



Treaty Series No. 55 (1956)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Danish Government

concerning the Convention on the Rights and Obligations
of Foreign Forces and their Members in the
Federal Republic of Germany and the
Finance Convention, signed at Bonn
on May 26, 1952, as amended at
Paris on October 23, 1954

Bonn. October 8, 1956

*Presented by the Secretary of State for Foreign Affairs to Parliament
By Command of Her Majesty
December 1956*

LONDON
HER MAJESTY'S STATIONERY OFFICE
SIXPENCE NET

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE DANISH GOVERNMENT CONCERNING THE CONVENTION ON THE RIGHTS AND OBLIGATIONS OF FOREIGN FORCES AND THEIR MEMBERS IN THE FEDERAL REPUBLIC OF GERMANY AND THE FINANCE CONVENTION, SIGNED AT BONN ON MAY 26, 1952, AS AMENDED AT PARIS ON OCTOBER 23, 1954

Bonn, October 8, 1956.

No. 1

Her Majesty's Ambassador at Bonn to the Danish Ambassador at Bonn

British Embassy,

Your Excellency,

Bonn, October 8, 1956.

I have the honour to refer to the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany 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 (hereinafter referred to as "the Forces Convention").⁽¹⁾ Article 1, paragraph 4, of the Forces Convention provides that "Sending States" other than the Three Powers, may, by an agreement concluded with the Three Powers or any one of them, after ascertaining the views of the Federal Government, assume *vis-à-vis* the Federal Republic all or certain of the rights and obligations arising out of the Forces Convention, and that the remaining rights and obligations shall be assumed by one of the Three Powers. This provision also applies to the Finance Convention.

I am instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to propose that the division of responsibility between the Government of the United Kingdom of Great Britain and Northern Ireland and the Danish Government for the rights and obligations in question shall be in accordance with the Annex hereto which lists all those Articles of the Forces Convention and of the Finance Convention in which mention is made either of "the Power concerned," or "the authorities of the Forces."

If this proposal is acceptable to the Danish Government, I have the honour to suggest that this Note and its Annex and your Excellency's reply in that sense, should be regarded as constituting an agreement between the two Governments in this matter with effect from the date of the entry into force of the Protocol on the Termination of the Occupation Régime in the Federal Republic of Germany.

I have, &c.

F. R. HOYER MILLAR.

(1) "Germany No. 1 (1955)," Cmd. 9368.

ANNEX

SCHEDULE

1. Denmark to be the Power concerned—

The Forces Convention

Article	1 (7)	...	...	Definitions
"	2	...	...	Observance of German Law
"	6	...	...	Criminal Offences
"	7 (2, 3, 4, 5, 7)	...	...	Arrest
"	8	...	...	Procedure and Co-operation in Criminal Proceedings
"	9	...	...	Jurisdiction and Procedure in non-Criminal Proceedings
"	10	...	...	Enforcement of Judgments
"	11	...	...	Presence in Court, &c.
"	12	...	...	Obstruction of Justice
"	13	...	...	Attorneys
"	16	...	...	Official Acts
"	18 (1)	...	...	Communications
"	24	...	...	Identification
"	27 (1)	...	...	Extradition
"	28	...	...	Right of Presence
"	30 (1)	...	...	Infectious Diseases
"	31	...	...	Deaths and Burials
"	32 (1)	...	...	Foreign Currency
"	34 (9)	...	...	Customs Treatment of Forces
"	35 (2)	...	...	Customs Treatment of Members of Forces
"	36	...	...	Organisations Serving the Forces
"	44 (6)	...	...	Rights of Engagement of Labour

The Finance Convention

Article	5 (1)	...	...	Utilisation of Funds
"	5 (3a)	...	...	Consolidation of Construction Budgets
"	7 (5)	...	...	Free Landing of Military Aircraft
"	8 (14) (i)	...	...	Charging of Damage Claims
"	8 (16)	...	...	Off-duty Damage Claims
"	9 (1)	...	...	Waiver of Claims
"	15	...	...	Expenditure of Support Costs in Berlin

2. The United Kingdom to be the Power concerned—

The Forces Convention

Article	4	...	...	Co-operation on Security
"	5	...	...	Liaison
"	7 (6)	...	...	Access to Suspects
"	17 (10)	...	...	Aerial Photography
"	18 (3)	...	...	Communications
"	18 (7)	...	...	Berlin Cables
"	21	...	...	Rights Respecting Installations

Article	25	...	Documentary Control
"	34 (4-8)	...	Customs Treatment of Forces
"	35 (4-11)	...	Customs Treatment of Members of Forces
"	38	...	Accommodation
"	39	...	Goods, Materials and Services
"	40	...	Building Services
"	41	...	Transport Services
"	43	...	Meteorology and Cartography
"	44 (3, 5, 8, 9, 10)	...	Labour
"	45	...	Civilian Service Units
"	48	...	Continuation of Existing Support

The Finance Convention

Article	1 (2c)	...	Support Costs. Definition
"	4 (5)	...	Allocation of Funds
"	4 (6b)	...	Carry-over
"	5 (2) (i)	...	Budgets
"	5 (2) (iii)	...	Budget Transfers
"	5 (3)	...	Construction Budgets
"	6 (2) (i)	...	Issue of Payment Authorisations
"	6 (2) (ii)	...	Issue of Payment Authorisations
"	6 (3) (i)	...	Keeping of Accounts
"	6 (3) (ii)	...	Keeping of Accounts
"	6 (3) (iii)	...	Audit
"	6 (4)	...	Cash Expenditures
"	8 (7)	...	Damage Claims
"	8 (8a)	...	Notification of Claims
"	8 (9)	...	Decision on Claims
"	10 (1)	...	Occupation Claims
"	10 (2)	...	Occupation Claims
"	11 (2)	...	Receipts
"	11 (3)	...	Receipts
"	13 (1)	...	Capital Works—Financing
"	13 (2)	...	Capital Works—Financing
"	13 (3) (i)	...	Capital Works—Financing
"	13 (3) (ii)	...	Capital Works—Financing
"	17	...	Subsidiary Agreements
Annex A (Section 2, paragraph 2)			Damage Claims

3. Denmark and the United Kingdom to be the Power concerned—

The Forces Convention

Article	15	...	Disclosure of Information
"	17 (4, 6, 7)	...	Registration, Licensing and Insurance of Private Vehicles
"	22	...	Immunity of Installations, &c.
"	29	...	Bearing of Arms
"	30 (2)	...	Health and Sanitation
"	32 (2, 3, 4)	...	Foreign Currency
"	33 (2b)	...	Taxation
"	44 (7)	...	Labour (Classification of Jobs)
"	2	...	Co-operation

The Finance Convention

Article	4 (6a) ...	...	Liquidation of Occupation Costs Expenditure
"	5 (2) (ii) ...	...	Budget Transfers
"	6 (2) (iii) ...	...	Examination of German Records
"	6 (4a) ...	...	Minor Cash Expenditures
"	8 (11) ...	...	Claims evidence
"	8 (13a) ...	...	Court Actions on Claims
"	8 (13b) ...	...	Court Action on Claims
"	8 (14) (ii) ...	...	Charging of Damage Claims—Exceptions
"	8 (15) ...	...	Freedom from Certain Claims
"	9 (3) (i) ...	...	Freedom from Certain Claims
"	9 (3) (ii) ...	...	Property Value Increases
"	12 (2) ...	...	Assessment of Charges
"	12 (3) ...	...	Assessment of Charges
"	13 (4) ...	...	Freedom from Certain Construction Charges
Annex A (Section 6) ...			Charging of Damage Claims

NOTE.—The figures “ i ”, “ ii ” and “ iii ” used above in references to Articles of the Forces and Finance Conventions mean respectively the first, second and third occasions, in the Article and paragraph in question, where mention is made of “ the Power concerned ” or “ the authorities of the Forces ”.

No. 2

The Danish Ambassador at Bonn to Her Majesty's Ambassador at Bonn

Royal Danish Embassy,

Bonn, October 8, 1956.

Your Excellency,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows:—

[As in No. 1.]

I am instructed to inform you that this proposal is acceptable to the Danish Government which also agree that the said Note and its Annex and this reply should be regarded as constituting an agreement between the two Governments in this matter with effect from the date of the entry into force of the Protocol on the Termination of the Occupation Régime in the Federal Republic of Germany.

I have, &c.

F. HVASS.

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