

17 September 1990

B.

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 Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty regarding the Status of their Forces, the Agreement of 3 August 1959 to supplement that Agreement with respect to foreign forces stationed in the Federal Republic of Germany ("the Supplementary Agreement"), and the Agreements related thereto. I have the honour to propose on behalf of the Government of the Federal Republic of Germany that your Governments note that:

1. Following the establishment of German unity and the conclusion of the Treaty on the Final Settlement with respect to Germany, signed on 12 September 1990, the above-mentioned Agreements remain in force, subject to paragraphs 2 and 4 below.

H.E.  
the Ambassador of the Kingdom of Belgium  
H.E.  
the Ambassador of Canada  
H.E.  
the Ambassador of the French Republic  
H.E.  
the Ambassador of the Kingdom of the Netherlands  
H.E.  
the Ambassador of the United Kingdom of Great Britain  
and Northern Ireland  
H.E.  
the Ambassador of the United States of America

Bonn

2. According to Article 82 of the Supplementary Agreement, any Party may request a review of that Agreement; in this case such a review shall be opened within a period not to exceed three months after submission of the request. The Parties are currently studying this matter, bearing in mind developments in Europe and in Germany, notably the implementation of force reductions and the attainment of German unity.
3. In the application of the Agreements due account will be taken of the developments mentioned in the previous paragraph.
4.
  - a) Taking account of the fact that the existing territorial application of these Agreements shall remain unaffected by the establishment of German unity, any official activity by the forces of the sending States, their civilian components, their members and dependents in the Länder Brandenburg, Mecklenburg-Vorpommern, Saxony, Saxony-Anhalt and Thuringia, with the exception of travel to and from Berlin, shall only occur with the express consent of the German authorities. Private activities by any member of their forces, the civilian components or any dependent shall not require consent.
  - b) The forces of the sending States, their civilian components, their members and dependents shall enjoy in the above-mentioned Länder the same status as that accorded to them in the Länder Baden-Württemberg, Bavaria, Bremen, Hamburg, Hesse, Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate, Saarland and Schleswig-Holstein.
  - c) The provisions of this paragraph shall apply in Berlin for the Belgian, Canadian and Netherlands' forces, their civilian components, their members and dependents when Quadripartite rights and responsibilities cease to have effect. The Federal Republic of Germany, the Kingdom of Belgium, Canada, and the Kingdom of the Netherlands shall develop as soon as possible additional arrangements in the spirit of this Agreement.

- d) If differences arise between the Parties to this Agreement relating to the practical application of this paragraph, they shall be settled by a consultative group consisting of representatives from the Federal Republic of Germany and any other Party directly concerned.
  
- e) The provisions of this paragraph shall be reviewed at the expiry of the period referred to in Article 4 paragraph 1 of the Treaty on the Final Settlement with respect to Germany, or earlier, should the Parties to this Agreement so agree.

If the Governments of 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 agree to the content of this Note, this Note and the Notes in reply thereto expressing your Governments' agreement shall constitute an Agreement between our Governments, which shall enter into force, following completion of any necessary constitutional requirements in the Federal Republic of Germany, when German unity is established.

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.