

Bilag 1

AGREEMENT BETWEEN THE REPUBLIC OF ESTONIA, THE REPUBLIC OF FINLAND AND THE KINGDOM OF SWEDEN REGARDING THE M/S ESTONIA

THE REPUBLIC OF ESTONIA, THE REPUBLIC OF FINLAND AND THE KINGDOM OF SWEDEN, hereinafter referred to as the Contracting Parties,

RECALLING the disaster on the night of 28 September 1994 when the M/S ESTONIA sank, as a final place of rest for victims of the disaster, from any disturbing activities,

URGING the public and all other States to afford appropriate respect to the site of the M/S ESTONIA for all time,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The wreck of the M/S ESTONIA and the surrounding area, as defined in Article 2, shall be regarded as a final place of rest for victims of the disaster, and as such shall be afforded appropriate respect.

ARTICLE 2

The area constituting the final place of rest shall for the purpose of this Agreement be delimited by straight lines from point No. 1 through points No. 2, 3, 4 and back to point No. 1:

Point No. 1 (Upper Left) 59° 23,500'N, 21°40,000'E.

Point No. 2 (Upper Right) 59° 23,500'N, 21°42,000'E.

Point No. 3 (Upper Right) 59° 22,500'N, 21°42,000'E.

Point No. 4 (Upper Left) 59° 22,500'N, 21°40,000'E.

All positions defined by geographical coordinates in World Geodetic System 1984 (WGS 84).

ARTICLE 3

The Contracting Parties hereby agree that the M/S ESTONIA shall not be raised.

ARTICLE 4

1. The Contracting Parties undertake to institute legislation, in accordance with their national procedures, aiming at the criminalization of any

activities disturbing the peace of the final place of rest, in particular any diving or other activities with the purpose of recovering victims or property from the wreck or the seabed.

2. The Contracting Parties undertake to make it possible to punish the commission of an offence, established in accordance with paragraph 1 of this Article, by imprisonment.

3. Notwithstanding the above provisions, a Contracting Party may take measures to cover the wreck or to prevent pollution of the marine environment from the wreck.

ARTICLE 5

Each Contracting Party undertakes to submit information to another Contracting Party on pending or on-going activities having been criminalized in conformity with Article 4 and involving a vessel flying the flag of that Contracting Party.

ARTICLE 6

This Agreement shall enter into force thirty days after the date when the Contracting Parties have notified the other Contracting Parties in writing that the necessary constitutional procedures for its entry into force have been completed.

Done at Tallinn on 23 February 1995 in three originals, each in the English language.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Agreement:

For the Republic of Estonia

Juri Luik

For the Republic of Finland

Jaako Kaurinkoski

For the Kingdom of Sweden

Lars Grundberg