

No. 4754

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
DENMARK**

**Exchange of notes (with annex) constituting an agreement 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 26 May 1952, as amended at Paris on 23 October 1954. Bonn, 8 October 1956**

*Official text: English.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on 15 June 1959.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
DANEMARK**

**Échange de notes (avec annexe) constituant un accord concernant la Convention relative aux droits et obligations des forces étrangères et de leurs membres sur le territoire de la République fédérale d'Allemagne et la Convention financière, signées à Bonn, le 26 mai 1952 et modifiées à Paris le 23 octobre 1954. Bonn, 8 octobre 1956**

*Texte officiel anglais.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 15 juin 1959.*

No. 4754. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> 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<sup>2</sup> AND THE FINANCE CONVENTION,<sup>3</sup> SIGNED AT BONN ON 26 MAY 1952, AS AMENDED AT PARIS ON 23 OCTOBER 1954. BONN, 8 OCTOBER 1956

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I

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

BRITISH EMBASSY

Bonn, October 8, 1956

Your Excellency,

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").<sup>2</sup> 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.<sup>3</sup>

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

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<sup>1</sup> Came into force on 5 May 1955, in accordance with the provisions of the said notes.

<sup>2</sup> United Kingdom: *Treaty Series No. 11 (1959)*, Cmnd. 654. Will also appear in United Nations, *Treaty Series*, Vol. 332, under No. 4760.

<sup>3</sup> Will appear in United Nations, *Treaty Series*, Vol. 332, under No. 4761.

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<sup>1</sup> 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.<sup>2</sup>

I have, &c.

F. R. HOYER MILLAR

## A N N E X

### SCHEDULE

#### 1. Denmark to be the Power concerned—

#### *The Forces Convention*

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

<sup>1</sup> See below.

<sup>2</sup> See p. 253 of this volume.

*The Finance Convention*

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

## 2. The United Kingdom to be the Power concerned—

*The Forces Convention*

| <i>Article</i> |                                 | <i>Article</i>        |  |
|----------------|---------------------------------|-----------------------|--|
| 4 . . . . .    | Co-operation on Security        | 35 (4-11) .           | Customs Treatment of Members of Forces |
| 5 . . . . .    | Liaison                         | 38 . . . . .          | Accommodation                          |
| 7 (6) . . . .  | Access to Suspects              | 39 . . . . .          | Goods, Materials and Services          |
| 17 (10) . . .  | Aerial Photography              | 40 . . . . .          | Building Services                      |
| 18 (3) . . . . | Communications                  | 41 . . . . .          | Transport Services                     |
| 18 (7) . . . . | Berlin Cables                   | 43 . . . . .          | Meteorology and Cartography            |
| 21 . . . . .   | Rights Respecting Installations | 44 (3, 5, 8, 9, 10) . | Labour                                 |
| 25 . . . . .   | Documentary Control             | 45 . . . . .          | Civilian Service Units                 |
| 34 (4-8) . . . | Customs Treatment of Forces     | 48 . . . . .          | Continuation of Existing Support       |

*The Finance Convention*

| <i>Article</i> |                                 | <i>Article</i> |                                 |
|----------------|---------------------------------|----------------|---------------------------------|
| 1 (2c) . . .   | Support Costs. Definition       | 6 (2) (ii) .   | Issue of Payment Authorisations |
| 4 (5) . . . .  | Allocation of Funds             | 6 (3) (i) .    | Keeping of Accounts             |
| 4 (6b) . . .   | Carry-over                      | 6 (3) (ii) .   | Keeping of Accounts             |
|                |                                 | 6 (3) (iii) .  | Audit                           |
| 5 (2) (i) . .  | Budgets                         | 6 (4) . . .    | Cash Expenditures               |
| 5 (2) (iii) .  | Budget Transfers                | 8 (7) . . .    | Damage Claims                   |
| 5 (3) . . . .  | Construction Budgets            |                |                                 |
| 6 (2) (i) . .  | Issue of Payment Authorisations | 8 (8a) . . .   | Notification of Claims          |

| <i>Article</i> |                         | <i>Article</i>    |                         |
|----------------|-------------------------|-------------------|-------------------------|
| 8 (9) . . .    | Decision on Claims      | 13 (2) . . .      | Capital Works—Financing |
| 10 (1) . . .   | Occupation Claims       | 13 (3) (i) . . .  | Capital Works—Financing |
|                |                         | 13 (3) (ii) . . . | Capital Works—Financing |
| 10 (2) . . .   | Occupation Claims       | 17 . . . . .      | Subsidiary Agreements   |
|                |                         | Annex A           |                         |
| 11 (2) . . .   | Receipts                | (Sect. 2,         |                         |
| 11 (3) . . .   | Receipts                | para 2) . . .     | Damage Claims           |
| 13 (1) . . .   | Capital Works—Financing |                   |                         |

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

*The Forces Convention*

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

*The Finance Convention*

| <i>Article</i>         |  | <i>Article</i>    |  |
|------------------------|--|-------------------|--|
| 4 (6 <i>a</i> ) . . .  | Liquidation of Occupation<br>Costs Expenditure | 8 (14) (ii) . . . | Charging of Damage Claims<br>—Exceptions       |
|                        |  | 8 (15) . . .      | Freedom from Certain<br>Claims                 |
| 5 (2) (ii) . . .       | Budget Transfers                               | 9 (3) (i) . . .   | Freedom from Certain<br>Claims                 |
| 6 (2) (iii) . . .      | Examination of German Re-<br>cords             | 9 (3) (ii) . . .  | Property Value Increases                       |
| 6 (4 <i>a</i> ) . . .  | Minor Cash Expenditures                        | 12 (2) . . . . .  | Assessment of Charges                          |
|                        |  | 12 (3) . . . . .  | Assessment of Charges                          |
| 8 (11) . . .           | Claims evidence                                | 13 (4) . . . . .  | Freedom from Certain Con-<br>struction Charges |
| 8 (13 <i>a</i> ) . . . | Court Actions on Claims                        | Annex A           |  |
|                        |  | (Sect. 6) . . .   | Charging of Damage Claims                      |
| 8 (13 <i>b</i> ) . . . | Court Action on 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”.

## II

*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 :

[*See note I*]

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