

No. 22078

**NEW ZEALAND
and
FEDERAL REPUBLIC OF GERMANY**

**Exchange of letters constituting an agreement concerning
Antarctic co-operation. Wellington, 26 June 1981**

Authentic texts: English and German.

Registered by New Zealand on 26 July 1983.

**NOUVELLE-ZÉLANDE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Échange de lettres constituant un accord relatif à la
coopération dans l'Antarctique. Wellington, 26 juin
1981**

Textes authentiques : anglais et allemand.

Enregistré par la Nouvelle-Zélande le 26 juillet 1983.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN NEW ZEALAND AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING ANTARCTIC COOPERATION

I

MINISTER OF FOREIGN AFFAIRS
PARLIAMENT HOUSE
WELLINGTON, NEW ZEALAND

26 June 1981

Excellency,

I have the honour to refer to discussions which have taken place between the authorities of New Zealand and the Federal Republic of Germany regarding scientific cooperation in Antarctica and the provision of access to facilities in New Zealand for personnel, ships and aircraft of the Federal Republic of Germany engaged in expeditions in Antarctica. As you know, New Zealand, by virtue of its geographical proximity to Antarctica, is well placed to provide assistance to Antarctic scientific research programmes.

For its part, New Zealand welcomes the recent admission of the Federal Republic of Germany to Consultative Party status under the Antarctic Treaty and the setting up by your Government of the Alfred Wegener Institute for Polar Research. We consider that the results of the discussions which have been held between our respective authorities will strengthen further the valuable cooperation which already exists between New Zealand and the Federal Republic of Germany in the scientific field.

Accordingly, I have the honour to propose that the results of those discussions will be recorded as an Agreement between our two Governments in the following terms:

1. (a) The two Governments agree to cooperate in Antarctic scientific research for peaceful purposes and their mutual benefit and to strengthen further the valuable cooperation in the scientific field which already exists between New Zealand and the Federal Republic of Germany under the Agreement on Scientific and Technological Cooperation² and the Antarctic Treaty.³

(b) Each Government shall designate an agent or agency to be responsible for the coordination and facilitation of cooperative activities under this Agreement. These agents or agencies shall consult with a view to developing such cooperative activities.

(c) Cooperative activities shall be the subject of such specific arrangements as may be deemed appropriate.

(d) The two Governments agree to consult together at any time, at the request of either, regarding the implementation of this Agreement.

¹ Came into force on 26 June 1981, the date of the letter in reply, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 1166, p. 117.

³ *Ibid.*, vol. 402, p. 71.

2. Subject to agreement on the level of such operations in any year, the Government of New Zealand undertakes to permit:

- (a) The transit through and temporary accommodation in New Zealand of personnel engaged in the German Antarctic research programme, en route to and from Antarctica;
- (b) Access to and usage of agreed ports, airports and other necessary services in New Zealand by ships and aircraft engaged in the German Antarctic research programme, in accordance with New Zealand law and subject to payment of the normal dues and fees.

3. The Government of New Zealand shall, consistent with its laws and regulations, facilitate as far as possible the entry into, exit from and stay in New Zealand of personnel engaged in the German Antarctic research programme, other than persons who are nationals of or ordinarily resident in New Zealand. Provided such personnel meet normal temporary entry requirements the Government of New Zealand agrees to issue to them entry permits allowing employment, valid for the period of their assignment up to a maximum of twelve months.

4. The Government of New Zealand shall facilitate, consistent with its laws and regulations including those relating to agricultural health inspection, the entry into and exit from New Zealand of ships, aircraft, equipment and materials to be used in the German Antarctic research programme, as well as the personal effects of personnel engaged in the programme. The Government of New Zealand shall exempt equipment and materials imported or exported for such purpose from payment of taxes and customs duties.

5. The Government of the Federal Republic of Germany shall, in so far as the logistic capabilities of the current German Antarctic research programme will at the time allow, provide, under modalities to be agreed upon in each case, logistic support requested in good time by the Government of New Zealand for the implementation of the New Zealand Antarctic research programme.

6. The Government of the Federal Republic of Germany shall inform the Government of New Zealand on a timely basis each year through the diplomatic channel of:

- (a) The expected size of the German Antarctic research programme for the forthcoming Antarctic season in so far as the use of facilities in New Zealand may be involved;
- (b) The ports, airports and other necessary services requested for use by the personnel, ships and aircraft of the German Antarctic research programme during the forthcoming Antarctic season.

7. This Agreement shall not apply to the Cook Islands, Niue or Tokelau.

8. This Agreement shall apply also to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of New Zealand within three months of the date of entry into force of this Agreement.

9. Either Government may at any time give to the other Government notice of intention to terminate this Agreement. In such cases the Agreement shall terminate after the expiration of one year from the date on which the notice is received.

If the proposals contained in this Note are acceptable to the Government of the Federal Republic of Germany, I have the honour to suggest that this Note and your reply thereto should constitute an Agreement between our two Governments, the Agreement to enter into force on the date of your Note in reply.

Please accept, Excellency, the renewed assurances of my highest consideration.

[Signed — Signé]¹

His Excellency Dr. Hans Alfred Steger
Ambassador Extraordinary and Plenipotentiary
Embassy of the Federal Republic of Germany
Wellington

II

[GERMAN TEXT — TEXTE ALLEMAND]

DER BOTSCHAFTER DER BUNDESREPUBLIK DEUTSCHLAND

Wellington, den 26. Juni 1981

Sehr geehrter Herr Minister,

ich beehre mich, Ihnen für Ihr Schreiben vom 26. Juni 1981 zu danken, in dem Sie sich auf die zwischen den Behörden Neuseelands und der Bundesrepublik Deutschland geführten Gespräche über wissenschaftliche Zusammenarbeit in der Antarktis und die Gewährung des Zugangs zu Einrichtungen in Neuseeland für Personal, Schiffe und Luftfahrzeuge der Bundesrepublik Deutschland, die an Expeditionen in die Antarktis teilnehmen, beziehen.

Ich teile Ihre Ansicht, daß die Ergebnisse der Gespräche, die zwischen unseren Behörden stattgefunden haben, die bereits zwischen Neuseeland und der Bundesrepublik bestehende wertvolle Zusammenarbeit auf wissenschaftlichem Gebiet weiter stärken werden.

Es ist mir eine Ehre, Ihren Vorschlag anzunehmen, daß die Ergebnisse dieser Gespräche als Vereinbarung zwischen unseren beiden Regierungen wie folgt festgehalten werden:

(1) *a*) Die beiden Regierungen kommen überein, in der wissenschaftlichen Antarktis-Forschung für friedliche Zwecke und zum gegenseitigen Nutzen zusammenzuarbeiten und die bereits aufgrund des Abkommens über wissenschaftlich-technologische Zusammenarbeit und des Antarktis-Vertrags zwischen der Bundesrepublik Deutschland und Neuseeland bestehende wertvolle Zusammenarbeit auf wissenschaftlichem Gebiet weiter zu stärken.

b) Jede Regierung bestimmt eine Person oder Stelle, die für die Koordinierung und Erleichterung der gemeinsamen Tätigkeiten aufgrund dieser Vereinbarung verantwortlich ist. Diese Personen oder Stellen konsultieren einander mit dem Ziel, solche gemeinsamen Tätigkeiten auszubauen.

c) Über die gemeinsamen Tätigkeiten werden technische Vereinbarungen geschlossen, soweit dies für zweckmäßig erachtet wird.

d) Die beiden Regierungen kommen überein, einander jederzeit auf Ersuchen einer der beiden Regierungen in bezug auf die Durchführung dieser Vereinbarung zu konsultieren.

¹ Signed by Brian Talboys — Signé par Brian Talboys.

Ich beehre mich, Ihnen das Einverständnis meiner Regierung zu erklären, daß Ihre Note und diese Antwort eine Vereinbarung zwischen unseren beiden Regierungen bilden soll, die mit dem Datum meiner Antwortnote in Kraft tritt, und benutze diesen Anlaß, Sie erneut meiner ausgezeichneten Hochachtung zu versichern.

[Signed — Signé]¹

An den Minister der Auswärtigen Angelegenheiten
von Neuseeland

Herrn B. E. Talboys
Wellington

[TRANSLATION² — TRADUCTION³]

THE AMBASSADOR OF THE FEDERAL REPUBLIC OF GERMANY

Wellington, 26 June 1981

Excellency,

I have the honour to thank you for your letter of 26 June 1981 which refers to discussions held between the authorities of New Zealand and the Federal Republic of Germany regarding scientific cooperation in Antarctica and the provision of access to facilities in New Zealand for personnel, ships and aircraft of the Federal Republic of Germany engaged in expeditions in Antarctica.

I share your view that the results of the discussions which have been held between our authorities will further strengthen the valuable cooperation which already exists between New Zealand and the Federal Republic in the scientific field.

I have the honour to accept your proposal that the results of those discussions be recorded as an Agreement between our two Governments in the following terms:

[See letter I]

I have the honour to communicate to you my Government's agreement that your Note and this reply shall constitute an Agreement between our two Governments, to enter into force on the date of my Note in reply, and take this opportunity to renew to you the assurances of my highest consideration.

Dr. H. A. STEGER

The Right Honourable B. E. Talboys
Minister of Foreign Affairs
of New Zealand
Wellington

¹ Signed by Hans Alfred Steger — Signé par Hans Alfred Steger.

² Translation supplied by the Government of the Federal Republic of Germany.

³ Traduction fournie par le Gouvernement de la République fédérale d'Allemagne.