



Treaty Series No. 16 (1991)

Exchange of Notes

between the Government of the
Federal Republic of Germany and the
Governments of the Kingdom of Belgium, Canada,
the Kingdom of the Netherlands,
the United Kingdom of Great Britain and Northern Ireland
and the United States of America

concerning the Convention
on the Presence of Foreign Forces in the
Federal Republic of Germany
of 23 October 1954

Bonn, 25 September 1990

[The Exchange of Notes entered into force on 25 September 1990]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 1991*

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EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY
AND THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, CANADA,
THE KINGDOM OF THE NETHERLANDS, THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES
OF AMERICA CONCERNING THE CONVENTION ON THE PRESENCE
OF FOREIGN FORCES IN THE FEDERAL REPUBLIC OF GERMANY
OF 23 OCTOBER 1954

No. 1

The State Secretary of the Federal Ministry of Foreign Affairs of the Federal Republic of Germany to the Ambassadors of Belgium, Canada, Netherlands, United Kingdom and the United States of America at Bonn

*Bonn
25 September 1990*

Exzellenzen,

ich beehe mich, den Regierungen des Königreichs Belgien, Kanadas, des Königreichs der Niederlande, der Vereinigten Staaten von Amerika und des Vereinigten Königreichs Großbritannien und Nordirland im Namen der Regierung der Bundesrepublik Deutschland unter Bezugnahme auf die zwischen Vertretern der Regierungen der Bundesrepublik Deutschland, des Königreichs Belgien, der Französischen Republik, Kanadas, des Königreichs der Niederlande, der Vereinigten Staaten von Amerika und des Vereinigten Königreichs Großbritannien und Nordirland geführten Gespräche über den Vertrag vom 23. Oktober 1954 über den Aufenthalt ausländischer Streitkräfte in der Bundesrepublik Deutschland ("Aufenthaltsvertrag") folgendes vorzuschlagen:

1. Der Aufenthaltsvertrag bleibt vorbehaltlich der Nummern 2 und 3 dieser Note nach der Herstellung der Einheit Deutschlands und dem Abschluß des am 12. September 1990 unterzeichneten Vertrags über die abschließende Regelung in bezug auf Deutschland in Kraft.
Der derzeitige räumliche Geltungsbereich des Aufenthaltsvertrags bleibt von der Herstellung der Einheit Deutschlands unberührt.
2. Der Aufenthaltsvertrag wird von den Vertragsparteien auf Antrag einer Vertragspartei überprüft.
3. Jede stationierende Vertragspartei kann durch Anzeige an die anderen Vertragsparteien unter Einhaltung einer Frist von zwei Jahren von dem Aufenthaltsvertrag zurücktreten. Die Bundesrepublik Deutschland kann den Aufenthaltsvertrag in bezug auf eine oder mehrere Vertragsparteien durch Anzeige an die Vertragsparteien unter Einhaltung einer Frist von zwei Jahren beenden.

Falls sich die Regierungen des Königreichs Belgien, Kanadas, des Königreichs der Niederlande, der Vereinigten Staaten von Amerika und des Vereinigten Königreichs Großbritannien und Nordirland mit dem Inhalt dieser Note einverstanden erklären, werden diese Note und die das Einverständnis Ihrer Regierungen zum Ausdruck bringenden Antwortnoten eine Vereinbarung zwischen unseren Regierungen bilden.

Der englische und der französische Wortlaut dieser Note sind beigelegt; alle drei Wortlaute sind gleichermaßen verbindlich.

Genehmigen Sie, Exzellenzen, die Versicherung meiner ausgezeichnetsten Hochachtung.

LAUTENSCHLAGER

[Translation of No. 1]

Excellencies,

I have the honour to refer to the discussions which have taken place between representatives of the Governments of the Federal Republic of Germany, the Kingdom of Belgium, Canada, the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America concerning the Convention on the Presence of Foreign Forces in the Federal Republic of Germany of 23 October 1954¹ ("the Convention") and, on behalf of the Government of the Federal Republic of Germany, to propose to the Governments of the Kingdom of Belgium, Canada, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America the following:

1. The Convention shall remain in force, subject to paragraphs 2 and 3 below, following the establishment of German unity and the conclusion of the Treaty on the Final Settlement with respect to Germany, signed on 12 September 1990².
The existing territorial application of the Convention shall remain unaffected by the establishment of German unity.
2. The Convention will be reviewed by the Parties at the request of any Party.
3. Any stationing Party may withdraw from the Convention upon two years' notice to the other Parties. The Federal Republic of Germany may terminate the Convention in respect of one or more Parties upon two years' notice to the Parties.

If the Governments of the Kingdom of Belgium, Canada, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America agree to the content of this Note, this Note and the Notes³ in reply thereto expressing your Governments' agreement shall constitute an Agreement between our Governments.

The English and French texts of this Note are attached hereto, all three texts being equally authentic.

Please accept, Excellencies, the assurances of my highest consideration.

No. 2

Her Majesty's Ambassador at Bonn to the State Secretary of the Federal Ministry of Foreign Affairs of the Federal Republic of Germany

British Embassy

Bonn

25 September 1990

Your Excellency,

I have the honour to acknowledge receipt of your Note of 25 September 1990 concerning the Convention on the Presence of Foreign Forces in the Federal Republic of Germany of 23 October 1954, the English text of which reads as follows:

[As No. 1]

I have the honour to inform you that the Government of the United Kingdom of Great Britain and Northern Ireland agree to the content of Your Excellency's Note. Accordingly, Your Excellency's Note, this reply and the replies of the Ambassador of the Kingdom of Belgium, of the Ambassador of Canada, of the Ambassador of the Kingdom of the Netherlands and of the Ambassador of the United States of America expressing their Governments' agreement shall constitute an Agreement between our Governments.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CHRISTOPHER MALLABY

¹Treaty Series No. 77 (1955), Cmd. 9617.

²Miscellaneous Series No. 17 (1990), Cm 1230.

³Similar replies were sent by the Ambassadors of Belgium, Canada, the Netherlands and the United States of America.



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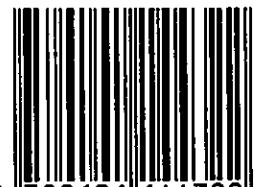
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