

**UNITED STATES OF AMERICA
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

Exchange of notes (with enclosure) constituting an understanding confirming acceptance by the Government of the United States of America of an amendment to the Agreement of 9 September 1952 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Germany for a new practice bombing range near Cuxhaven to be known as the Sandbank Range. Bonn and Bad Godesberg, 21 and 24 September 1954

Official text: English.

Registered by the United States of America on 7 May 1958.

**ÉTATS-UNIS D'AMÉRIQUE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

Échange de notes (avec pièce jointe) constituant une entente confirmant l'acceptation par le Gouvernement des États-Unis d'Amérique d'une modification de l'Accord conclu le 9 septembre 1952 entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la République fédérale d'Allemagne au sujet de la création près de Cuxhaven d'une nouvelle zone réservée aux exercices de bombardement, appelée « zone Sandbank ». Bonn et Bad Godesberg, 21 et 24 septembre 1954

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 7 mai 1958.

No. 4326. EXCHANGE OF NOTES CONSTITUTING AN UNDERSTANDING¹ BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONFIRMING ACCEPTANCE BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA OF AN AMENDMENT TO THE AGREEMENT OF 9 SEPTEMBER 1952² BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY FOR A NEW PRACTICE BOMBING RANGE NEAR CUXHAVEN TO BE KNOWN AS THE SANDBANK RANGE. BONN AND BAD GODESBERG, 21 AND 24 SEPTEMBER 1954

I

The United Kingdom High Commissioner for Germany to the United States High Commissioner for Germany

PRIVATE OFFICE OF THE UNITED KINGDOM HIGH COMMISSIONER
BONN

My dear High Commissioner,

September 21, 1954

I have received copies of the exchange of letters between yourself and the Federal Vice-Chancellor dated the 6th and the 28th of August,³ regarding the use of the Sandbank Practice Bombing Range by the United States Air Force.

I have now received a letter, dated the 7th of September⁴ from Professor Hallstein, of which I enclose an English translation.

Since the terms of the Agreement of the 9th of September, 1952,² between the Federal Government and Her Majesty's Government are now applicable to the use of the range by the United States Air Force, I shall be grateful if you will confirm that you have no objection to the amendment to paragraph 12 of the Agreement now proposed by the Federal Government.

Yours sincerely

F. R. HOYER MILLAR

His Excellency Dr. James B. Conant
United States High Commissioner in Germany
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¹ Came into force on 24 September 1954 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 151, p. 215, and Vol. 207, p. 357.

³ United Nations, *Treaty Series*, Vol. 299, No. 4325.

⁴ See p. 6 of this volume.

TRANSLATION OF LETTER RECEIVED FROM PROFESSOR HALLSTEIN DATED 7 SEPTEMBER, 1954

Dear Mr. Ambassador,

After the beginning of bombing in the practice area "Sandbank" representations were made to me from wide circles of the North German coastal population, more especially from the fishermen living there, requesting me to arrange that the target area should be given free for fishing and shipping during the time in which it is not being used by the R.A.F.

Whereas this area is only closed by day if the R.A.F. gives notice that bombing will take place, the Federal Government under Article 3 of the River and Shipping Police Regulations of July 25, 1953 (BGB1.1953, II, p. 524) was compelled to forbid navigation by night in the bombing area permanently. Under figure 4, sentence 1 of the Annex to the Note of September 9, 1952, the area has hitherto been at the disposal of the Royal Air Force every night from one hour after sundown until one hour before sunrise without the necessity of previous notice of the carrying out of exercises during that period.

The fishing and shipping circles interested have pointed out that such a far-reaching prohibition of presence in the practice area by night is unnecessary. They have asked that in order to avoid unnecessary economic loss presence in the practice area shall only be prohibited if bombing exercises are planned at specially notified times.

In view of the wish expressed on all sides that the industrial activities of the fishermen and navigation in the practice area should only be restricted when this is necessitated by practices arranged by the R.A.F., I should be very much obliged to you, Mr. Ambassador, if Her Majesty's Government would declare its agreement that night exercises should also be notified at least 24 hours beforehand. The Federal Government would then be in a position, after altering Article 3 of the above-mentioned River and Shipping Police Regulations, to restrict the prohibition of navigation in the R.A.F. practice area to the times to be specially notified. If Her Majesty's Government agrees to this proposal, I would suggest that this letter and the reply of Your Excellency be regarded as an Agreement between our two Governments under which Figure 12) of the Annex to the Note of September 9, 1952 would now read as follows :

"Twenty-four hours' advance notification of bombing practice must be given. If no such notification is given, the danger zone shall be opened to fishing and shipping."

Having regard to the accession of the United States to the Anglo-German Agreement of September 9, 1952, which has taken place in the meantime, of which the Deputy of the Federal Chancellor informed Your Excellency in his letter of August 28, 1954, I would be grateful if you would obtain the agreement of the Government of the United States to the proposed amendment of the Agreement.

Please accept, Mr. Ambassador, the expression of my highest esteem.

II

*The Deputy United States High Commissioner for Germany to the United Kingdom
High Commissioner for Germany*

Bad Godesberg, Mehlemer Aue, September 24, 1954

My dear Mr. High Commissioner :

I have received your letter of September 21, 1954 addressed to Dr. Conant which encloses a translation of a letter of September 7, 1954 to you from Professor Hallstein and seeks the agreement of my Government to amend the " Sandbank Agreement " so as to provide for 24 hour advance notification of practice bombing by night as well as by day. Accordingly, the proposal has been made to delete paragraph 12 of the Annex to the Chancellor's Note of September 9, 1952 to the United Kingdom High Commissioner (subsequently adhered to by the United States Government) and to substitute as a new paragraph 12 the following :

" Twenty-four hours' advance notification of bombing practice must be given. If no such notification is given, the danger zone shall be opened to fishing and shipping. "

I have the honor to confirm that the United States Government accepts the amendment proposed by the Government of the Federal Republic. You may take this letter as your authority to notify the Federal Government of my Government's agreement to the proposed amendment.

I am forwarding a copy of this letter to State Secretary Hallstein.

Sincerely yours,

Walter DOWLING

His Excellency Sir F. R. Hoyer Millar
United Kingdom High Commissioner
Bonn