

Notes of reply from the three Western Powers (11 August 1970)

Caption: On 11 August 1970, the US, British and French Ambassadors in Bonn confirm reception of the note relating to the signature of the Germano-Soviet Treaty, sent to them four days earlier by the German Federal Government.

Source: Bundesgesetzblatt 1972 II. Hrsg. Der Bundesminister der Justiz. 24.05.1972, Nr. 27. Bonn: Bundesanzeiger Verlagsges. m. b. H. "Antwortnoten der drei Westmächte", p. 357-359.

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Last updated: 03/07/2015

Notes of reply from the three Western Powers (11 August 1970)

AMBASSADE DE FRANCE
2601

BONN, le 11 août 1970

L'Ambassade de France présente ses compliments au Ministère Fédéral des Affaires Etrangères et a l'honneur, sur instructions de son Gouvernement, de lui faire la communication suivante:

Le Gouvernement français a l'honneur d'accuser réception de la note qui lui a été remise par le Gouvernement de la République fédérale d'Allemagne le 7 août 1970 et qui est rédigée comme suit:

Citation.

Le Gouvernement de la République fédérale d'Allemagne a l'honneur de communiquer ce qui suit au sujet de la signature prochaine d'un traité entre la République fédérale d'Allemagne et l'URSS.

Le Ministre fédéral des Affaires Etrangères a présenté à l'occasion des négociations le point de vue du Gouvernement fédéral au sujet des droits et responsabilités des quatre puissances en ce qui concerne l'Allemagne dans son ensemble et Berlin.

Comme un règlement de paix demeure en suspens, les deux parties ont considéré que le traité projeté n'affecte pas les droits et les responsabilités de la France, du Royaume-Uni, de l'URSS et des Etats-Unis.

Le Ministre fédéral des Affaires Etrangères a déclaré à ce propos le 6 août:

« La question des droits des quatre puissances est sans rapport avec le traité que la République fédérale d'Allemagne et l'URSS se proposent de conclure et elle n'est pas affectée par lui. »

Le Ministre des Affaires Etrangères de l'URSS a alors fait la déclaration suivante:

« La question des droits des quatre puissances n'a pas été un objet des négociations avec la République fédérale d'Allemagne.

Le Gouvernement soviétique est parti de l'idée que cette question ne devait pas être évoquée.

La question des droits des quatre puissances n'est pas non plus affectée par le traité que l'URSS et la République fédérale d'Allemagne se proposent de conclure.

Ceci est la position du Gouvernement soviétique au sujet de cette question. »

Fin de citation.

Le Gouvernement français prend acte de cette note, y compris les déclarations faites par le Ministre des Affaires Etrangères de la République fédérale d'Allemagne et par le Ministre des Affaires Etrangères de l'Union des Républiques Socialistes Soviétiques, en tant que partie de la négociation, avant le paraphe du traité qui va être conclu entre la République fédérale d'Allemagne et l'Union soviétique.

Pour sa part, le Gouvernement français considère lui aussi que les droits et responsabilités des quatre puissances pour Berlin et l'Allemagne dans son ensemble, qui découlent des résultats de la seconde guerre mondiale et qui s'expriment notamment dans l'Accord de Londres du 14 novembre 1944, dans la Déclaration quadripartite du 5 juin 1945 et dans d'autres accords du temps de guerre et d'après guerre, ne sont pas et ne sauraient être affectés par un traité bilatéral entre la République fédérale d'Allemagne et l'Union des Républiques socialistes soviétiques, y compris par le présent traité.

L'Ambassade de France saisit cette occasion pour renouveler au Ministère fédéral des Affaires Etrangères les assurances de sa très haute considération.

Ministère Fédéral des Affaires étrangères
-BONN-

Her Britannic Majesty's Embassy present their compliments to the Federal Ministry for Foreign Affairs and, on the instructions of Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, have the honour to inform the Ministry that Her Majesty's Government in the United Kingdom have received the Note transmitted by the Government of the Federal Republic of Germany on the 7th of August 1970, containing the following text:

"The Government of the Federal Republic of Germany have the honour, in connexion with the imminent signing of a treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics, to inform them of the following:

The Federal Minister for Foreign Affairs has, in the context of the negotiations, set forth the position of the Federal Government as regards the rights and responsibilities of the Four Powers with regard to Germany as a whole and Berlin.

As a settlement by a peace treaty is still outstanding, both sides started from the principle that the proposed treaty does not affect the rights and responsibilities of the French Republic, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America.

The Federal Minister for Foreign Affairs has, in this connexion, declared to the Soviet Foreign Minister on the 6th of August 1970 that:

'The question of the rights of the Four Powers is in no way connected with the treaty which the Federal Republic of Germany and the Union of Soviet Socialist Republics intend to conclude, and will not be affected by it.'

The Foreign Minister for the Union of Soviet Socialist Republics thereupon made the following declaration:

'The question of the rights of the Four Powers was not the subject of negotiations with the Federal Republic of Germany.

The Soviet Government proceeded from the principle that this question should not be discussed.

The question of the rights of the Four Powers is also not affected by the treaty which the Union of Soviet Socialist Republics and the Federal Republic of Germany intend to conclude.

This is the position of the Soviet Government regarding this question.' "

Her Majesty's Government take full cognizance of this Note, including the declarations made by the Foreign Minister of the Federal Republic of Germany and the Foreign Minister of the Union of Soviet Socialist Republics as part of the negotiations prior to the initialling of the treaty which is to be concluded between the Federal Republic of Germany and the Soviet Union.

For their part, Her Majesty's Government also consider that the rights and responsibilities of the Four Powers for Berlin and Germany as a whole, which derive from the outcome of the Second World War and which are reflected in the London Agreement of the 14th of November 1944, the Quadripartite Declaration

of the 5th of June 1945, and in other wartime and post-war agreements, are not and cannot be affected by a bilateral treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics, including the present treaty.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Ministry the assurance of their highest consideration.

11 August, 1970

British Embassy,
BONN.

The Government of the United States of America has the honor of informing the Government of the Federal Republic of Germany that it has received the note transmitted by the Government of the Federal Republic of Germany on August 7, 1970, containing the following text:

„The Government of the Federal Republic of Germany has the honor, in connection with the imminent signing of a treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics, to inform it of the following:

The Federal Minister for Foreign Affairs has, in the context of the negotiations, set forth the position of the Federal Government as regards the rights and responsibilities of the Four Powers with regard to Germany as a whole and Berlin.

Since a settlement by a peace treaty is still outstanding, both sides started from the principle that the proposed treaty does not affect the rights and responsibilities of the French Republic, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America.

The Federal Minister for Foreign Affairs has, in this connection, declared to the Soviet Foreign Minister on the 6th of August 1970 that:

'The question of the rights of the Four Powers is in no way connected with the treaty which the Federal Republic of Germany and the Union of Soviet Socialist Republics intend to conclude, and will not be affected by it.'

The Foreign Minister for the Union of Soviet Socialist Republics thereupon made the following declaration:

'The question of the rights of the Four Powers was not the subject of negotiations with the Federal Republic of Germany.

'The Soviet Government proceeded from the principle that this question should not be discussed.

'The question of the rights of the Four Powers is also not affected by the treaty which the Union of Soviet Socialist Republics and the Federal Republic of Germany intend to conclude.

'This is the position of the Soviet Government regarding this question.'"

The Government of the United States takes full cognizance of this Note, including the declarations made by the Foreign Minister of the Federal Republic of Germany and the Foreign Minister of the Union of Soviet Socialist Republics as part of the negotiations prior to the initialing of the treaty which is to be concluded between the Federal Republic of Germany and the Soviet Union.

For its part, the Government of the United States also considers that the rights and responsibilities of the Four Powers for Berlin and Germany as a whole which derive from the outcome of the Second World War and which are reflected in the London Agreement of November 14, 1944, and in the Quadripartite Declaration of June 5, 1945, and in other wartime and post-war agreements, are not and cannot be affected by a bilateral treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics, including the present treaty.

August 11, 1970

Embassy of the United States of America
Bonn-Bad Godesberg