

GERMANY



Treaty Series No. 41 (1972)

Exchanges of Notes

between the Government of the
Federal Republic of Germany and the Governments of the
French Republic, the United Kingdom of Great Britain and
Northern Ireland and the United States of America
concerning the Administration of the Archives of
the Arbitral Commission on Property, Rights and Interests
in Germany

Bonn, 12 August/26 August and 31 December 1971

[The Agreement entered into force on 31 December 1971]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
April 1972*

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**EXCHANGES OF NOTES
BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC
OF GERMANY AND THE GOVERNMENTS OF THE FRENCH
REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE UNITED STATES OF
AMERICA CONCERNING THE ADMINISTRATION OF THE
ARCHIVES OF THE ARBITRAL COMMISSION ON PROPERTY,
RIGHTS AND INTERESTS IN GERMANY**

No. 1

*The Ministry of Foreign Affairs of the Federal Republic of Germany
to Her Majesty's Embassy at Bonn*

V 7-80.51/0

Auswärtiges Amt

VERBALNOTE

Das Auswärtige Amt beehrt sich, der Königlich Britischen Botschaft unter Bezugnahme auf die mit Vertretern der Botschaften der Drei Mächte und dem Präsidenten der Kommission geführten Verhandlungen über die Verwaltung der Archive der Schiedskommission für Güter, Rechte und Interessen in Deutschland (im Folgenden als "Kommission" bezeichnet) eine Vereinbarung vorzuschlagen:

Die Kommission ist nach Artikel 1 ihrer Satzung (Anhang zu dem am 26. Mai 1952 in Bonn unterzeichneten Vertrag zur Regelung aus Krieg und Besatzung entstandener Fragen in der durch das am 23. Oktober 1954 in Paris unterzeichnete Protokoll über die Beendigung des Besatzungsregimes in der Bundesrepublik Deutschland geänderten Fassung) für die Dauer von zehn Jahren errichtet worden. Nach Ablauf dieses Zeitabschnittes hat sie ihre Amtsgeschäfte gemäss Artikel 1 Absatz 3 ihrer Satzung weitergeführt, bis alle bei ihr zu diesem Zeitpunkt anhängig gewesenen Fälle abgeschlossen waren; mit Ablauf des 31. Dezember 1969 wurde sie aufgelöst.

Es wird vereinbart, dass die Prozessakten sowie das sonstige bei der Kommission angefallene Aktenmaterial der Regierung der Bundesrepublik Deutschland übergeben werden, die sie bei dem Bundesarchiv in Koblenz aufbewahren wird. Diese Akten können aufgrund eines an das Auswärtige Amt der Bundesrepublik Deutschland zu richtenden Antrags von interessierten Personen oder Stellen im Bundesarchiv eingesehen werden.

Falls sich die Regierungen der Drei Mächte mit diesem Vorschlag einverstanden erklären, sollen diese Note und die Antwortnoten der Botschaften der Drei Mächte eine Vereinbarung zwischen den beteiligten Regierungen bilden, die mit dem Datum der letzten Antwortnote in Kraft tritt.

Das Auswärtige Amt benutzt diesen Anlass, die Königlich Britische Botschaft erneut seiner ausgezeichneten Hochachtung zu versichern.

Bonn, den 12. August 1971

V 7-80.51/0

Ministry of Foreign Affairs

NOTE VERBALE

The Federal Ministry of Foreign Affairs has the honour to propose to the British Embassy, with reference to the negotiations conducted with representatives of the Embassies of the Three Powers and the President of the Commission concerning the administration of the archives of the Arbitral Commission on Property, Rights and Interests in Germany (hereinafter referred to as the "Commission"), the following agreement:

The Commission, according to Article 1 of its Charter (Annex to the Convention on the Settlement of Matters Arising out of the War and the Occupation, signed at Bonn on the 26th of May, 1952, as amended by the Protocol on the Termination of the Occupation Régime in the Federal Republic of Germany, signed at Paris on the 23rd of October, 1954)⁽¹⁾, was established for a period of ten years. After the expiration of that period it continued to function according to paragraph 3 of Article 1 of the Charter to complete the determination of the cases pending before it at that date; the Commission was dissolved with effect from the 31st of December, 1969.

It is agreed that the case records as well as other record material received by the Commission shall be transferred to the Government of the Federal Republic of Germany which shall keep them in the Federal Archives at Koblenz. These records shall be open for inspection in the Federal Archives upon application by an interested person or body to the Federal Ministry of Foreign Affairs of the Federal Republic of Germany.

If the Governments of the Three Powers state their agreement to this proposal, this Note and the reply Notes by the Embassies of the Three Powers⁽²⁾ shall constitute an agreement between the Governments concerned which shall enter into force as of the date shown on the last reply Note.

The Federal Ministry of Foreign Affairs takes this opportunity to renew to the British Embassy the expression of its highest consideration.

Bonn, 12 August 1971

(1) Treaty Series No. 13 (1959), Cmnd. 656.

(2) Similar Notes were exchanged between the Government of the Federal Republic of Germany and the Governments of France and the United States of America respectively.

No. 2

*Her Majesty's Embassy at Bonn to the Ministry of Foreign Affairs
of the Federal Republic of Germany*

No. 127

Her Britannic Majesty's Embassy present their compliments to the Federal Ministry of Foreign Affairs and have the honour to acknowledge receipt of the Ministry's Note Verbale No. V 7-80.51/0, dated the 12th of August, 1971, which reads, in translation, as follows:

[As in translation of No. 1]

In reply, the Embassy have the honour to inform the Federal Ministry of Foreign Affairs that the above proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland who therefore agree that the Ministry's Note and this reply, together with the replies of the French and United States Embassies dated the 31st of December 1971 and the 26th of August 1971 respectively, shall constitute an agreement between the four Governments concerned which shall enter into force on this day's date.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Federal Ministry of Foreign Affairs the assurances of their highest consideration.

*British Embassy, Bonn,
31 December 1971.*