



International Atomic Energy Agency

## INFORMATION CIRCULAR

---

IAEA-INF/CIRC/385/Add.1

7 February 1991

GENERAL Distr.

Original: ENGLISH

### COMMUNICATION RECEIVED FROM THE FEDERAL REPUBLIC OF GERMANY

1. On 9 October 1990, the Secretariat of the International Atomic Energy Agency received a Note dated 4 October 1990 from the Permanent Mission of the Federal Republic of Germany regarding continued application of treaties of the Federal Republic of Germany and the status of the treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990.
2. The text of the Note is attached for the information of all Member States.

Text of a Note received from the Permanent Mission of the  
Federal Republic of Germany

**330**

The Permanent Mission of the Federal Republic of Germany to the Office of the United Nations and to the other International Organizations, Vienna, presents its compliments to the International Atomic Energy Agency and has the honour to inform that, with regard to the continued application of Treaties of the Federal Republic of Germany and the treatment of Treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German Unity (Unification Treaty) contains the following relevant provisions:

**1. Article 11**  
**Treaties of the Federal Republic of Germany**

The contracting parties proceed on the understanding that International Treaties and Agreements to which the Federal Republic of Germany is a contracting party, including Treaties establishing membership of International Organizations or Institutions, shall retain their validity and that the rights and obligations arising therefrom, with the exception of the Treaties named in Annex 1, shall also relate to the territory specified in Article 3 of this Treaty. Where adjustments become necessary in individual cases, the All-German Government shall consult with the respective contracting parties.

(The Treaties listed in Annex 1 concern matters of status and security.)

To the  
International Atomic Energy Agency  
- I A E A -  
**VIENNA**

**2. Article 12**  
**Treaties of the German Democratic Republic**

(1) The contracting parties are agreed that, in connection with the establishment of German Unity, International Treaties of the German Democratic Republic shall be discussed with the contracting parties concerned with a view to regulating or confirming their continued application, adjustment or expiry, taking into account protection of confidence, the interests of the States concerned, the treaty obligations of the Federal Republic of Germany as well as the principles of a free, democratic basic order governed by the rule of law, and respecting the competence of the European Communities.

(2) The United Germany shall determine its position with regard to the adoption of International Treaties of the German Democratic Republic following consultations with the respective contracting parties and with the European Communities where latter's competence is affected.

(3) Should the United Germany intend to accede to International Organizations or other Multilateral Treaties of which the German Democratic Republic but not the Federal Republic of Germany is a member, agreement shall be reached with the respective contracting parties and with the European Communities where the latter's competence is affected.

The Federal Republic of Germany will proceed in accordance with these provisions.

The Permanent Mission of the Federal Republic of Germany to the Office of the United Nations and to the other International Organizations, Vienna, avails itself of this opportunity to renew to the International Atomic Energy Agency the assurances of its highest consideration.

Vienna, 4 October 1990