

Résumé of the Five Schedules Attached to the Protocol on the Termination of the Occupation Régime

Schedule I

This Schedule amends the former "Convention on Relations between the Three Powers and the Federal Republic of Germany". The introductory words have changed since 1952 from "the three Occupying Powers" to a list of the four Powers who have "entered into the following Convention setting forth the basis of their new relationship".

Article 1 of the Schedule states that the three Powers will terminate the Occupation régime in Western Germany, revoke the Occupation Statute, and abolish the offices of the *Land* Commissioners. The Federal Republic is accorded "the full authority of a sovereign State over its internal and external affairs".

Article 2 lays down that the Three Powers retain their rights "relating to Berlin and to Germany as a whole, including the reunification of Germany and a peace settlement".

In the original Convention, Article 2 had included in these reservations, the right to station troops in Germany. Under the new arrangements, allied troops will remain in Germany as at present "pending the entry into force of the arrangements for the German defence contribution" and, after that, remain with the consent of the Federal Government. Their position is covered in a separate convention, the text of which is given below. Thus, the new status of the Federal Republic is taken into consideration without jeopardizing the rights of the three Powers in Berlin.

Articles 4 and 5 deal with the responsibilities obtained by the three Powers relating to the stationing of armed forces in Germany and the protection of their security. The Convention states that, after the coming into force of the German defence contribution, "the forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic." The Convention is open to any State which is not a signatory but which had forces stationed in Germany on October 23, 1954—i.e. Belgium, the Netherlands, Canada, Luxembourg and Denmark. The Convention is to expire "with the conclusion of a German peace settlement or if at an earlier time the signatory States agree that the development of the international situation justifies new arrangements".

With regard to the protection of the security of allied forces in Germany, allied rights "shall lapse when the appropriate German authorities have obtained similar powers under German legislation enabling them to take effective action to protect the security of those forces, including the ability to deal with a serious disturbance of public security and order."

Article 10 of the Schedule sets out the terms under which the Convention may be reviewed; they are:

(a) "Upon request of any one of them, in the event of the reunification of Germany, or an international understanding being reached with the participation or consent on steps towards bringing about the reunification of Germany, or the creation of a European federation".

(b) "In any situation which all the signatory States recognize has resulted from a change of a fundamental character in the conditions prevailing at the time of the entry into force of the present convention".