

The Basic Treaty (21 December 1972)

Caption: On 21 December 1972, in East Berlin, Egon Bahr, Secretary of State for the Federal Republic of Germany (FRG), and Michael Kohl, Secretary of State for the German Democratic Republic (GDR), sign the Basic Treaty with a view to restoring diplomatic relations between the two neighbouring States on the basis of international law.

Source: United States-Department of State. Documents on Germany 1944-1985. Washington: Department of State, [s.d.]. 1421 p. (Department of State Publication 9446). p. 1215-1217.

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URL: http://www.cvce.eu/obj/the_basic_treaty_21_december_1972-en-3b9b9f0d-6910-4ca9-8b12-accfcb91d28e.html

Last updated: 02/07/2015

Treaty on the Basis of Relations Between the Federal Republic of Germany and the German Democratic Republic and Supplementary Documents, Signed at Berlin, December 21, 1972

The High Contracting Parties,

In consideration of their responsibility for the preservation of peace,

Anxious to contribute to détente and security in Europe,

Conscious that the inviolability of frontiers and respect for the territorial integrity and sovereignty of all States in Europe within their present frontiers are a fundamental condition for peace,

Recognizing that therefore the two German States are to refrain from the threat or use of force in their relations,

Proceeding from the historical facts and without prejudice to the differing views of the Federal Republic of Germany and the German Democratic Republic on questions of principle, including the national question,

Guided by the desire to create the conditions for co-operation between the Federal Republic of Germany and the German Democratic Republic for the benefit of the people in the two German States,

Have agreed as follows:

Article 1

The Federal Republic of Germany and the German Democratic Republic shall develop normal good-neighbourly relations with each other on the basis of equal rights.

Article 2

The Federal Republic of Germany and the German Democratic Republic will be guided by the purposes and principles embodied in the United Nations Charter, in particular the sovereign equality of all States, respect for independence, autonomy and territorial integrity, the right of self-determination, the preservation of human rights, and non-discrimination.

Article 3

In accordance with the United Nations Charter, the Federal Republic of Germany and the German Democratic Republic shall settle their disputes exclusively by peaceful means and refrain from the threat or use of force.

They reaffirm the inviolability now and in the future of the border existing between them and undertake fully to respect their territorial integrity.

Article 4

The Federal Republic of Germany and the German Democratic Republic proceed on the assumption that neither of the two States can represent the other internationally or act in its name.

Article 5

The Federal Republic of Germany and the German Democratic Republic will promote peaceful relations between the European States and contribute to security and co-operation in Europe.

They shall support the efforts to reduce armed forces and armaments in Europe without disadvantages being allowed to arise therefrom for the security of those concerned.

With the aim of general and complete disarmament under effective international control, the Federal Republic of Germany and the German Democratic Republic will support efforts serving international security to achieve armaments limitation and disarmament, especially with regard to nuclear weapons and other weapons of mass destruction.

Article 6

The Federal Republic of Germany and the German Democratic Republic proceed on the principle that the jurisdiction of each of the two States is confined to its own territory. They shall each respect the other's independence and autonomy in its internal and external affairs.

Article 7

The Federal Republic of Germany and the German Democratic Republic state their readiness to regulate practical and humanitarian questions in the process of the normalization of their relations. They will conclude agreements with a view to developing and promoting co-operation in the fields of economics, science and technology, traffic, judicial relations, posts and telecommunications, health, culture, sport, environmental protection, and in other fields, on the basis of the present Treaty and for their mutual benefit. The details have been agreed in the Supplementary Protocol.

Article 8

The Federal Republic of Germany and the German Democratic Republic will exchange permanent missions. They will be established at the respective seat of government.

Practical questions relating to the establishment of the missions will be dealt with separately.

Article 9

The Federal Republic of Germany and the German Democratic Republic are agreed that the present Treaty does not affect the bilateral and multilateral international treaties and agreements previously concluded by them or concerning them.

Article 10

The present Treaty is subject to ratification and shall enter into force on the day after the exchange of appropriate notes.

In witness whereof, the plenipotentiaries of the High Contracting Parties have signed this Treaty.

Done at Berlin, on 21 December 1972, in two originals in the German language.

For the Federal Republic of Germany
Egon Bahr

For the German Democratic Republic
Michael Kohl