the opinion of the Chancellor of Justice, shall request the President to withdraw or modify his decision, and, if the President nevertheless adheres to his decision, the Council must declare that the decision cannot be enforced.

**Article 46.** The Chancellor of Justice must see that authorities and officials comply with the law and perform their duties so that no person shall suffer injury to his rights.

It shall be the duty of the Chancellor of Justice to act as public prosecutor in the Supreme Court and in the Supreme Administrative Court, and generally to guard the interests of the State in these courts, as well as to institute prosecutions in other tribunals or cause them to be instituted when he shall deem it necessary. In his capacity as Supreme Public Prosecutor, the Chancellor of Justice must also exercise supervision over all public prosecutors and the latter must comply with his decisions.

The Chancellor of Justice shall have the right to assist at the sessions of the Council of State and those of all tribunals and public departments, and he shall have access to the minutes of

the Council of State and of its Ministries, tribunals and other public authorities.

**Article 47.** If the Council of State or any of its members act in a manner contrary to the law in the exercise of their functions, it is incumbent upon the Chancellor of Justice to make a representation upon the subject, and at the same time to indicate in what respect the act is illegal. If no heed is taken of such representation, the Chancellor of Justice shall have his opinion recorded in the minutes of the Council of State, and he shall also have the right to advise the President of the matter. If the illegality is of such a nature as to involve a prosecution against a member of the Council of State before the High Court mentioned in Article 59, and if the President orders such a prosecution to take place, it shall be carried out by the Chancellor of Justice. If the President finds that there is no ground for an indictment, the Chancellor of Justice shall be free to report on the case to the Diet. If the President decides upon an indictment of the Chancellor of Justice, the prosecution of the case shall be conducted by the person designated by the President for that purpose.

If the President in discharging the duties of his office should commit illegal acts, the Chancellor of Justice must make a representation upon the subject as provided above. If the Chancellor of Justice or the Council of State finds that the President is guilty of high treason or treason, the Chancellor or the Council shall report on the matter to the Diet. And should the Diet, by a three-fourths majority vote, decide to arraign the President, the Chancellor shall prosecute him before the Supreme Court, and in the meantime the President shall abstain from the exercise of his functions. Except in such cases as are provided for above the President shall not be arraigned for his administrative acts.

**Article 48.** The Chancellor of Justice shall submit each year to the President and to the Diet a report upon the measures that he has taken, and his observations on the observance of the laws.

The Chancellor of Justice shall upon request give the President and the Council of State information and advice.

**Article 49.** At each regular session the Diet shall elect for a period of three years at a time, in accordance with the procedure provided for the election of its own Speaker, a person distinguished

in the law who shall be the Solicitor to the Diet. The Solicitor, in conformity with the instructions given him by the Diet, shall supervise the observance of the laws in the proceedings of courts and other authorities. There shall be elected also, for the same period and in accordance with the same procedure, a Deputy Solicitor who shall act for the Solicitor in case of the latter's disability.

The Solicitor to the Diet shall have the same right as the Chancellor of Justice to assist at the sessions of the Council of State and of tribunals and public departments, to have access to the minutes of the Council of State and of its Ministries, tribunals and other authorities, and, under the responsibility imposed by law upon public prosecutors, to prosecute or cause to be prosecuted complaints for malfeasance or nonfeasance in office.

The Solicitor shall present to the Diet an annual report on the administration of his office, on the state of the administration of the law, and on the defects which he has noticed in legislation.

(Thus amended on November 10, 1933.)

**Article 50.** For the purpose of general administration, Finland shall remain divided into provinces, circuits and communes.

Changes in the number of provinces shall be made by law; the Council of State shall decide all other changes concerning administrative divisions, unless otherwise provided by law.

In redrawing the boundaries of the administrative districts these, as far as circumstances permit, shall be so constituted as to contain populations speaking only one language, Finnish or Swedish, or to make their lingual minorities as small as possible.

**Article 51.** The administration of each province shall be headed by a Governor.

The administration of the communes shall rest on the principle of local self-government as prescribed by special laws. The manner and extent of application of local autonomy to more extensive districts than communes shall also be regulated by law; the regulations contained in Article 50, Paragraph 3, shall be followed in fixing the boundaries of these districts.

**Article 52.** Public departments now existing or hereafter created for different branches of the administration of the State are governed by special regulations.



## CHAPTER V.

### *The judiciary.*

**Article 53.** The Supreme Court is the highest court of appeal in suits at law; moreover it shall supervise judges and executive authorities in their administration of justice.

**Article 54.** The Supreme Court shall be composed of a President and of the necessary number of Councillors of Justice.

Matters pertaining to the judicial administration which, by reason of special regulations, fall within the jurisdiction of the Supreme Court shall be prepared by the Ministry to which questions concerning the administration of justice are assigned. The Head of this Ministry shall take part in the deliberations of the Supreme Court upon these matters.

In the Supreme Court decisions may be given by five members unless for the settlement of certain questions a larger or smaller number of members is specially required by law.

**Article 55.** Provisions referring to general tribunals of first instance and of appeal are laid down in law.

**Article 56.** The Supreme Administrative Court shall, unless otherwise specially provided, be the court of last resort in cases of appeal involving administrative law. This court shall also supervise the administration of justice by subordinate authorities in the field of administrative law.

**Article 57.** The Supreme Administrative Court shall be composed of a President and of the necessary number of Councillors of Administration. The provisions of Article 54, Paragraph 3, in regard to quorum in the Supreme Court, shall apply also to this court.

**Article 58.** The Supreme Court and the Supreme Administrative Court, when they deem an amendment or interpretation of a law or decree necessary, shall address to the President a request for such a measure of legislation.

**Article 59.** In case of arraignment of the Chancellor of Justice, a member of the Council of State, of the Supreme Court or of the Supreme Administrative Court, for an illegal act committed in the exercise of their functions, the case shall be tried by a special

court called the High Court of Impeachment, governed by special constitutional provisions.

If an arraignment be decided upon by the Diet, the Solicitor to Diet shall act as prosecutor.

**Article 60.** Special tribunals other than that mentioned in Article 59 shall be provided for by law.

No fortuitious tribunal may be established.

## CHAPTER VI.

### *Public finance.*

**Article 61.** Taxes, including customs duties, shall be laid by law for an indeterminate or a limited period. The same applies to the abolition or modification of a previously imposed tax or compulsory service.

A tax established for a limited period shall not be collected beyond such period except in the case provided for in Article 69, Paragraph 1.

**Article 62.** The general principles with regard to fees to be paid for the official services of Government officials and for documents issued by them, as well as for the use of postal services, railways, canals, hospitals, schools and other public establishments belonging to the State, shall be fixed by law.

**Article 63.** Revenue-yielding properties and enterprises belonging to the State shall be managed and exploited according to general principles established by law.

**Article 64.** The consent of the Diet shall be necessary for the raising of a public loan.

**Article 65.** The principles governing new budgets for public departments and institutions, as well as the modification and abrogation of principles previously established, shall be regulated by law, as shall also the matter of pension rights. New public offices and departments shall be created only within the limits of the annual budget.

New extraordinary pensions or subventions shall be granted only from appropriations voted for this purpose by the Diet.

**Article 66.** The annual budget, in which must be included the receipts and expenditures for the financial year, shall be adopted

by the Diet and promulgated in the same manner as is required for the promulgation of laws.

Special regulations determine whether a fund not designed to meet the annual needs of the State shall be excluded from the budget.

**Article 67.** No tax or other revenue which must be collected in accordance with the laws or decrees in force for the year may be excluded from the budget of that year.

**Article 68.** Interests and annuities on public debts and other grants designated to meet some State liability, as well as other expenditure which must be defrayed in accordance with regulations in effect during the fiscal year, must be included without deductions in the budget. The budget must also include an estimated grant for covering expenses based upon laws or decrees but not entered in the budget as special items, as well as a sufficient grant to be placed at the disposal of the Government for unexpected needs.

Other items of expenditure contained in the budget shall be subjected to examination and decision by the Diet for each fiscal year.

Appropriations voted by the Diet on its own initiative shall be included in the budget as conditional.

The budget must show resources sufficient to meet expenditure.

**Article 69.** If the budget is not adopted by the Diet before the beginning of the year, although the budget bill has been submitted by the Government at least two months before the expiration of the Parliamentary session, the expenditures mentioned in Article 68, Paragraph 1, shall be defrayed, and the revenues necessary for this purpose shall be collected provisionally as before.

If alterations to the approved budget appear to be absolutely necessary, a supplementary budget bill shall be submitted to the Diet.

**Article 70.** The appropriations contained in the budget shall not be exceeded, nor shall they be carried forward from one fiscal year to another, unless provisions for this are made in the budget, nor shall an appropriation be transferred from a part separately voted on by the Diet to another part of the budget.

Independently of the budget everyone shall have the right to demand from the State what is legally due to him.

Article 71. For the examination of Treasury accounts and balance-sheets there shall be an Auditing Office which must satisfy itself that the figures in the accounts are correct, that the receipts and expenditures are legal, and that the budget has been complied with.

At every regular session of the Diet there shall be appointed five State Auditors, who shall, on behalf of the Diet, supervise the observance of the budget and examine the condition and administration of the Treasury. These Auditors shall follow instructions prescribed by the Diet, and they shall be entitled to obtain from the competent authorities any necessary information and documents. They shall be elected, by proportional vote, by the Electors<sup>1)</sup> of the Diet. In the same manner there shall be elected also the necessary number of Deputy Auditors.

Article 72. The rules concerning the monetary currency of Finland shall be enacted by law.

Article 73. The Bank of Finland shall be placed under the guarantee and care of the Diet and under the supervision of Trustees elected by the Diet.

The Bank of Finland shall be administered by regulations adopted in accordance with the procedure prescribed for the enactment of laws.

The Diet shall determine how the profits of the Bank shall be used for the needs of the State.

Article 74. Landed property, taxes, or revenue-yielding rights of the State shall not be alienated or mortgaged except as authorized by law.

The tenant of State-owned land shall nevertheless have the right to purchase such land in fee simple in accordance with special rulings.

## CHAPTER VII.

### *National defence.*

Article 75. Every Finnish citizen must take part in, or make his contribution to, the defence of the Country as prescribed in law.

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<sup>1)</sup> (i.e. the members of the Diet entrusted with electing the members of Parliamentary Committees.)

Every conscript, unless he otherwise desires, shall if possible be enrolled in a military unit of which the rank and file speak his own mother tongue (Finnish or Swedish), and shall receive his training in that language. Finnish shall be the language of command of the Armed Forces.

**Article 76.** If the Armed Forces are to be mobilized the President shall issue an order in the Council of State to this effect. When this order has been given, the Council shall take measures for meeting the expenditure which ensues, and the Diet shall be convoked if it is not in session.

## CHAPTER VIII.

### *Education.*

**Article 77.** The University of Helsinki shall retain its right of self-government.

New regulations concerning the principles of the organization of the University shall be issued by law; but details concerning the University shall be regulated by decree. In both cases the Senate of the University must be previously consulted.

**Article 78.** The State shall promote the study of, and higher instruction in, technical, agricultural, and commercial sciences and other applied sciences, as well as the practice of, and higher instruction in, the fine arts, by maintaining and establishing for all these branches special schools of higher learning in so far as these are not represented at the University, or by giving grants in aid to private institutions created for this purpose.

**Article 79.** The State shall maintain at its own expense or, if necessary, subsidize schools for secondary education as well as for higher elementary education. The principles of the organization of State-owned schools shall be established by law.

**Article 80.** The principles governing the organization of elementary education, the obligations of the State and the Commune to support elementary schools as well as the establishment of compulsory education, shall be determined by law.

Education in the elementary schools shall be free to all.

**Article 81.** The State shall maintain, or if necessary, subsidize institutions for instruction in the technical professions, in agri-

culture and its subsidiary branches, in commerce and navigation, and in the fine arts.

Article 82. The right to establish private schools or other private institutions of education and to organize instruction therein shall be regulated by law.

Instruction given at home shall be subject to no supervision by the authorities.

## CHAPTER IX.

### *Religious communities.*

Article 83. The organization and administration of the Evangelical Lutheran Church is regulated by ecclesiastical law.

Other existing religious communities shall be governed by rules which are or shall be prescribed on their behalf.

New religious communities may be founded subject to the provisions of the law.

## CHAPTER X.

### *Public offices.*

Article 84. Except where otherwise provided in this Article only Finnish citizens shall be appointed to public office.

Employments of a technical nature, teaching posts in the University or comparable institutions, posts of teacher of foreign languages in the schools, and of translators in public departments, as well as honorary consular posts and the posts of clerical assistants and other temporary-staff positions in Legations and Consulates, may be held by other than Finnish citizens.

Article 85. Examinations for appointment to public office shall be regulated by decree except where such matters are regulated by law. Exemption from the qualifications prescribed by decree may for special reasons be granted by the Council of State; this however, shall not apply to judicial appointments.

Article 86. The general principles upon which appointment to public offices of the State may be made shall be ability, capacity and proved civic virtue.

**Article 87.** The President of the Republic shall appoint:

(1) The Chancellor of Justice and his Deputy;

(2) The Archbishop and Bishops and the Chancellor of the University;

(3) The Presidents of the Supreme Court and of the Supreme Administrative Court, and, upon the recommendation of the Supreme Court, the members of that Court and the Presidents of the Courts of Appeal, as well as, upon recommendation of the Supreme Administrative Court, the members of that Court;

(4) The members of the Courts of Appeal and the Professors of the University and of the Institute of Technology;

(5) The Heads of the Central Administrative Offices and the Provincial Governors, upon the recommendation of the Council of State, and Members of the Central Administrative Offices;

(6) The Officials in the President's Chancellery and, upon the recommendation of the proper authority, the Reporters to the Council of State, to the Supreme Court, and to the Supreme Administrative Court; and

(7) Ministers Plenipotentiary and Consuls (missi), upon the recommendation of the Council of State.

**Article 88.** Judges of Circuit Courts, Burgomasters, and Chairmen of Land-Partition Courts shall be appointed by the Supreme Court.

In compliance with special regulations appointment to certain posts shall be made as follows:

(1) to tribunals, by the Supreme Court or by the superior Court in whose jurisdiction the employment falls, and to the Supreme Administrative Court, by that Court; and

(2) in administrative offices and in schools, by the Council of State, the Minister, the Provincial Government, or the governing body of the Office to which the employment belongs.

Appointment to other public offices shall be made by the Council of State, unless the right of appointment has been reserved to the President or committed to some other authority.

**Article 89.** Nominations of members of a central administrative Board as well as to posts mentioned in Article 87, Paragraph 4, and in Article 88, shall ensue subject to reservations contained in Article 90, and, the post having been announced open for application, on the basis of a nomination list on which the authority to which the application is addressed puts those three of the applic-

ants who in accordance with prescribed principles have the best merits. The Supreme Court shall give its opinion on the nomination list for a post as member of a Court of Appeal.

If the appointment is made by the same authority to which the applications are addressed, no nomination list shall be drawn up. In accordance with special regulations, certain other administrative posts may also be filled by a procedure different from that prescribed in Paragraph 1 of this Article.

**Article 90.** For appointments to posts in the University, in the Evangelic Lutheran Church and the Greek Orthodox Church, to the office of Burgomaster and of Alderman in towns and to offices and employments in the Bank of Finland special regulations are in force.

Officers of the Army and of the Navy shall be appointed by the President. Special regulations shall be issued concerning other matters of military promotion and instruction.

**Article 91.** No judge shall be deprived of his office except by a lawful trial and judgement. Nor shall he, without his own consent, be transferred to another post, except in the case of re-organization of the judiciary.

The right of other officials to retain their offices shall be regulated by a special law.

The law may impose, even for irremovable officials, an obligation to retire at a fixed age or because of infirmity involving incapacity for work.

Special regulations shall define the rights and duties of officials whose offices are abolished.

**Article 92.** In the exercise of public functions the law must be strictly followed under penalty of law.

If a provision in a decree is contrary to a fundamental or other law, it shall not be applied by a judge or other official.

**Article 93.** Every official is responsible for the measures that he takes or to which he contributes in his capacity as a member of a collegiate public office. A reporter is likewise responsible for a decision taken upon his report unless he has recorded his dissenting opinion in the minutes.

Whoever suffers a violation of his right or injury as a result of an illegal measure or negligence by an official has the right to demand that the official in question be punished and pay damages, or he can lay an information against the official



demanding his indictment in accordance with the formalities prescribed by law.

The responsibility, if any, of the State for damages caused by an official shall be governed by special regulations.

## CHAPTER XI.

### *Final provisions.*

**Article 94.** The election of the first President of the Republic shall be made by the Diet and shall take place immediately after the present Form of Government Act comes into force. The election shall be by secret ballot. If a candidate obtains more than half of the votes cast he shall be proclaimed elected. Otherwise a new ballot shall immediately be held, and if no candidate obtains an absolute majority this time, another ballot shall be held between the two candidates who on the second count obtained the largest number of votes. In case of an equal number of votes the decision shall be by lot.

**Article 95.** The present Form of Government Act shall be in all its parts an irrevocable fundamental law. It cannot be amended, interpreted or repealed, nor can it be departed from except in accordance with procedure prescribed for fundamental laws in general.

The following laws are repealed by the present law: The Form of Government Act of August 21, 1772, and the Act of Union and of Security of February 21 and April 3, 1789, as well as provisions contained in other laws and decrees, which are in conflict with the present Form of Government Act.

The provisions necessary for bringing the present Form of Government Act into effect shall be issued by law.

To be observed by whomsoever it may concern.

Helsinki, July 17, 1919.

Regent:

*Mannerheim*

Minister of Justice: *Söderholm.*

## A P P E N D I X I I

*Translation.*

### TREATY OF PEACE BETWEEN THE REPUBLIC OF FINLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS

The Government of the Republic of Finland, of the one part, and  
The Presidium of the Supreme Council of the Union of Soviet  
Socialist Republics, of the other part,

Being desirous of bringing to an end the hostilities which have  
broken out between the two States and of creating permanent  
peaceful relations between them,

And being convinced that the creation of definite conditions  
for their mutual security, including guarantees for the security  
of the cities of Leningrad and Murmansk and the Murmansk rail-  
way, is in the interests of both Contracting Parties,

Have decided that for this purpose the conclusion of a Peace  
Treaty is essential and have therefore appointed as their Pleni-  
potentiaries:

*The Government of the Republic of Finland:*

Risto Ryti, Prime Minister of the Republic of Finland,  
Juho Kusti Paasikivi, Minister,  
Rudolf Walden, General,  
Väinö Voionmaa, Professor.

*The Presidium of the Supreme Council of the Union of Soviet Socialist Republics:*

Vjatsheslav Mihailovitsh Molotov, President of the Council of Commissars of the U.S.S.R. and Commissar for Foreign Affairs, Andrei Aleksandrovitsh Shdanov, Member of the Presidium of the Supreme Council of the U.S.S.R.

Aleksander Mihailovitsh Vasilevski, Brigadier; who, having exchanged their credentials, found in due and proper order, have agreed upon the following provisions:

**Article 1.** Hostilities between Finland and the U.S.S.R. shall be immediately concluded according to the procedure defined in the Protocol attached to the present Treaty.

**Article 2.** The frontier between the Republic of Finland and the U.S.S.R. shall follow a new boundary line by which shall be incorporated in the territory of the U.S.S.R. the whole of the Karelian Isthmus, the city of Viipuri and Viipuri Bay with the islands thereof, the western and northern coastal area of Lake Ladoga with the towns of Käkisalmi and Sortavala and the church village of Suojärvi, a number of islands in the Gulf of Finland, the territory east of Märkäjärvi and the church village of Kuolajärvi, and parts of the Rybachi and Sredni Peninsulas — in conformity with the map attached to the present Treaty.

The exact delimitation and establishment of the frontier line shall be effected by a mixed committee of representatives of the Contracting Parties, which shall be appointed within ten days of the signing of the present Treaty.

**Article 3.** Both Contracting Parties undertake to refrain from all acts of aggression directed against each other, and undertake not to conclude any alliance or to become parties to any coalition directed against either of the Contracting Parties.

**Article 4.** The Republic of Finland agrees to lease to the Soviet Union for thirty years in consideration of an annual rent of eight million Finnish marks to be paid by the Soviet Union, the cape of Hangö and the surrounding waters within a radius of five nautical miles to the south and east and three nautical miles to the west and north thereof, and a number of islands situated therein, in conformity with the map attached to the present Treaty — for the establishment of a naval base capable of defending the

access to the Gulf of Finland against aggressions; and in addition for the defence of the naval base the Soviet Union is granted the right to maintain there at its own expense armed land and air force units of the necessary strength.

The Government of Finland will withdraw within ten days of the entry into force of the present Treaty the whole of its armed forces from the cape of Hangö, and the cape of Hangö with the islands appertaining thereto will pass into the administration of the U.S.S.R. in conformity with this Article of the present Treaty.

**Article 5.** The U.S.S.R. undertakes to withdraw its military forces from the Petsamo area which the U.S.S.R. voluntarily ceded to Finland under the terms of the Peace Treaty of 1920.

Finland undertakes, as provided in the Peace Treaty of 1920, not to maintain warships and other armed vessels in the waters adjoining the Arctic coast belonging to it, with the exception of armed vessels of less than one hundred tons, which Finland may maintain there without limit, and a maximum of fifteen warvessels or other armed ships, the tonnage of which may in no case exceed four hundred tons.

Finland undertakes, as provided in the said Treaty, not to maintain submarines and armed aircraft in the waters mentioned.

Finland further undertakes, as provided in the said Treaty, not to construct on this coast any naval harbours, naval bases or naval repair yards, which are larger in size than is necessary for the said vessels and their armament.

**Article 6.** The Soviet Union and its nationals, as provided in the Treaty of 1920, are granted free right of transit via the Petsamo area to and from Norway and the Soviet Union is granted the right to establish a Consulate in the Petsamo area.

Goods transported via the Petsamo area from the Soviet Union to Norway, likewise goods transported via the said area from Norway to the Soviet Union, shall be free of all inspection and control, with the exception of the control necessary for the conduct of transit traffic; nor shall Customs duties of transit or other charges be imposed.

Control of the abovementioned transit goods shall be permitted only according to the established practice in such cases in international traffic.

Nationals of the Soviet Union who travel via the Petsamo area to Norway and from Norway back to the Soviet Union, shall be

entitled to unhindered passage with passports issued by the due authorities of the Soviet Union.

With due observance of the general provisions in force, unarmed aircraft of the Soviet Union shall be entitled to maintain air traffic between the Soviet Union and Norway via the Petsamo area.

**Article 7.** The Government of Finland grants to the Soviet Union goods transit rights between the Soviet Union and Sweden, and for the development of this traffic by the shortest railway route the Soviet Union and Finland regard as necessary the construction, each on its own territory, and if possible in the course of the year 1940, of a railway connecting Kandalaksha with Kemijärvi.

**Article 8.** With the entry into force of the present Treaty, trade relations between the Contracting Parties shall be renewed and for this purpose the Contracting Parties shall proceed to negotiate regarding the conclusion of a Trade Agreement.

**Article 9.** This Peace Treaty shall enter into force immediately after its signature and shall later be ratified.

The exchange of instruments of ratification shall take place within ten days at Moscow.

The present Treaty is drawn up in duplicate in the Finnish, Swedish and Russian languages, in the City of Moscow on March 12th, 1940.

*Risto Ryti*  
*J. K. Paasikivi*  
*R. Walden*  
*Väinö Voionmaa*

*V. Molotov*  
*A. Shdanov*  
*A. Vasilevski*

*Translation*

## PROTOCOL

attached to the Treaty of Peace concluded between Finland and the Union of Soviet Socialist Republics on March 12th, 1940.

The Contracting Parties establish the following procedure for the cessation of hostilities and the transfer of troops to behind the frontier fixed by the Treaty of Peace.

1. Both Contracting Parties shall cease hostilities on the 13th day of March, 1940, at 12 o'clock noon Leningrad time.

2. With the object of ceasing hostilities from the prescribed hour onwards, a neutral zone one kilometre in breadth shall be arranged between the advanced positions of the troops, for which purpose the troops of that Contracting Party, which, with reference to the new frontier, occupies territory belonging to the other Contracting Party, shall be withdrawn a distance of one kilometre on the first day.

3. The transfer of military forces to the other side of the new frontier and the movement of the military forces of the other Contracting Party to that frontier, shall begin at 10 a.m. on March 15th, 1940, along the whole of the frontier between the Gulf of Finland and Lieksa, and at 10 a.m. on March 15th, 1940, northwards of Lieksa. The transfer shall be effected in marches of not less than 7 kilometres per day, the troops of the other Contracting Party moving forward in such order that an intervening distance of not less than 7 kilometres is maintained between the rearguard of the withdrawing troops and the advance guard of the other Contracting Party moving towards the new frontier.

4. In accordance with Clause 3, the following time limits are fixed for the transfer of troops to the various sections of the frontier: —

(a) in the sector comprising the upper reaches of the Tuntsa-joki, Kuolajärvi, Takala, the eastern shore of Lake Joukamojärvi the transfer of the troops of both Contracting Parties shall be completed at 8 p.m. on March 20th, 1940;

(b) in the Latva sector east of Kuhmoniemi, the transfer of troops shall be completed at 8 p.m. on March 22nd, 1940;

(c) in the sector Lonkavaara, Värtsilä, Matkaselkä railway station, the transfer of the troops of both Contracting Parties shall be completed at 8 p.m. on March 26th, 1940;

(d) in the sector Matkaselkä railway station, Koitsanlahti, the transfer of troops shall be completed at 8 p.m. on March 22nd, 1940;

(e) in the sector Koitsanlahti, Enso railway station, the transfer of troops shall be completed at 8 p.m. on March 25th, 1940;

(f) in the sector Enso railway station, Paatiosaari, the transfer of troops shall be completed at 8 p.m. on March 19th, 1940;

5. The evacuation of Red Army troops from the Petsamo area shall be completed by April 10th, 1940.

6. The Army Commands of both Contracting Parties undertake, during the transfer of troops to the other side of the frontier, to take the necessary measures, in the towns and localities to be ceded to the other Contracting Party, to preserve these from damage and to take the necessary measures to preserve towns, localities, defensive and economic establishments (bridges, dams, aerodromes, barracks, depots, railway junctions, industrial establishments, the telegraph system, electric power stations) from damage and destruction.

7. All questions arising out of the cession by one Contracting Party to the other of the areas, localities, towns or other objects mentioned in Clause 6 of the present Protocol, shall be decided on the spot by representatives of both Contracting Parties for which purpose the Army Commands shall appoint special delegates on each of the main routes utilized by both Armies.

8. The exchange of prisoners of war shall be effected with the minimum of delay after the cessation of hostilities in accordance with a special agreement.

March 12th, 1940.

*Risto Ryti*  
*J. K. Paasikivi*  
*R. Walden*  
*Väinö Voionmaa*

*V. Molotov*  
*A. Shdanov*  
*A. Vasilevski*

## A P P E N D I X   I I I

### TREATY OF PEACE BETWEEN FINLAND AND THE ALLIED AND ASSOCIATED POWERS

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Australia, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, New Zealand, the Ukrainian Soviet Socialist Republic, and the Union of South Africa, as the States which are at war with Finland and actively waged war against the European enemy states with substantial military forces, hereinafter referred to as the Allied and Associated Powers, of the one part,

and Finland, of the other part;

Whereas Finland, having become an ally of Hitlerite Germany and having participated on her side in the war against the Union of Soviet Socialist Republics, the United Kingdom and other United Nations, bears her share of responsibility for this war;

Whereas, however, Finland on September 4, 1944, entirely ceased military operations against the Union of Soviet Socialist Republics, withdrew from the war against the United Nations, broke off relations with Germany and her satellites, and having concluded on September 19, 1944, an Armistice with the Governments of the Union of Soviet Socialist Republics and the United Kingdom, acting on behalf of the United Nations at war with Finland, loyally carried out the Armistice terms; and

Whereas the Allied and Associated Powers and Finland are desirous of concluding a treaty of peace which, conforming to the



principles of justice, will settle questions still outstanding as a result of the events hereinbefore recited and will form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Finland's application to become a member of the United Nations and also to adhere to any Convention concluded under the auspices of the United Nations;

Have therefore agreed to declare the cessation of the state of war and for this purpose to conclude the present Peace Treaty, and have accordingly appointed the undersigned Plenipotentiaries who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

## PART I.

### *Territorial Clauses.*

**Article 1.** The frontiers of Finland, as shown on the map annexed to the present Treaty (Annex I), shall be those which existed on January 1, 1941, except as provided in the following Article.

**Article 2.** In accordance with the Armistice Agreement of September 19, 1944, Finland confirms the return to the Soviet Union of the province of Petsamo (Pechenga) voluntarily ceded to Finland by the Soviet State under the Peace Treaties of October 14, 1920, and March 12, 1940. The frontiers of the province of Petsamo (Pechenga) are shown on the map annexed to the present Treaty (Annex I).

## PART II.

### *Political Clauses.*

#### Section I.

**Article 3.** In accordance with the Armistice Agreement, the effect of the Peace Treaty between the Soviet Union and Finland concluded in Moscow on March 12, 1940, is restored, subject to the

replacement of Articles 4, 5 and 6 of that Treaty by Articles 2 and 4 of the present Treaty.

**Article 4.** 1. In accordance with the Armistice Agreement, the Soviet Union confirms the renunciation of its right to the lease of the Peninsula of Hango, accorded to it by the Soviet-Finnish Peace Treaty of March 12, 1940, and Finland for her part confirms having granted to the Soviet Union on the basis of a 50 years lease at an annual rent payable by the Soviet Union of 5 million Finnish marks the use and administration of territory and waters for the establishment of a Soviet naval base in the area of Porkkala-Udd as shown on the map annexed to the present Treaty (Annex I).

2. Finland confirms having secured to the Soviet Union, in accordance with the Armistice Agreement, the use of the railways, waterways, roads and air routes necessary for the transport of personnel and freight despatched from the Soviet Union to the naval base at Porkkala-Udd, and also confirms having granted to the Soviet Union the right of unimpeded use of all forms of communication between the Soviet Union and the territory leased in the area of Porkkala-Udd.

**Article 5.** The Aaland Islands shall remain demilitarized in accordance with the situation as at present existing.

## Section II.

**Article 6.** Finland shall take all measures necessary to secure to all persons under Finnish jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

**Article 7.** Finland, which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favour of, or because of their sympathies with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.

**Article 8.** Finland, which in accordance with the Armistice Agreement has taken measures for dissolving all organisations of a Fascist type on Finnish territory, whether political, military or paramilitary, as well as other organisations conducting propaganda hostile to the Soviet Union or to any of the other United Nations, shall not permit in future the existence and activities of organisations of that nature which have as their aim denial to the people of their democratic rights.

**Article 9. 1.** Finland shall take all necessary steps to ensure the apprehension and surrender for trial of:

(a) Persons accused of having committed, ordered, or abetted war crimes against peace or humanity;

(b) Nationals of any Allied and Associated Power accused of having violated their national law by treason or collaboration with the enemy during the war.

2. At the request of the United Nations Government concerned, Finland shall likewise make available as witnesses persons within its jurisdiction, whose evidence is required for the trial of the persons referred to in paragraph 1 of this Article.

3. Any disagreement concerning the application of the provisions of paragraphs 1 and 2 of this Article shall be referred by any of the Governments concerned to the Heads of the Diplomatic Missions in Helsinki of the Soviet Union and the United Kingdom, who will reach agreement with regard to the difficulty.

### Section III.

**Article 10.** Finland undertakes to recognise the full force of the Treaties of Peace with Italy, Roumania, Bulgaria and Hungary, and other agreements or arrangements which have been or will be reached by the Allied and Associated Powers in respect of Austria, Germany and Japan for the restoration of peace.

**Article 11.** Finland undertakes to accept any arrangements which have been or may be agreed for the liquidation of the League of Nations and the Permanent Court of International Justice.

**Article 12.** Each Allied or Associated Power will notify Finland, within a period of six months from the coming into force of the present Treaty, which of its pre-war bilateral treaties with Finland it desires to keep in force or revive. Any provisions not in

conformity with the present Treaty shall, however, be deleted from the abovementioned treaties.

2. All treaties so notified shall be registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

3. All such treaties not so notified shall be regarded as abrogated.

### PART III.

#### *Military, Naval and Air Clauses.*

Article 13. The maintenance of land, sea and air armaments and fortifications shall be closely restricted to meeting tasks of an internal character and local defence of frontiers. In accordance with the foregoing, Finland is authorized to have armed forces consisting of not more than:

(a) A land army, including frontier troops and anti-aircraft artillery, with a total strength of 34,400 personnel;

(b) A navy with a personnel strength of 4,500 and a total tonnage of 10,000 tons;

(c) An air force, including any naval air arm, of 60 aircraft, including reserves, with a total personnel strength of 3,000. Finland shall not possess or acquire any aircraft designed primarily as bombers with internal bomb-carrying facilities.

These strengths shall in each case include combat, service and overhead personnel.

Article 14. The personnel of the Finnish Army, Navy and Air Force in excess of the respective strengths permitted under Article 13, shall be disbanded within six months from the coming into force of the present Treaty.

Article 15. Personnel not included in the Finnish Army, Navy or Air Force shall not receive any form of military training, naval training or military air training as defined in Annex II.

Article 16. 1. As from the coming into force of the present Treaty, Finland will be invited to join the Barents, Baltic, and Black Sea Zone Board of the International Organisation for Mine Clearance of European Waters, and she shall maintain at the disposal of the Central Mine Clearance Board all Finnish minesweeping

forces until the end of the post-war mine clearance period, as determined by the Central Board.

2. During this post-war mine clearance period, Finland may retain additional naval units employed only for the specific purpose of minesweeping, over and above the tonnage permitted in Article 13.

Within two months of the end of the said period, such of these vessels as are on loan to the Finnish Navy from other Powers shall be returned to those Powers, and all other additional units shall be disarmed and converted to civilian use.

3. Finland is also authorised to employ 1,500 additional officers and men for minesweeping over and above the numbers permitted in Article 13. Two months after the completion of minesweeping by the Finnish Navy, the excess personnel shall be disbanded or absorbed within the numbers permitted in the said Article.

Article 17. Finland shall not possess, construct or experiment with any atomic weapon, any self-propelled or guided missiles or apparatus connected with their discharge (other than torpedoes and torpedo-launching gear comprising the normal armament of naval vessels permitted by the present Treaty), sea-mines or torpedoes of non-contact types actuated by influence mechanisms, torpedoes capable of being manned, submarines or other submersible craft, motor torpedo boats, or specialised types of assault craft.

Article 18. Finland shall not retain, produce or otherwise acquire, or maintain facilities for the manufacture of, war material in excess of that required for the maintenance of the armed forces permitted under Article 13 of the present Treaty.

Article 19. 1. Excess war material of Allied origin shall be placed at the disposal of the Allied Power concerned according to the instructions given by that Power. Excess Finnish war material shall be placed at the disposal of the Governments of the Soviet Union and the United Kingdom. Finland shall renounce all rights to this material.

2. War material of German origin or design in excess of that required for the armed forces permitted under the present Treaty shall be placed at the disposal of the Two Governments. Finland shall not acquire or manufacture any war material of German origin or design, or employ or train any technicians, including military and civil aviation personnel, who are or have been nationals of Germany.

3. Excess war material mentioned in paragraphs 1 and 2 of this Article shall be handed over or destroyed within one year from the coming into force of the present Treaty.

4. A definition and list of war material for the purposes of the present Treaty are contained in Annex III.

Article 20. Finland shall co-operate fully with the Allied and Associated Powers with a view to ensuring that Germany may not be able to take steps outside German territory towards rearmament.

Article 21. Finland shall not acquire or manufacture civil aircraft which are of German or Japanese design or which embody major assemblies of German or Japanese manufacture or design.

Article 22. Each of the military, naval and air clauses of the present Treaty shall remain in force until modified in whole or in part by agreement between the Allied and Associated Powers and Finland or, after Finland becomes a member of the United Nations, by agreement between the Security Council and Finland.

#### PART IV.

##### *Reparation and Restitution.*

Article 23. 1. Losses caused to the Soviet Union by military operations and by the occupation by Finland of Soviet territory shall be made good by Finland to the Soviet Union, but, taking into consideration that Finland has not only withdrawn from the war against the United Nations but has declared war on Germany and assisted with her forces in driving German troops out of Finland, the Parties agree that compensation for the above losses will be made by Finland not in full, but only in part, namely in the amount of \$ 300,000,000 payable over eight years from September 19, 1944, in commodities (timber products, paper, cellulose, sea-going and river craft, sundry machinery, and other commodities).

2. The basis of calculation for the settlement provided in this Article shall be the United States dollar at its gold parity on the day of the signing of the Armistice Agreement, i.e. 35 dollars for one ounce of gold.

Article 24. Finland, in so far as she has not yet done so, undertakes within the time-limits indicated by the Government of

the Soviet Union to return to the Soviet Union in complete good order all valuables and materials removed from its territory during the war, and belonging to State, public or co-operative organisations, enterprises or institutions or to individual citizens, such as: factory and works equipment, locomotives, rolling stock, tractors, motor vehicles, historic monuments, museum valuables and any other property.

## PART V.

### *Economic Clauses.*

Article 25. 1. In so far as Finland has not already done so, Finland shall restore all legal rights and interests in Finland of the United Nations and their nationals as they existed on June 22, 1941, and shall return all property in Finland of the United Nations and their nationals as it now exists.

2. The Finnish Government undertakes that all property, rights and interests passing under this Article shall be restored free of all encumbrances and charges of any kind to which they may have become subject as a result of the war and without the imposition of any charges by the Finnish Government in connection with their return. The Finnish Government shall nullify all measures, including seizures, sequestration or control, taken by it against United Nations property between June 22, 1941, and the coming into force of the present Treaty. In cases where the property has not been returned within six months from the coming into force of the Treaty, application shall be made to the Finnish authorities not later than twelve months from the coming into force of the Treaty, except in cases in which the claimant is able to show that he could not file his application within this period.

3. The Finnish Government shall invalidate transfers involving property, rights and interests of any description belonging to United Nations nationals, where such transfers resulted from force or duress exerted by Axis Governments or their agencies during the war.

4. (a) The Finnish Government shall be responsible for the restoration to complete good order of the property returned to United Nations nationals under paragraph 1 of this Article. In cases where property cannot be returned or where, as a result of the war, a Uni-

ted Nations national has suffered a loss by reason of injury or damage to property in Finland, he shall receive from the Finnish Government compensation in Finnish marks to the extent of two-thirds of the sum necessary, at the date of payment, to purchase similar property or to make good the loss suffered. In no event shall United Nations nationals receive less favourable treatment with respect to compensation than that accorded to Finnish nationals.

(b) United Nations nationals who hold, directly or indirectly, ownership interests in corporations or associations which are not United Nations nationals within the meaning of paragraph 8 (a) of this Article, but which have suffered a loss by reason of injury or damage to property in Finland, shall receive compensation in accordance with sub-paragraph (a) above. This compensation shall be calculated on the basis of the total loss or damage suffered by the corporation or association and shall bear the same proportion to such loss or damage as the beneficial interests of such nationals in the corporation or association bear to the total capital thereof.

(c) Compensation shall be paid free of any levies, taxes or other charges. It shall be freely usable in Finland, but shall be subject to to the foreign exchange control regulations which may be in force in Finland from time to time.

(d) The Finnish Government shall accord to United Nations nationals the same treatment in the allocation of materials for the repair or rehabilitation of their property in Finland and in the allocation of foreign exchange for the importation of such materials as applies to Finnish nationals.

(e) The Finnish Government shall grant United Nations an indemnity in Finnish marks at the same rate as provided in sub-paragraph (a) above, to compensate them for the loss or damage due to special measures applied to their property during the war, and which were not applicable to Finnish property. This sub-paragraph does not apply to a loss of profit.

5. All reasonable expenses incurred in Finland in establishing claims, including the assessment of loss or damage, shall be borne by the Finnish Government.

6. United Nations nationals and their property shall be exempted from any exceptional taxes, levies or imposts, imposed on their capital assets in Finland by the Finnish Government or any Finnish authority between the date of the Armistice and the coming into force of the present Treaty for the specific purpose of meeting



charges arising out of the war or of meeting the cost of reparations payable to any of the United Nations. Any sums which have been so paid shall be refunded.

7. The owner of the property concerned and the Finnish Government may agree upon arrangements in lieu of the provisions of this Article.

8. As used in this Article:

(a) «United Nations nationals» means individuals who are nationals of any of the United Nations, or corporations or associations organised under the laws of any of the United Nations, at the coming into force of the present Treaty, provided that the said individuals, corporations or associations also had this status at the date of the Armistice with Finland.

The term «United Nations nationals» also includes all individuals, corporations or associations which, under the laws in force in Finland during the war, have been treated as enemy.

(b) «Owner» means the United Nations national, as defined in sub-paragraph (a) above, who is entitled to the property in question, and includes a successor of the owner, provided that the successor is also a United Nations national as defined in sub-paragraph (a). If the successor has purchased the property in its damaged state, the transferor shall retain his rights to compensation under this Article, without prejudice to obligations between the transferor and the purchaser under domestic law.

(c) «Property» means all movable or immovable property, whether tangible or intangible including industrial, literary and artistic property, as well as all rights or interests of any kind in property.

Article 26. Finland recognises that the Soviet Union is entitled to all German assets in Finland transferred to the Soviet Union by the Control Council for Germany and undertakes to take all necessary measures to facilitate such transfers.

Article 27. In so far as any such rights were restricted on account of Finland's participation in the war on Germany's side, the rights of the Finnish Government and of any Finnish nationals, including juridical persons, relating to Finnish property or other Finnish assets on the territories of the Allied and Associated Powers shall be restored after the coming into force of the present Treaty.

Article 28. 1. From the coming into force of the present Treaty, property in Germany of Finland and of Finnish nationals

shall no longer be treated as enemy property and all restrictions based on such treatment shall be removed.

2. Identifiable property of Finland and of Finnish nationals removed by force or duress from Finnish territory to Germany by German forces or authorities after September 19, 1944, shall be eligible for restitution.

3. The restoration and restitution of Finnish property in Germany shall be effected in accordance with measures which will be determined by the Powers in occupation of Germany.

Article 29. 1. Finland waives all claims of any description against the Allied and Associated Powers on behalf of the Finnish Government or Finnish nationals arising directly out of the war or out of actions taken because of the existence of a state of war in Europe after September 1, 1939, whether or not the Allied or Associated Power was at war with Finland at the time, including the following:

(a) Claims for losses or damages sustained as a consequence of acts of forces or authorities of Allied or Associated Powers.

(b) Claims arising from the presence, operations or actions of forces or authorities of Allied or Associated Powers in Finnish territory;

(c) Claims with respect to the decrees or orders of Prize Courts of Allied or Associated Powers, Finland agreeing to accept as valid and binding all decrees and orders of such Prize Courts on or after September 1, 1939, concerning Finnish ships or Finnish goods or the payment of costs;

(d) Claims arising out of the exercise or purported exercise of belligerent rights.

2. The provisions of this Article shall bar, completely and finally, all claims of the nature referred to herein, which will be henceforward extinguished, whoever may be the parties in interest.

3. Finland likewise waives all claims of the nature covered by paragraph 1 of this Article on behalf of the Finnish Government or Finnish nationals against any of the United Nations whose diplomatic relations with Finland were broken off during the war and which took action in co-operation with the Allied and Associated Powers.

4. The waiver of claims by Finland under paragraph 1 of this Article includes any claims arising out of actions taken by any of the Allied and Associated Powers with respect to Finnish ships

between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising out of the Conventions on prisoners of war now in force.

**Article 30. 1.** Pending the conclusion of commercial treaties or agreements between individual United Nations and Finland, the Finnish Government shall, during a period of eighteen months from the coming into force of the present Treaty, grant the following treatment to each of the United Nations which, in fact, reciprocally grants similar treatment in like matters to Finland:

(a) In all that concerns duties and charges on importation or exportation, the internal taxation of imported goods and all regulations pertaining thereto, the United Nations shall be granted unconditional most-favoured-nation treatment;

(b) In all other respects, Finland shall make no arbitrary discrimination against goods originating in or destined for any territory of any of the United Nations as compared with like goods originating in or destined for any other territory of the United Nations or of any other foreign country;

(c) United Nations nationals, including juridical persons, shall be granted national and most-favoured-nation treatment in all matters pertaining to commerce, industry, shipping and other forms of business activity within Finland. These provisions shall not apply to commercial aviation;

(d) Finland shall grant no exclusive or discriminatory right to any country with regard to the operation of commercial aircraft in international traffic, shall afford all the United Nations equality of opportunity in obtaining international commercial aviation rights in Finnish territory, including the right to land for refuelling and repair, and, with regard to the operation of commercial aircraft in international traffic, shall grant on a reciprocal and non-discriminatory basis to all United Nations the right to fly over Finnish territory without landing. These provisions shall not affect the interests of the national defence of Finland.

2. The foregoing undertakings by Finland shall be understood to be subject to the exceptions customarily included in commercial treaties concluded by Finland before the war; and the provisions with respect to reciprocity granted by each of the United Nations shall be understood to be subject to the exceptions customarily included in the commercial treaties concluded by that State.

**Article 31.** 1. Any disputes which may arise in connection with Articles 24 and 25 and Annexes IV, V and VI, Part B, of the present Treaty shall be referred to a Conciliation Commission composed of an equal number of representatives of the United Nations Government concerned and of the Finnish Government. If agreement has not been reached within three months of the dispute having been referred to the Conciliation Commission, either Government may require the addition of a third member to the Commission, and, failing agreement between the two Governments on the selection of this member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission and shall be accepted by the parties as definitive and binding.

**Article 32.** Articles 24, 25 and 30 and Annex VI of the present Treaty shall apply to the Allied and Associated Powers and France and to those of the United Nations whose diplomatic relations with Finland have been broken off during the war.

**Article 33.** The provisions of Annexes IV, V and VI shall, as in the case of the other Annexes, have force and effect as integral parts of the present Treaty.

## PART VI.

### *Final Clauses.*

**Article 34.** 1. For a period not to exceed eighteen months from the coming into force of the present Treaty, the Heads of the Diplomatic Missions in Helsinki of the Soviet Union and the United Kingdom, acting in concert, will represent the Allied and Associated Powers in dealing with the Finnish Government in all matters concerning the execution and interpretation of the present Treaty.

2. The Two Heads of Mission will give the Finnish Government such guidance, technical advice and clarification as may be necessary to ensure the rapid and efficient execution of the present Treaty both in letter and in spirit.

3. The Finnish Government shall afford the said Two Heads of Mission all necessary information and any assistance which they

may require for the fulfilment of the tasks devolving on them under the present Treaty.

Article 35. 1. Except where another procedure is specifically provided under any Article of the present Treaty, any dispute concerning the interpretation or execution of the Treaty, which is not settled by direct diplomatic negotiations, shall be referred to the Two Heads of Mission acting under Article 34, except that in this case the Heads of Mission will not be restricted by the time limit provided in that Article. Any such dispute not resolved by them within a period of two months shall, unless the parties to the dispute mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a Commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations may be requested by either party to make the appointment.

2. The decision of the majority of the members of the Commission shall be the decision of the Commission, and shall be accepted by the parties as definitive and binding.

Article 36. The present Treaty, of which the Russian and English texts are authentic, shall be ratified by the Allied and Associated Powers. It shall also be ratified by Finland. It shall come into force immediately upon the deposit of ratifications by the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. The instruments of ratification shall, in the shortest time possible, be deposited with the Government of the Union of Soviet Socialist Republics.

With respect to each Allied or Associated Power whose instrument of ratification is thereafter deposited, the Treaty shall come into force upon the date of deposit. The present Treaty shall be deposited in the archives of the Government of the Union of Soviet Socialist Republics, which shall furnish certified copies to each of the signatory States.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in the city of Paris in the Russian, English, French and Finnish languages this tenth day of February, one thousand nine hundred and forty seven.

*List of Annexes.*

- I. Map of the Frontiers of Finland and the Areas mentioned in Articles 2 and 4.
- II. Definition of Military, Military Air and Naval Training.
- III. Definition and list of war material.
- IV. Special provisions relating to certain kinds of property:
  - A. Industrial, Literary and Artistic property.
  - B. Insurance.
- V. Contracts, Prescription and Negotiable Instruments.
- VI. Prize Courts and Judgments.

*Annex I.*

(See Articles 1, 2 and 4)

*Map of the Frontiers of Finland and the Areas mentioned in Articles 2 and 4.*

*Annex II.*

(See Article 15)

*Definition of Military, Military Air and Naval Training.*

1. Military training is defined as: the study of and practice in the use of war material specially designed or adapted for army purposes, and training devices relative thereto; the study and carrying out of all drill or movements which teach or practice evolutions performed by fighting forces in battle; and the organized study of tactics, strategy and staff work.

2. Military air training is defined as: the study of and practice in the use of war material specially designed or adapted for air force purposes, and training devices relative thereto; the study and practice of all specialised evolutions, including formation flying, performed by aircraft in the accomplishment of an air force mission, and the organised study of air tactics, strategy and staff work.

3. Naval training is defined as: the study, administration or practice in the use of warships or naval establishments as well as the study or employment of all apparatus and training devices

relative thereto, which are used in the prosecution of naval warfare except for those which are also normally used for civilian purposes; also the teaching, practice or organised study of naval tactics, strategy and staff work including the execution of all operations and manoeuvres not required in the peaceful employment of ships.

*Annex III.*

(See Article 19)

*Definition and List of War Material.*

The term «war material» as used in the present Treaty shall include all arms, ammunition and implements specially designed or adapted for use in war as listed below.

The Allied and Associated Powers reserve the right to amend the list periodically by modification or addition in the light of subsequent scientific development.

*Category I.*

1. Military rifles, carbines, revolvers and pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use.

2. Machine guns, military automatic or autoloading rifles, and machine pistols; barrels for these weapons and other spare parts not readily adaptable for civilian use; machine gun mounts.

3. Guns, howitzers, mortars, cannon special to aircraft; breechless or recoil-less guns and flame-throwers, barrels and other spare parts not readily adaptable for civilian use; carriages and mountings for the foregoing.

4. Rocket projectors; launching and control mechanisms for self-propelling and guided missiles; mountings for same.

5. Self-propelling and guided missiles, projectiles, rockets, fixed ammunition and cartridges, filled or unfilled, for the arms listed in sub-paragraphs 1—4 above and fuses, tubes or contrivances to explode or operate them. Fuses required for civilian use are not included.

6. Grenades, bombs, torpedoes, mines, depth charges and incendiary material or charges, filled or unfilled, all means for explo-

ding or operating them. Fuses required for civilian use are not included.

7. Bayonets.

*Category II.*

1. Armoured fighting vehicles; armoured trains, not technically convertible to civilian use.

2. Mechanical and self-propelled carriages for any of the weapons listed in Category I; special type military chassis or bodies other than those enumerated in sub-paragraph 1 above.

3. Armour plate, greater than three inches in thickness used for protective purposes in warfare.

*Category III.*

1. Aiming and computing devices, including predictors and plotting apparatus, for fire control; direction of fire instruments; gun sights; bomb sights; fuse setters; equipment for the calibration of guns and fire control instruments.

2. Assault bridging, assault boats and storm boats.

3. Deceptive warfare, dazzle and decoy devices.

4. Personal war equipment of a specialised nature not readily adaptable to civilian use.

*Category IV.*

1. Warships of all kinds, including converted vessels and craft designed or intended for their attendance or support, which cannot be technically reconverted to civilian use, as well as weapons, armour, ammunition, aircraft and all other equipment, material, machines and installations not used in peace time on ships other than warships.

2. Landing craft and amphibious vehicles or equipment of any kind; assault boats or devices of any type as well as catapults or other apparatus for launching or throwing aircraft, rockets, propelled weapons or any other missile, instrument or device whether manned or unmanned, guided or uncontrolled.

3. Submersible or semi-submersible ships, craft, weapons, devices or apparatus of any kind, including specially designed harbour



defence booms, except as required by salvage, rescue or other civilian uses, as well as all equipment, accessories, spare parts, experimental or training aids, instruments or installations as may be especially designed for the construction, testing, maintenance or housing of the same.

*Category V.*

1. Aircraft, assembled or unassembled, both heavier and lighter than air, which are designed or adapted for aerial combat by the use of machine guns, rocket projectors or artillery, or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in sub-paragraph 2 below.

2. Aerial gun mounts and frames, bomb racks, torpedo carriers and bomb release or torpedo release mechanisms; gun turrets and blisters.

3. Equipment specially designed for and used solely by airborne troops.

4. Catapults or launching apparatus for ship-borne, land- or sea-based aircraft; apparatus for launching aircraft weapons.

5. Barrage balloons.

*Category VI.*

Asphyxiating, lethal, toxic, or incapacitating substances intended for war purposes, or manufactured in excess of civilian requirements.

*Category VII.*

Propellants, explosives, pyrotechnics or liquefied gases destined for the propulsion, explosion, charging, filling of, or use in connection with, the war material in the present categories, not capable of civilian use or manufactured in excess of civilian requirements.

*Category VIII.*

Factory and tool equipment specially designed for the production and maintenance of the material enumerated above and not technically convertible to civilian use.

*Annex IV.*

*Special provisions relating to certain kinds of property.*

*A. Industrial, Literary and Artistic property.*

1. (a) A period of one year from the coming into force of the present Treaty shall be accorded to the Allied and Associated Powers and their nationals without extension fees or other penalty of any sort in order to enable them to accomplish all necessary acts for the obtaining or preserving in Finland of rights in industrial, literary and artistic property which were not capable of accomplishment owing to the existence of a state of war.

(b) Allied and Associated Powers or their nationals who had duly applied in the territory of any Allied or Associated Power for a patent or registration of a utility model not earlier than twelve months before the outbreak of the war with Finland or during the war, or for the registration of an industrial design or model or trade mark not earlier than six months before the outbreak of the war with Finland or during the war, shall be entitled within twelve months after the coming into force of the present Treaty to apply for corresponding rights in Finland, with a right of priority based upon the previous filing of the application in the territory of that Allied or Associated Power.

(c) Each of the Allied and Associated Powers and its nationals shall be accorded a period of one year from the coming into force of the present Treaty during which they may institute proceedings in Finland against those natural or juridical persons who are alleged illegally to have infringed their rights in industrial, literary or artistic property between the date of the outbreak of the war and the coming into force of the Treaty.

2. A period from the outbreak of the war until a date eighteen months after the coming into force of the present Treaty shall be excluded in determining the time within which a patent must be worked or a design or trade mark used.

3. The period from the outbreak of the war until the coming into force of the present Treaty shall be excluded from the normal term of rights in industrial, literary and artistic property which were in force in Finland at the outbreak of the war or which are

recognised or established under part A of this Annex and belong to any of the Allied and Associated Powers or their nationals. Consequently, the normal duration of such rights shall be deemed to be automatically extended in Finland for a further term corresponding to the period so excluded.

4. The foregoing provisions concerning the rights in Finland of the Allied and Associated Powers and their nationals shall apply equally to the rights in the territories of the Allied and Associated Powers of Finland and its nationals. Nothing, however, in these provisions shall entitle Finland or its nationals to more favourable treatment in the territory of any of the Allied and Associated Powers than is accorded by such Power in like cases to other United Nations or their nationals, nor shall Finland be thereby required to accord to any of the Allied and Associated Powers or its nationals more favourable treatment than Finland or its nationals receive in the territory of such Power in regard to the matters dealt with in the foregoing provisions.

5. Third parties in the territories of any of the Allied and Associated Powers or Finland who, before the coming into force of the present Treaty, had bona fide acquired industrial, literary or artistic property rights conflicting with rights restored under part A of this Annex or with rights obtained with the priority provided thereunder, or had bona fide manufactured, published, reproduced, used or sold the subject matter of such rights, shall be permitted, without any liability for infringement, to continue to exercise such rights and to continue or to resume such manufacture, publication, reproduction, use or sale which had been bona fide acquired or commenced. In Finland, such permission shall take the form of a non-exclusive licence granted on terms and conditions to be mutually agreed by the parties thereto or, in default of agreement, to be fixed by the Conciliation Commission established under Article 31 of the present Treaty. In the territories of each of the Allied and Associated Powers, however, bona fide third parties shall receive such protection as is accorded under similar circumstances to bona fide third parties whose rights are in conflict with those of the nationals of other Allied and Associated Powers.

6. Nothing in part A of this Annex shall be construed to entitle Finland or its nationals to any patent or utility model rights in the territory of any of the Allied and Associated Powers with respect to inventions, relating to any article listed by name in Annex III

of the present Treaty, made, or upon which applications were filed, by Finland, or any of its nationals, in Finland or in the territory of any other of the Axis Powers, or in any territory occupied by the Axis forces, during the time when such territory was under the control of the forces or authorities of the Axis Powers.

7. Finland shall likewise extend the benefits of the foregoing provisions of this Annex to France, and to other United Nations, which are not Allied or Associated Powers, whose diplomatic relations with Finland have been broken off during the war and which undertake to extend to Finland the benefits accorded to Finland under the said provisions.

8. Nothing in part A of this Annex shall be understood to conflict with Articles 25 and 27 of the present Treaty.

#### *B. Insurance.*

1. No obstacles, other than any applicable to insurers generally, shall be placed in the way of the resumption by insurers who are United Nations nationals of their former portfolios of business.

2. Should an insurer, who is a national of any of the United Nations, wish to resume his professional activities in Finland, and should the value of the guarantee deposits or reserves required to be held as a condition of carrying on business in Finland be found to have decreased as a result of the loss or depreciation of the securities which constituted such deposits or reserves, the Finnish Government undertakes to accept, for a period of eighteen months, such securities as still remain as fulfilling any legal requirements in respect of deposits or reserves.

#### *Annex V.*

##### *Contracts, Prescription and Negotiable Instruments.*

#### *A. Contracts.*

1. Any contract which required for its execution intercourse between any of the parties thereto having become enemies as defined in part D of this Annex, shall, subject to the exceptions set out in

paragraph 2 and 3 below, be deemed to have been dissolved as from the time when any of the parties thereto became enemies. Such dissolution, however, shall not relieve any party to the contract from the obligation to repay amounts received as advances or as payments on account and in respect of which such party has not rendered performance in return.

2. Notwithstanding the provisions of paragraph 1 above, there shall be excepted from dissolution and there shall remain in force such parts of any contract as are severable and did not require for their execution intercourse between any of the parties thereto, having become enemies as defined in part D of this Annex. Where the provisions of any contract are not so severable, the contract shall be deemed to have been dissolved in its entirety. The foregoing shall be subject to the application of domestic laws, orders or regulations made by any of the Allied and Associated Powers having jurisdiction over the contract or over any of the parties thereto and shall be subject to the terms of the contract.

3. Nothing in part A of this Annex shall be deemed to invalidate transactions lawfully carried out in accordance with a contract between enemies if they have been carried out with the authorization of the Government of one of the Allied and Associated Powers.

4. Notwithstanding the foregoing provisions, contracts of insurance and reinsurance shall be subject to separate agreements between the Government of the Allied or Associated Power concerned and the Government of Finland.

#### *B. Periods of Prescription.*

1. All periods of prescription or limitation of right of action or of the right to take conservatory measures in respect of relations, affecting persons or property, involving United Nations nationals and Finnish nationals who, by reason of the state of war, were unable to take judicial action or to comply with the formalities necessary to safeguard their rights, irrespective of whether these periods commenced before or after the outbreak of war, shall be regarded as having been suspended, for the duration of the war, in Finnish territory on the one hand, and on the other hand in the territory of those United Nations which grant to Finland, on a reciprocal basis, the benefit of the provisions of this paragraph.

These periods shall begin to run again on the coming into force of the present Treaty. The provisions of this paragraph shall be applicable in regard to the periods fixed for the presentation of interest or dividend coupons or for the presentation for payment of securities drawn for repayment or repayable on any other ground.

2. Where, on account of failure to perform any act or to comply with any formality during the war, measures of execution have been taken in Finnish territory to the prejudice of a national of one of the United Nations, the Finnish Government shall restore the rights which have been detrimentally affected. If such restoration is impossible or would be inequitable, the Finnish Government shall provide that the United Nations national shall be afforded such relief as may be just and equitable in the circumstances.

### *C. Negotiable Instruments.*

1. As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

2. Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment, has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment, or protest may be made.

3. If a person has, either before or during the war, incurred obligations under a negotiable instrument in consequence of an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of these obligations, notwithstanding the outbreak of war.

#### *D. General Provision.*

For the purposes of this Annex, natural or juridical persons shall be regarded as enemies from the date when trading between them shall have become unlawful under laws, orders or regulations to which such persons or the contracts were subject.

#### *Annex VI.*

##### *Prize Courts and Judgments.*

###### *A. Prize Courts.*

Each of the Allied and Associated Powers reserves the right to examine, according to a procedure to be established by it, all decisions and orders of the Finnish Prize Courts in cases involving ownership rights of its nationals, and to recommend to the Finnish Government that revision shall be undertaken of such of those decisions or orders as may not be in conformity with international law.

The Finnish Government undertakes to supply copies of all documents comprising the records of these cases, including the decisions taken and orders issued, and to accept all recommendations made as a result of the examination of the said cases, and to give effect to such recommendations.

###### *B. Judgments.*

The Finnish Government shall take the necessary measures to enable nationals of any of the United Nations at any time within one year from the coming into force of the present Treaty to submit to the appropriate Finnish authorities for review any judgment given by a Finnish court between June 22, 1941, and the coming into force of the present Treaty in any proceeding in which the United Nations national was unable to make adequate presentation of his case either as plaintiff or defendant. The Finnish Government shall provide that, where the United Nations national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances. The term «United Nations nationals» includes corporations or associations organised or constituted under the laws of any of the United Nations.

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