

THE AALAND ISLANDS QUESTION

BY

NORMAN J. PADEL FORD

Professor of International Law, Fletcher School of Law and Diplomacy

AND

K. GÖSTA A. ANDERSSON

Fletcher School of Law and Diplomacy

Among the problems recurrently agitating European chancelleries and military strategists is that of the status of the Aaland Islands.¹ Located between Sweden and Finland athwart the entrances to the Gulfs of Bothnia and Finland, these islands long have played a rôle of importance in North European affairs which bids fair to increase in significance in the immediate future. The islands have a direct bearing upon the military and naval strategy of all countries bordering upon the Baltic Sea,² and their status must be of concern to all nations having shipping interests in this region. The so-called Aaland Islands Question is now a complex of questions regarding sovereignty and title to the islands, as well as their neutralization and militarization.

The archipelago consists of 6,554 islands and islets, separated from Sweden by the Aaland Sea, and from Finland by the Skiftet. The islands lie between 59° 45' and 60° 40' latitude north and 20° 30' and 19° 30' longitude east. Geologically, the islands are directly related to the Finnish mainland. The Aaland Sea is 301 meters at its greatest depth; the Skiftet is shallower and is generally frozen in the winter. The islands have an area of 550 square miles,³ the main island, Fasta Åland, covering more than half of the area. This island is located 30 miles from the Swedish mainland and 45 from the Finnish. Stockholm is less than 70 miles away, Helsingfors about 130 miles and Åbo 75 miles.⁴ Steamship and airplane services connect with each of these cities. Only about 100 islands are inhabited, the population being overwhelmingly Swedish.⁵ On January 1, 1936, the total population was 28,056, and of the largest town, Mariehamn, 2,446. The islands are covered

¹ A very considerable literature has appeared in European countries on the islands, the most essential portions of which will be referred to in footnotes *postea*. The question has been briefly treated in two editorial comments in this JOURNAL: P. M. Brown, "Aaland Islands Question," Vol. XV (1921), p. 268; C. N. Gregory, "Neutralization of the Aaland Islands," Vol. XVII (1923), p. 63.

² C. R. Jörgensen, "Kann Skandinavien im Kriegsfall neutral bleiben?" *Zeitschrift für Politik*, January, 1938.

³ *Statistisk Årsbok för Finland*, 1936.

⁴ Finnish: Helsingfors (Helsingfors) and Turku (Åbo).

⁵ *Statistisk Årsbok för Finland*, 1936: "98% Swedish, Jan. 1, 1936."

with pine and spruce forests, and there is an abundance of bays and small lakes. One of the major industries is shipping, a large amount of which is owned and operated by the islanders. From an economic point of view, the islands are poor, the only export products being fish, firewood and granite, which go almost exclusively to Sweden.

As far back in history as is known, the Aaland Islands have been inhabited by a Swedish population, although union with Sweden is not known before the Swedish crusades against the Finnish tribes in 1157, 1249 and 1293.⁶ In 1362, the Aaland Islands took part in electing the Swedish king and were regarded as part of the Swedish kingdom. In 1714 they were conquered by Peter the Great of Russia, whose armies had occupied Finland as well. While the islands were given back to Sweden by the Treaty of Nystad in 1721,⁷ they were henceforth an international problem. In 1742 they again were occupied by the Russians, but were given back to Sweden by the Treaty of Åbo in 1743.⁸ In 1759 Russia and Sweden concluded a convention calling for joint action in preserving freedom of commerce and neutrality in the Baltic.⁹ In 1808 the Russians attacked the islands, but were driven off. The islands were then united by a Royal Decree of July 8, 1808, with the county of Uppland on the Swedish mainland.¹⁰ In the negotiations which followed, the Swedish delegates had special instructions not to give up the islands. The Russians insisted on the islands,¹¹ the Russian delegate Roumiantzov remarking: "To defend Finland without the Aaland Islands would be the same thing as to take a strong-box of which one had delivered up the keys."¹² Russian troops having landed on the Swedish east coast, however, the Swedish delegates were forced to relinquish both Finland and the islands by the Treaty of Fredrikshamn on September 12, 1809.¹³ By Article 4 of the treaty Russia agreed, nevertheless, to neutralize the islands.

When Napoleon was informed of these terms by the Swedish Minister to France, he remarked that Sweden now had lost her power, and that Stockholm might be regarded as only a border fort.¹⁴ Two years later, Napoleon, hoping to get Swedish aid against Russia, promised to help Sweden get back the Aaland Islands. His offer was not accepted. In 1812, Crown Prince Karl Johan [Bernadotte] asked Tsar Alexander to restore the Aaland Islands

⁶ M. G. Schybergson, *La Position d'Åland* (Helsingfors, 1919), p. 9.

⁷ For text see Dumont, *Corps universel diplomatique*, Vol. VIII, Pt. II, p. 36.

⁸ For text see D'Hauterive et DeCussy, *Recueil des traités de commerce et de navigation*, 2nd Pt., Vol. V, p. 472.

⁹ Martens, *Supplément au Recueil des Principaux Traités*, Vol. III, pp. 36-41.

¹⁰ Jean Denier, *L'Attribution des Iles d'Åland* (Paris, 1919), p. 38.

¹¹ J. O. Söderhjelm, *Demilitarisation et neutralisation des Iles d'Åland* (Helsingfors, 1928), p. 86.

¹² R. C. S. Hamburger, *Twee rechtsvragen aangaande Finland* (Utrecht, 1925), p. 19.

¹³ For text see Martens, *Nouveau Recueil des Traités*, Vol. I, p. 19.

¹⁴ L. Stael von Holstein, *Sverige och Åland* (Lund, 1916), p. 4.

to Sweden. This the Tsar refused, promising instead to help Sweden detach Norway from Denmark,¹⁵ which was done in 1814.

In 1830 the Russians, in violation of the Treaty of Fredrikshamn, started to fortify Bomarsund on the main island. The location was a strategic one for Russia in view of the fact that Kronstadt, the Russian naval base in the Baltic, is blocked by ice several months a year. The projected fortification of the islands was recognized as a threat to peaceful shipping in the Baltic, and in 1833 Great Britain and Sweden protested to Russia.¹⁶ To emphasize its protest, England sent a fleet into the Baltic in 1834, but Tsar Nicholas continued the construction of the fortifications.

At the outbreak of the Crimean War, an English fleet again entered the Baltic, being later joined by the French fleet. The French General d'Hillier went to Stockholm to offer the Aaland Islands to Sweden if the Swedish fleet would help the French-English fleet blockade Kronstadt. King Oscar of Sweden rejected the offer, fearing future reprisals from the Russians, whereupon the French-English forces captured and destroyed Bomarsund in 1854.¹⁷ Thinking this to be a propitious moment in which to better its neutral position, Sweden concluded in 1855 with England and France the so-called "November Tractate," whereby England and France guaranteed the territory of Sweden-Norway, and King Oscar promised not to make any agreements with Russia without informing England and France.¹⁸ At the peace negotiations following the Crimean War, Sweden proposed: (1) that the Aaland Islands be restored to Sweden; or (2) that they be made a free state under English, French, or Swedish-Norwegian protection; and (3) that they be demilitarized.

Notwithstanding Swedish desires, the islands were left in Russian possession by the Paris Convention of March 30, 1856. However, the convention contained an annex in which Russia formally declared it would not fortify the Aaland Islands, or maintain or construct therein any military or naval establishments.¹⁹ This "declaration" was signed by the representatives of England and France, and, according to Article 33 of the convention, was treated as having the same binding force as the convention proper.

Russia later construed the terms of the 1856 declaration to mean that she might put up radio stations for military use, that she might have "temporary" fortifications there, that the treaty only referred to the islands, not to the waters between the islands, and that she thus could have war vessels and receiving-ships stationed in adjacent waters. Russia further held that the non-fortification obligation was only binding in peace time, and that in case of war she might fortify the islands at will. These contentions appear to

¹⁵ René Jegou du Laz, *La Question des Iles d'Aland* (Cartraix, 1923), p. 9.

¹⁶ Raymond Boursot, *La Question des Iles d'Aland* (Dijon, 1923), p. 32.

¹⁷ Jean Popovici, *La Question des Iles d'Aland* (Paris, 1923), p. 22.

¹⁸ De Martens, *Nouveau Recueil Général*, Vol. XV, p. 628.

¹⁹ British and Foreign State Papers, Vol. XLVI, p. 23.

amount to circumvention of at least the spirit of the Paris declaration, for it seems clear that the purpose was to preclude the establishment, maintenance, or erection of military or naval works, installations, or units of any kind. No exception was made regarding time of war. On the other hand, considering that Russian sovereignty over the islands was recognized, and that the undertaking specifically represented only a declaration of intention in "response to a desire" for demilitarization, it may be held that the Russian position concerning fortification in time of war was justified. At any rate, in 1904 during the Japanese-Russian war, Russia commenced construction of fortifications.

The year 1905 was significant. The union between Sweden and Norway was dissolved, the Anglo-French guarantee of 1855 was terminated, making Sweden more dependent on the Baltic. The same year the Russian fleet was defeated by the Japanese, thus turning Russian eyes anew to security in the Baltic, through which more than 50% of all Russian foreign trade travelled,²⁰ on which St. Petersburg, the Russian capital, was located, and in which the growing German fleet was rapidly becoming a menacing factor. In 1906 Russia sent warships and 750 men to the Aaland Islands. Sweden and England at once reminded Russia of the Aaland servitude and the troops were withdrawn.²¹ As a result of this incident extensive defense measures were started by Sweden, while Russia had to concentrate her defense largely on the Reval-Lappvik line in the Gulf of Finland.²² According to a statement made later by Trotsky, a secret convention was signed in St. Petersburg on October 29, 1907, between Germany and Russia guaranteeing the *status quo* in the Baltic,²³ and agreeing to the abolition of the Aaland servitude if Sweden would assent.²⁴ Notwithstanding her increasing power, Germany was apprehensive of the consequences of the Anglo-Russian *rapprochement* and *entente*, and desired to keep British influence out of the Baltic. Fearing the St. Petersburg secret convention, the Swedish Government demanded an international agreement to preserve the 1856 convention. As a result, a declaration was signed by Russia, Germany, Denmark and Sweden on April 23, 1908, in which the signatories agreed to maintain the *status quo* in the Baltic.²⁵ A signed memorandum attached to the declaration stated that the instrument was not to be construed as restricting the "free exercise of the rights of sovereignty of the high contracting parties over their respective above-mentioned possessions." This may well have been

²⁰ Erich Schlump, *Die politisch-geographische Bedeutung der Ostsee* (Königsberg, 1934), p. 39.

²¹ E. W. Polson-Newman, *Britain and the Baltic* (London, 1930), p. 219, says "Great Britain could not tolerate the formation of a policy which would transfer the Baltic from a *mare apertum* to a *mare clausum*."

²² Stael von Holstein, *op. cit.*, p. 26.

²³ Maximilian Boeck, *Die Aalandsfrage* (Wuertsburg, 1927), p. 18. Erik Sjöstedt, *La Question des Iles d'Aland* (Paris, 1919), p. 23; Boursot, *op. cit.*, p. 48.

²⁴ Report of the League of Nations Commission of Rapporteurs on The Aaland Island Question, April 16, 1921, Council Document B 7. 21/68/106, p. 35.

²⁵ Br. & For. St. Pap., Vol. CI, p. 974; this JOURNAL, Supplement, Vol. 2 (1908), p. 270.

drafted with the Aaland Islands in the mind of at least one party. It is reported that no specific mention was made of the islands due to the personal wishes of King Gustav of Sweden.²⁶

At the outbreak of the World War no Russian troops were on the islands, but when the German fleet attacked the islands on August 21, 1915, it found several Russian batteries and a strong garrison there.²⁷ Sweden protested to Russia that the presence of these guns constituted a violation of the Treaty of 1856, but the Russian Minister to Sweden answered that the fortifications were only temporary and that consequently there was no violation of the treaty.²⁸ Several permanent military works were erected, however, and the islands served as a base for an English submarine fleet in the Baltic.²⁹ After the Russian armies began their retreat from Poland in 1916, Russia intensified the fortification of the Aaland Islands. This caused a great alarm in Sweden and only a renewal of the guarantees given by England and France prevented Sweden from going to war with Russia.

When civil strife broke out in Russia in 1917, the islanders were abused by the Russian troops stationed there, because of their Swedish leanings. August 20, 1917, representatives from all the islands met in Finström, and adopted unanimously a resolution in which they voiced their desire to be incorporated into Sweden. A committee was set up to organize a referendum, and to bring the resolution to the Swedish Government.³⁰ The proclamation of the Soviet Republic in Russia on November 7, 1917, with the declaration urging the different nationalities to organize themselves, paved the way for a new order of things for the Aaland Islands. While a new note was received by the Swedish Government from the islanders on November 27, no action was taken. On December 4, 1917, Finland declared her independence and became a sovereign political entity in her own right.³¹ No representatives from the Aaland Islands took part in the Finnish action.

The Soviet Republics recognized the independence of Finland on December 31, 1917, and on January 4, 1918, Sweden, France and Germany recognized the new state. No reference was made to the Aaland Islands in the recognitions.³² A referendum was held on the Aaland Islands on December 31, 1917, and the population voted overwhelmingly for union with Sweden. The result was communicated to the Swedish Government, and, in his speech to the Riksdag on January 16, 1918, the King of Sweden expressed the hope that the independence of Finland would help to settle the Aaland Question.

²⁶ *Berliner Tageblatt*, April 25, 1908.

²⁷ Report of Commission, *ibid.*, p. 35.

²⁸ Stael von Holstein, *op. cit.*, p. 41.

²⁹ Boursot, *op. cit.*, p. 58. See interesting correspondence between the British and Swedish Governments respecting submarines and commerce in the waters between Sweden and the Aaland Islands in the autumn of 1916. Br. & For. St. Pap., Vol. CX, pp. 561-566. The Swedish Government is supposed to have had confidential information about these fortifications as early as January, 1915. Söderhjelm, *op. cit.*, p. 126.

³⁰ This JOURNAL, Vol. 15 (1921), p. 268.

³¹ United States Foreign Relations, 1918, Russia, Vol. II, p. 733.

³² Söderhjelm, *op. cit.*, p. 129.

He added that Sweden had taken measures looking toward the solution of the question. This reference was apparently to notes Sweden had sent to Germany, Austria, and Turkey, asking them to consider the Aaland Question at the peace negotiations with the Soviet Republics at Brest-Litovsk with the hope that they would be awarded to Sweden.³³ During these negotiations Herr von Kühlmann, the German delegate, is supposed to have said that he hoped to get the Aaland Question solved, but did not know whether Russia or Finland would be party to the treaty, and that he did not want to discuss it without consultation with Sweden.³⁴ To this Trotsky answered: "that the proclamation of Finland's independence has so far brought about no changes in the Aaland Islands question." What he undoubtedly had in mind was that Russia still claimed the islands.³⁵

Before noting the terms of the Treaty of Brest-Litovsk it is necessary to advert to certain developments affecting the islands which took place between January and March, 1918. On January 27, a Red Rebellion broke out in Finland during the course of which the inhabitants of the islands suffered considerable maltreatment. A petition signed by 98% of the eligible voters of the Aaland Islands was presented to the King of Sweden on February 2, who again expressed the hope that the Aaland Question would be solved soon.³⁶ While Sweden was more interested in other matters, it was decided, with the consent of the British, French and German Governments, to send two Swedish troop vessels together with a cruiser to the islands for the protection of Swedish inhabitants. The Swedish Minister of Foreign Affairs declared to the British and French Ministers that this action "was not to be considered as the beginning of a permanent occupation as the Swedish Government was still of the opinion that the Aaland Islands Question should be solved by negotiations between England, France, and Finland, and if these negotiations led to no result, then at the peace conference."³⁷ To prevent bloodshed on the islands, it was agreed that Finnish and Russian troops should be evacuated from the islands and the Swedish troops left to maintain order.³⁸ Subsequently the Finnish Government asked Sweden to send aid to Finland proper to help stamp out the civil war. When Sweden refused, Finland turned to Germany, which landed troops on the Aaland Islands on March 6. In the meantime the Russian Government concluded a treaty with the Finnish Reds (Finnish Socialist Workers Republic), which drew a boundary line between Russia and Finland.³⁹ No boundary had been

³³ There is reason to believe Sweden hoped for an invitation to Brest-Litovsk to discuss and settle the question. Peace Handbooks (London, 1920), Vol. VIII, No. 48, p. 23.

³⁴ U. S. For. Rel., *ibid.*, Vol. I, pp. 427-428. There is no reference to the islands in the peace proposals handed to the Russians by the German Government on Feb. 21, 1918. *Ibid.*, pp. 432-433.

³⁵ *Die Aalandsfrage* (Berlin, 1918), p. 23.

³⁶ Sjöstedt, *op. cit.*, p. 44.

³⁷ U. S. For. Rel., *ibid.*, Vol. II, p. 754.

³⁸ The American Minister in Sweden said that these actions "would seem to indicate that the Swedish Government intends to take over the islands eventually in accordance with the desires of the population." *Ibid.*, pp. 752-753.

³⁹ *Ibid.*, pp. 773-776.

delimited in the Soviet recognition of Finland on December 31. No mention whatsoever was made in this treaty, which was never accepted by the Government of Finland, of the Aaland Islands. If the islands were regarded by Russia as having been within the old Duchy of Finland, then by Article 1 of the agreement, title passed to Finland. But the treaty contained no definition of the former Duchy.⁴⁰

On March 3, Germany and Russia signed the Treaty of Brest-Litovsk.⁴¹ According to Article 6, Russia agreed to withdraw all troops and naval forces from the Aaland Islands, and to remove as soon as possible all fortresses. The status "as regards the permanent non-fortification on these islands as well as their further treatment in respect to military and technical navigation matters," was left to become the subject of a special agreement to be concluded by Germany, Finland, Russia, Sweden, and possibly other Baltic states to be named by Germany. No mention was made of who was to be regarded as the rightful sovereign of the islands. On March 7, Germany and Finland signed a treaty of peace at Berlin.⁴² Article 30 of this treaty carried virtually the same wording as Article 6 of the Treaty of Brest-Litovsk concerning the Aaland Islands. It likewise did not indicate in whose hands rested sovereignty over the islands.⁴³

The negotiations between Germany, Finland and Sweden proceeded slowly during the summer and fall of 1918. The Soviet Government protested its exclusion from the negotiations, but as it was at war with Finland and had not yet been recognized by Sweden nothing was done. Germany promised, however, that only technical questions would be settled and that the Soviet Government would be invited to a future political settlement of the Aaland Question.⁴⁴ An agreement was concluded by the three Powers on December 30, 1918,⁴⁵ but it went no farther than had previous compacts.

The situation respecting the islands in the last of 1918, then, was as follows: Russia had not formally relinquished all right and title to the islands; Finland claimed to have sovereignty over the islands; Sweden claimed no title for herself, but favored an international settlement of the question, which might result in conveyance of a title or mandate to Sweden; Germany had occupied the islands and concluded treaties with Finland, Russia and Sweden, all of which provided for the demilitarization of the islands but none of which indicated the locus of sovereignty. She made no claim to the archi-

⁴⁰ The Grand Duchy of Finland was first created in 1556, at which time it included "the provinces of Åbo and Kymmenegard, as well as the whole of Aaland." League of Nations, Report on The Aaland Islands Question, *ibid.*, p. 8.

⁴¹ Texts of the Russian "Peace" (Washington, 1918), p. 13.

⁴² Br. & For. St. Pap., Vol. CXII, p. 1006.

⁴³ In a secret agreement between Germany and Finland drawn up the same day the Finnish Government "admits Germany's right to establish bases anywhere on Finnish territory for the German naval forces during the period of military support," which would seem to embrace the islands. U. S. For. Rel., *ibid.*, p. 771.

⁴⁴ Söderhjelm, *op. cit.*, p. 134.

⁴⁵ Br. & For. St. Pap., Vol. CXIII, p. 993.

pelago herself. The German treaties of peace with Finland and Russia were annulled by the Treaty of Versailles.

The population of the Aaland Islands continued its fight for association with Sweden. Several deputations were sent to Sweden. An address was presented to France, Great Britain, Italy, and the United States in which the islanders expressed the hope that the principles stated by President Wilson in his message of January 8, 1918, would be used in the coming peace negotiations.⁴⁶ The Swedish Government proposed to the Government of Finland that a plebiscite be held in the islands, with proper guarantees, which should settle the fate of the archipelago. Finland refused. In 1919 the islanders sent a petition to the Peace Conference in Paris asking for a plebiscite, and at the same time stated their historic, economic, and racial ties with Sweden.⁴⁷ Sweden later expressed her support, but the Finnish representatives opposed cession on the ground that even during the Swedish time the islands had been a part of Finland.⁴⁸ The Government of Finland proposed direct negotiations regarding the military interests of Sweden in the islands, but the Swedish Government refused any negotiations in which the question of sovereignty should be ignored. At this stage of affairs France was lending its support to the transfer of the islands to Sweden, largely perhaps as a means of putting pressure on Finland to join the Allies against the Bolsheviks and the Germans.⁴⁹

Soviet Russia maintained a claim to the islands, stating her position in a telegram from Chicherin to the Foreign Offices of London, Paris, Washington, Rome, Tokyo, Stockholm, and Helsingfors, dated October 2, 1919.

The radio telegrams from the big stations in the *Entente* countries report that the representatives of the five important Allied Powers have decided to act on the question of the awarding of Aaland to Finland or Sweden. Considering that no treaty between Russia and Finland has decided in detail the boundaries of the latter country, and on account of this no recognition of the power of Finland over the Aaland Islands can take place without hearing from Russia, still less the presentation of the islands to Sweden; and considering further that the geographical position of the Aaland Islands at the inlet of the Finnish Gulf closely connects the fate of these islands with the needs and interests of the people who are living in Russia, the Russian Government which always remains faithful to its declared and unchanged principle of the self-determination of the right of the working masses of every people and will not force its power upon any country, claims that the Governments of Great Britain, France, Italy, Japan, and United States which thus arbitrarily decide the fate of the Aaland Islands are usurping a power which does not belong to them, and will dispose of this territory without the will and knowledge of the people whom this question concerns, and against the will of the working masses.

⁴⁶ Söderhjelm, *op. cit.*, pp. 145-146.

⁴⁷ *Ibid.*, p. 146.

⁴⁸ Johan Uggla, *La Question d'Aland* (Helsingfors, 1919), p. 21.

⁴⁹ U. S. For. Rel., 1919, Russia, pp. 723, 735.

The Russian Soviet Government declares it does not acknowledge any agreements in regard to the Aaland Islands which have been made without its participation and categorically protests against the action committed by the above governments and declares that it will consider all such decisions as absolutely void, and as made in the same way used by the absolutist governments more than one hundred years ago, by unjust usurpation of the highest power over other people.⁵⁰

Although the Aaland Islands problem was examined by the Baltic Affairs Commission of the Peace Conference,⁵¹ the Supreme Council recommended that the status of the islands be left to the League of Nations.⁵² No reference was made to Finland's continuance of Russia's obligations respecting the islands under the 1856 Convention in the exchange of notes between Sweden and Finland on November 11, 1919, regarding the validity and continuance by Finland of treaties and agreements formerly concluded by Sweden and Russia.⁵³

In the spring of 1920 the tension and uncertainty concerning the islands increased as the Finnish Diet passed a law granting autonomy to the islands,⁵⁴ which the inhabitants refused to acknowledge,⁵⁵ and which resulted in the dispatch of a delegation to the Swedish Government appealing for help and unity with Sweden.⁵⁶ Diplomatic relations were strained to the breaking point when the Finnish authorities arrested several of the liberation leaders on the ground of treason.⁵⁷ Swedish and English interests having investments in Finland and in the islands put pressure on Finland and on the British Government to permit the latter to use its good offices to effect an amicable solution of the situation. After an exchange of notes between the interested parties, the British Government, acting under Article 11 of the Covenant of the League of Nations, drew the attention of the League Council to the Aaland Islands case.⁵⁸

The Council met in a special session at London, July 9-12, 1920, proceeding under Articles 12, 15, and 17 in view of the fact that Finland was not a member of the League.⁵⁹ Mr. Branting, the Swedish delegate, demanded a plebiscite, the result to be binding on both Sweden and Finland, adding that if the islands were to come under Swedish jurisdiction Sweden was prepared

⁵⁰ *Soviet Russia* (Official Organ of the Soviet Republics), 1920, p. 43.

⁵¹ Van der Vlugt, *La Question des Iles d'Aaland* (Leyden, 1921), p. 42. See Swedish note to Peace Conference, dated April 22, 1919. League of Nations Official Journal, Spl. Supp., No. 1, August, 1920, pp. 33-34; Report of the League Commission of Rapporteurs, *ibid.*, p. 24.

⁵² See Swedish communications, *ibid.*, pp. 45-51.

⁵³ Br. & For. St. Pap., Vol. CXII, p. 1025.

⁵⁴ Text in League of Nations Official Journal, *ibid.*, Annex II.

⁵⁵ Söderhjelm, *op. cit.*, p. 148. ⁵⁶ Official Journal, *ibid.*, pp. 57-60. ⁵⁷ *Ibid.*, pp. 61-63.

⁵⁸ League of Nations, Procès-Verbal of the Seventh Session of the Council, London, July 9-12, 1920, p. 35.

⁵⁹ *Ibid.*, pp. 1-31. See also Official Journal, *ibid.*, pp. 1-67, for documentation of cases of Finland and Sweden.

to fulfill the 1856 Convention and assure the islands an even greater measure of neutralization.⁶⁰ Two delegates from the Aaland Islands made the same demand before the Council.⁶¹ Finland refused this proposition claiming that the question was a domestic question and that the League was not competent to deal with it.⁶² Questioned by M. Bourgeois of France whether Sweden acknowledged Finnish sovereignty over the islands, Mr. Branting said "he recognized that the right of Finland to exercise her sovereignty could not be contested," although he went on to point out "that, as soon as Finland had been freed from her association with Russia, the Aaland islanders had claimed the right to decide their own destiny."⁶³ The Council thereupon appointed a Commission of Jurists to determine whether the question was an international or a domestic issue, and whether the Convention of 1856 was still binding.⁶⁴

The Commission of Jurists⁶⁵ held in its report⁶⁶ that ordinarily a state could decide for itself whether it should cede territory to another state and that such a matter was purely a domestic question under international law. But, it added, "the formation, transformation, and dismemberment of states as a result of revolutions and wars create situations of fact which, to a large extent, cannot be met by the application of the normal rules of positive law." "The transition from a *de facto* situation to a normal situation *de jure* cannot be considered as one confined entirely within the domestic jurisdiction of a state. . . . This transition interests the community of states very deeply both from political and legal standpoints. Under such circumstances, the principle of self-determination of peoples may be called into play." The commission held that it could not admit that because the islands had been unquestionably a part of the Russian State they therefore automatically became a part of the Finnish State.⁶⁷ Stress was laid on the desires and actions of the islanders and on the claims of Soviet Russia, with the conclusion that the international status of the islands "is not yet clearly defined," and hence that the dispute was of more than domestic character.⁶⁸ On the question of the Convention of 1856 it was held that the World War had not terminated this "since most of the signatories, including Russia, have not been in a state of war with each other."⁶⁹ Furthermore, it was held that the convention created a general European obligation which any state having possession of the islands was obliged to respect and observe.⁷⁰

At this point it may be germane to note that on June 28, the Russian Gov-

⁶⁰ Procès-Verbal, *ibid.*, pp. 9, 41.

⁶¹ *Ibid.*, pp. 43-45.

⁶² *Ibid.*, p. 13.

⁶³ *Ibid.*, p. 11.

⁶⁴ *Ibid.*, pp. 61-63.

⁶⁵ The Commission of Jurists was composed of Professor F. Larnaude of France, Professor Max Huber of Switzerland, and Professor A. S. Stycken, State Councillor of The Netherlands. The American Ambassador at London was asked to serve as one of the members of the commission, but the invitation was declined. U. S. For. Rel., 1920, Vol. I, pp. 32-33.

⁶⁶ Official Journal, Spl. Supp., No. 3, October, 1920.

⁶⁷ *Ibid.*, p. 9.

⁶⁸ *Ibid.*, p. 14.

⁶⁹ *Ibid.*, p. 16.

⁷⁰ *Ibid.*, p. 19.

ernment officially notified the Allied Powers together with Sweden and Finland that there existed "no stipulation or compact by virtue of which the sovereignty of the Russian Republic over the Aaland Islands had ceased to exist." It advised the Powers that any decision regarding the islands to which Russia was not a party would be null and void.⁷¹

The Council of the League, meeting in September, 1920, heard the report of the Commission of Jurists, declared itself competent to consider the question, and decided to appoint a Commission of *Rapporteurs* to visit the islands, investigate the problem and make recommendations for its solution.⁷²

While the commission was studying the problem, Russia and Finland concluded the Treaty of Dorpat on October 14, re-establishing peace.⁷³ Although this treaty carefully delimited the boundary on land between the states, it made no mention whatsoever of the Aaland Islands in any of its provisions. Support for the Finnish claim to sovereignty would appear to be strengthened by the words of the preamble, reciting that Russia "has recognized the independence and the sovereignty of Finland within the frontiers of the Grand Duchy of Finland," and by virtue of the fact that the parties took pains to establish their respective positions and obligations concerning islands lying close to the boundary line as it was projected into the Gulf of Finland. Considering that the treaty definitely recognized Finnish sovereignty over islands lying in this body of water on the north side of a line drawn westward in the gulf midway between the two states, it is difficult to see how Russia could claim title to the Aaland Islands, lying where they do.

The report of the Commission of *Rapporteurs* was concluded and circulated to members of the League on April 16, 1921.⁷⁴ It represented and embodied a thorough investigation of the status and conditions of the islands, the views of all interested parties, an analysis of the history of the question, and concluded with recommendations concerning the sovereignty of the islands, guarantees for the inhabitants, and their future disarmament and neutralization. Considerable stress was laid upon the geographical factors, the commission being impressed with the utter impossibility of drawing an intelligible and satisfactory boundary in the Skiftet, much of which was not accurately charted.⁷⁵ Reliance was placed on the facts that the islands had been a part of the Duchy of Finland since 1809, that at no time had Finland been partitioned, and that Russian and other foreign recognition of Finland

⁷¹ Söderhjelm, *op. cit.*, p. 150.

⁷² Council Minutes of the 9th Session, pp. 30, 76. The commission consisted of Baron Bajens of Belgium, M. Felix Calonder, formerly President of the Swiss Republic, and Mr. Abram I. Elkus, former American Minister to Turkey. Regarding membership of latter, see U. S. For. Rel., 1920, Vol. I, pp. 34-36.

⁷³ Text in Br. & For. St. Pap., Vol. CXII, p. 977; League of Nations Treaty Series, No. 91.

⁷⁴ Council Document B 7. 21/68/106.

⁷⁵ *Ibid.*, p. 3. A careful examination of the British Admiralty chart for the Gulf of Bothnia, Sheet II, will do much to support the commission's thesis in this respect.

in 1917-1918 had been unconditional on the basis of the boundaries of the old Grand Duchy.⁷⁶ Consequently, it was held that Finnish sovereignty was "incontestable."⁷⁷

On the question of the advisability of separating the islands from Finland, the commission took the position that union with Sweden was too radical a proposition, would result in alienating Finland from Scandinavia, which was very undesirable politically, and might result in repercussions against the 350,000 Swedes living in Finland proper.⁷⁸ Self-determination was ruled out as contrary to international law and not provided for in existing treaties applicable to the territory. Independence was discarded as economically impossible.⁷⁹ Instead of these propositions, the commission recommended Finnish retention of the islands, subject to certain specified legal guarantees to the populace regarding language, franchise, land, government and taxation, and subject to League supervision.⁸⁰ For their fulfillment, the commission appealed to the good will of the parties. With respect to disarmament and neutralization, the commission held that the 1856 Treaty was still in force, but that new and more binding non-fortification guarantees of a general international character were needed. To that end it recommended the conclusion of a new convention.⁸¹

After consideration of the report and further hearing of the parties, the Council of the League of Nations adopted a resolution on June 24, 1921, recognizing Finland's sovereignty over the islands. In addition, it called for guarantees for the populace and for an arrangement assuring the disarmament and neutralization of the islands.⁸² While the Swedish Government protested, its delegate informed the Council that Sweden "was ready loyally to recognize that the decision of the Council has the force given to it by the Covenant."⁸³ At the following meeting of the Council, M. Hymans of Belgium presented an agreement with guarantees for the Aaland people which had been reached between the Swedish and Finnish delegates under his guidance, and which embodied the recommendations of the commission.⁸⁴ This agreement was unanimously approved by the Council and terminated the consideration of the case. It may be worth observing that the agreement provided that petitions, objections, and claims which the islanders wished to present to the League should be forwarded, not directly to the Secretary-General or to the Council, as provided for under the post-war minorities treaties, but via the Government of Finland which was to submit such documents with its own observations.

This decision and the action of the Swedish Government have been hailed as admirable examples of ideal international procedure.⁸⁵ The end seems to

⁷⁶ Council Document B 7. 21/68/106, pp. 23-24.

⁷⁷ *Ibid.*, p. 25.

⁷⁸ *Ibid.*, pp. 29-30. ⁷⁹ *Ibid.*, pp. 27, 32. ⁸⁰ *Ibid.*, pp. 32-34. ⁸¹ *Ibid.*, pp. 36-37.

⁸² Official Journal, Sept., 1921, pp. 694-695, 699-700.

⁸³ *Ibid.*, p. 700.

⁸⁴ *Ibid.*, pp. 701-702.

⁸⁵ W. E. Rappard, *International Relations Viewed from Geneva* (New Haven, 1925), p. 11.

have been achieved largely as a result of British pressure and interests.⁸⁶ It disregarded racial, linguistic and economic reasons in favor of geographical, geological and political considerations. It disregarded the idealistic concepts of self-determination so widely heralded in 1918 in favor of strictly legalistic interpretations of sovereignty and international law.

Notwithstanding the conclusions of the Commissions of Jurists and of *Rapporteurs* that the Treaty of 1856 was still in effect, a general feeling prevailed that the political situation in the Baltic had undergone such sweeping changes that a new treaty was necessary. In 1856 there were four states bordering on the Baltic; in 1921 the number had grown to nine. Hence, following the recommendation of the Commission of *Rapporteurs*, the Secretary-General of the League of Nations on July 12, 1921, sent invitations to the great Powers and to all of the riparian states, excepting Soviet Russia and Lithuania, for a conference to be held at Geneva at which the neutrality of the islands should be considered anew.⁸⁷

The conference met at Geneva from October 10–20, 1921, with representatives from Germany, Denmark, Estonia, Finland, France, Great Britain, Italy, Latvia, Poland and Sweden.⁸⁸

The conference commenced its labors upon the basis of the draft convention which had been submitted to the Commission of *Rapporteurs* by the Swedish Government.⁸⁹ At the outset, the Finnish delegation indicated its readiness to proceed upon the basis of this draft. Both the Swedish and the Finnish representatives evidenced a conciliatory attitude toward each other and toward the problem as a whole, thus considerably facilitating the work of the conference. The most contentious questions before the conference were the exact delimitation of the Aaland Islands, the extent of territorial waters, the stationing of armed forces on the islands, the status of the area in time of war, procedure in case of war or threat of aggression, the adhesion of states not signatories of the new instrument. The chief delegate of Denmark was elected president of the conference; a drafting committee, which in reality acted more or less as a steering committee, was established consisting of the leading delegates of Great Britain, France and Italy. Throughout the proceedings the most active rôle was played by M. Jean Gout, chief of the French delegation. The new convention was signed on October 20, and entered into force on April 6, 1922, following ratification by Germany, Den-

⁸⁶ This JOURNAL, Vol. 17 (1923), p. 76.

⁸⁷ The Soviet Government was at this time recognized by only three of the states invited: Estonia, Finland, Latvia. Nevertheless, it sent vigorous protests to the Swedish and Finnish Governments against League consideration of the matter. It held that it had a rightful interest in the islands and argued that procedure without Russian participation would be regarded as an unfriendly act. Söderhjelm, *op. cit.*, pp. 170, 184.

⁸⁸ For proceedings and treaty, see *Conférence Relative à la Non-Fortification et à la Neutralisation des Iles d'Aland, Actes de la Conférence*. (Published under the Auspices of the Permanent Secretariat of the League of Nations, Geneva, 1921.)

⁸⁹ See Council Document B 7. 21/68/106, pp. 50–51.

mark, France, Great Britain, Estonia, Finland and Sweden. Italy and Poland ratified later.⁹⁰

According to the preamble of the convention, the parties sought to observe and to supplement the Treaty of 1856. Finland, in particular, agreed to assume the former Russian obligation "not to fortify" the islands (Article 1) whose area was carefully delimited (Article 2). Articles 1 ("that part of the Finnish archipelago which is called 'the Aaland Islands'") and 9 ("in order that the legal status of the Aaland Islands, an integral part of the Republic of Finland") clearly established the sovereignty of Finland over the islands. It was agreed that no military, naval or aircraft bases of operations, establishments, or installations used for war purposes were to be constructed or maintained (Article 3). No military, naval or aviation forces of any Power were to enter or remain there, with the exception of Finnish war vessels not exceeding in all 6,000 tons (Article 4b), with the temporary exception of Finnish armed forces "if exceptional circumstances demand" (Article 4a), with the exception of Finnish military aircraft which might land only in case of *force majeure* (Article 4c), and with the exception of foreign warships in innocent passage through the zone accorded such permission by Finland (Articles 4b and 5). In further evidence of neutralization it was stipulated that the manufacture, importation and re-export of arms in and from the islands should be prohibited (Article 4).

During the conference considerable debate arose over the extent of territorial waters. The Finnish delegation contended for a belt of four marine miles. This was opposed by the British and French, the latter emphasizing that if the four-mile limit were allowed, circles drawn around the most westerly Aaland Islands and the most easterly Swedish islands would overlap with the result that there would be no lane of high seas into the Gulf of Bothnia.⁹¹ The combined views of the foreign Powers resulted in forcing agreement upon the three-mile limit.

It was agreed that in time of war the region was not to be used for any purpose connected with military operations, with the exception of the laying of mines and such other "measures of a maritime nature" as were held by Finland to be strictly necessary (Article 6). Article 7 vested jurisdiction in the Council of the League of Nations to decide on the measures which should be taken by the signatory Powers to assure the observance of the convention or to end violations in case of the latter. In the event of war in the Baltic, or in case the neutrality of the islands was "imperilled," it was agreed that Finland should take all necessary measures to check and repulse any aggression against the islands until "such time as the high con-

⁹⁰ The text of the convention will be found in *Conférence Relative à la Non-Fortification*, *ibid.*, pp. 71-75; British Treaty Series, 1922, No. 6; Br. & For. St. Pap., Vol. CXIV, p. 421; League of Nations, Treaty Series, Vol. IX, p. 212; M. O. Hudson, *International Legislation*, Vol. I, p. 744. The first reference is the only one containing the map officially demarcating the Aaland Islands.

⁹¹ *Conférence, ibid.*, p. 31.

tracting parties shall, in conformity with the provisions of this convention, be in a position to intervene to enforce respect for the neutrality of the islands.”

Articles 8 and 9 were drawn in a manner to provide for future changes in the political and military situation prevailing in the Baltic, providing as they did for the maintenance of the neutralization of the islands regardless of changes in the *status quo*, and for the extension of invitations to other Powers to adhere to the convention. While not named, it was apparent in the conference discussion that Russia was in the minds of all.

It was hoped that this convention would eliminate the weaknesses found to exist in practice in the Treaty of 1856 and would settle the Aaland Island Question for years to come. Such hopes were destined to be dissipated. The Soviet Government quickly protested in energetic language to the Swedish and Finnish Governments against its exclusion from the pact, and asserted that it would regard the instrument as having no legal force whatsoever.⁹² While the relations between Finland and the other Scandinavian states improved during the next decade and a half,⁹³ the continued tenuous character of Soviet-Finnish relations, the growth of German military and naval power in the Baltic, and the tendency to regard the League of Nations as incompetent and to be shunned, matured a skepticism as to the efficacy of the 1921 convention which was sensed in official circles in Sweden and Finland at the time of signature. In 1932 proposals were discussed looking toward either a strengthening of the neutralization provisions of the convention, or the implementing of international commitments by Powers interested in preserving peace in the Baltic.⁹⁴ No change resulted immediately. Public opinion still had faith in the League and was opposed to making new bilateral arrangements concerning the islands. Apprehensive of Russia and of Germany, the Scandinavian states were not willing to attempt an improvement in the guarantees for the islands at the price of sacrificing their own neutrality by joining a British scheme for an anti-German and anti-Russian bloc.⁹⁵ In October, 1935, Finnish nationalists under the leadership of Admiral Gustaf von Schoultz, and apparently inspired from Germany, started a campaign for fortification of the islands.⁹⁶ The islanders⁹⁷ and the Soviet press⁹⁸ protested. The Finnish Government

⁹² Text of Soviet note to Finnish Government reproduced in Söderhjelm, *op. cit.*, pp. 183-186. It appears that the Soviet Government recognized Finnish sovereignty, but contested the right of the Powers to settle the question in its absence. During negotiations between the two governments in 1926 concerning a non-aggression treaty, the Soviet Government said that it was willing to enter into a bilateral special agreement with Finland respecting the islands, but that such agreement should be expressly annexed to and made a part of the non-aggression pact. *Ibid.*, p. 194.

⁹³ On Dec. 22, 1930, Finland joined with the other states in the Oslo Agreement.

⁹⁴ *Nordisk Tidsskrift for international Ret*, 1932, p. 103.

⁹⁵ See *Neue Züricher Zeitung*, Oct. 10, 1934.

⁹⁶ *New York Times*, Nov. 17, 1935.

⁹⁷ *Ibid.*, Nov. 24, 1935.

⁹⁸ *Ibid.*, Dec. 7, 1935, reports that *Izvestia* (Moscow) denounces the Finnish viewpoint.

at first adopted a reserved attitude, and the Swedish Government declared itself opposed to the scheme, but the German press took it up with undisguised joy.⁹⁹ Germany's leading military and geo-political experts urged Sweden and Finland to make an agreement for remilitarization of the Aaland Islands, and to disregard protests from the League of Nations. At the same time they warned the Scandinavian countries of unpleasant surprises if the islands remained unfortified. By 1936 the Governments of Sweden and Finland realized that the League of Nations' guarantees were not to be counted upon in the future. It was, however, politically impossible as yet to get any change or even to discuss a change. To start such a move the conjunction of three circumstances was necessary: closer coöperation between Finland and the Scandinavian countries, further weakening of the League of Nations, and a general threat of war. Such a situation was reached early in 1938.

The Swedish press discovered that considerable numbers of German scientific expeditions were visiting the Aaland Islands.¹⁰⁰ Russia started to strengthen her navy and ordered all foreign consulates in Leningrad, the principal navy base, closed.¹⁰¹ The events in Europe stimulated the adoption of new and common neutrality regulations by the Scandinavian states on May 27, 1938,¹⁰² and evoked Swedish-Finnish confidential discussions concerning the fortification of the Aaland Islands.¹⁰³ At the same time, Prime Minister Cajander of Finland announced in a radio broadcast the intention of his government to place a garrison in the archipelago. The Swedish press generally approved the plan, but the Soviet press strongly condemned these actions.¹⁰⁴ The English press either gave its consent or was indifferent.¹⁰⁵ The inhabitants of the islands immediately registered their hearty opposition to any militarization of their territory. They regarded the move as an attempt at "Finnisation," calculated to end their self-government. The situation was advanced and intensified by the calling of a special meeting of the Aaland Landsting by the Finnish President for the modification of the autonomy law and the passage of a conscription measure. The islanders vehemently condemned both Finland and Sweden for this move. Nevertheless, the government discussions continued, in-

⁹⁹ *Völkischer Beobachter*, April 17, 1936; *Deutsche Wehr*, April 18, 1936; *Geopolitik*, November, 1937.

¹⁰⁰ *New York Times*, Jan. 15, 1938.

¹⁰¹ *Ibid.*, Jan. 26, 1938.

¹⁰² *This JOURNAL*, Supplement, Vol. 32 (1938), pp. 141-143; note by N. J. Padelford, pp. 789-793.

¹⁰³ *New York Times*, Sept. 9 and 13, 1938.

¹⁰⁴ *Journal de Moscou*, Sept. 13, 1938. "Scandinavian neutrality is just a catch word to cover up their sympathies with the dictator states. Fortification of the Aaland Islands is with Germany's agreement. Those behind the move in Helsingfors are Kansali Pankii, and in Sweden the Wallenberg interests." *Izvestia*, Sept. 20, 1938. "The fortification of the Aaland Islands is just a face in the *Anschluss* with their blood-parents."

¹⁰⁵ *London Times*, Dec. 4, 1938; *Glasgow Herald*, Dec. 20, 1938.

volving even the coöperation of a Swedish military mission with the Finnish General Staff in examination and consideration of the islands to be fortified and the types of fortifications to be developed. As a result of these negotiations, a preliminary agreement was signed by Sweden and Finland on January 8, 1939, looking toward the militarization of part of the islands subsequent to approval by the signatories of the 1921 convention and by the Council of the League of Nations.¹⁰⁶

In the note addressed by the two governments to the other Powers, including Soviet Russia,¹⁰⁷ the terms of the agreement are prefaced by remarks designed to justify the course taken, and at the same time to insure that others will continue to respect the neutrality of the islands. The Convention of 1921 was concluded, it is said, in order to assure that the islands should never become a cause of danger from the military standpoint. The signatory Powers wished to assure the non-fortification and neutrality of the islands by a system of guarantee provided in the convention. The weakening of the system of security of the League of Nations, and the difficulties both political and military which now stand in the way of the application of the system of guarantee, cause the two governments, on the one hand, to recommend a definitive change in the territorial extent of the field of application of the provisions of demilitarization, since they affect the liberty of action of Finland, and, on the other hand, to propose in the application of Article 7, paragraph I, of the convention, the introduction of certain temporary relaxations in the régime of demilitarization. It is argued that the solution contemplated would in no wise affect the other parties to the convention, and would leave intact the neutrality of the islands as well as their special international status.

The proposed alterations are drafted in the form of relaxations of the 1921 Convention. It is agreed that the international demilitarization provisions "will not in the future preclude military defense measures of any kind which Finland may wish to take" to the *south* of a line drawn west to east through the southernmost point of the Island of Lemland. In this zone Finland will thus be freed of any restriction upon its liberty of action contemplated by the 1921 Convention. On the other hand, the preliminary agreement specifies that this zone "will continue to benefit, in all other respects than those indicated above, by the system of the protection created by the Convention of 1921, notably the provisions of Articles 4, 6 and 7, with a view to the maintenance of the neutrality of the Aaland Islands."

In the area to the *north* of the line indicated, Finland is given military powers, although their exact nature is defined and subjected to the requirement of common agreement in advance between Finland and Sweden. In particular, Finland is authorized for a period of ten years: (1) to give military

¹⁰⁶ London Times, Jan. 9, 1939.

¹⁰⁷ Texts in League of Nations Document C.142.M.91.1939.VII, dated Geneva, May 13, 1939.

instruction to the inhabitants of the islands, and to station there Swedish-speaking effectives from the Finnish mainland; (2) to install mobile coast and anti-aircraft artillery; (3) to install *matériel* necessary for the instruction, mobilization and maintenance of the troops on the islands; (4) to store mines; (5) to land or moor military aircraft destined to serve as targets for anti-aircraft defense; (6) to station warships, both Finnish and Swedish, in the islands temporarily for naval exercises.

In the final parts of the preliminary agreement the two governments declare that any military intervention by a belligerent Power with a view to the "protection" of the islands will not be considered in any case as an application of the 1921 guarantee system. In case of imminent danger of war in the Baltic, and pending the application of the system of guarantee provided for in Article 7 of the convention, Sweden reserves the right to lend assistance, on the demand of Finland, to safeguard the neutrality of the islands.

What significance attaches to this new instrument? In the first place, it obviously represents a desire on the part of Finland and Sweden to obtain all of the advantages of the 1921 Convention and at the same time to be relieved of at least some of the restrictions embodied in that servitude. These countries wish to make the islands militarily advantageous to themselves while pledging others to respect their neutrality and not to intervene in them, regardless of the menace which their militarization might create. May not the increased military potentiality of the islands lead a belligerent the more readily to attempt their seizure lest its opponent do likewise? As if foreseeing such a possibility, the agreement cleverly attempts to pledge all Powers, save Sweden and Finland, to refrain from intervention "with a view to the protection of the islands." It is notable that the military measures now to be taken by Finland very considerably exceed those attempted and sought by Russia after 1905. Admitting the rightful desire of the hinterland state to enjoy the security which the defense of the Aaland Islands may afford, it is worth recalling that during times of hostilities in the past fortification has not averted belligerent utilization of the islands. While the militarization may afford a new degree of security to Finland and Sweden, such action may conceivably tempt belligerents in ways in which they might not have been tempted if all parties observed not only the letter but the spirit of the 1921 Convention. If violations are attempted by one of the major Baltic Powers it may be questionable whether the projected militarization will be adequate for the defense and retention of the islands as a whole.

The islanders have once more protested against foreign arrangement of their territory and liberties. A self-executed plebiscite has again been held showing that 98.2% of the voting population are opposed to the agreement and to conscription. Efforts to present a petition embodying these results to the League of Nations have been rebuffed at Geneva, the

parties being informed that they must be presented through the Finnish Government, which, of course, has not been disposed to forward them.

By May 6 all of the governments parties to the 1921 Convention had replied favorably to the Finnish and Swedish notes.¹⁰⁸ Among the replies, those of Germany, France and Great Britain merit attention. The German Government warmly approved of the militarization, on the assumption that it was for the "maintenance and effective safeguarding of the neutrality of the Aaland Islands," and took it "as a matter of course that, in the event of hostile developments affecting the Baltic Sea area, Finland and Sweden will observe strict neutrality." In common with the Italian Government, it indicated opposition to the proposed retention of appeal to and consideration of eventualities by the Council of the League of Nations. The French reply emphasized the continuance of the provisions of 1921 for all parts of the islands excepting the zone south of Lemland, and the obligation of the parties to respect the non-fortification rule. The British Government, while approving in principle, asserted that it had points in mind which would require consideration. While the Soviet reply has never been officially published, it is reported to have protested any alteration of the *status quo ante*.¹⁰⁹

Pursuant to the request of the Finnish Government,¹¹⁰ the approval of the preliminary agreement was placed upon the agenda of the May session of the League of Nations Council. At the time of the opening of the Council the Russian Government demanded that the whole matter be postponed, on the ground that it had failed to obtain from the Finnish Government information and guarantees which it considered to be necessary for the security of Russian interests.¹¹¹ Due to Soviet insistence, the matter was considered in private sessions. Failing to obtain satisfaction, the Soviet delegation opposed the taking of any action at Geneva other than the formal recording of the views of the parties concerned.¹¹² This was done.

At the closing session, the Swedish and Finnish delegates declared that Council approval was neither decisive nor requisite for the advancement of their project in as much as all parties to the 1921 Convention had agreed to the militarization. Careful reading of the preamble and paragraph I of Article 7 leaves room for doubt as to the entire correctness of this thesis. Notwithstanding the failure of the Council to act, it has been reported that the two governments have been proceeding with the work on the islands in the southern zone.¹¹³

¹⁰⁸ Texts in League Document C.142.M.91.1939.VII.

¹⁰⁹ London Evening Standard, Feb. 1, 1939.

¹¹⁰ League of Nations Document, *cit. supra*.

¹¹¹ New York Times, May 24, 26, 28, 1939. Russia did not contest Finnish sovereignty over the islands.

¹¹² *Ibid.*, May 28, 1939.

¹¹³ *Ibid.*, May 27, 1939. The attitude of the Swedish General Staff will be found set forth in the *Sydsvenska Dagbladet Snällposten*, May 10, 1939. It is recommended that there be a

The importance of the Aaland Islands Question is due in large measure to the strategic location of the area. The military importance to Sweden of friendly and non-aggressively militarized islands located within twenty-five miles of her coast and within seven miles of her most easterly insular possessions is self-evident. Near the eastern coast of Sweden lie not only the capital city, but also the heavy industries, the most important electric power plants, and the nerve centers of her railroad system. While the Swedish General Staff appears to have little apprehension of the fortifications to be erected on the Aaland Islands, the fact remains that heavy artillery there might bombard the Swedish East Coast Railway which runs north to the mines and lumber sources, and which is a vital factor in the national defense. It might also be directed at the power lines of the Alvkärlby electric plant supplying Stockholm and much of central Sweden. Unfriendly fortifications would also seriously affect the sea-borne commerce of Sweden moving into and out of the Gulf of Bothnia.

The importance of the islands to Finland is equally as great. Even if the Finnish coast and capital are more distant and the Finnish war industry, such as it is, is located in the central part of Finland, the important cities of Hangö and Åbo, with direct rail lines to Helsingfors, might be reached by artillery fire from certain of the islands. As indicated previously, in winter the water space between the islands and Finland is frozen solid allowing ready passage from the islands. Hostile control of the islands would immediately jeopardize the security of western Finland. Considering that most of the foreign commerce of Finland moves across the Gulfs of Finland and Bothnia,¹¹⁴ it is understandable why Finland is so anxious to command the approaches to these waterways.

Soviet Russia and Germany are likewise directly interested in the fate of the Aaland archipelago. Given German possession or occupation of the islands in time of war, all of the Baltic might be placed under German control. It is doubtful whether the Russian fleet in the Baltic is strong enough to defeat German forces which could be placed there. Hence, all commerce with Russia via the Gulf of Finland could be interrupted and the Russian fleet could be bottled up at Leningrad. The islands might easily be made a base for a combined naval and air attack upon Leningrad. With possession of the islands, enough pressure could be placed upon Finland by Germany to induce that country to adopt a pro-German policy, should such ever be necessary. With the islands under enemy control, German imports of iron and timber from northern Sweden and Finland might be seriously hampered.

joint commission composed of representatives of the Swedish and Finnish General Staffs and Foreign Offices to supervise and administer the military works. The islands which are to be fortified in the southern zone include Langskär, Kökar, and Björkör. The first of these is but a short distance from existing Swedish fortifications and will provide a ready means of linking the two systems together.

¹¹⁴ Economic Geography, Jan. 1939.

On the other hand, given friendly control of the islands, Germany could assure herself of these imports while at the same time isolating Russia from direct contact with the west. With a strong and pro-German Finland entrenched sufficiently in the islands to prevent their capture or employment by Russia, Germany would enjoy many of the advantages of occupancy of the islands without suffering the accompanying disadvantages of local disaffection and foreign opposition.

Given Soviet possession or control of the islands, the picture might readily be reversed. The Gulf of Finland would pass under Russian control, and the ore shipments from northern Sweden via the Gulf of Bothnia might be jeopardized if not cut off, depending upon the strength and employment of the fortifications and air bases and their ability to repel combined air and naval attacks by Germany. By using the islands as a base for her fleet, Russia might be able to control the eastern Baltic and exert sufficient pressure upon Finland to force that state into military alignment. With extra-Baltic naval aid, Germany's most vulnerable Baltic coast might be attacked or blockaded. If the Russians should succeed in seizing the islands from Finland in a war with Germany and greatly expand their fortifications and air bases to a point adequate for their defense against German attack and for their command of all shipping down the Gulf of Bothnia, the Russian fleet might then be withdrawn to Leningrad, passed through the new Stalin Canal ¹¹⁵ out to the White Sea and around the North Cape to the west coast of Norway, where it might be used effectively to harry ore shipments to Germany diverted by way of Narvik, Norway. From a strategic point of view a great advantage will lie with whatever Power heavily fortifies and otherwise militarizes the Aaland Islands, for with the rough, treacherous and largely uncharted waters surrounding the islands, naval attack is rendered difficult and hazardous.

The most strategic importance of the islands in a future war may lie in their employment as an aviation base. From here all of the Baltic states can be reached by bombing planes, as the following tabulation of kilometric distances from the islands will indicate: Moscow, 800; Leningrad, 450; Memel, 500; Danzig, 650; Copenhagen, 700; Berlin, 750; Oslo, 425. Heavy bombers working out from the region would be able to reach Kiel, Berlin, Moscow, Leningrad, while light bombers and swift attack planes could cover all shipping in the Baltic, as well as army depots in East Prussia and northwest Russia. While, of course, equally open to attack and bombing from German and Russian air bases, the rocky and heavily forested nature of the terrain abets the installation of effective anti-aircraft defense.

In any evaluation of the strategic factors involved in the status of the Aaland Islands, British and French interests cannot be entirely overlooked. For over a century these Powers have been actively concerned with the status

¹¹⁵ See speech by Papinin at the 18th Congress of the Communist Party in Russia on March 15, 1939, *World News and Views*, March 31, 1939, p. 3.

of the islands and with the activities of foreign Powers therein. Prior to 1914 the British consistently opposed the erection of permanent fortifications, notwithstanding the intimacy of their relations with Russia. During the war, as remarked above, the British made use of the islands as a base for submarine operations against shipping in the Baltic bound for Germany. They voiced no opposition to Russian fortification, nor did they loudly denounce German occupation. Since 1918 the British and French Governments have supported the claim of Finland to sovereignty over the area, as a means of countering Russian and German influence at Helsingfors. Doubtless this policy has also been due in part to the presence of large British investments of capital in Finland. In the decade and a half following the World War the promotion of peace, the security of British shipping using the Baltic, and the desire to promote the maximum of disarmament on the part of others, led the British and French quite naturally to favor the demilitarization and neutralization of the Aaland Islands. With the situation in Europe as it is in 1939, British and French interests dictate the pursuit of a policy favorable to compliance with the program outlined by Finland and Sweden. Aligned against Germany, Britain and France must be interested in the strengthening of the islands in such a manner that the likelihood of their falling into German hands during war may be minimized. Furthermore, deference to Finnish and Swedish desires at this time may be productive of favors in the event of war, or of their adoption of a less pro-German neutrality.

With certain exceptions, the outlook concerning the islands is cloudy. Finland and Sweden are cooperating more closely than at any time since 1918. Their new accord calls for further joint action, not only with respect to the strengthening of the mutual defense and the continued retention of these islands which are of such vital concern to both states, but also in the larger realm of general foreign policy. These factors cannot but augur well for the islanders. Furthermore, while these people may not be entirely satisfied with their relationship to Finland, the fact that the sovereignty of that state over the region is no longer contested by Russia or by others, may in the long run be to their advantage. Certainly the recognition of Finnish sovereignty, rather than of continued Russian claim, was desirable from the general European point of view. Given a continuance of the present fortuitous cooperation between Finland and Sweden, the lot of the inhabitants of the islands should be materially benefited.

From the broader international angle, the present situation seems less promising. Russia has never become a party to the 1921 Convention, which she has protested, and which she has maintained has no legal validity. She has indicated dissatisfaction with the new arrangement, and the proceedings at Geneva have ranged her against the Scandinavian States.¹¹⁶ The

¹¹⁶ In the course of his speech to the Supreme Soviet on May 31, 1939, Premier Molotoff laid emphasis upon the Aaland Islands question. While admitting that title to the islands

Finnish and Swedish Governments have proceeded in fact to modify and to exceed the terms of the 1921 Convention. Admitting that they have received the written approval of the other contracting parties, they appear nevertheless to be going ahead with the fortification before the procedure specified in Article 7 of the convention has been fully complied with, and before they have succeeded in obtaining a substitute convention having the same binding force as that of 1921.¹¹⁷ Two rather important considerations arise: May not a belligerent, party to the 1921 Convention, reasonably maintain that the present actions have substantially altered not only the terms of the convention but also the conditions under which the convention was concluded, making it no longer binding? Will belligerents be willing to view fortification as synonymous and compatible with neutralization? The situation and the future of the Aaland Islands resemble the problems connected with the Suez Canal and the Turkish Straits: the defense and possession of areas of great strategic value by small states relatively weak in military power in a world not inclined to pay much attention to pacts and guarantees. The limited militarization of the Aaland Islands may be a step toward the termination of their neutralization. It may be hoped that such will not be the case.

had been made over by Russia to Finland, he maintained that the interest of the U.S.S.R. in the status of the islands was greater than that of Sweden. Pointing to the fact that by fortifying the islands Finland could "close for the U.S.S.R. all entrances into and outlets from the Gulf of Finland," he asserted that the Soviet Government had a right to be informed of the nature of the projected fortifications, and that "we do not deem it possible to reconcile ourselves to any attempt to ignore the interests of the U.S.S.R. in this question of great importance to the defense of our country." *New York Times*, June 1, 1939.

¹¹⁷ On June 2 the Swedish Government informed the Foreign Affairs Committee of the Riksdag that the bill authorizing the government to cooperate with Finland in the fortification of the islands was to be withdrawn from action, on the ground that the attitude of the Soviet Government necessitated "further negotiations." *New York Times*, June 3, 1939.