

No. 8310. CONVENTION RELATING TO THE UNIFICATION OF CERTAIN RULES CONCERNING COLLISIONS IN INLAND NAVIGATION. DONE AT GENEVA ON 15 MARCH 1960¹

DECLARATION relating to the declaration made upon accession by the German Democratic Republic²

Received on:

13 June 1977

FRANCE

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED STATES OF AMERICA

“The claim of the German Democratic Republic that it is competent for the waterways in the Western Sectors of Berlin is incorrect. Soon after the war it was decided, with the approval of the respective Sector Commandants, that German technical agencies situated in the Eastern Sector of Berlin would exercise limited operational functions in respect of some of the waterways in the Western Sectors of Berlin. This decision in no way conferred on those agencies any form of sovereignty or jurisdiction over any of the canals, waterways or locks located in the Western Sectors of Berlin, and it has no bearing on the validity of the extension to the Western Sectors of Berlin by the Federal Republic of Germany, in accordance with established procedures, of the Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation.

“When authorising the extension of this Convention to the Western Sectors of Berlin, the authorities of the Three Powers, acting in the exercise of their supreme authority, ensured, in accordance with established procedures, that the Convention is applied in the Western Sectors of Berlin in such a way as not to affect matters of security and status. Accordingly, the application of this Convention to the Western Sectors of Berlin continues in full force and effect.

“The German Democratic Republic is not a party to the wartime and post-war Four Power agreements or decisions on Germany and Berlin, nor to the Quadripartite Agreement which was concluded in Berlin on 3 September 1971³ by the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the Union of Soviet Socialist Republics. The German Democratic Republic is not, therefore, competent to comment authoritatively on those agreements.

“The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications of a similar nature by States which are not parties to the Quadripartite Agreement (or parties to other relevant agreements concluded between the Four Powers). This should not be taken to imply any change in the position of those Governments in this matter.”

Registered ex officio on 13 June 1977.

¹ United Nations, *Treaty Series*, vol. 572, p. 133, and annex A in volumes 684, 822, 823, 875, 883 and 1025.

² *Ibid.*, vol. 1025, p. 378.

³ *Ibid.*, vol. 880, p. 115.