

No. 4442

**UNITED STATES OF AMERICA
and
FEDERAL REPUBLIC OF GERMANY**

**Exchange of notes constituting an agreement relating to the
release of air bases and the training of German Air Force
personnel. Bonn, 10 December 1957**

Official texts : English and German.

Registered by the United States of America on 24 July 1958.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Échange de notes constituant un accord relatif à la remise de
bases aériennes et à la formation du personnel des forces
aériennes allemandes. Bonn, 10 décembre 1957**

Textes officiels anglais et allemand.

Enregistré par les États-Unis d'Amérique le 24 juillet 1958.

No. 4442. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FEDERAL REPUBLIC OF GERMANY RELATING TO THE RELEASE OF AIR BASES AND THE TRAINING OF GERMAN AIR FORCE PERSONNEL. BONN, 10 DECEMBER 1957

I

The American Ambassador to the German Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 257

Bonn, December 10, 1957

Excellency :

I have the honor to refer to recent conversations between representatives of our governments relating to the training of German Air Force personnel. The understandings reached as a result of these conversations are as follows :

I. (1) The United States will release to the Federal Republic of Germany, on dates to be determined by the appropriate authorities on both sides, the training base complex consisting of the air bases at Landsberg, Kaufbeuren and Fuerstenfeldbruck (including the auxiliary airfield at Lechfeld) and the Air Depot at Erding.

(2) Prior to the release of these bases, the U.S. Air Force will give notice of discharge to the German civilian personnel employed by them in the training installations. Prior to the transfer of command, the Federal Republic will conclude with these personnel employment contracts at comparable status and rates of pay so far as this is consistent with pertinent German laws and regulations and manpower requirements.

II. In accordance with the Agreement on Mutual Defense Assistance concluded between our two governments on June 30, 1955,² the U.S. Air Force will

(1) until the transfer of command to German authorities develop, carry out, and control, at the four air bases, a program for the training of the German Air Force ;

(2) after the transfer of command continue, insofar as may be mutually agreed, to furnish U.S. personnel to advise and assist the German Air Force in its build-up and training at the four bases and elsewhere in Germany as long as required by the German Air Force.

III. Until transfer of command at each base is completed, the base organization, operation, and supply and maintenance procedures will continue to follow United States Air Force standards.

¹ Came into force on 10 December 1957 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 240, p. 47.

IV. (1) Until the transfer of command is completed, the U.S. Air Force may continue to train non-German personnel at the training facilities on the four air bases in accordance with procedures to be agreed, insofar as this does not interfere with the training of the German Air Force.

(2) After transfer of command, the German Air Force will continue the training of non-German flying students on the basis of special arrangements to be agreed between the Federal Republic and the states of origin of the flying students, insofar as this will be consistent with the interests of the Federal Republic Armed Forces.

V. After the transfer of command there will be reserved for the U.S. Air Force Training Mission (including all personnel serving with, employed by, or accompanying the Mission) agreed areas or facilities within the training base complex.

VI. After the transfer of command the United States may station forces (including persons serving with, employed by or accompanying the forces) and use agreed areas and facilities within the training base complex for agreed military purposes including training, the operation of tactical and transport-type aircraft, and the performance of missions assigned to United States forces by SHAPE.¹

VII. The U.S. Air Force will continue to administer certain supply and maintenance operations at Erding Air Depot after the release of this base until otherwise agreed by the two governments. After expiration of the arrangement of March 20, 1956² and after release of the Erding base, the Federal Government will assume any further costs which may arise out of these operations in the interest of the German Air Force.

VIII. The turnover of the material scheduled for transfer to the German Air Force, including aircraft and equipment on the four training bases, will be accomplished as a complete package. For such material the Federal Republic of Germany shall make a lump sum payment of \$12,321,700. The value of the material referred to in this article has been determined in accordance with the laws of the United States.

IX. The Federal Republic of Germany will also reimburse the United States for all costs incurred by the United States in carrying out or assisting in the program for training German Air Force personnel, except for the cost of salaries of U.S. military personnel and the training which the U.S. has agreed to furnish on a grant basis under the Mutual Defense Assistance Agreement of June 30, 1955. Reference is made to the arrangements between the Federal Government and the United States of March 20, 1956,² (relating to the provision of funds for the operation and administration of Air Bases) and to the arrangements of March 2 and May 9, 1956¹ (relating to funds made available for the operational and administrative costs of the Military Assistance Advisory Group and the training teams), under the terms of which part of the afore-mentioned expenditures are already covered.

X. (1) The Federal Republic of Germany will reimburse the U.S. Government for, or restore or replace in kind, any facility or equipment of the U.S. Forces which has been or may be damaged or destroyed by U.S. personnel in the performance of official duty under the German training program or by German personnel during the use of such facilities or equipment under the German training program.

¹ Supreme Headquarters, Allied Powers in Europe.

² Not printed by the Department of State of the United States of America.

(2) The Federal Republic waives any claims, except contractual claims, it may have against the United States or its personnel arising out of acts or omissions of U.S. or German personnel done in the performance of official duty in the course of carrying through the training program for the German Air Force, including claims for damages to equipment, to installations of the Bundeswehr (German Federal Armed Forces) or to other Federal property. The Federal Republic of Germany also will hold the United States and its personnel harmless from all other claims, except contractual claims, arising out of acts or omissions of U.S. or German personnel done in the performance of official duty under the training program. Official duties shall include the activities of those engaged in training of German personnel, including the performance of administrative duties as well as the maintenance of personal flying standards.

XI. Subsidiary implementing arrangements necessary to carry out the terms of this agreement will be concluded by the appropriate authorities of our two governments.

I have the honor to propose that this note, together with your reply confirming these understandings, constitute an agreement between the Government of the United States and the Government of the Federal Republic of Germany, effective this date.

Accept, Excellency, the assurance of my highest consideration.

David BRUCE

His Excellency Heinrich von Brentano
Minister for Foreign Affairs
Bonn

II

The German Minister for Foreign Affairs to the American Ambassador

[GERMAN TEXT — TEXTE ALLEMAND]

DER BUNDESMINISTER DES AUSWÄRTIGEN

277-97-36/3968/57

Bonn, den 10. Dezember 1957

Exzellenz,

Ich beehre mich, auf Ihre Note vom heutigen Tage Bezug zu nehmen, die in vereinbarter Übersetzung folgenden Wortlaut hat :

„Ich beehre mich, auf die kürzlichen Besprechungen zwischen Vertretern unserer beiden Regierungen über die Ausbildung deutschen Luftwaffenpersonals Bezug zu nehmen. Die als Ergebnis dieser Besprechungen erzielten Vereinbarungen sind folgende :