

public as a result of judgments, decisions, orders and settlements (vollstreckbare Titel) in the court proceedings arising from disputes referred to in paragraph 1 of this Article.

(b) Where, solely as a result of a Federal authority at the highest level having confirmed its essential interest in the lodging of a plaint or an appeal, the force or the civilian component has raised on objection to that action being taken, and if the plaint or appeal gives rise to additional costs in the court proceedings, agreement shall be reached on a case to case basis as to whether and to what extent the obligations arising from such court proceedings are chargeable to the sending State or to the Federal Republic.

(c) Costs arising in connection with court proceedings which are not included in the costs awarded by the court shall be paid by the sending State if the force or the civilian component has given its agreement before the costs were incurred.

6. (a) Disputes arising from direct procurement by the authorities of a force or of a civilian component of goods and services in the Federal territory shall be settled by German courts or by an independent arbitration tribunal. Where the German courts are to decide the dispute, the plaint shall be lodged against the Federal Republic, which shall conduct the case in its own name in the interest of the sending State. Paragraphs 2, 4 and 5 of this Article shall apply *mutatis mutandis* as regards relations between the Federal Republic and the sending State.

(b) Agreements between the Federal Republic and a sending State shall, however, take precedence over the provisions of sub-paragraph (a) of this paragraph.

ARTICLE 45

1. Insofar as a force is not able to carry out its training programme on the accommodation made available for its permanent use without impairing the purposes of such training, the force shall have the right to conduct manœuvres and other training exercises outside such accommodation in such measure as is necessary to the accomplishment of its defence mission and in accordance with orders or recommendations which the Supreme Allied Commander in Europe or any other competent authority of the North Atlantic Treaty Organization may issue. The exercise of this right shall be governed by the relevant provisions of German law on the conduct of manœuvres and other training exercises, except where otherwise provided in paragraphs 2 to 7 of this Article.

2. (a) A force shall take all necessary measures to ensure that damage during the conduct of manœuvres and other training exercises will be prevented as far as possible and that the economic use of plots of land (Grundstückel) is not substantially impaired.

(b) The force shall not re-use a plot of land on which considerable damage has been caused by manœuvres or other training exercises, for a period of three months, except with the consent of the German authorities.

(c) If the economic use of a plot of land has been substantially impaired by manœuvres or other training exercises conducted by a force, the force shall refrain from conducting manœuvres or