

No. 29524

**GERMANY
and
UNION OF SOVIET SOCIALIST REPUBLICS**

Treaty on good-neighbourliness, partnership and cooperation. Signed at Bonn on 9 November 1990

Authentic texts: German and Russian.

Registered by Germany on 28 January 1993.

**ALLEMAGNE
et
UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES**

**Traité de bon voisinage, de collaboration et de coopération.
Signé à Bonn le 9 novembre 1990**

Textes authentiques : allemand et russe.

Enregistré par l'Allemagne le 28 janvier 1993.

[TRANSLATION — TRADUCTION]

TREATY¹ ON GOOD-NEIGHBOURLINESS, PARTNERSHIP AND COOPERATION BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE UNION OF SOVIET SOCIALIST REPUBLICS

The Federal Republic of Germany and the Union of Soviet Socialist Republics, Aware of their responsibility for maintaining peace in Europe and in the world, Desiring to finally do away with the past and to make a substantial contribution to overcoming the division of Europe, by means of mutual understanding and reconciliation,

Convinced of the need to build a new Europe united by common values and to create a lasting and just European state of peace, including stable security structures,

Convinced that human rights and basic freedoms are of great importance as part of the pan-European heritage and that respect for them is an important precondition for progress in building this state of peace,

Confirming their commitment to the aims and principles of the United Nations Charter and to the provisions of the Helsinki Final Act of 1 August 1975,² as well as to the subsequent documents² of the Conference on Security and Co-operation in Europe,

Resolved to continue the best traditions of their many centuries of history, to base their relations on good-neighbourliness, partnership and cooperation, and to face the historic challenges on the threshold of the third millennium,

Basing themselves on the foundation created in previous years by the development of cooperation between the Federal Republic of Germany, and also the German Democratic Republic and the Union of Soviet Socialist Republics,

Desirous of developing and further deepening the fruitful and mutually advantageous cooperation between both States in all areas and to impart a new quality to their relations in the interests of their peoples and of peace in Europe,

Taking into account the signing of the Treaty on the Final Settlement with respect of Germany, of 20 September 1990,³ in which the external aspects of the restoration of German unity were settled,

Have agreed as follows:

¹ Came into force on 5 July 1991 by the exchange of the instruments of ratification, which took place at Mezghor'ye, in accordance with article 22.

² *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).

³ United Nations, *Treaty Series*, vol. 1696, No. I-29226.

Article 1

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall be guided by the following principles in the development of their relations:

They shall mutually respect their sovereign equality, territorial integrity and political independence.

They shall place human beings with all their dignity and rights, care for the survival of humanity and preservation of the natural environment at the centre of their policy.

They confirm the right of all peoples and States to determine their own destiny freely and without interference from outside and to shape their political, economic, social and cultural development as they themselves wish.

They declare their commitment to the principle of the responsible prevention of any war, whether nuclear or conventional, and to the need to preserve and strengthen peace.

They shall ensure the priority of the universally accepted provisions of international law in their internal and foreign policy and confirm their resolve to implement conscientiously their treaty obligations.

They declare their commitment to using the creative potential of human and contemporary society so as to strengthen peace and enhance the well-being of all peoples.

Article 2

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall undertake to respect unreservedly the territorial integrity of all States in Europe within their present borders.

They declare that they have no territorial claims on anyone at all and that they will not make any such in the future.

They shall regard as inviolable, both now and in the future, the boundaries of all European States as they are on the day of signature of this Treaty.

Article 3

The Federal Republic of Germany and the Union of Soviet Socialist Republics confirm that they will refrain from the use of force or threats of force both against the territorial integrity or political independence of the other Party and in any other way incompatible with the aims and principles of the United Nations Charter or the Final Act of the CSCE.

They shall resolve their disputes by exclusively peaceful means, and shall never use any of their armaments, except for purposes of individual or collective self-defence. They shall never under any circumstances be the first to use their armed forces against each other or against third States. They shall call upon all other States to join this commitment to non-aggression.

In the event that one of the Parties is subjected to attack, the other Party shall not render the attacker any military aid or other assistance and shall adopt all measures to settle the conflict by applying the principles and procedures of the United Nations and other collective security structures.

Article 4

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall strive to ensure that armed forces and armaments are considerably reduced, on the basis of obligatory and effectively controllable agreements, so that, along with the application of unilateral measures, there will be, particularly in Europe, a stable balance of forces at a lower level sufficient for defence purposes, but insufficient for attack.

This shall also relate to further confidence-building and stabilization measures on a multilateral and bilateral basis.

Article 5

Both Parties shall assist in every way to promote the process of security and cooperation in Europe on the basis of the Helsinki Final Act of 1 August 1975, and further strengthen and develop it jointly with all participating States, more especially by setting up permanent institutions and bodies. The aim of these efforts shall be to strengthen peace, stability and security, and to convert Europe into a single area of law and order, democracy and collaboration in the field of economics, culture and information.

Article 6

The Federal Republic of Germany and the Union of Soviet Socialist Republics have agreed to hold regular consultations with the aim of ensuring the further development and deepening of their bilateral relations, as well as coordinating their positions with regard to international issues.

Consultations at the highest political level shall be held, whenever required, but at least once a year.

The Ministers for Foreign Affairs shall hold meetings not less than twice a year.

There shall be regular meetings between the Ministers of Defence.

Meetings between other Ministers of both States shall be held, whenever required, on matters of mutual interest.

The existing joint committees shall study the possibilities of intensifying their work. New mixed committees shall be set up, whenever required, and by mutual agreement.

Article 7

If a situation arises that creates, in the opinion of one Party, a threat to peace or a violation of peace, or which may cause dangerous international complications, both Parties shall immediately contact each other and undertake efforts to coordinate their positions and agree on measures enabling the situation to be improved or dealt with.

Article 8

The Federal Republic of Germany and the Union of Soviet Socialist Republics have agreed to considerably develop and broaden their bilateral cooperation, particularly in the economic, industrial, scientific-technological and ecological areas, in order to promote bilateral relations on a stable and long-term basis, and to strengthen trust between both States and peoples. For this purpose they shall con-

clude a comprehensive treaty on the development of cooperation in the field of economics, industry, science and technology, and also, whenever necessary, special agreements on individual practical areas.

The Parties attribute great importance to cooperation in the instruction and further training of specialists and managerial staff in the economy for the development of bilateral relations, and are prepared to appreciably expand and deepen that cooperation.

Article 9

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall continue to develop and intensify mutually advantageous economic cooperation. They shall create the most favourable framework conditions for the citizens, enterprises, State-owned and non-State-owned organizations of the other Party for the purpose of entrepreneurial and other economic activity that are possible in accordance with their internal legislation and their commitments under international treaties. This relates in particular to capital investments and investors.

The Parties shall foster the initiatives of the participants directly interested, essential for economic cooperation, more especially with a view to fully utilizing the potential of the concluded treaties and coordinated programmes.

Article 10

The Parties shall further develop the exchange in this area and put into effect joint projects on the basis of the Agreement on Scientific and Technological Cooperation, of 22 July 1986.¹ Their intention is to use the achievements of modern science and technology in the interests of mankind, its health and its well-being. They shall assist and support the joint initiatives of research workers and scientific-research institutes in this field.

Article 11

Proceeding from the conviction that the conservation of the natural basis of life is an inseparable precondition for successful economic and social development, the Parties confirm their resolve to continue and intensify cooperation in this field on the basis of the Agreement on Cooperation in the Field of Environmental Protection, of 25 October 1988.²

It is their intention to jointly resolve the important problems of environmental protection, study harmful environmental effects and work out measures to prevent them. They shall take part in the elaboration of coordinated strategies and schemes for transborder policy in the area of environmental protection on an international, more particularly European, scale.

Article 12

The Parties shall strive to expand transport communications (air, rail, marine, river and automobile traffic) between the Federal Republic of Germany and the Union of Soviet Socialist Republics, using for this purpose the most modern technologies.

¹ United Nations, *Treaty Series*, vol. 1554, No. I-27007.

² *Ibid.*, vol. 1706, No. I-29515.

Article 13

The Parties shall, on the basis of reciprocity, make efforts to greatly simplify visa formalities for trips by citizens of both countries, first and foremost for business, economic and cultural purposes, as well as for purposes of scientific and technological cooperation.

Article 14

The Parties shall promote on a broad basis meetings between persons from both countries and the expansion of cooperation between parties, trade unions, foundations, schools, higher educational establishments, sports associations, churches and social institutions as well as women's, ecological and other public organizations and unions.

Particular attention shall be given to intensifying contacts between the parliaments of both States.

They welcome collaboration in the form of partnership, at communal and regional levels, between the Union Republics and the federal provinces.

A substantial role shall be assigned to the German-Soviet forum for discussion as well as to cooperation between the mass media.

The Parties shall facilitate involvement in exchanges, meetings and joint projects for all representatives of young people and youth organizations.

Article 15

The Federal Republic of Germany and the Union of Soviet Socialist Republics, taking into account the many centuries of mutual cultural enrichment between their peoples and their irreplaceable contribution to the overall cultural heritage of Europe, as well as the importance of cultural exchange for the mutual understanding of peoples, shall substantially broaden the scope of their cultural cooperation.

The Parties shall bring life to the agreement on the creation and activity of the cultural centres and fully utilize their potential.

The Parties confirm their readiness to provide broad access by all interested persons to the language and culture of the other Party, and to support the relevant State, social and individual initiatives.

The Parties stand resolutely in favour of expanding opportunities for studying the language of the other Party in schools, higher educational establishments and other institutions, and for such purposes assist the other Party in the instruction and further training of teachers and the provision of teaching aids, including the use of television, radio, audiovisual and computer technology. They shall support initiatives for the establishment of bilingual schools.

Soviet citizens with German nationality and citizens originating from the Union of Soviet Socialist Republics and permanently resident in the Federal Republic of Germany, who wish to preserve their language, culture or traditions, shall be afforded an opportunity to develop their national, linguistic and cultural background. Accordingly, the Parties shall provide an opportunity and make it easier for the other party to render assistance to such individuals or their organizations within the framework of existing laws.

Article 16

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall deploy efforts to preserve the cultural objects and monuments of the other Party situated on their territory.

They are in agreement that cultural treasures situated on their territory that have been lost or have been illegally exported shall be returned to the owners or to their successors.

Article 17

The Parties stress the particular importance of humanitarian cooperation in their bilateral relations. They shall step up this cooperation, including by enlistment of the charity organizations of both Parties.

Article 18

The Government of the Federal Republic of Germany declares that the monuments to the Soviet victims of war and tyranny erected on German soil shall be respected and shall be protected by German laws. This also applies to the Soviet military cemeteries, which shall be preserved and which will be cared for.

The Government of the Union of Soviet Socialist Republics shall ensure access to the graves of Germans on Soviet territory as well as their preservation and care.

The relevant organizations of both Parties shall broaden their cooperation in these areas.

Article 19

The Federal Republic of Germany and the Union of Soviet Socialist Republics shall extend legal aid in civil and family matters on the basis of the Hague Convention relating to Civil Procedure,¹ which is valid for both Parties. The Parties shall further develop legal aid in criminal matters, taking into account their legal system and in accordance with international law.

The competent authorities of the Federal Republic of Germany and the Union of Soviet Socialist Republics shall assist each other in combating organized crime, terrorism, illicit drug trafficking, illegal acts of intervention in civil aviation and marine shipping, the manufacture and circulation of counterfeit currency, and smuggling, including the illegal movement of cultural treasures across borders. The nature and conditions of the mutual aid between the two Parties shall be the subject of separate arrangements.

Article 20

Both Governments shall intensify cooperation within the framework of international organizations, with due regard for mutual interests and the existing cooperation by both Parties with other countries. They shall render mutual assistance in the development of cooperation with international, more particularly European, organizations and institutions, of which one Party is a member, in the event of the other Party showing the relevant interest.

¹ United Nations, *Treaty Series*, vol. 286, p. 265.

Article 21

This Treaty does not affect the rights and obligations under bilateral and multi-lateral treaties and agreements in force, concluded by the Parties with other States. This Treaty is not directed against anyone, and both Parties shall regard their collaboration as an integral and dynamic component in the further development of the CSCE process.

Article 22

This Treaty shall be ratified. The exchange of the instruments of ratification shall take place in Moscow as soon as possible.

The Treaty shall enter into force on the day of the exchange of the instruments of ratification.

The Treaty is valid for a period of 20 years. Its validity shall then be automatically prolonged for the following five-year period, unless one of the Parties declares its wish to denounce it in writing one year before the lapse of the relevant period.

DONE in Bonn on 9 October 1990, in two copies, each in the German and Russian languages, both texts having equal force.

For the Federal Republic of Germany:

Dr. HELMUT KOHL

For the Union of Soviet Socialist Republics:

MIKHAIL S. GORBACHEV

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