

No. 29525

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**GERMANY**  
**and**  
**UNION OF SOVIET SOCIALIST REPUBLICS**

**Treaty on the development of wide-ranging cooperation in the fields of economics, industry, science and technology (with exchange of letters). Signed at Bonn on 9 November 1990**

*Authentic texts: German and Russian.*

*Registered by Germany on 28 January 1993.*

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**ALLEMAGNE**  
**et**  
**UNION DES RÉPUBLIQUES**  
**SOCIALISTES SOVIÉTIQUES**

**Traité relatif au développement d'une coopération globale dans le domaine de l'économie, de l'industrie, de la science et de la technologie (avec échange de lettres). Signé à Bonn le 9 novembre 1990**

*Textes authentiques : allemand et russe.*

*Enregistré par l'Allemagne le 28 janvier 1993.*



## [TRANSLATION — TRADUCTION]

TREATY<sup>1</sup> BETWEEN THE FEDERAL REPUBLIC OF GERMANY  
AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE  
DEVELOPMENT OF WIDE-RANGING COOPERATION IN THE  
FIELDS OF ECONOMICS, INDUSTRY, SCIENCE AND TECH-  
NOLOGY

The Federal Republic of Germany and the Union of Soviet Socialist Republics,

Desiring, in accordance with the Treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics on good-neighbourliness, partnership and cooperation of 9 November 1990<sup>2</sup>, to substantially develop and deepen bilateral economic, industrial and scientific-technical cooperation in the interest of their peoples,

Aware that wide-ranging economic, industrial and scientific-technical cooperation is an important and necessary element in developing bilateral relations on a stable and long-term basis and in establishing solid trust between the two States and their peoples,

Convinced that democratic and economic freedoms form the basis of lasting economic and social progress,

Recognizing that stable and mutually advantageous relations in the aforementioned areas provide a material basis on which to build relationships of genuine partnership and constructive cooperation between them,

Convinced that the economic reform process based on market forces, in addition to strengthening economic efficiency, is better able to take account of human needs and aspirations and will improve the conditions for close cooperation and contribute to a more open system of world trade,

Relying on the level of industrial collaboration already achieved between both countries,

Noting the importance of the full implementation of the Final Act of the Conference on Security and Co-operation in Europe of 1 August 1975<sup>2</sup> and of the final documents<sup>3</sup> of the following meetings of representatives of States members of the CSCE, in particular the Bonn Conference on Economic Cooperation in Europe,

Affirming their desire to make a real contribution to the formation of a single economic area on the European continent,

Taking into account the participation of the Federal Republic of Germany and the Union of Soviet Socialist Republics in the work of international economic organ-

<sup>1</sup> Came into force on 26 July 1991, the date on which the Parties informed each other (on 5 and 26 July 1991) of the completion of the intra-State procedures required, in accordance with article 25.

<sup>2</sup> See p. 387 of this volume.

<sup>3</sup> *International Legal Materials*, vol. XIV (1975), p. 1292; vol. XVII (1978), p. 414; vol. XXII (1983), p. 1395; vol. XXVIII (1989), p. 527; vol. XXIX, No. 4 (1990), p. 1054 (American Society of International Law); United Nations, *Official Records of the General Assembly, Forty-fifth session*, document No. A/45/859, p. 3; and *International Legal Materials*, vol. XXXIV, No. 3 (1995), p. 764 (American Society of International Law).



izations, and also the existing agreements and arrangements between the European Community and the Union of Soviet Socialist Republics,

Referring to article 21 of the Agreement between the European Economic Community, the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation of 18 December 1989,

Guided by the goals of ensuring steady economic growth, improving the quality of life of their citizens, increasing employment, making effective use of material and human resources, and protecting the environment,

Aware that cooperation in the fields of economics, industry, science and technology, in ways that take account of the ecological aspects, is an essential component of their overall relations and should in future be expanded even further,

Convinced that the economic reforms in the Union of Soviet Socialist Republics and the achievement of the unity of Germany as a State are ushering in additional opportunities for the development of bilateral cooperation both at the State level and in the form of direct ties between interested partners,

Have agreed as follows:

#### *Article 1*

Guided by the principles of equality, non-discrimination and mutual advantage, the Contracting Parties shall direct their efforts at the further intensification and diversification of bilateral economic, industrial and scientific-technical relations.

The Contracting Parties recognize the need to deal appropriately with such problems of the transitional period as may be encountered in their economic co-operation.

To that end, the following is planned:

1. The Contracting Parties shall, through appropriate measures, support the continuity and further development of commercial and economic relations between the Federal Republic of Germany and the Union of Soviet Socialist Republics. This pertains in particular to previously concluded agreements between the German Democratic Republic and the Union of Soviet Socialist Republics concerning the delivery of goods and the provision of services.

The enterprises and organizations of both countries shall themselves be responsible for determining the form of their economic relations.

With a view to assisting the enterprises and organizations of both countries in preserving established business relations involving deliveries, purchases and other economic matters, the Contracting Parties shall create the necessary organizational conditions for expanded possibilities of exchanging information and making contacts. Particular account, in this connection, is to be taken of each side's interest in the supply of spare parts for the machines, equipment and instruments previously delivered from the German Democratic Republic to the Union of Soviet Socialist Republics and from the Union of Soviet Socialist Republics to the German Democratic Republic, for the purpose of ensuring their normal operation.

The Contracting Parties shall support the preservation of traditional relations involving the supply of goods, while at the same time adjusting them to market



conditions. The enterprises and organizations shall be responsible for working out the specific details of their contractual relations.

The Contracting Parties shall assist the affected enterprises and organizations in preserving and further developing established cooperative and scientific-technical relations at the enterprise level, particularly with regard to deliveries between them of accessories and materials and the use of the results of joint research and development projects.

By taking measures aimed at structural improvements, the German side shall assist the enterprises on the territory of the former German Democratic Republic to operate efficiently. For the purpose of preserving established economic relations, these measures shall also cover enterprises cooperating with Soviet partners.

Appropriate measures shall be taken within the framework of the provisions of the Treaty establishing the European Economic Community.<sup>1</sup>

2. The German side shall continue its efforts to ensure that, with regard to the conditions of commercial and economic transactions falling within the competence of the European Communities, special measures are adopted for a transitional period to create, within traditional commodity flows, favourable conditions of access to markets on the territory of the former German Democratic Republic for Soviet enterprises and organizations.

The German side indicates that these measures pertain specifically to a temporary exemption from customs due under the Common Customs Tariff of the European Economic Community and from equivalent duties within the framework of specified quantitative and value-related limits for goods from the Union of Soviet Socialist Republics that are brought into duty-free circulation on the territory of the former German Democratic Republic, are consumed there, or are processed or re-processed in such a way that they acquire the properties of goods originating in the European Community. The German side shall endeavour to secure the suspension, for a transitional period, of the non-specific quantitative limitations, as defined in Regulation (EEC) No. 288/82, on goods delivered from the Union of Soviet Socialist Republics to the territory of the former German Democratic Republic as part of traditional commodity flows. The German side shall also endeavour to secure, in the case of goods of Soviet origin, the allowance, for a transitional period and within traditional commodity flows, of deviations from standards and quality requirements, provided that these goods are not circulated on any territories of the European Community other than the territory of the former German Democratic Republic.

In addition, the German side shall not apply, during a transitional period, the specific quantitative limitations, as defined in Regulation (EEC) No. 3420/83, on goods that are delivered from the Union of Soviet Socialist Republics to the territory of the former German Democratic Republic as part of traditional commodity flows. This shall also apply to quantitative limitations on goods covered by the Treaty instituting the European Coal and Steel Community.<sup>2</sup>

With regard to German norms and standards whose application leads to difficulties in connection with the maintenance of traditional commodity flows during a transitional period, the German side shall assist in finding solutions to this problem

<sup>1</sup> United Nations, *Treaty Series*, vol. 294, p. 3.

<sup>2</sup> *Ibid.*, vol. 261, p. 141.



within the framework of the existing legislation, provided that the goods in question are not circulated on any territories of the European Community other than the territory of the former German Democratic Republic.

3. The Contracting Parties affirm the importance of cooperation in developing the Yamburg natural gas fields and in erecting the Krivoi Rog Ore-Dressing Complex in the Soviet Union. The Contracting Parties shall specify, in accordance with the terms of the existing agreements, the Soviet side's obligations as at 1 January 1991 for facilities built, goods delivered and services provided by organizations of the former German Democratic Republic, as well as the volumes of raw material deliveries from the Union of Soviet Socialist Republics connected therewith. The terms governing further cooperation for the period after 1990 are to be the subject of a new agreement. To that end, the Contracting Parties shall establish mixed working groups, which shall submit their proposals to the Governments of both countries in order that a decision may be taken.

4. The Contracting Parties confirm their mutual interest in further cooperation in the erection of facilities on the territory of the former German Democratic Republic and on the territory of the Union of Soviet Socialist Republics under existing agreements on economic and technical cooperation and other contractual arrangements with organizations of the German Democratic Republic. The prospects for cooperation and questions pertaining to the way such cooperation is to be implemented shall be separately examined by the mixed working groups. In this connection, detailed attention shall be paid to special economic and financial issues, including possible reciprocal claims arising out of the discontinuance on short notice of individual cooperation projects.

5. The enterprises and organizations of both countries shall, under their own liability, perform contracts for the delivery of goods in accordance with the "General conditions for the delivery of goods between organizations of the CMEA member countries 1968/1988".

### *Article 2*

The Contracting Parties, acting in accordance with existing rules, laws and agreements, shall do everything possible to promote the further development of economic, industrial and scientific-technical cooperation and to involve a broad range of participants in it. In this connection, particular attention shall be directed at cooperation between small and medium-sized firms and enterprises.

### *Article 3*

The Contracting Parties shall be guided by the Final Document of the Vienna meeting of representatives of States members of the Conference on Security and Co-operation in Europe and by the provisions of the Agreement between the European Economic Community, the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation of 18 December 1989. Accordingly, they shall continue their efforts to further reduce or gradually eliminate trade barriers of all kinds and in so doing shall contribute to the expansion and diversification of their trade relations.

Within the limits of their actual and legal possibilities, the Contracting Parties shall endeavour to create the kind of conditions that will ensure the further expansion and intensification of their commercial and economic relations.



*Article 4*

The Contracting Parties recognize the importance of financing, including the granting of medium- and long-term credits, for the steady and effective development of economic cooperation. Accordingly, they declare their readiness to make available export credit guarantees on the most favourable possible terms, subject to the national and international legal provisions and rules in force at the time.

The Contracting Parties affirm their readiness to work together within the framework of the European Bank for Reconstruction and Development and other multilateral financial institutions.

*Article 5*

The Contracting Parties affirm their view that the promotion and mutual protection of capital investments on one another's territory are important preconditions for successful economic cooperation.

*Article 6*

Without prejudice to the obligations of the Federal Republic of Germany arising out of its membership of the European Communities and to the obligations of the Union of Soviet Socialist Republics arising out of the international agreements that it has concluded, the Contracting Parties shall permit the establishment of offices of enterprises and organizations with headquarters in one of the countries on the territory of the other country, and shall accord to these offices, their executive and technical personnel and their economic activity treatment as favourable as that which they accord to other States on the basis of their national laws and the bilateral agreements that they have concluded.

Accordingly, both countries shall accord the greatest possible facilities to one another's citizens who are temporarily sojourning on their territory on commercial business in their capacity as executive employees or specialists with particular knowledge of their enterprise, or as specialists with higher or equivalent education, and to their immediate family members, in matters pertaining to freedom of movement within their territory, and also in matters pertaining to the issuance of residence and work permits and the completion of other formalities required for the performance of a business or related activity, in accordance with the provisions of the existing legislation and with inter-State agreements.

Acting in accordance with the provisions of the existing legislation and with inter-State agreements, the Contracting Parties shall also cooperate in ensuring the most favourable possible conditions for the sojourn and activities of one another's citizens who arrive in their territory for the purpose of earning an income through work.

*Article 7*

The Contracting Parties declare their readiness to take the necessary measures to promote trade for the purpose of diversifying and qualitatively improving the exchange of goods. Such measures shall include, in particular, advertising, consultancy, factoring operations and other business services as well as the organization of seminars, trade fairs and exhibitions.



*Article 8*

There shall be no limitations on the free selection of the forms of economic cooperation, including both joint and independent production, specialization, sub-contracting, licensing agreements, joint and independent enterprises, and other forms of capital investment that are in accordance with the existing legislation.

*Article 9*

Within the framework of the existing cooperation infrastructure, the Contracting Parties shall intensify their cooperation in the production area and in the rational and ecologically compatible use of raw materials and energy.

Moreover, the Contracting Parties declare their readiness to extend their industrial and scientific-technical cooperation to such areas as environmental monitoring, the prevention of technological hazards and accidents, the treatment and final disposal of toxic and dangerous wastes, the avoidance and reduction of air and water pollution as well as cross-border pollution caused by energy conversion and consumption.

The Contracting Parties shall expand their cooperation on the basis of the Agreement between the Federal Republic of Germany and the Union of Soviet Socialist Republics on environmental cooperation.<sup>1</sup>

*Article 10*

The Contracting Parties shall seek to create favourable conditions for economic relations between the two countries at the highest possible technological level in keeping with the demands for ecological safety and also with the objective of making optimum use of both countries' technical and production capabilities and their natural and human resources.

They shall work with one another in renovating existing and building new industrial and agricultural facilities in the Federal Republic of Germany and in the Union of Soviet Socialist Republics, with this cooperation to include the joint production, or delivery, of equipment, licences, know-how and technical documentation for these facilities, and also the exchange of specialists in that connection.

*Article 11*

The Contracting Parties shall take steps to organize cooperation in the study and commercial use of outer space, the use of the world's ocean resources, ship-building and the manufacture of aircraft and automotive vehicles, and the conversion of military production facilities, including individual defence plants.

*Article 12*

The Contracting Parties have agreed to focus priority attention on agricultural production, the processing, transport and storage of agricultural products, and the establishment and promotion of modern, high-efficiency agricultural enterprises with cooperative links to the food and processing industry and to commercial channels. This objective can best be achieved through the implementation of pilot projects involving both countries' State organizations, professional associations, enterprises and firms.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1706, No. I-29515.



Similar pilot projects might also be carried out on a regular basis for the production of industrial consumer goods.

#### *Article 13*

The Contracting Parties have agreed to continue to support close cooperation and to promote an exchange of experience in matters pertaining to town planning and town development, the creation and modernization of urban infrastructure, including transport systems and the building of housing, industrial facilities and roads, the protection of historical and cultural monuments, and the restoration of their architectural heritage.

The Contracting Parties shall also encourage an information exchange on regional development policies, on measures to overcome regional disparities in socio-economic development, and on the improvement of the employment situation.

#### *Article 14*

The Contracting Parties shall promote the development of the infrastructure for pan-European economic cooperation, including transport, communications and the implementation of large-scale projects of pan-European and international significance.

#### *Article 15*

The Contracting Parties shall expand their cooperation in the training and advanced training of executive and technical personnel in the fields of economic management, industry, banking and insurance, accountancy and taxation, the service sector and other areas in the Federal Republic of Germany and the Union of Soviet Socialist Republics.

#### *Article 16*

The Contracting Parties shall promote the joint export of industrial products, technology and services to third-country markets, *inter alia*, as permitted by law, through export credit guarantees for their portion of the export transactions.

#### *Article 17*

The Contracting Parties shall encourage the establishment and work of mixed expert groups to provide consultancy services on questions of macroeconomic development, including an exchange of experience on the operation of a free price-setting mechanism, the application of measures to combat inflation, and the work of anti-monopoly agencies.

#### *Article 18*

The Contracting Parties shall pay particular attention to the development of links and cooperation between scientists and specialists, scientific organizations and enterprises, including the establishment, on a temporary or permanent basis, of mixed scientific task forces to work on scientific and technical problems and carry out research projects aimed at ensuring social and economic progress in both countries.

Cooperative initiatives of this kind shall be carried out in accordance with the Agreement between both Governments on scientific and technical cooperation and the specialized agreements concluded on its basis; in individual cases the cooper-



ation may extend to the possible financing of individual projects and scientific-technical developments deemed useful by both Contracting Parties.

#### *Article 19*

Acting within the framework of the existing legal provisions, the Contracting Parties shall ensure the most comprehensive and freest possible exchange of economic information in support of economic, commercial and scientific-technical activity, including access to information networks, publications and data banks.

They shall arrange for cooperation between their appropriate statistical services for the purpose of comparing and harmonizing the methods in use, particularly in the area of overall national economic accounting.

The Contracting Parties agree that technical norms and standards are of great importance for deepening their economic, industrial and scientific-technical relations. Cooperation in this area shall be based on special technical agreements.

#### *Article 20*

The examination of current and longer-term issues of economic, industrial and scientific-technical cooperation and the formulation and implementation of measures to expand the possibilities and improve the conditions for such cooperation shall be the tasks of the Commission on Economic and Scientific-Technical Cooperation and of the Commission on Scientific-Technical Cooperation.

The Commissions shall meet, under the chairmanship of representatives of both Governments, at least once a year on an alternating basis in one of the two countries.

#### *Article 21*

Agreements under international law that concern the immovable property of organizations, institutions and private persons of one of the Contracting Parties on the territory of the other may be amended, abrogated or otherwise terminated only on the basis of the corresponding agreements and of international law.

The Contracting Parties shall hold consultations to determine which legal relationships and immovables fall under the first paragraph of this article.

#### *Article 22*

The forms and areas of cooperation enumerated in this Treaty are not exhaustive. There may be cooperation between the Contracting Parties and also between the enterprises, firms and organizations of both countries in all forms and in all areas that are of interest to the participants.

#### *Article 23*

In consultations that have already been agreed upon and that respect the principles of confidentiality recognized by both Contracting Parties, the treaties and agreements in the sphere of economics, industry, science and technology that were previously concluded between the German Democratic Republic and the Union of Soviet Socialist Republics shall be examined with regard to their future treatment.



*Article 24*

This Treaty shall be concluded for a period of twenty years. Not later than twelve months before the expiry of this period the Contracting Parties shall agree the necessary measures to ensure the continuation and further expansion of economic, industrial and scientific-technical cooperation.

Depending on the future evolution of the Contracting Parties' concrete requirements, and in accordance with them, this Treaty may be amended or supplemented by mutual agreement.

*Article 25*

This Treaty shall enter into force on the day on which the Governments of the Contracting Parties inform each other that the necessary intra-State procedures for its entry into force have been fulfilled.

DONE at Bonn, on 9 November 1990, in two original copies, each in the German and Russian languages, both texts being equally authentic.

For the Federal Republic of Germany:

HANS-DIETRICH GENSCHER

H. HAUSSMANN

For the Union of Soviet Socialist Republics:

SHEVARDNADZE

SITARYAN



## EXCHANGE OF LETTERS

## I

THE FEDERAL MINISTER FOR ECONOMIC AFFAIRS

D-5300 Bonn, 9 November 1990

Dear Sir,

On the occasion of the signing of the Treaty of 9 November 1990 between the Federal Republic of Germany and the Union of Soviet Socialist Republics on the development of wide-ranging cooperation in the fields of economics, industry, science and technology, I have the honour to confirm to you that, referring to article 6 of the aforementioned Treaty, agreement was reached during the negotiations regarding the following definitions, which are of importance for the implementation of the Treaty:

1. “Temporarily”, within the meaning of article 6, paragraph 2, of the Treaty, means that the citizens referred to in this paragraph are present in the territory of the other respective country for only a limited period of time that corresponds to the purpose of their activity and that, as a rule, will not exceed five years.

2. “Immediate family members”, within the meaning of article 6, paragraph 2, of the Treaty, means:

(a) Spouses and also minor and dependent children,

(b) Close relatives who are dependants for reasons of age or health,

provided that these persons are citizens of the Federal Republic of Germany or of the Union of Soviet Socialist Republics.

Accept, Sir, the assurances of my highest consideration.

For Dr. L. SCHOMERUS

Head of the delegation of the Federal Republic of Germany  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology

To Mr. M. M. Nesterov

Head of the delegation of the Union of Soviet Socialist Republics  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology



## II

Bonn, 9 November 1990

Dear Sir,

On the occasion of the signing of the Treaty of 9 November 1990 between the Union of Soviet Socialist Republics and the Federal Republic of Germany on the development of wide-ranging cooperation in the fields of economics, industry, science and technology, I have the honour to confirm to you that, referring to article 6 of the aforementioned Treaty, agreement was reached during the negotiations regarding the following definitions, which are of importance for the implementation of the Treaty:

[*See letter I*]

Accept, Sir, the assurances of my highest consideration.

M. M. NESTEROV  
Head of the delegation of the Union of Soviet Socialist  
Republics at the negotiations on the Treaty on the  
development of wide-ranging cooperation in the fields  
of economics, industry, science and technology

To Dr. L. Schomerus  
Head of the delegation of the Federal Republic of Germany  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology  
Bonn

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## [TRANSLATION — TRADUCTION]

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The Federal Republic of Germany and the Union of Soviet Socialist Republics,

Desiring, in accordance with the Treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics on good-neighbourliness, partnership and cooperation of 9 November 1990<sup>2</sup>, to substantially develop and deepen bilateral economic, industrial and scientific-technical cooperation in the interest of their peoples,

Aware that wide-ranging economic, industrial and scientific-technical cooperation is an important and necessary element in developing bilateral relations on a stable and long-term basis and in establishing solid trust between the two States and their peoples,

Convinced that democratic and economic freedoms form the basis of lasting economic and social progress,

Recognizing that stable and mutually advantageous relations in the aforementioned areas provide a material basis on which to build relationships of genuine partnership and constructive cooperation between them,

Convinced that the economic reform process based on market forces, in addition to strengthening economic efficiency, is better able to take account of human needs and aspirations and will improve the conditions for close cooperation and contribute to a more open system of world trade,

Relying on the level of industrial collaboration already achieved between both countries,

Noting the importance of the full implementation of the Final Act of the Conference on Security and Co-operation in Europe of 1 August 1975<sup>2</sup> and of the final documents<sup>3</sup> of the following meetings of representatives of States members of the CSCE, in particular the Bonn Conference on Economic Cooperation in Europe,

Affirming their desire to make a real contribution to the formation of a single economic area on the European continent,

Taking into account the participation of the Federal Republic of Germany and the Union of Soviet Socialist Republics in the work of international economic organ-

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Aware that cooperation in the fields of economics, industry, science and technology, in ways that take account of the ecological aspects, is an essential component of their overall relations and should in future be expanded even further,

Convinced that the economic reforms in the Union of Soviet Socialist Republics and the achievement of the unity of Germany as a State are ushering in additional opportunities for the development of bilateral cooperation both at the State level and in the form of direct ties between interested partners,

Have agreed as follows:

#### *Article 1*

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To that end, the following is planned:

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within the framework of the existing legislation, provided that the goods in question are not circulated on any territories of the European Community other than the territory of the former German Democratic Republic.

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5. The enterprises and organizations of both countries shall, under their own liability, perform contracts for the delivery of goods in accordance with the "General conditions for the delivery of goods between organizations of the CMEA member countries 1968/1988".

### *Article 2*

The Contracting Parties, acting in accordance with existing rules, laws and agreements, shall do everything possible to promote the further development of economic, industrial and scientific-technical cooperation and to involve a broad range of participants in it. In this connection, particular attention shall be directed at cooperation between small and medium-sized firms and enterprises.

### *Article 3*

The Contracting Parties shall be guided by the Final Document of the Vienna meeting of representatives of States members of the Conference on Security and Co-operation in Europe and by the provisions of the Agreement between the European Economic Community, the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation of 18 December 1989. Accordingly, they shall continue their efforts to further reduce or gradually eliminate trade barriers of all kinds and in so doing shall contribute to the expansion and diversification of their trade relations.

Within the limits of their actual and legal possibilities, the Contracting Parties shall endeavour to create the kind of conditions that will ensure the further expansion and intensification of their commercial and economic relations.



*Article 4*

The Contracting Parties recognize the importance of financing, including the granting of medium- and long-term credits, for the steady and effective development of economic cooperation. Accordingly, they declare their readiness to make available export credit guarantees on the most favourable possible terms, subject to the national and international legal provisions and rules in force at the time.

The Contracting Parties affirm their readiness to work together within the framework of the European Bank for Reconstruction and Development and other multilateral financial institutions.

*Article 5*

The Contracting Parties affirm their view that the promotion and mutual protection of capital investments on one another's territory are important preconditions for successful economic cooperation.

*Article 6*

Without prejudice to the obligations of the Federal Republic of Germany arising out of its membership of the European Communities and to the obligations of the Union of Soviet Socialist Republics arising out of the international agreements that it has concluded, the Contracting Parties shall permit the establishment of offices of enterprises and organizations with headquarters in one of the countries on the territory of the other country, and shall accord to these offices, their executive and technical personnel and their economic activity treatment as favourable as that which they accord to other States on the basis of their national laws and the bilateral agreements that they have concluded.

Accordingly, both countries shall accord the greatest possible facilities to one another's citizens who are temporarily sojourning on their territory on commercial business in their capacity as executive employees or specialists with particular knowledge of their enterprise, or as specialists with higher or equivalent education, and to their immediate family members, in matters pertaining to freedom of movement within their territory, and also in matters pertaining to the issuance of residence and work permits and the completion of other formalities required for the performance of a business or related activity, in accordance with the provisions of the existing legislation and with inter-State agreements.

Acting in accordance with the provisions of the existing legislation and with inter-State agreements, the Contracting Parties shall also cooperate in ensuring the most favourable possible conditions for the sojourn and activities of one another's citizens who arrive in their territory for the purpose of earning an income through work.

*Article 7*

The Contracting Parties declare their readiness to take the necessary measures to promote trade for the purpose of diversifying and qualitatively improving the exchange of goods. Such measures shall include, in particular, advertising, consultancy, factoring operations and other business services as well as the organization of seminars, trade fairs and exhibitions.



*Article 8*

There shall be no limitations on the free selection of the forms of economic cooperation, including both joint and independent production, specialization, sub-contracting, licensing agreements, joint and independent enterprises, and other forms of capital investment that are in accordance with the existing legislation.

*Article 9*

Within the framework of the existing cooperation infrastructure, the Contracting Parties shall intensify their cooperation in the production area and in the rational and ecologically compatible use of raw materials and energy.

Moreover, the Contracting Parties declare their readiness to extend their industrial and scientific-technical cooperation to such areas as environmental monitoring, the prevention of technological hazards and accidents, the treatment and final disposal of toxic and dangerous wastes, the avoidance and reduction of air and water pollution as well as cross-border pollution caused by energy conversion and consumption.

The Contracting Parties shall expand their cooperation on the basis of the Agreement between the Federal Republic of Germany and the Union of Soviet Socialist Republics on environmental cooperation.<sup>1</sup>

*Article 10*

The Contracting Parties shall seek to create favourable conditions for economic relations between the two countries at the highest possible technological level in keeping with the demands for ecological safety and also with the objective of making optimum use of both countries' technical and production capabilities and their natural and human resources.

They shall work with one another in renovating existing and building new industrial and agricultural facilities in the Federal Republic of Germany and in the Union of Soviet Socialist Republics, with this cooperation to include the joint production, or delivery, of equipment, licences, know-how and technical documentation for these facilities, and also the exchange of specialists in that connection.

*Article 11*

The Contracting Parties shall take steps to organize cooperation in the study and commercial use of outer space, the use of the world's ocean resources, ship-building and the manufacture of aircraft and automotive vehicles, and the conversion of military production facilities, including individual defence plants.

*Article 12*

The Contracting Parties have agreed to focus priority attention on agricultural production, the processing, transport and storage of agricultural products, and the establishment and promotion of modern, high-efficiency agricultural enterprises with cooperative links to the food and processing industry and to commercial channels. This objective can best be achieved through the implementation of pilot projects involving both countries' State organizations, professional associations, enterprises and firms.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1706, No. I-29515.



Similar pilot projects might also be carried out on a regular basis for the production of industrial consumer goods.

#### *Article 13*

The Contracting Parties have agreed to continue to support close cooperation and to promote an exchange of experience in matters pertaining to town planning and town development, the creation and modernization of urban infrastructure, including transport systems and the building of housing, industrial facilities and roads, the protection of historical and cultural monuments, and the restoration of their architectural heritage.

The Contracting Parties shall also encourage an information exchange on regional development policies, on measures to overcome regional disparities in socio-economic development, and on the improvement of the employment situation.

#### *Article 14*

The Contracting Parties shall promote the development of the infrastructure for pan-European economic cooperation, including transport, communications and the implementation of large-scale projects of pan-European and international significance.

#### *Article 15*

The Contracting Parties shall expand their cooperation in the training and advanced training of executive and technical personnel in the fields of economic management, industry, banking and insurance, accountancy and taxation, the service sector and other areas in the Federal Republic of Germany and the Union of Soviet Socialist Republics.

#### *Article 16*

The Contracting Parties shall promote the joint export of industrial products, technology and services to third-country markets, *inter alia*, as permitted by law, through export credit guarantees for their portion of the export transactions.

#### *Article 17*

The Contracting Parties shall encourage the establishment and work of mixed expert groups to provide consultancy services on questions of macroeconomic development, including an exchange of experience on the operation of a free price-setting mechanism, the application of measures to combat inflation, and the work of anti-monopoly agencies.

#### *Article 18*

The Contracting Parties shall pay particular attention to the development of links and cooperation between scientists and specialists, scientific organizations and enterprises, including the establishment, on a temporary or permanent basis, of mixed scientific task forces to work on scientific and technical problems and carry out research projects aimed at ensuring social and economic progress in both countries.

Cooperative initiatives of this kind shall be carried out in accordance with the Agreement between both Governments on scientific and technical cooperation and the specialized agreements concluded on its basis; in individual cases the cooper-



ation may extend to the possible financing of individual projects and scientific-technical developments deemed useful by both Contracting Parties.

#### *Article 19*

Acting within the framework of the existing legal provisions, the Contracting Parties shall ensure the most comprehensive and freest possible exchange of economic information in support of economic, commercial and scientific-technical activity, including access to information networks, publications and data banks.

They shall arrange for cooperation between their appropriate statistical services for the purpose of comparing and harmonizing the methods in use, particularly in the area of overall national economic accounting.

The Contracting Parties agree that technical norms and standards are of great importance for deepening their economic, industrial and scientific-technical relations. Cooperation in this area shall be based on special technical agreements.

#### *Article 20*

The examination of current and longer-term issues of economic, industrial and scientific-technical cooperation and the formulation and implementation of measures to expand the possibilities and improve the conditions for such cooperation shall be the tasks of the Commission on Economic and Scientific-Technical Cooperation and of the Commission on Scientific-Technical Cooperation.

The Commissions shall meet, under the chairmanship of representatives of both Governments, at least once a year on an alternating basis in one of the two countries.

#### *Article 21*

Agreements under international law that concern the immovable property of organizations, institutions and private persons of one of the Contracting Parties on the territory of the other may be amended, abrogated or otherwise terminated only on the basis of the corresponding agreements and of international law.

The Contracting Parties shall hold consultations to determine which legal relationships and immovables fall under the first paragraph of this article.

#### *Article 22*

The forms and areas of cooperation enumerated in this Treaty are not exhaustive. There may be cooperation between the Contracting Parties and also between the enterprises, firms and organizations of both countries in all forms and in all areas that are of interest to the participants.

#### *Article 23*

In consultations that have already been agreed upon and that respect the principles of confidentiality recognized by both Contracting Parties, the treaties and agreements in the sphere of economics, industry, science and technology that were previously concluded between the German Democratic Republic and the Union of Soviet Socialist Republics shall be examined with regard to their future treatment.



*Article 24*

This Treaty shall be concluded for a period of twenty years. Not later than twelve months before the expiry of this period the Contracting Parties shall agree the necessary measures to ensure the continuation and further expansion of economic, industrial and scientific-technical cooperation.

Depending on the future evolution of the Contracting Parties' concrete requirements, and in accordance with them, this Treaty may be amended or supplemented by mutual agreement.

*Article 25*

This Treaty shall enter into force on the day on which the Governments of the Contracting Parties inform each other that the necessary intra-State procedures for its entry into force have been fulfilled.

DONE at Bonn, on 9 November 1990, in two original copies, each in the German and Russian languages, both texts being equally authentic.

For the Federal Republic of Germany:

HANS-DIETRICH GENSCHER

H. HAUSSMANN

For the Union of Soviet Socialist Republics:

SHEVARDNADZE

SITARYAN



## EXCHANGE OF LETTERS

## I

THE FEDERAL MINISTER FOR ECONOMIC AFFAIRS

D-5300 Bonn, 9 November 1990

Dear Sir,

On the occasion of the signing of the Treaty of 9 November 1990 between the Federal Republic of Germany and the Union of Soviet Socialist Republics on the development of wide-ranging cooperation in the fields of economics, industry, science and technology, I have the honour to confirm to you that, referring to article 6 of the aforementioned Treaty, agreement was reached during the negotiations regarding the following definitions, which are of importance for the implementation of the Treaty:

1. “Temporarily”, within the meaning of article 6, paragraph 2, of the Treaty, means that the citizens referred to in this paragraph are present in the territory of the other respective country for only a limited period of time that corresponds to the purpose of their activity and that, as a rule, will not exceed five years.

2. “Immediate family members”, within the meaning of article 6, paragraph 2, of the Treaty, means:

(a) Spouses and also minor and dependent children,

(b) Close relatives who are dependants for reasons of age or health,

provided that these persons are citizens of the Federal Republic of Germany or of the Union of Soviet Socialist Republics.

Accept, Sir, the assurances of my highest consideration.

For Dr. L. SCHOMERUS

Head of the delegation of the Federal Republic of Germany  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology

To Mr. M. M. Nesterov

Head of the delegation of the Union of Soviet Socialist Republics  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology



## II

Bonn, 9 November 1990

Dear Sir,

On the occasion of the signing of the Treaty of 9 November 1990 between the Union of Soviet Socialist Republics and the Federal Republic of Germany on the development of wide-ranging cooperation in the fields of economics, industry, science and technology, I have the honour to confirm to you that, referring to article 6 of the aforementioned Treaty, agreement was reached during the negotiations regarding the following definitions, which are of importance for the implementation of the Treaty:

[*See letter I*]

Accept, Sir, the assurances of my highest consideration.

M. M. NESTEROV  
Head of the delegation of the Union of Soviet Socialist  
Republics at the negotiations on the Treaty on the  
development of wide-ranging cooperation in the fields  
of economics, industry, science and technology

To Dr. L. Schomerus  
Head of the delegation of the Federal Republic of Germany  
at the negotiations on the Treaty on the development  
of wide-ranging cooperation in the fields of economics,  
industry, science and technology  
Bonn

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