

Draft Treaty Concerning the Establishment of Equal Relations Between the GDR and the FRG (17 December 1969)

Caption: On 17 December 1969, the German Democratic Republic (GDR) and the Federal Republic of Germany (FRG) finalise a draft treaty intended to smooth 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. 1056-1058.

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Draft Treaty Concerning the Establishment of Equal Relations Between the German Democratic Republic and the Federal Republic of Germany (17 December 1969)

The Chairman of the GDR State Council and the President of the Federal Republic of Germany, guided by the aspiration of making an effective contribution to easing tension and safeguarding peace in Europe, or gradually removing the tension between the two German states and bringing about an orderly existence side by side between them and a relationship of neighborliness as sovereign states with equal rights, and of promoting a system of European security, have decided to conclude a treaty on the opening of relations based on equality between the GDR and the Federal Republic of Germany and have appointed as their plenipotentiaries:

The Chairman of the GDR State Council; the Chairman of the Council of Ministers, Herr Willi Stoph; the Minister of Foreign Affairs, Herr Otto Winzer;

The President of the Federal Republic of Germany; the Federal Chancellor, Herr Willy Brandt; the Federal Minister of Foreign Affairs, Herr Walter Schell; who, after the exchange of their letters of authorization having been found in good and proper form, have agreed on the following provisions:

Article 1

The high contracting parties agree to open normal relations on equal rights, free from all discrimination, between the GDR and the Federal Republic of Germany on the basis of the universally recognized principles and norms of international law. Their mutual relations rest in particular on the principles of sovereign equality, territorial integrity, and inviolability of state frontiers, non-interference with domestic affairs, and mutual advantage.

Article 2

The high contracting parties recognize one another's present territorial state inside the existing frontiers and their inviolability. They recognize the frontiers in Europe which have come into being as a consequence of World War II, especially the frontier between the GDR and the Federal Republic of Germany, as well as the Oder-Neisse frontier between the GDR and the People's Republic of Poland.

Article 3

The high contracting parties undertake to renounce the threat and use of force in their mutual relations and to solve all contested issues between them in a peaceful way and by peaceful means. The two parties undertake to abstain from any measure which is contrary to the provisions of Article 1 and discriminate against the other contracting party, to rescind without delay any laws or other normative acts which run counter to this treaty, and to have court judgments in such cases revised. They will abstain from any discrimination against the other contracting party in the future.

Article 4

The GDR and the Federal Republic of Germany forego the acquisition of nuclear weapons and control of them in any form whatsoever. They undertake to espouse negotiations on disarmament. Neither chemical nor biological weapons must be made, stationed, or stored on the soil of the two German states.

Article 5

The GDR and the Federal Republic of Germany enter into diplomatic relations with one another. They will be represented by embassies in the capitals, Berlin and Bonn. The embassies will enjoy all the immunity and privileges in accordance with the Vienna convention on diplomatic relations of 18 April 1961.

Article 6

Relations in other fields will be regulated by separate treaties.

Article 7

The GDR and the Federal Republic of Germany undertake to respect the status of West Berlin as an independent political entity and to regulate their relations with West Berlin in light of this status.

Article 8

The GDR and the Federal Republic of Germany will without delay and in agreement with the principle of the universality of the United Nations apply for admission as UN members with full rights. They will advocate support by other states for admission of the two German states to the United Nations.

Article 9

The treaty is concluded for the duration of 10 years. It is subject to ratification and will come into force 1 month after the exchange of the ratification documents. The treaty will be presented for registration to the UN Secretariat according to Article 102 of the UN Charter.

For the GDR.

For the Federal Republic of Germany.