

Quadripartite Agreement on Berlin (Berlin, 3 September 1971)

Caption: Signed in Berlin on 3 September 1971 by representatives from France, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the USSR, the Quadripartite Agreement on Berlin marks a relaxation of tension in East-West relations, in particular since it guarantees civil communications between West Berlin and the Federal Republic of Germany (FRG).

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Quadripartite Agreement on Berlin, Signed at Berlin, September 3, 1971

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The Governments of the United States of America, the French Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland,

Represented by their Ambassadors, who held a series of meetings in the building formerly occupied by the Allied Control Council in the American Sector of Berlin,

Acting on the basis of their quadripartite rights and responsibilities, and of the corresponding wartime and postwar agreements and decisions of the Four Powers, which are not affected,

Taking into account the existing situation in the relevant area,

Guided by the desire to contribute to practical improvements of the situation,

Without prejudice to their legal positions,

Have agreed on the following:

Part I General Provisions

1. The four Governments will strive to promote the elimination of tension and the prevention of complications in the relevant area.
2. The four Governments, taking into account their obligations under the Charter of the United Nations, agree that there shall be no use or threat of force in the area and that disputes shall be settled solely by peaceful means.
3. The four Governments will mutually respect their individual and joint rights and responsibilities, which remain unchanged.
4. The four Governments agree that, irrespective of the differences in legal views, the situation which has developed in the area, and as it is defined in this Agreement as well as in the other agreements referred to in this Agreement, shall not be changed unilaterally.

Part II Provisions Relating to the Western Sectors of Berlin

A. The Government of the Union of Soviet Socialist Republics declares that transit traffic by road, rail and waterways through the territory of the German Democratic Republic of civilian persons and goods between the Western Sectors of Berlin and the Federal Republic of Germany will be unimpeded; that such traffic will be facilitated so as to take place in the most simple and expeditious manner; and that it will receive preferential treatment.

Detailed arrangements concerning this civilian traffic, as set forth in Annex I, will be agreed by the competent German authorities.

B. The Governments of the French Republic, the United Kingdom and the United States of America declare 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.

Detailed arrangements concerning the relationship between the Western Sectors of Berlin and the Federal Republic of Germany are set forth in Annex II.

C. The Government of the Union of Soviet Socialist Republics declares that communications between the Western Sectors of Berlin and areas bordering on these Sectors and those areas of the German Democratic Republic which do not border on these Sectors will be improved. Permanent residents of the Western Sectors of Berlin will be able to travel to and visit such areas for compassionate, family, religious, cultural or commercial reasons, or as tourists, under conditions comparable to those applying to other persons entering these areas.

The problems of the small enclaves, including Steinstuecken, and of other small areas may be solved by exchange of territory.

Detailed arrangements concerning travel, communications and the exchange of territory, as set forth in Annex III, will be agreed by the competent German authorities.

D. Representation abroad of the interests of the Western Sectors of Berlin and consular activities of the Union of Soviet Socialist Republics in the Western Sectors of Berlin can be exercised as set forth in Annex IV.

Part III

Final Provisions

This Quadripartite Agreement will enter into force on the date specified in a Final Quadripartite Protocol to be concluded when the measures envisaged in Part II of this Quadripartite Agreement and in its Annexes have been agreed.

DONE at the building formerly occupied by the Allied Control Council in the American Sector of Berlin this 3rd day of September 1971, in four originals, each in the English, French and Russian languages, all texts being equally authentic.

For the Government of the United States of America:
KENNETH RUSH.

For the Government of the French Republic:
JEAN SAUVAGNARGUES.

For the Government of the Union of Soviet Socialist Republics
PYOTR A. ABRASIMOV.

For the Government of the United Kingdom of Great Britain and Northern Ireland:
ROGER JACKLING.

Annex I**Communication From the Government of the Union of Soviet Socialist Republics to the Governments of the French Republic, the United Kingdom and the United States of America**

The Government of the Union of Soviet Socialist Republics, with reference to Part II(A) of the Quadripartite Agreement of this date and after consultation and agreement with the Government of the German Democratic Republic, has the honor to inform the Governments of the French Republic, the United Kingdom and the United States of America that:

1. Transit traffic by road, rail and waterways through the territory of the German Democratic Republic of civilian persons and goods between the Western Sectors of Berlin and the Federal Republic of Germany will be facilitated and unimpeded. It will receive the most simple, expeditious and preferential treatment provided by international practice.

2. Accordingly,

(a) Conveyances sealed before departure may be used for the transport of civilian goods by road, rail and waterways between the Western Sectors of Berlin and the Federal Republic of Germany. Inspection procedures will be limited to the inspection of seals and accompanying documents.

(b) With regard to conveyances which cannot be sealed, such as open trucks, inspection procedures will be limited to the inspection of accompanying documents. In special cases where there is sufficient reason to suspect that unsealed conveyances contain either material intended for dissemination along the designated routes or persons or material put on board along these routes, the content of unsealed conveyances may be inspected. Procedures for dealing with such cases will be agreed by the competent German authorities.

(c) Through trains and buses may be used for travel between the Western Sectors of Berlin and the Federal Republic of Germany. Inspection procedures will not include any formalities other than identification of persons.

(d) Persons identified as through travellers using individual vehicles between the Western Sectors of Berlin and the Federal Republic of Germany on routes designated for through traffic will be able to proceed to their destinations without paying individual tolls and fees for the use of the transit routes. Procedures applied for such travellers shall not involve delay. The travellers, their vehicles and personal baggage will not be subject to search, detention or exclusion from use of the designated routes, except in special cases, as may be agreed by the competent German authorities, where there is sufficient reason to suspect that misuse of the transit routes is intended for purposes not related to direct travel to and from the Western Sectors of Berlin and contrary to generally applicable regulations concerning public order.

(e) Appropriate compensation for fees and tolls and for other costs related to traffic on the communication routes between the Western Sectors of Berlin and the Federal Republic of Germany, including the maintenance of adequate routes, facilities and installations used for such traffic, may be made in the form of an annual lump sum paid to the German Democratic Republic by the Federal Republic of Germany.

3. Arrangements implementing and supplementing the provisions of paragraphs 1 and 2 above will be

agreed by the competent German authorities.

Annex II

Communication From the Governments of the French Republic, the United Kingdom and the United States of America to the Government of the Union of Soviet Socialist Republics

The Governments of the French Republic, the United Kingdom and the United States of America, with reference to Part II(B) of the Quadripartite Agreement of this date and after consultation with the Government of the Federal Republic of Germany, have the honor to inform the Government of the Union of Soviet Socialist Republics that:

1. They declare, in the exercise of their rights and responsibilities, 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 provisions of the Basic Law of the Federal Republic of Germany and of the Constitution operative in the Western Sectors of Berlin which contradict the above have been suspended and continue not to be in effect.
2. The Federal President, the Federal Government, the Bundesversammlung, the Bundesrat and the Bundestag, including their Committees and Fraktionen, as well as other state bodies of the Federal Republic of Germany will not perform in the Western Sectors of Berlin constitutional or official acts which contradict the provisions of paragraph 1.
3. The Government of the Federal Republic of Germany will be represented in the Western Sectors of Berlin to the authorities of the three Governments and to the Senat by a permanent liaison agency.

Annex III

Communication From the Government of the Union of Soviet Socialist Republics to the Governments of the French Republic, the United Kingdom and the United States of America

The Government of the Union of Soviet Socialist Republics, with reference to Part II(C) of the Quadripartite Agreement of this date and after consultation and agreement with the Government of the German Democratic Republic, has the honor to inform the Governments of the French Republic, the United Kingdom and the United States of America that:

1. Communications between the Western Sectors of Berlin and areas bordering on these Sectors and those areas of the German Democratic Republic which do not border on these Sectors will be improved.
2. Permanent residents of the Western Sectors of Berlin will be able to travel to and visit such areas for compassionate, family, religious, cultural or commercial reasons, or as tourists, under conditions comparable to those applying to other persons entering these areas. In order to facilitate visits and travel, as described above, by permanent residents of the Western Sectors of Berlin, additional crossing points will be opened.
3. The problems of the small enclaves, including Steinstuecken, and of other small areas may be solved by exchange of territory.
4. Telephonic, telegraphic, transport and other external communications of the Western Sectors of Berlin

will be expanded.

5. Arrangements implementing and supplementing the provisions of paragraphs 1 to 4 above will be agreed by the competent German authorities.

Annex IV

A. Communication From the Governments of the French Republic, the United Kingdom and the United States of America to the Government of the Union of Soviet Socialist Republics

The Governments of the French Republic, the United Kingdom and the United States of America, with reference to Part II(D) of the Quadripartite Agreement of this date and after consultation with the Government of the Federal Republic of Germany, have the honor to inform the Government of the Union of Soviet Socialist Republics that:

1. The Governments of the French Republic, the United Kingdom and the United States of America maintain their rights and responsibilities relating to the representation abroad of the interests of the Western Sectors of Berlin and their permanent residents, including those rights and responsibilities concerning matters of security and status, both in international organizations and in relations with other countries.

2. Without prejudice to the above and provided that matters of security and status are not affected, they have agreed that:

(a) The Federal Republic of Germany may perform consular services for permanent residents of the Western Sectors of Berlin.

(b) In accordance with established procedures, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin provided that the extension of such agreements and arrangements is specified in each case.

(c) The Federal Republic of Germany may represent the interests of the Western Sectors of Berlin in international organizations and international conferences.

(d) Permanent residents of the Western Sectors of Berlin may participate jointly with participants from the Federal Republic of Germany in international exchanges and exhibitions. Meetings of international organizations and international conferences as well as exhibitions with international participation may be held in the Western Sectors of Berlin. Invitations will be issued by the Senat or jointly by the Federal Republic of Germany and the Senat.

3. The three Governments authorize the establishment of a Consulate General of the USSR in the Western Sectors of Berlin accredited to the appropriate authorities of the three Governments in accordance with the usual procedures applied in those Sectors, for the purpose of performing consular services, subject to provisions set forth in a separate document of this date.

B. Communication From the Government of the Union of Soviet Socialist Republics to the Governments of the French Republic, the United Kingdom and the United States of America

The Government of the Union of Soviet Socialist Republics, with reference to Part II(D) of the Quadripartite Agreement of this date and to the communication of the Governments of the French Republic, the United Kingdom and the United States of America with regard to the representation abroad of the interests of the Western Sectors of Berlin and their permanent residents, has the honor to inform the Governments of the French Republic, the United Kingdom and the United States of America that:

1. The Government of the Union of Soviet Socialist Republics takes note of the fact that the three Governments maintain their rights and responsibilities relating to the representation abroad of the interests of the Western Sectors of Berlin and their permanent residents, including those rights and responsibilities concerning matters of security and status, both in international organizations and in relations with other countries.
2. Provided that matters of security and status are not affected, for its part it will raise no objection to:
 - (a) the performance by the Federal Republic of Germany of consular services for permanent residents of the Western Sectors of Berlin;
 - (b) in accordance with established procedures, the extension to the Western Sectors of Berlin of international agreements and arrangements entered into by the Federal Republic of Germany provided that the extension of such agreements and arrangements is specified in each case;
 - (c) the representation of the interests of the Western Sectors of Berlin by the Federal Republic of Germany in international organizations and international conferences;
 - (d) the participation jointly with participants from the Federal Republic of Germany of permanent residents of the Western Sectors of Berlin in international exchanges and exhibitions, or the holding in those Sectors of meetings of international organizations and international conferences as well as exhibitions with international participation, taking into account that invitations will be issued by the Senat or jointly by the Federal Republic of Germany and the Senat.
3. The Government of the Union of Soviet Socialist Republics takes note of the fact that the three Governments have given their consent to the establishment of a Consulate General of the USSR in the Western Sectors of Berlin. It will be accredited to the appropriate authorities of the three Governments, for purposes and subject to provisions described in their communication and as set forth in a separate document of this date.

Agreed Minute I

It is understood that permanent residents of the Western Sectors of Berlin shall, in order to receive at appropriate Soviet offices visas for entry into the Union of Soviet Socialist Republics, present:

- (a) a passport stamped "Issued in accordance with the Quadripartite Agreement of September 3, 1971";
- (b) an identity card or other appropriately drawn up document confirming that the person requesting the visa is a permanent resident of the Western Sectors of Berlin and containing the bearer's full address and a

personal photograph.

During his stay in the Union of Soviet Socialist Republics, a permanent resident of the Western Sectors of Berlin who has received a visa in this way may carry both documents or either of them, as he chooses. The visa issued by a Soviet office will serve as the basis for entry into the Union of Soviet Socialist Republics, and the passport or identity card will serve as the basis for consular services in accordance with the Quadripartite Agreement during the stay of that person in the territory of the Union of Soviet Socialist Republics.

The above-mentioned stamp will appear in all passports used by permanent residents of the Western Sectors of Berlin for journeys to such countries as may require it.

Agreed Minute II

Provision is hereby made for the establishment of a Consulate General of the USSR in the Western Sectors of Berlin. It is understood that the details concerning this Consulate General will include the following. The Consulate General will be accredited to the appropriate authorities of the three Governments in accordance with the usual procedures applying in those Sectors. Applicable Allied and German legislation and regulations will apply to the Consulate General. The activities of the Consulate General will be of a consular character and will not include political functions or any matters related to quadripartite rights or responsibilities.

The three Governments are willing to authorize an increase in Soviet commercial activities in the Western Sectors of Berlin as described below. It is understood that pertinent Allied and German legislation and regulations will apply to these activities. This authorization will be extended indefinitely, subject to compliance with the provisions outlined herein. Adequate provision for consultation will be made. This increase will include establishment of an "Office of Soviet Foreign Trade Associations in the Western Sectors of Berlin", with commercial status, authorized to buy and sell on behalf of foreign trade associations of the Union of Soviet Socialist Republics. Soyuzpushnina, Prodintorg and Novoexport may each establish a bonded warehouse in the Western Sectors of Berlin to provide storage and display for their goods. The activities of the Intourist office in the British Sector of Berlin may be expanded to include the sale of tickets and vouchers for travel and tours in the Union of Soviet Socialist Republics and other countries. An office of Aeroflot may be established for the sale of passenger tickets and air freight services.

The assignment of personnel to the Consulate General and to permitted Soviet commercial organizations will be subject to agreement with the appropriate authorities of the three Governments. The number of such personnel will not exceed twenty Soviet nationals in the Consulate General; twenty in the office of the Soviet Foreign Trade Associations; one each in the bonded warehouses; six in the Intourist office; and five in the Aeroflot office. The personnel of the Consulate General and of permitted Soviet commercial organizations and their dependents may reside in the Western Sectors of Berlin upon individual authorization.

The property of the Union of Soviet Socialist Republics at Lietzenburgerstrasse 11 and at Am Sandwerder 1 may be used for purposes to be agreed between appropriate representatives of the three Governments and of the Government of the Union of Soviet Socialist Republics.

Details of implementation of the measures above and a time schedule for carrying them out will be agreed

between the four Ambassadors in the period between the signature of the Quadripartite Agreement and the signature of the Final Quadripartite Protocol envisaged in that Agreement.