

No. 9858

**UNITED STATES OF AMERICA
and
FRANCE**

**Agreement regarding the operation, maintenance and security of the
Donges-Metz pipeline system (with protocol and exchange of
letters). Signed at Paris on 24 March 1967**

Authentic texts: English and French.

Registered by the United States of America on 2 September 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

**Accord sur le fonctionnement, l'entretien et la protection du sys-
tème d'oléoduc Donges-Metz (avec protocole et échange de
lettres). Signé à Paris le 24 mars 1967**

Textes authentiques: anglais et français.

Enregistré par les États-Unis d'Amérique le 2 septembre 1969.

AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC REGARDING THE OPERATION, MAINTENANCE AND SECURITY OF THE DONGES-METZ PIPELINE SYSTEM

The Government of the United States of America and the Government of the French Republic,

In order to assure the operation of the pipeline constructed by the United States pursuant to the Franco-American Agreement of 30 June 1953,² and of the related installations built between the port of Donges and the region of Metz for the petroleum resupply of the United States Forces in Europe,

Have agreed as follows:

Article I

The term “ pipeline system ” appearing in this agreement is understood as denoting:

- 1 — The pipeline itself.
- 2 — The marine reception installations.
- 3 — The high pressure pumping stations and their related installations.
- 4 — The related storage installations.
- 5 — The related telecommunications equipment and all other facilities and equipment “ belonging to the United States ” and used in connection with the operation of the entire system.

A detailed description of the pipeline system shall be included in a Technical Agreement to be concluded between the appropriate authorities of the two governments.

Article II

The United States shall have the unrestricted and exclusive use of the pipeline system except as noted in Article VI.

¹ Came into force on 1 April 1967, in accordance with article IX.

² United Nations, *Treaty Series*, vol. 674, p. 89.

Article III

The provisions of the Agreement of June 13, 1952 between the Government of the French Republic and that of the United States on taxes and all amendments relating thereto,¹ will be applicable to all the expenditures relating to transport for military purposes of petroleum products for the account of the United States made by virtue of this agreement.

Article IV

The French Government guarantees that the free utilization of the land and rights of way necessary to the operation and maintenance of the pipeline system will be maintained free of charge.

Article V

1. In accordance with the needs of the American military, the operation, maintenance, and guarding of the pipeline system will be assured by TRAPIL under the responsibility of the French Government, in consultation, as needed, with the United States Army, Europe.

These services will be chargeable to the United States Government in conformity with the provisions of a technical agreement to be concluded between the appropriate authorities of the two countries and will be the subject of a contract between the French Government and TRAPIL.

2. In order to execute this agreement, the French Government will take the necessary measures so that TRAPIL organizes their services in such a way that the operations relating to this pipeline system will be kept separate and accounted for on an individual basis.

3. The Government of France will guarantee the security of the pipeline system.

Article VI

The conditions for utilization of the pipeline system by the French and American Governments will be described in a Technical Agreement. It is agreed that the exercise of the utilization right accorded to the French Government will not interfere with the full execution of the programs, or changes thereto, scheduled for the satisfaction of the requirements of the United States Army.

¹ United Nations, *Treaty Series*, vol. 181, p. 3, and vol. 265, p. 356.

Article VII

1. All removable facilities of the pipeline system as described in Article I, erected or constructed by, or on behalf of, the United States Government at its sole expense and all equipment, materials and supplies brought into France or purchased in France, by or on behalf of the United States Government for the construction, development, operation or maintenance of the pipeline system will remain the property of the United States Government and may be removed from France free of any restriction after due notice to the French governmental authorities or disposed of in France under conditions agreed with the competent French authorities, at any time before the termination of the present agreement or within a reasonable time thereafter, provided that the French Government may first have had an opportunity to bid for any such equipment that is essential to the operation of the pipeline system. Prior to the termination of this Agreement, no equipment essential to the operation of the pipeline system will be removed from the system without the prior approval of the French authorities.

2. The two governments will negotiate the method by which the residual value, if any, of the facilities developed or constructed for the pipeline system as described in Article I and not removed or disposed of in conformance with the dispositions of paragraph 1, above, will be treated when all or part of these installations are not needed by the military forces of the United States.

Article VIII

1. The American authorities may make inspections of the pipeline system four (4) times per year in liaison with the appropriate French authorities. In the event of emergencies, additional inspections may be made with the approval of the French authorities. The status of these United States Inspectors shall be governed by the Status of Forces Agreement signed at London on June 19 1951.¹

2. In addition, an office attached to the American Embassy shall be established to maintain liaison with the appropriate French services on matters relating to the pipeline system.

¹ United Nations, *Treaty Series*, vol. 199, p. 67.

Article IX

The present agreement replaces the agreement of 30 June 1953.¹ It takes effect on 1 April 1967.

Article X

Either party may denounce this agreement at any time, such denunciation to become effective one year after the notice of denunciation has been given.

SIGNED in Paris in French and in English, both texts being equally valid, March 24, 1967.

For the Government
of the United States of America:

Charles E. BOHLEN

[SEAL]

For the Government
of the French Republic:

Hervé ALPHAND

[SEAL]

PROTOCOL

In signing the agreement of today's date regarding the operation, maintenance and security of the Donges-Metz pipeline system, the United States Government takes note that the question of the utilization of the pipeline system in time of war is reserved by the French Government.

The present protocol is annexed to the agreement, of which it is an integral part.

Paris, March 24, 1967

For the Government
of the United States of America:

Charles E. BOHLEN

For the Government
of the French Republic:

Hervé ALPHAND

¹United Nations, *Treaty Series*, vol. 674, p. 89.

EXCHANGE OF LETTERS

I

*The French Secretary General of the Ministry of Foreign Affairs
to the American Ambassador*

Paris, March 24, 1967

Mr. Ambassador:

I have the honor to inform you that, with reference to the agreements concluded today regarding the operation, maintenance and security of the Donges-Metz pipeline system, the French Government states that the interconnection which exists between this pipeline and its extension toward Zweibrücken within the NATO pipeline system in the Central European region requires the harmonization of the general conditions of operation of the two systems on their French routes.

The freedom of usage applicable to this part of the Central Europe pipeline will therefore have to be in all cases the same as that of the Donges-Metz pipeline, otherwise the latter would lose its utility.

Accept, Mr. Ambassador, the assurances of my very high consideration.

Hervé ALPHAND

His Excellency Charles E. Bohlen
Ambassador of the United States of America
Paris

II

*The American Ambassador to the French Secretary General
of the Ministry of Foreign Affairs*

Paris, March 24, 1967

Mr. Secretary General:

You were kind enough to send me on March 24, 1967 a letter the text of which follows:

[See letter I]

I have the honor to inform you that the Government of the United States of America takes note of the terms of this communication.

Accept, Excellency, the assurances of my very high consideration.

Charles E. BOHLEN

His Excellency Hervé Alphand
Ambassador of France
Secretary General of the Ministry of Foreign Affairs
