

**No. 18592**

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

**Agreement regarding operation of the radio installation at  
Erching. Signed at Bonn on 22 and 26 January 1979**

*Authentic texts: English and German.*

*Registered by the United States of America on 18 April 1980.*

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

**Accord concernant l'utilisation des installations de radiodif-  
fusion d'Erching. Signé à Bonn les 22 et 26 janvier 1979**

*Textes authentiques : anglais et allemand.*

*Enregistré par les États-Unis d'Amérique le 18 avril 1980.*

AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES INTERNATIONAL  
COMMUNICATION AGENCY AND THE DEUTSCHE BUNDESPOST  
REGARDING OPERATION OF THE RADIO INSTALLATION AT  
ERCHING

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The United States International Communication Agency and the Deutsche Bundespost express their agreement concerning the operation of the radio installation located at Erching in the Federal Republic of Germany as follows:

*Article I.* Pursuant to a letter from the Federal Ministry for Foreign Affairs of August 19, 1955 (200-454-07/9570/55), which makes reference to and is based on the agreement regarding operation of certain radio installations from within the Federal Republic of Germany, dated June 11, 1952,<sup>2</sup> the Government of the United States owns all property and equipment for a long-wave radio transmitting facility located at Erching, Bavaria.

*Article II.* The United States International Communication Agency, as the responsible agency of the United States, agrees herewith to permit the Deutsche Bundespost to operate the Agency's long-wave radio transmitting facility located at Erching at all times during the term of this agreement except in times of emergency.

*Article III.* The long-wave radio transmitting facility consists of two 500 kw long-wave transmitters and associated diesel power generating plant and one long-wave vertical antenna, situated on approximately one hundred and eighty-nine (189) acres of land. The International Communication Agency grants to the Deutsche Bundespost the right to make all modifications and additions necessary for the operation and maintenance of the transmitting facility, subject to the prior knowledge and approval of the Agency. Upon termination of this agreement, the Deutsche Bundespost may elect to abandon any or all modifications and additions made to the facility, in which case title shall pass to the International Communications Agency, or to remove any such modification or addition and restore the facility to its original condition. Equipment and supplies provided by the International Communication Agency remain the property of the United States and may not be sold or otherwise disposed of without the consent of the Agency. Proceeds from the sale or other disposition of such equipment and supplies will be turned over to the International Communication Agency.

*Article IV.* All expenditures necessary to the modification, continued maintenance and operation of the transmitting facility shall be paid directly by the Deutsche Bundespost except in a period during which the facility is operated by the International Communication Agency pursuant to article II.

*Article V.* The Deutsche Bundespost will maintain the long-wave radio transmitting facility in good repair and in sound operating condition. Responsibility for the total operation of the facility shall rest solely with the Deutsche Bundespost except during times of emergency. The International Communication Agency shall have no responsibility for the contents of the programs.

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<sup>1</sup> Came into force on 26 January 1979 by signature, in accordance with article VIII.

<sup>2</sup> United Nations, *Treaty Series*, vol. 273, p. 105.

*Article VI.* A joint physical survey and inspection report of the radio transmitting facility shall be made as of the effective date of this agreement, enumerating the equipment and supplies and reflecting the present condition, and will be signed on behalf of the parties hereto.

*Article VII.* The Deutsche Bundespost agrees to indemnify and hold harmless the Government of the United States, its officers, agents and employees, from and against all claims, suits, demands and liability of any kind or nature in any way arising out of the administration, operation, maintenance or modification of the radio transmitting facility. The Deutsche Bundespost also agrees to indemnify and hold harmless the Government of the United States against loss of, damage to, or loss of the use of the radio transmitting facility arising from the administration, operation, maintenance or modification of the facility or from the act or the negligence of agents or employees of the Deutsche Bundespost.

*Article VIII.* This agreement will become effective on January 26th, 1979, and will remain in force until terminated by either party upon twelve months' prior written notice to the other, which notice shall be given not sooner than seven years from the effective date.

For the International Communication  
Agency:

[Signed — Signé]<sup>1</sup>

Date: January 22, 1979

For the Deutsche Bundespost:

[Signed — Signé]<sup>2</sup>

Date: January 26, 1979

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<sup>1</sup> Signed by Hans N. Tuch — Signé par Hans N. Tuch.

<sup>2</sup> Signed by Elias — Signé par Elias.