

communicate to each other information on all matters of importance for the common defence and shall exchange all data necessary for this purpose.

2. The authorities of a force may, after timely notification to the German authorities, make topographic, geodetic, hydrographic or engineering surveys or reconnaissances in the interest of the common defence if special reasons of security or secrecy necessitate this or if the German authorities are unable to carry out such projects to the extent or within the time required. Representatives of the German authorities may be present, unless prohibited by special reasons of secrecy, while any such survey is being made. The German authorities shall, when necessary, use their powers under German law in order to obtain authority for representatives of the force to enter property.

ARTICLE 44

1. In the settlement of disputes arising from contracts concluded by the German authorities for the account of the authorities of a force or of a civilian component there shall at all times by close co-operation between those authorities, whether or not court proceedings are involved. This shall apply *mutatis mutandis* to disputes arising out of work, personnel representation, or social insurance of civilian labour with a force or a civilian component, as well as to disputes which arise from procedures referred to in sub-paragraph (c) of paragraph 1 of Article 62 of the present Agreement. Details of such co-operation shall be laid down in administrative agreements.

2. So far as they relate to court proceedings instituted against the Federal Republic, the agreements referred to in paragraph 1 of this Article shall be based on the following principles:

(a) The authorities of the force or of the civilian component shall be notified without delay of the lodging of a plaint and shall be consulted at all material stages of the proceedings.

(b) The decision as to whether or not an appeal should be lodged shall be taken only in agreement with the authorities of the force or of the civilian component. Failing agreement, the German authorities shall lodge an appeal if an authority of the force or, where applicable, an authority of the civilian component, at highest level, confirms its essential interest in that action being taken. The authorities of the force or of the civilian component shall not object to the lodging of an appeal if a Federal authority at the highest level confirms its essential interest in that action being taken. To the extent that the reasons underlying the confirmation of the interest referred to in the second and third sentences of this paragraph have not become known to the other party in the course of negotiations on the lodging of an appeal, such reasons shall be given on request.

3. Paragraph 2 of this Article shall apply *mutatis mutandis* to court proceedings instituted by the Federal Republic, it being understood that the principles set out in sub-paragraph (b) of paragraph 2 shall also be applied to the lodging of plaints.

4. Whether or not court proceedings are involved in the disputes referred to in paragraph 1 of this Article, the German authorities shall terminate such disputes only in agreement with the authorities of the force or of the civilian component.

5. (a) The sending State concerned shall meet all the obligations laid upon, and shall enjoy any benefits accruing to the Federal Re-