

No. 17119. CONVENTION ON THE PROHIBITION OF MILITARY OR ANY OTHER HOSTILE USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES. ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 10 DECEMBER 1976¹

DECLARATION relating to the declaration made by the Union of Soviet Socialist Republics² concerning the declaration of application to Berlin (West) effected by the Federal Republic of Germany upon ratification³

Received on:

6 October 1986

FRANCE

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED STATES OF AMERICA

“The Governments of the three powers reaffirm the statement in the note from the Permanent Representative of France of 28 June 1984⁴ [circulated by depositary notification C.N.164.1984.TREATIES-3 of 20 July 1984] that the declaration made by the Federal Republic of Germany concerning the extension of the application of the Convention on the prohibition of military or any other hostile use of environmental modification techniques of 10 December 1976⁵ to the western sectors of Berlin is valid and that the convention applies to the western sectors of Berlin, subject to allied rights and responsibilities, including those in the area of disarmament and demilitarization.

The Governments of France, the United Kingdom and the United States further reaffirm the statement in the same note of 28 June 1984 that States which are not parties to the Quadripartite Agreement⁶ are not competent to comment authoritatively on its provisions.

The Quadripartite Agreement of 3 September 1971 is an international agreement concluded between the four contracting parties and not open to participation by any other State. In concluding this agreement, the four powers acted on the basis of their quadripartite rights and responsibilities, and the corresponding wartime and post-war agreements and decisions of the four powers, which are not affected. The Quadripartite Agreement is a part of conventional and not customary international law.

The Governments of France, the United Kingdom and the United States cannot accept the assertions by the Permanent Mission of the Union of Soviet Socialist Republics that greater Berlin no longer exists and that Berlin is the capital of the German Democratic Republic.

The position of the three governments on the continuing quadripartite status of greater Berlin is well known and was set out for example in a letter to the Secretary-General of the United Nations of 14 April 1975 (A/10078 and Corr.1).”

Registered ex officio on 6 October 1986.

¹ United Nations, *Treaty Series*, vol. 1108, p. 151, and annex A in volumes 1120, 1127, 1138, 1146, 1155, 1197, 1202, 1234, 1235, 1256, 1272, 1279, 1284, 1295, 1310, 1314, 1329, 1342, 1347, 1356, 1361, 1368, 1372, 1379, 1398, 1410, 1412, 1421 and 1429.

² *Ibid.*, vol. 1342, p. 442.

³ *Ibid.*, vol. 1314, p. 289.

⁴ *Ibid.*, vol. 1361, p. 352.

⁵ *Ibid.*, vol. 1108, p. 151.

⁶ *Ibid.*, vol. 880, p. 115.