



Treaty Series No. 5 (1999)

## Administrative Agreement

to Implement Article 60 of the Agreement of  
3 August 1959, as amended by the Agreements of  
21 October 1971, 18 May 1981 and 18 March 1993, to  
Supplement the Agreement between the Parties to the  
North Atlantic Treaty regarding the Status of their  
Forces with respect to Foreign Forces stationed in the  
Federal Republic of Germany

Bonn, 18 March 1993

[The United Kingdom instrument of ratification was deposited on 9 January 1995 and the Treaty entered into force for the United Kingdom on 29 March 1998]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
January 1999*

**ADMINISTRATIVE AGREEMENT  
TO IMPLEMENT ARTICLE 60 OF THE AGREEMENT OF  
3 AUGUST 1959<sup>1</sup>, AS AMENDED BY THE AGREEMENTS OF  
21 OCTOBER 1971<sup>2</sup>, 18 MAY 1981<sup>3</sup> AND 18 MARCH 1993<sup>4</sup>, TO  
SUPPLEMENT THE AGREEMENT BETWEEN THE PARTIES TO THE  
NORTH ATLANTIC TREATY REGARDING THE STATUS OF THEIR  
FORCES WITH RESPECT TO FOREIGN FORCES STATIONED IN  
THE FEDERAL REPUBLIC OF GERMANY**

For the purpose of implementing Article 60 of the Agreement of 3 August 1959, as amended by the Agreements of 21 October 1971, 18 May 1981 and 18 March 1993, to supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in the Federal Republic of Germany (hereinafter referred to as the "Supplementary Agreement"), and appreciating that the mission of the Forces requires in some fields of telecommunications treatment deviating from the generally prevailing conditions of the German Telecommunications Administration.

The Governments of the Kingdom of Belgium, Canada, the French Republic, the Federal Republic of Germany, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

Have agreed as follows:

**ARTICLE 1**

**Change of Regulations**

The force shall be informed at the earliest possible date if the German Telecommunications Administration intends to amend the regulations on the use of telecommunication facilities referred to in the second sentence of paragraph 1 of Article 60 of the Supplementary Agreement or to introduce new regulations on such use, and a force will be affected thereby. Such information shall in no case be supplied less than two months prior to the entry into force of the regulations in question, in order that any necessary consultations may take place. The force shall be allowed sufficient time to make any changes in telecommunication facilities or administrative procedure required thereby.

**ARTICLE 2**

**Requests for Service**

1. Requests for telecommunication services shall where appropriate be made to the competent agencies of the German Telecommunications Administration by the authorities of a force designated for that purpose.
2. (a) Requests shall be submitted in writing.  
(b) In the event of urgent necessity requests may, in exceptional cases, be made by telephone, telefax or by other electronic message systems. Such requests shall be followed by written confirmation within forty-eight hours.
3. Where appropriate, requests for the provision of telecommunication paths shall be made pursuant to NATO Long Lines procedures. Deviations from these procedures may be agreed between a force and the Federal Minister of Posts and Telecommunications.

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<sup>1</sup> Treaty Series No. 73 (1963), Cmnd 2191.

<sup>2</sup> Treaty Series No. 25 (1975), Cmnd 5927.

<sup>3</sup> Treaty Series No. 52 (1982), Cmnd 8718.

<sup>4</sup> Miscellaneous Series No. 6 (1994) Cm 2479.

## ARTICLE 3

### Provisions of Services

1. In the event of urgent necessity, the agencies of a force, specially designated for that purpose, may request priority provision of telecommunication paths and connections to the public networks. The German Telecommunications Administration shall as a rule fulfill such requests within a period of forty-eight hours.
2. In the event of urgent necessity, the agencies of a force, specially designated for that purpose, may request priority restoration of telecommunication services and terminal equipment. The conditions shall be in line with the relevant procedures agreed by NATO or in cases where no such procedures exist with the relevant General Terms and Conditions of the German Telecommunications Administration (Allgemeine Geschäftsbedingungen der deutschen Fernmeldeverwaltung (AGB)).

## ARTICLE 4

### Minimum of Period of Lease

Upon agreement with the German Telecommunications Administration standard telephone instruments (Standard-Telefone) may in the event of manoeuvres, training exercises, and other similar occasions, be leased for short periods.

## ARTICLE 5

### Accounting Procedures

1. The following deviations from normal German accounting procedures shall apply to the telecommunication services rendered to the force:
  - (a) Bills shall be payable within thirty days.
  - (b) Written notification of any arrears in payment shall be submitted on the forty-fifth calendar day subsequent to the issuance of bills. Interest shall not be charged on arrears in payment, nor shall services be suspended.
  - (c) Bills for particular items to which the force takes exception shall be returned immediately to the issuing office together with all pertinent documentation. If agreement concerning the disputed amounts cannot be reached immediately upon the return of the bill, a new and provisional bill excluding the disputed amounts shall be prepared. Efforts will be made to reach agreement concerning the disputed amounts within thirty days. Should the force agree to pay a disputed amount, such amount shall be included in the next regular bill, the force being notified thereof beforehand in writing.
  - (d)
    - (i) All amounts still disputed at the close of the fiscal year of a force shall at the request of the force concerned be included in the bills for the final calendar month of such fiscal year. The disputed amounts shall be marked as such. Efforts to reach agreement concerning them shall continue. Other charges included in these bills shall be payable within thirty days.
    - (ii) Disputed amounts omitted through error from the billing at the close of the fiscal year of the force shall be included in subsequent regular billing. The force shall be notified separately in writing thereof, such notification to contain all data necessary for payment in the manner of an invoice.
  - (e) Bills for the line charges calculated at the Forschungs- und Technologiezentrum (FTZ) shall be submitted collectively after the twentieth day of each calendar month. Such bills shall include all charges recorded by the Forschungs- und Technologiezentrum for the current calendar month up to the date of billing. Charges recorded after the date of billing shall be billed in the subsequent calendar month. Lines installed for manoeuvres and other training exercises shall be billed separately.

2. Other deviations from accounting procedures, concerning a single force, may be agreed upon between the authorities of the force and the Federal Minister of Posts and Telecommunications who will consult the German Telecommunications Administration.

## ARTICLE 6

### Provisions Concerning Tariffs

1. The rates for transmission paths shall be calculated on the basis of the current tariffs laid down in the General Terms and Conditions. In the first three years after the entry into force of the present Agreement, however, the rates charged for each of the transmission paths mentioned under (a) to (f) shall not exceed the following rates:

- (a) For every telephone transmission path with
  - (i) a bandwidth of 300 to 3400 Hz or
  - (ii) a transmission rate of 64 kbit/s

going beyond the bounds of the local network and interconnecting two telephone systems which are connected to the public telecommunication network, the rate applied shall be 1.20 DM monthly per 100 m.

- (b) For any other analogue transmission path with a bandwidth of 300 to 3400 Hz going beyond the bounds of the local network the rate applied shall amount to 2.00 DM monthly per 100 m.
- (c) The provisions under (a) and (b) shall also apply if the transmission paths mentioned therein are technically implemented through digital transmission paths operated at a rate of 1.984 or 2.048 Mbit/s. The basis shall be the rates for 30 transmission paths unless it is established that a smaller number of transmission paths is used. However, in these cases the rates for at least 15 transmission paths shall be charged.
- (d) For every digital transmission path operated at a transmission rate of 50 bit/s going beyond the bounds of the local network the rate applied shall be 0.45 DM monthly per 100 m.
- (e) For any other digital transmission path operated at a transmission rate of up to 200 bit/s going beyond the bounds of the local network the rate applied shall be 0.85 DM monthly per 100 m.
- (f) The rates for transmission paths not going beyond the bounds of the local network shall be those applicable on 31 March 1992.

2. The three year period laid down under paragraph 1 shall start on the first day of the month following the entry into force of the present Agreement. After the expiry of this three year period the rates levied for such transmission paths, which would be higher under the General Terms and Conditions than those calculated on the basis of the provisions under subparagraph (a) to (f) of paragraph 1, shall be calculated as follows during a subsequent transitional period:

Adjustment of the rates for each of the transmission paths concerned shall be effected over a period of another three years. In this case the monthly rates as mentioned under paragraph 1(a) to (f) shall be applied plus

- 25% in the first year,
- 50% in the second year and
- 75% in the third year

of the difference between the monthly tariff laid down in the current General Terms and Conditions and the monthly rate indicated under paragraph 1(a) to (f). After the expiry of this second transitional period the rates shall be calculated on the basis of the tariffs applicable under the General Terms and Conditions.

## ARTICLE 7

### Connection of Equipment

With reference to subparagraph (b) of paragraph 7 of Article 60 of the Supplementary Agreement, the force may interconnect equipment to the public communications networks of the Federal Republic if the equipment is technically compatible with such systems and meets with the applicable conditions (Paragraph 29 of the Telecommunications Ordinance (TKV) in the revised version of 5 October 1992 (Federal Law Gazette I p. 1717) or subsequent regulations and based on the provisions of the European Communities), concerning the provision of connection approvals.

## ARTICLE 8

### Applicability of Guideline FTZ 1 TR 59

1. The provisions of Guideline FTZ TR 59 or of any revision of it are regarded by the forces as applicable in so far as they are in accordance with the provisions of Article 60 of the Supplementary Agreement and of other relevant agreements.
2. Liability between the force and the German Telecommunications Administration, its officials and third parties for damage shall be regulated in accordance with the provisions of existing agreements.

## ARTICLE 9

### Provisions for Mutual Consultations

1. Taking into consideration paragraph 10 of Article 60 of the Supplementary Agreement, the Federal Minister of Posts and Telecommunications shall meet:
  - (a) under normal circumstances as required with all the forces
    - (i) to inform each other about issues of common interest, especially about new developments on the telecommunication market,
    - (ii) to discuss general problem areas,
    - (iii) to provide consultations and assistance in solving specific problems or fulfilling requirements of the forces,
    - (iv) to consult with each other on any proposed changes that would affect the common interest,
  - (b) under urgent circumstances immediately with one or more of the forces to advocate the interests of the force or the forces to ensure
    - (i) that they can meet their mission objectives of operational necessity,
    - (ii) the protection and safety of persons, installations, and equipment.
2. The Federal Minister of Posts and Telecommunications shall involve the German Telecommunications Administration and, if necessary, other relevant telecommunication service providers in these consultations.

## ARTICLE 10

### Entry into Force

1. The present Agreement shall enter into force on the date on which the Agreement of 18 March 1993 to amend the Agreement of 3 August 1959, as amended by the Agreements of 21 October 1971 and 18 May 1981 to supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in the Federal Republic of Germany enters into force.

2. Upon its entry into force, the present Agreement shall supersede the Administrative Agreement of 3 August 1959 to Article 60 of the Agreement to supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in the Federal Republic of Germany, and all its related agreements.

3. The present Agreement shall be reviewed at the request of one of the Parties.

4. The present Agreement shall be deposited in the archives of the Government of the United States of America which shall transmit a certified copy thereof to each party to the present Agreement.

IN WITNESS WHEREOF the undersigned representatives duly authorized thereto by their respective Governments have signed the present Agreement.

DONE at Bonn, this eighteenth day of March 1993, in a single original in the German, English and French languages, all texts being equally authentic.

### Signatures and Ratifications

<i>State</i>	<i>Date of Signature</i>	<i>Date of Deposit of Instrument of Ratification or Approval (AP)</i>
Belgium.....	18 Mar 1993 .....	27 Feb 1998
Canada .....	18 Mar 1993 .....	29 Mar 1995
France.....	18 Mar 1993 .....	
Germany.....	18 Mar 1993 .....	3 Jan 1995
Netherlands <sup>1</sup> .....	18 Mar 1993 .....	17 Apr 1995
United Kingdom.....	18 Mar 1993 .....	9 Jan 1995
United States of America.....	18 Mar 1993 .....	8 May 1996 (AP)

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<sup>1</sup> For the Kingdom in Europe.



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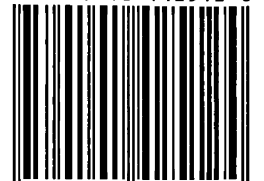
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