

No. 6986

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**BELGIUM, CANADA, FRANCE, FEDERAL REPUBLIC  
OF GERMANY, NETHERLANDS, UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND and  
UNITED STATES OF AMERICA**

✓ Agreement (with Protocol of Signature) to Supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in the Federal Republic of Germany. Signed at Bonn, on 3 August 1959

✓ Agreement (with annex) to implement paragraph 5 of article 45 of the above-mentioned Supplementary Agreement. Signed at Bonn, on 3 August 1959

✓ Administrative Agreement to article 60 of the above-mentioned Supplementary Agreement. Signed at Bonn, on 3 August 1959

*Official texts : German, English and French.*

*Registered by the United States of America on 19 November 1963.*

No. 6986. AGREEMENT<sup>1</sup> TO SUPPLEMENT THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY REGARDING THE STATUS OF THEIR FORCES<sup>2</sup> WITH RESPECT TO FOREIGN FORCES STATIONED IN THE FEDERAL REPUBLIC OF GERMANY. SIGNED AT BONN, ON 3 AUGUST 1959

The Kingdom of Belgium,  
Canada,  
The French Republic,  
The Federal Republic of Germany,  
The Kingdom of the Netherlands,  
The United Kingdom of Great Britain and Northern Ireland, and  
The United States of America,

CONSIDERING that sub-paragraph (b) of paragraph 1 of Article 8 of the Convention on Relations between the Three Powers and the Federal Republic of Germany, as amended<sup>3</sup> by Schedule I to the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed at Paris on 23 October 1954<sup>4</sup>, provides for the negotiation of new arrangements setting forth the rights and obligations of the forces of the Three Powers and other States having forces in the territory of the Federal Republic of Germany ;

CONSIDERING that, pursuant to that provision, the new arrangements shall be based on the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on 19 June 1951,<sup>2</sup> supplemented by such provisions as are necessary in view of the special conditions existing in regard to the forces stationed in the Federal Republic of Germany ;

<sup>1</sup> Came into force on 1 July 1963, thirty days after the deposit by the Federal Republic of Germany of its instrument of accession to the Agreement of 19 June 1951 (see p. 588 of this volume), in accordance with paragraph 2 of article 83.

The instruments of ratification or approval (a) were deposited with the Government of the United States of America, as follows :

|                                                                |              |          |
|----------------------------------------------------------------|--------------|----------|
| United States of America . . . . .                             | 28 July      | 1961 (a) |
| Canada . . . . .                                               | 11 December  | 1961     |
| France . . . . .                                               | 11 January   | 1962     |
| United Kingdom of Great Britain and Northern Ireland . . . . . | 9 July       | 1962     |
| Netherlands (for the Kingdom in Europe) . . . . .              | 10 September | 1962     |
| Belgium . . . . .                                              | 15 May       | 1963     |
| Federal Republic of Germany . . . . .                          | 1 June       | 1963     |

<sup>2</sup> United Nations, *Treaty Series*, Vol. 199, p. 67 ; Vol. 200, p. 340 ; Vol. 260, p. 452 ; Vol. 286, p. 380, and p. 588 of this volume.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 331, p. 327.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 331, p. 253.

CONSIDERING that the North Atlantic Council has decided to approve, in accordance with paragraph 3 of Article XVIII of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, the accession to that Agreement of the Federal Republic of Germany, provided that such accession shall become effective only after all the States Parties to the new arrangements have ratified or approved them ;

CONSIDERING that the second paragraph of the Preamble to the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces also provides for separate arrangements supplementary to that Agreement ;

CONSIDERING that, pursuant to the Agreement signed at Bonn on 3rd August 1959,<sup>1</sup> by the Powers signatory to the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed at Paris on 23 October 1954, the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany,<sup>2</sup> the Finance Convention,<sup>3</sup> and the Agreement on the Tax Treatment of the Forces and their Members,<sup>4</sup> as amended by that Protocol, shall cease to be effective upon the entry into force of the new arrangements ;

DESIRING thereby to continue consolidating the North Atlantic Community ;  
Have agreed as follows :

### *Article 1*

The Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on 19 June 1951 (hereinafter referred to as the "NATO Status of Forces Agreement"), shall, as regards the rights and obligations of the forces of the Kingdom of Belgium, Canada, the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America in the territory of the Federal Republic of Germany (hereinafter referred to as "the Federal Republic"), be supplemented by the provisions of the present Supplementary Agreement.

### *Article 2*

1. In the present Agreement the term
  - (a) "a German" shall mean a German within the meaning of German law ;
  - (b) "Protocol of Signature" shall mean the Protocol of Signature<sup>5</sup> to the present Agreement ;

<sup>1</sup> See p. 591 of this volume.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 332, p. 3, and p. 591 of this volume.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 332, p. 157, and p. 591 of this volume.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 332, p. 387, and p. 591 of this volume.

<sup>5</sup> See p. 494 of this volume.

- (c) "Forces Convention" shall mean the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany, as amended by Schedule II to the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed at Paris on 23 October 1954 ;
- (d) "Federal Requisitioning Law" shall mean the Federal Requisitioning Law (*Bundesleistungsgesetz*) of 19 October 1956 (*Bundesgesetzblatt* 1956 Teil I, page 815) ;
- (e) "Restricted Areas Law" shall mean the Law concerning Restrictions on Real Property for Purposes of Military Defence (*Gesetz über die Beschränkung von Grundeigentum für die militärische Verteidigung — Schutzbereichgesetz*) of 7 December 1956 (*Bundesgesetzblatt* 1956 Teil I, page 899) ;
- (f) "Land Procurement Law" shall mean the Law concerning the Procurement of Land for Purposes of Defence (*Gesetz über die Landesbeschaffung für Aufgaben der Verteidigung — Landesbeschaffungsgesetz*) of 23 February 1957 (*Bundesgesetzblatt* 1957 Teil I, page 134) ;
- (g) "Air Traffic Law" shall mean the Air Traffic Law (*Luftverkehrsgesetz*) in the version of the Notification (*Bekanntmachung*) of 10 January 1959 (*Bundesgesetzblatt* 1959 Teil I, page 9).

2. (a) A close relative of a member of a force or of a civilian component not falling within the definition contained in subparagraph (c) of paragraph 1 of Article I of the NATO Status of Forces Agreement who is financially or for reasons of health dependent on, and is supported by, such member, who shares the quarters occupied by such member and who is present in the Federal territory with the consent of the authorities of the force shall be considered to be, and treated as, a dependent within the meaning of that provision.

(b) Should a member of a force or of a civilian component die or leave the Federal territory on transfer, the dependents of such member, including close relatives referred to in sub-paragraph (a) of this paragraph, shall be considered to be, and treated as, dependents within the meaning of sub-paragraph (c) of paragraph 1 of Article I of the NATO Status of Forces Agreement for a period of ninety days after such death or transfer if such dependents are present in the Federal territory.

### Article 3

1. In accordance with the obligations imposed by the North Atlantic Treaty<sup>1</sup> upon the contracting parties thereto to render mutual assistance, the German au-

<sup>1</sup> United Nations, *Treaty Series*, Vol. 34, p. 243 ; Vol. 126, p. 350, and Vol. 243, p. 308.

thorities and the authorities of the forces shall cooperate closely to ensure the implementation of the NATO Status of Forces Agreement and of the present Agreement.

2. The co-operation provided for in paragraph 1 of this Article shall extend in particular

- (a) to the furtherance and safeguarding of the security, as well as to the protection of the property of the Federal Republic, of the sending States and of the forces, and especially to the collection, exchange and protection of all information which is of significance for these purposes ;
- (b) to the furtherance and safeguarding of the security, as well as to the protection of the property, of Germans, of members of the forces and members of the civilian components and dependents, as well as of nationals of the sending States who do not belong to these categories of persons.

3. The German authorities and the authorities of a force shall, by taking appropriate measures, ensure close and reciprocal liaison within the scope of the co-operation provided for in paragraphs 1 and 2 of this Article.

4. The German authorities and the authorities of a sending State shall take all the administrative measures necessary for the implementation of the NATO Status of Forces Agreement and of the present Agreement, and, where necessary, shall conclude administrative or other agreements to that end.

5. (a) In the implementation of provisions in the field of support contained in the NATO Status of Forces Agreement and in the present Agreement, the German authorities shall accord to a force and to a civilian component such treatment as is necessary for the satisfactory fulfilment of their defence responsibilities.

(b) In asserting the rights accorded to them under the provisions referred to in sub-paragraph (a) of this paragraph, the authorities of a force and of a civilian component shall, with a view to reasonable reconciliation of their requirements and those of the Federal Republic, take into due account German public and private interests.

6. The German authorities and the authorities of a force shall agree on frontier crossing points at which liaison officials of the sending State are to be stationed. These officials shall assist the German authorities in their control functions in order to ensure the speedy and unobstructed passage of the force, the civilian component, their members and dependents, and their accompanying baggage, and of consignments of goods and materials shipped by the force or on its behalf or for its account for the use of the force or of the civilian component, their members and dependents.

7. If, in the implementation of the NATO Status of Forces Agreement and of the present Agreement, no agreement is reached either on the local or on the regional level