Cooperation between Finland and the Russian Federation

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1 Introduction

The cooperation on transboundary water issues between Finland and the Russian Federation, dating from the 1960s, can be described as one of the success stories of international water law. So far the Joint Finnish-Russian Commission on the Utilization of Frontier Waters has held over 50 annual meetings. One could say that the 1964 Frontier Watercourses Agreement between the countries, and especially the successful collaboration in the Commission, has been one of the models which lead to the UNECE Water Convention. Besides being very regular, the cooperation has also yielded concrete outcomes, such as the Discharge Rule of Lake Saimaa and the River Vuoksi enacted in 1991.

The land border between Finland and the Russian Federation is about 1300 km long. In the border region there are 20 watersheds and 800 water bodies. Most of the transboundary waters flow from Finland to the Russian side, while none of the major rivers follows the Finnish-Russian borderline. The largest transboundary watercourses are those of the Vuoksi (68 500 km²) and Paatsjoki (14 500 km²) rivers.

The cooperation between Finland and the Soviet Union was originally motivated by the need to develop hydroelectric power sources and water protection. Other main topics addressed so far have concerned flood control and fisheries as well as log floating and transport. One of the most important issues in the cooperation has been the regulation of the water level of Lake Saimaa in Finland, which is connected to the Russian Lake Ladoga via the River Vuoksi.

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1 Agreement between the Republic of Finland and the Union of Soviet Socialist Republics Concerning Frontier Watercourses (signed 24 April 1964, entered into force 6 May 1965) 537 UNTS 231.
2 The Convention on the Protection and Use of Transboundary Watercourses and International Lakes.
3 See Kai Kaatra, ‘Outcomes of Vuoksi River Cooperation and Tasks between Finland and Russia since the 1960s’ in Creating a Peace and Ecology Lake Park in the Upriver of Bukhan River and the Cases of International River Cooperation (Korea DMZ Council Third International Conference 2012) 57.
The future challenges include achievement of good water status as defined in the EU Water Framework Directive and adaptation to climate change by further development of transboundary flood risk management.\textsuperscript{4}

The first agreement on cooperation relating to watercourses was concluded between Finland and the Soviet Union already in 1947, concerned with the regulation of Lake Inarijärvi in the north of Finland. In 1959 this was replaced by a new, still valid agreement between Finland, Norway and the Soviet Union.\textsuperscript{5} In 1963 Finland proposed to the Soviet Union that the two countries prepare a general agreement on the use of transboundary watercourses, which lead to the signing of the Agreement Concerning Frontier Watercourses in Helsinki in 1964. After the dissolution of the Soviet Union, the Agreement was adopted by the Russian Federation.

The same time period in the 1960s was very important in the development of international water law in general. The Helsinki Rules on the Uses of the Waters of International Rivers were adopted by the International Law Association in Helsinki, Finland, in 1966. As an interesting detail, Professor E.J. Manner from Finland was the chairman of the Finnish negotiation delegation of the 1964 Agreement as well as one the main contributors to the Helsinki Rules. As a consequence, it is not surprising that the 1964 Agreement is compatible with the principles of international water law, although it is procedural rather than substantial by nature.

The cooperation between Finland and the Russian federation concerning transboundary waters is largely based on its institutional settings. In this regard, the collaboration between the two countries under the framework of the Joint Finnish-Russian Transboundary Water Commission has been most important and has significantly contributed to developing the regime of the 1964 Agreement.

2 Main Principles of the 1964 Frontier Watercourses Agreement

The 1964 Agreement has a wide coverage, both geographically and in terms of the topics included. According to Article 1, all lakes, rivers and streams which

\textsuperscript{4}See Timo Kotkasaari, ‘Transboundary Cooperation Between Finland and Its Neighbouring Countries’ in Olli Varis, Cecilia Tortajada and Asit K. Biswas (eds), Management of Transboundary Rivers and Lakes (Springer 2008) 123, 133. See also Kaatra (n 3) 58–68.

\textsuperscript{5}Agreement between the Government of the Union of Soviet Socialist Republics, the Government of Norway and the Government of Finland Concerning the Regulation of Lake Inari by means of the Kaitakoski Hydro-Electric Power Station and Dam (signed 29 April 1959).