

No. 10587

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**UNITED STATES OF AMERICA,  
FEDERAL REPUBLIC OF GERMANY  
and UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND**

**Agreement regarding the making available by the Armed Forces of the United Kingdom of Great Britain and Northern Ireland and of the United States of America of accommodation to International Military Headquarters of NATO in the Federal Republic of Germany. Signed at Bonn on 7 February 1969**

*Authentic texts: German and English.*

*Registered by the United States of America on 8 July 1970.*

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

**Convention concernant la mise à la disposition par les Forces armées du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et les Forces armées des États-Unis d'Amérique de biens immobiliers pour l'établissement de Quartiers généraux militaires internationaux de l'Organisation du Traité de l'Atlantique Nord en République fédérale d'Allemagne. Signée à Bonn le 7 février 1969**

*Textes authentiques: allemand et anglais.*

*Enregistrée par les États-Unis d'Amérique le 8 juillet 1970.*

AGREEMENT<sup>1</sup> REGARDING THE MAKING AVAILABLE  
BY THE ARMED FORCES OF THE UNITED KINGDOM  
OF GREAT BRITAIN AND NORTHERN IRELAND AND  
OF THE UNITED STATES OF AMERICA OF ACCOM-  
MODATION TO INTERNATIONAL MILITARY HEAD-  
QUARTERS OF NATO IN THE FEDERAL REPUBLIC  
OF GERMANY

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The Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America —

Considering that, in accordance with paragraph 1 *re* Article 9 of the Protocol of Signature to the Agreement between the Federal Republic of Germany and the Supreme Headquarters Allied Powers Europe on the special conditions applicable to the establishment and operation of International Military Headquarters in the Federal Republic of Germany, signed at Paris on 13 March 1967, the International Military Headquarters of NATO established in the Federal Republic of Germany pursuant to the North Atlantic Treaty<sup>2</sup> have the right to use accommodation made available to the forces stationed in the Federal Republic of Germany —

Have agreed as follows :

*Article 1*

In this Agreement the expression

- (a) " NATO Status of Forces Agreement " means the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on 19 June 1951;<sup>3</sup>
- (b) " Supplementary Agreement " means the Agreement to supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in

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<sup>1</sup> Came into force on 21 December 1969, 30 days after the date of deposit (21 November 1969) with the Government of the Federal Republic of Germany of the instruments of ratification by the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland and of the instrument of approval by the United States of America, in accordance with article 8(2).

<sup>2</sup> United Nations, *Treaty Series*, vol. 34, p. 243.

<sup>3</sup> *Ibid.*, vol. 199, p. 67.

the Federal Republic of Germany, and the Protocol of Signature, signed at Bonn, on 3 August 1959;<sup>1</sup>

- (c) "Protocol" means the Protocol on the Status of International Military Headquarters set up pursuant to the North Atlantic Treaty signed at Paris on 28 August 1952;<sup>2</sup>
- (d) "Headquarters" means any international military Headquarters of NATO established in the Federal Republic of Germany pursuant to the North Atlantic Treaty prior to 5 May 1955;
- (e) "force" means the force and/or the civilian component (as defined in sub-paragraphs (a) and (b) of paragraph 1 of Article I of the NATO Status of Forces Agreement) of the United Kingdom of Great Britain and Northern Ireland or the United States of America.

### Article 2

(1) Subject to the provisions of the present Agreement and to the approval of the Federal Republic of Germany the force shall be entitled to make available to a Headquarters for its use and at its request all or part of any accommodation which has been or will be made available to the force in accordance with the provisions of Article 48 of the Supplementary Agreement and to continue to provide support services in respect of accommodation made available by it to a Headquarters. In any such case the requirement of the Headquarters for accommodation shall be regarded as a requirement of the force within the meaning of paragraph 2 in conjunction with paragraph 5 of Article 48 of the Supplementary Agreement.

(2) The approval of the Federal Republic of Germany shall not be required

- (a) if the accommodation was made available to a Headquarters before the entry into force of the present Agreement;
- (b) if a building with a usable area not exceeding 1 000 square metres, or, in the case of a building with a larger usable area, not more than one half of the usable area of that building, or land which has not been built upon and does not exceed one half hectare in area, is to be made available to a Headquarters; the force shall, however, inform the competent German authority of any such accommodation having been made available to a Headquarters;
- (c) if, within a military installation, a building or part of a building is made available to a Headquarters in exchange for a building or part of a building of approximately the same size; the force shall, however, inform the competent German authority of the exchange.

<sup>1</sup> United Nations, *Treaty Series*, vol. 481, p. 262.

<sup>2</sup> *Ibid.*, vol. 200, p. 340.

*Article 3*

The conditions (including conditions with regard to support services) on which accommodation is made available to a Headquarters shall be no less favourable than the conditions granted to the force by the Federal Republic of Germany.

*Article 4*

In relation to accommodation made available by the force to a Headquarters, the force shall continue to enjoy all the rights and be bound by all the obligations which arise under the NATO Status of Forces Agreement and the Supplementary Agreement in relation to accommodation made available to the force for its own use.

*Article 5*

The Agreements provided for in paragraph 3 of Article 48 of the Supplementary Agreement shall be concluded with the force also in respect of accommodation made available to a Headquarters, unless this has already been done.

*Article 6*

The fact that the force has made accommodation available to a Headquarters shall not of itself establish a claim by the force that the Federal Republic of Germany provide substitute accommodation; the provisions of paragraph 1 of Article 48 of the Supplementary Agreement concerning the satisfaction of the accommodation requirements of the force shall remain unaffected.

*Article 7*

(1) When accommodation made available to a Headquarters is returned to the force, the competent authority of the force and the competent German authority shall consult together without delay and jointly determine the future use to be made of it. This shall not apply if the accommodation in question does not exceed the limits prescribed in sub-paragraph (b) of paragraph 2 of Article 2 of the present Agreement or if an exchange of accommodation pursuant to sub-paragraph (c) of paragraph 2 of that Article is involved; in these cases, however, the force shall inform the competent German authority of the return of the accommodation.

(2) In reaching this joint decision, particular attention shall be given to the question whether, if the accommodation is to be used for the purposes of the force, it will be possible to release to the Federal Republic of Germany

other accommodation made available by it to the force. If it is jointly determined that the accommodation is not needed by the force, it shall be released by the force to the Federal Republic of Germany in accordance with administrative agreements in force or still to be concluded.

#### Article 8

(1) The present Agreement shall be subject to ratification or approval. Each signatory State shall deposit its instrument of ratification or approval with the Government of the Federal Republic of Germany, which shall notify the date of each such deposit to all other signatory States.

(2) The present Agreement shall enter into force thirty days after the date on which the Federal Republic of Germany and at least one other signatory State have deposited their instruments of ratification or approval, but not before the entry into force of the Protocol for the Federal Republic of Germany.<sup>1</sup> The Agreement shall enter into force for the third signatory State thirty days after it has deposited its instrument of ratification or approval.

(3) The present Agreement shall lapse

- (a) when the Protocol or the NATO Status of Forces Agreement or the Supplementary Agreement lapses for the Federal Republic of Germany;
- (b) between the Federal Republic of Germany and another contracting Party, when the Protocol or the NATO Status of Forces Agreement or the Supplementary Agreement lapses for that contracting Party.

(4) The present Agreement shall, upon the request, at any time, of any contracting Party, be reviewed in respect of one or more of its provisions. The contracting Parties shall open negotiations not later than three months after such request has been made. If no agreement is reached within six months after submission of the request, any contracting Party may request the Secretary General of the North Atlantic Treaty Organization to use his good offices.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed the present Agreement.

DONE at Bonn this 7th day of February 1969 in the English and German languages, both texts being equally authoritative, in a single copy, which shall be deposited in the archives of the Government of the Federal Republic of Germany, which shall transmit a certified copy to each of the other signatory States.

<sup>1</sup> The Protocol entered into force for the Federal Republic of Germany on 21 December 1969; see United Nations, *Treaty Series*, vol. 723, p. 287.

Für die Bundesrepublik Deutschland :  
For the Federal Republic of Germany :

DUCKWITZ

Für das Vereinigte Königreich Großbritannien und Nordirland :  
For the United Kingdom of Great Britain and Northern Ireland :

R. W. JACKLING

Für die Vereinigten Staaten von Amerika :  
For the United States of America :

RUSSELL FESSENDEN

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