

No. 6465. CONVENTION ON THE HIGH SEAS. DONE AT GENEVA ON 29 APRIL 1958¹

DECLARATION relating to the declaration made upon accession by the German Democratic Republic,² concerning application to Berlin (West)

Received on:

8 July 1975

FRANCE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
UNITED STATES OF AMERICA

“The Governments of France, the United Kingdom and the United States wish to point out that the German Democratic Republic is not a party to the Quadripartite Agreement of 3 September 1971,³ which was concluded in Berlin by the Governments of the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and is not therefore competent to comment authoritatively on its provisions.

“The above-referred-to communication contains an incomplete and therefore misleading reference to the Quadripartite Agreement. In this connection the Governments of France, the United Kingdom and the United States wish to draw attention to the fact that the provision of the Quadripartite Agreement referred to in the communication states that “the ties between the Western Sectors of Berlin and the Federal Republic of Germany will be maintained and developed, taking into account that these Sectors continue not to be a constituent part of the Federal Republic of Germany and not to be governed by it.

“The Governments of France, the United Kingdom and the United States do not consider it necessary to respond to any further communications containing incomplete and misleading references to provisions of the Quadripartite Agreement from States which are not signatories to that Agreement. This should not be taken to imply any change in the position of those Governments in this matter.”

Registered ex officio on 8 July 1975.

¹ United Nations, *Treaty Series*, vol. 450, p. 11; for subsequent actions, see references in Cumulative Indexes Nos. 6 to 10, as well as annex A in volumes 751, 752, 767, 771, 786, 807, 814, 883, 896, 897, 901, 905, 907, 917, 943, 952 and 968.

² *Ibid.*, vol. 905, p. 80. The declaration by the German Democratic Republic, received by the Secretary-General of the United Nations on 27 September 1973, reads as follows:

[TRANSLATION]

In respect of the application of the Convention on the High Seas to Berlin (West), the German Democratic Republic takes note of the Declaration on this matter made by the Federal Republic of Germany, with the reservation that the provisions of this Convention are to be applied to Berlin (West) in accordance with the Quadripartite Agreement of 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic according to which Berlin (West) is not a part of the Federal Republic of Germany and may not be governed by it.

³ *Ibid.*, vol. 880, p. 115.