

No. 2839

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

**Administrative Agreement (with annex) concerning the
Arbitral Tribunal and the Mixed Commission under
the Agreement on German External Debts. Signed at
Bonn, on 1 December 1954**

Official texts: English, French and German.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
26 May 1955.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
ÉTATS-UNIS D'AMÉRIQUE, FRANCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord administratif (avec annexe) relatif au Tribunal
d'arbitrage et à la Commission mixte prévus par
l'Accord sur les dettes extérieures allemandes. Signé à
Bonn, le 1^{er} décembre 1954**

Textes officiels anglais, français et allemand.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
26 mai 1955.*

No. 2839. ADMINISTRATIVE AGREEMENT¹ BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNITED STATES OF AMERICA, FRANCE AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE ARBITRAL TRIBUNAL AND THE MIXED COMMISSION UNDER THE AGREEMENT ON GERMAN EXTERNAL DEBTS.² SIGNED AT BONN, ON 1 DECEMBER 1954

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany, in implementation of Annexes IX and X to the Agreement on German External Debts of February 27, 1953,² have agreed as follows :—

Article 1

SEAT

The seat of the Arbitral Tribunal and of the Mixed Commission (hereinafter referred to as “the Tribunal” and “the Commission” respectively) shall be at Bremen in the Federal Republic of Germany.

Article 2

THE MEMBERS

1. The President and the Vice-President of the Tribunal and of the Commission shall assume judicial office on the entry into force of the present Agreement. The other Members of the Tribunal and of the Commission shall assume office on a date which will be determined by their respective Governments, but not later than the date of the first meeting of the Tribunal and of the Commission, as provided in Article 12 herein.

2. Members of the Tribunal and of the Commission appointed after the entry into force of the present Agreement shall assume judicial office as soon as their appointments have been duly notified to the Government of the United Kingdom.

3. The President of the Tribunal shall supervise the compliance by the Members of the Tribunal and of the Commission with the provisions of Article 3, paragraph 2, of the Charter of the Tribunal and of Article 3, paragraph 2,

¹ Came into force on 1 December 1954, as from the date of signature, in accordance with article 14.

² United Kingdom : “ Germany No. 1 (1953),” Cmd. 8781.

of the Charter of the Commission. The decision whether a Member has complied with the aforesaid provisions will be made by the Tribunal in plenary session on the motion of the President.

Article 3

THE REGISTRAR

1. The President of the Tribunal, in consultation with the Administrative Board, shall appoint a Registrar who shall be the Registrar both of the Tribunal and of the Commission. The first appointment shall be for a period of five years. The terms and conditions of service of the Registrar shall be regulated in a contract concluded with him by the President of the Tribunal. This contract shall require the approval of the Administrative Board. The term of office of the Registrar may be extended in a like manner but in any event shall terminate when the Tribunal and the Commission cease to function.

2. The term of office of the Registrar may be terminated before the expiry of his contract :—

- (a) summarily or after the expiry of a period of notice, on notification by the President, as a result of a decision of the Tribunal to which at least five members have subscribed;
- (b) after the expiry of a period of at least three months' notice given by the Registrar to the President.

3. The Registrar is a court officer (*Rechtspflegeorgan*) whose official duties and powers shall be defined in Rules of Procedure to be issued by the Tribunal and the Commission.

4. The Registrar must have recognised legal qualifications and a knowledge of German legal procedure and of the German, English and French languages.

5. The Registrar shall reside at the seat of the Tribunal.

Article 4

STAFF OF THE REGISTRAR

1. The Registrar shall have an adequate staff at his disposal to enable him to fulfil his duties. In respect of such duties, the staff shall be responsible to the Registrar who, in turn, shall be responsible to the Tribunal and the Commission.

2. The service regulations for the staff of the Registrar shall be formulated by the Registrar and the Administrative Officer, in consultation with the President, and require the approval of the Administrative Board. Conditions of

appointment and the remuneration shall be in accordance with the provisions applicable in corresponding cases in the public service of the Federal Republic.

Article 5

THE ADMINISTRATIVE OFFICER

1. The administration of the Tribunal and of the Commission shall, in so far as it is not within the province of the Registrar, be in the hands of an Administrative Officer who shall be in the service of the Federal Republic. The appointment of the Administrative Officer shall be made by the Federal Republic in consultation with the Administrative Board.

2. The Administrative Officer shall deal exclusively with administration (*Verwaltungsorgan*) and in particular shall :—

- (a) prepare the budget;
- (b) administer the revenue and expenditure and render account therefor;
- (c) deal, in consultation with the Registrar, with matters connected with accommodation;
- (d) in consultation with the Registrar engage and dismiss employees in the name of the Federal Republic, in accordance with the provisions applicable to the public service of the Federal Republic, provided, however, that the staff of the Registrar may not be dismissed without the concurrence of the President of the Tribunal;
- (e) perform the functions of the Federal Republic as the employer of the employees, in so far as such functions are not to be performed by other agencies pursuant to the provisions of the present Agreement.

3. The person holding the post of Administrative Officer shall be removed from office if the President of the Tribunal and three representatives on the Administrative Board so require.

Article 6

ADMINISTRATIVE BOARD

1. An Administrative Board shall be constituted, consisting of three representatives appointed by the Federal Republic of Germany and one representative appointed by each of the other parties to the present Agreement. The representatives on the Administrative Board may not be Members of the Tribunal or of the Commission or have any other employment with the Tribunal or the Commission. The names of the representatives shall be notified to the President of the Tribunal.