

No. 13968

**UNITED STATES OF AMERICA
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreed Minute on negotiations concerning the establish-
ment of diplomatic relations (with exchange of letters).
Signed at Washington on 4 September 1974**

Authentic texts: English and German.

Registered by the United States of America on 7 May 1975.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Procès-verbal relatif aux négociations sur l'établissement de
relations diplomatiques (avec échange de lettres). Si-
gné à Washington le 4 septembre 1974**

Textes authentiques : anglais et allemand.

Enregistré par les États-Unis d'Amérique le 7 mai 1975.

AGREED MINUTE¹ ON NEGOTIATIONS CONCERNING THE ESTABLISHMENT OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE GERMAN DEMOCRATIC REPUBLIC

1. As the result of negotiations from July 15 to July 26, 1974 in Washington, the Government of the United States of America and the Government of the German Democratic Republic have agreed to establish diplomatic relations as of today in accordance with the Vienna Convention on Diplomatic Relations of April 18, 1961² and to base the conduct of these relations on the Charter of the United Nations. They will exchange diplomatic representatives with the rank of Ambassador Extraordinary and Plenipotentiary.

2. The two Governments will, in supplementation of the provisions of the Vienna Convention on Diplomatic Relations and on the basis of reciprocity, accord full diplomatic privileges and immunities to those members of the administrative and technical staffs and their families who are citizens of the sending State.

3. The two Governments agreed that pending the entry into force of a comprehensive consular agreement, their consular relations will be based on the Vienna Convention on Consular Relations,³ which they regard as the codification in most material respects of customary international law on consular relations. They will seek to facilitate and provide the most favorable conditions for the performance of consular functions by each other's consular establishments. In particular, they will in no way impede the mutual access and communication of sending State citizens and sending State consular officials. In case a sending State citizen is deprived in any way of his personal liberty, the sending State consular establishment shall be notified and given access to such persons as soon as possible. They will seek to accommodate the interest of the sending State with regard to protection of dual nationals. As soon as the respective Ambassadors have been accredited, negotiations shall begin for the conclusion of a comprehensive consular agreement, based on the above principles and without prejudice to more favorable or more concrete treatment of specific provisions contained in the Vienna Convention on Consular Relations.

4. The Government of the United States of America and the Government of the German Democratic Republic will facilitate the establishment of Embassies which will open on the same date. The two Governments undertake to keep the number of their Embassy personnel in balance.

5. The two Governments will render all necessary assistance in carrying out necessary remodeling for the offices and residences to be utilized by the two sides. Both sides have expressed their understanding that for the construction, remodeling and maintenance of property utilized by the two Embassies, including staff housing, personnel may be utilized who will not be on the regular staff of the Embassies.

6. The Government of the German Democratic Republic confirms that its administration of the site at Pariser Platz 2, which is American property, will be returned to the United States on this date. The use of this site is the subject of an exchange of letters on this date between the heads of the two delegations.

¹ Came into force on 4 September 1974 by signature.

² United Nations, *Treaty Series*, vol. 500, p. 95.

³ *Ibid.*, vol. 596, p. 261.

7. A separate technical protocol has been concluded on the communications facilities the respective diplomatic missions will enjoy.

8. Travel by members of the respective missions will be without impediment. They are free to enter and depart at any point customarily utilized by foreign travelers.

9. The United States of America and the German Democratic Republic intend to promote relations in economic, cultural and other fields by appropriate means including negotiations. As one means of promoting these objectives, they agree that, following the establishment of diplomatic relations, but not later than a year from this date, they will enter into negotiations on the opening of establishments separate from the respective chanceries in cities to be agreed upon.

10. Following the establishment of diplomatic relations and the opening of Embassies, upon the request of either side, the two Governments will enter into negotiations for the settlement of claims and other financial and property questions which remain unresolved, each Government being entitled to raise during these negotiations the questions it wishes to have dealt with. Included on the Agenda will be property and other questions which arose prior to or since 1945 which have not otherwise been settled, including losses by victims of Nazism.

This Agreed Minute enters into force upon signature.

DONE at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this fourth day of September, 1974.

For the Government of the United States of America:

[*Signed — Signé*]¹

For the Government of the German Democratic Republic:

[*Signed — Signé*]²

¹ Signed Arthur A. Hartman — Signé par Arthur A. Hartman.

² Signed by Herbert Suess — Signé par Herbert Suess.

EXCHANGE OF LETTERS

I

DEPARTMENT OF STATE
WASHINGTON, D. C.

September 4, 1974

Dear Mr. Chairman:

In connection with our discussion in Washington concerning the establishment of diplomatic relations between the United States of America and the German Democratic Republic, I wish to bring to your attention the status of the property on Pariser Platz, upon which the former United States Embassy in Berlin was located. My Government requests that, pending a final determination by this Government on our use of the property, the German Democratic Republic affirm the United States title to the property free of any encumbrances and that administrative control by the German Democratic Republic will cease upon the establishment of diplomatic relations between the two States. The ultimate use of the property will be the subject of further talks between our Governments.

I would appreciate your informing me of your confirmation of the contents of this letter.

Please accept, Mr. Chairman, the assurance of my highest consideration.

[Signed]

ARTHUR A. HARTMAN
Chairman
United States Delegation

Dr. Herbert Suess
Chairman
Delegation of the German Democratic Republic

II

[GERMAN TEXT — TEXTE ALLEMAND]

DELEGATION DER DEUTSCHEN DEMOKRATISCHEN REPUBLIK

Washington, den 4. Sept. 1974

Werter Herr Vorsitzender,

ich habe Ihr Schreiben vom 4. September 1974 erhalten und ich kann Ihnen bestätigen, daß die Verwaltung des Grundstückes am Pariser Platz, welches Eigentum der Vereinigten Staaten von Amerika ist, durch die Deutsche Demokratische Republik zum Zeitpunkt der Herstellung diplomatischer Beziehungen zwischen der Deutschen Demokratischen Republik und den Vereinigten Staaten von Amerika beendet wird.

Die zukünftige Nutzung des der Regierung der Vereinigten Staaten gehörenden Grundstückes wird Gegenstand weiterer Gespräche zwischen beiden Regierungen sein.

Nehmen Sie bitte, Herr Vorsitzender, den Ausdruck meiner ausgezeichnetsten Hochachtung entgegen.

[Signed — Signé]

Dr. HERBERT SÜSS
Vorsitzender der Delegation
der Deutschen Demokratischen Republik

Herrn Arthur A. Hartman
Vorsitzender der Delegation
der Vereinigten Staaten von Amerika

[TRANSLATION² — TRADUCTION³]

DELEGATION OF THE GERMAN DEMOCRATIC REPUBLIC

Washington, September 4, 1974

Dear Mr. Chairman:

I have received your letter of September 4, 1974 and I confirm to you that the German Democratic Republic's administration of the site at Pariser Platz, which is the property of the United States of America, will be terminated at the time of establishment of diplomatic relations between the German Democratic Republic and the United States of America.

Future use of the property owned by the United States Government will be the subject of further talks between the two Governments.

Please accept, Mr. Chairman, the assurance of my highest consideration.

[Signed]

Dr. HERBERT SUESS
Chairman
Delegation of the German Democratic Republic

Mr. Arthur A. Hartman
Chairman
Delegation of the United States

¹ Signed by Herbert Suess — Signé par Herbert Suess.

² Translation supplied by the Government of the United States of America.

³ Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.