

No. 29525

GERMANY
and
UNION OF SOVIET SOCIALIST REPUBLICS

Treaty on the development of wide-ranging cooperation in the fields of economics, industry, science and technology (with exchange of letters). Signed at Bonn on 9 November 1990

Authentic texts: German and Russian.

Registered by Germany on 28 January 1993.

ALLEMAGNE
et
UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES

Traité relatif au développement d'une coopération globale dans le domaine de l'économie, de l'industrie, de la science et de la technologie (avec échange de lettres). Signé à Bonn le 9 novembre 1990

Textes authentiques : allemand et russe.

Enregistré par l'Allemagne le 28 janvier 1993.

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE DEVELOPMENT OF WIDE-RANGING COOPERATION IN THE FIELDS OF ECONOMICS, INDUSTRY, SCIENCE AND TECHNOLOGY

The Federal Republic of Germany and the Union of Soviet Socialist Republics,
Desiring, in accordance with the Treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics on good-neighbourliness, partnership and cooperation of 9 November 1990², to substantially develop and deepen bilateral economic, industrial and scientific-technical cooperation in the interest of their peoples,

Aware that wide-ranging economic, industrial and scientific-technical cooperation is an important and necessary element in developing bilateral relations on a stable and long-term basis and in establishing solid trust between the two States and their peoples,

Convinced that democratic and economic freedoms form the basis of lasting economic and social progress,

Recognizing that stable and mutually advantageous relations in the aforementioned areas provide a material basis on which to build relationships of genuine partnership and constructive cooperation between them,

Convinced that the economic reform process based on market forces, in addition to strengthening economic efficiency, is better able to take account of human needs and aspirations and will improve the conditions for close cooperation and contribute to a more open system of world trade,

Relying on the level of industrial collaboration already achieved between both countries,

Noting the importance of the full implementation of the Final Act of the Conference on Security and Co-operation in Europe of 1 August 1975² and of the final documents³ of the following meetings of representatives of States members of the CSCE, in particular the Bonn Conference on Economic Cooperation in Europe,

Affirming their desire to make a real contribution to the formation of a single economic area on the European continent,

Taking into account the participation of the Federal Republic of Germany and the Union of Soviet Socialist Republics in the work of international economic organ-

¹ Came into force on 26 July 1991, the date on which the Parties informed each other (on 5 and 26 July 1991) of the completion of the intra-State procedures required, in accordance with article 25.

² See p. 387 of this volume.

³ *International Legal Materials*, vol. XIV (1975), p. 1292; vol. XVII (1978), p. 414; vol. XXII (1983), p. 1395; vol. XXVIII (1989), p. 527; vol. XXIX, No. 4 (1990), p. 1054 (American Society of International Law); United Nations, *Official Records of the General Assembly, Forty-fifth session*, document No. A/45/859, p. 3; and *International Legal Materials*, vol. XXXIV, No. 3 (1995), p. 764 (American Society of International Law).

izations, and also the existing agreements and arrangements between the European Community and the Union of Soviet Socialist Republics,

Referring to article 21 of the Agreement between the European Economic Community, the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation of 18 December 1989,

Guided by the goals of ensuring steady economic growth, improving the quality of life of their citizens, increasing employment, making effective use of material and human resources, and protecting the environment,

Aware that cooperation in the fields of economics, industry, science and technology, in ways that take account of the ecological aspects, is an essential component of their overall relations and should in future be expanded even further,

Convinced that the economic reforms in the Union of Soviet Socialist Republics and the achievement of the unity of Germany as a State are ushering in additional opportunities for the development of bilateral cooperation both at the State level and in the form of direct ties between interested partners,

Have agreed as follows:

Article 1

Guided by the principles of equality, non-discrimination and mutual advantage, the Contracting Parties shall direct their efforts at the further intensification and diversification of bilateral economic, industrial and scientific-technical relations.

The Contracting Parties recognize the need to deal appropriately with such problems of the transitional period as may be encountered in their economic cooperation.

To that end, the following is planned:

1. The Contracting Parties shall, through appropriate measures, support the continuity and further development of commercial and economic relations between the Federal Republic of Germany and the Union of Soviet Socialist Republics. This pertains in particular to previously concluded agreements between the German Democratic Republic and the Union of Soviet Socialist Republics concerning the delivery of goods and the provision of services.

The enterprises and organizations of both countries shall themselves be responsible for determining the form of their economic relations.

With a view to assisting the enterprises and organizations of both countries in preserving established business relations involving deliveries, purchases and other economic matters, the Contracting Parties shall create the necessary organizational conditions for expanded possibilities of exchanging information and making contacts. Particular account, in this connection, is to be taken of each side's interest in the supply of spare parts for the machines, equipment and instruments previously delivered from the German Democratic Republic to the Union of Soviet Socialist Republics and from the Union of Soviet Socialist Republics to the German Democratic Republic, for the purpose of ensuring their normal operation.

The Contracting Parties shall support the preservation of traditional relations involving the supply of goods, while at the same time adjusting them to market

conditions. The enterprises and organizations shall be responsible for working out the specific details of their contractual relations.

The Contracting Parties shall assist the affected enterprises and organizations in preserving and further developing established cooperative and scientific-technical relations at the enterprise level, particularly with regard to deliveries between them of accessories and materials and the use of the results of joint research and development projects.

By taking measures aimed at structural improvements, the German side shall assist the enterprises on the territory of the former German Democratic Republic to operate efficiently. For the purpose of preserving established economic relations, these measures shall also cover enterprises cooperating with Soviet partners.

Appropriate measures shall be taken within the framework of the provisions of the Treaty establishing the European Economic Community.¹

2. The German side shall continue its efforts to ensure that, with regard to the conditions of commercial and economic transactions falling within the competence of the European Communities, special measures are adopted for a transitional period to create, within traditional commodity flows, favourable conditions of access to markets on the territory of the former German Democratic Republic for Soviet enterprises and organizations.

The German side indicates that these measures pertain specifically to a temporary exemption from customs due under the Common Customs Tariff of the European Economic Community and from equivalent duties within the framework of specified quantitative and value-related limits for goods from the Union of Soviet Socialist Republics that are brought into duty-free circulation on the territory of the former German Democratic Republic, are consumed there, or are processed or re-processed in such a way that they acquire the properties of goods originating in the European Community. The German side shall endeavour to secure the suspension, for a transitional period, of the non-specific quantitative limitations, as defined in Regulation (EEC) No. 288/82, on goods delivered from the Union of Soviet Socialist Republics to the territory of the former German Democratic Republic as part of traditional commodity flows. The German side shall also endeavour to secure, in the case of goods of Soviet origin, the allowance, for a transitional period and within traditional commodity flows, of deviations from standards and quality requirements, provided that these goods are not circulated on any territories of the European Community other than the territory of the former German Democratic Republic.

In addition, the German side shall not apply, during a transitional period, the specific quantitative limitations, as defined in Regulation (EEC) No. 3420/83, on goods that are delivered from the Union of Soviet Socialist Republics to the territory of the former German Democratic Republic as part of traditional commodity flows. This shall also apply to quantitative limitations on goods covered by the Treaty instituting the European Coal and Steel Community.²

With regard to German norms and standards whose application leads to difficulties in connection with the maintenance of traditional commodity flows during a transitional period, the German side shall assist in finding solutions to this problem

¹ United Nations, *Treaty Series*, vol. 294, p. 3.

² *Ibid.*, vol. 261, p. 141.

within the framework of the existing legislation, provided that the goods in question are not circulated on any territories of the European Community other than the territory of the former German Democratic Republic.

3. The Contracting Parties affirm the importance of cooperation in developing the Yamburg natural gas fields and in erecting the Krivoi Rog Ore-Dressing Complex in the Soviet Union. The Contracting Parties shall specify, in accordance with the terms of the existing agreements, the Soviet side's obligations as at 1 January 1991 for facilities built, goods delivered and services provided by organizations of the former German Democratic Republic, as well as the volumes of raw material deliveries from the Union of Soviet Socialist Republics connected therewith. The terms governing further cooperation for the period after 1990 are to be the subject of a new agreement. To that end, the Contracting Parties shall establish mixed working groups, which shall submit their proposals to the Governments of both countries in order that a decision may be taken.

4. The Contracting Parties confirm their mutual interest in further cooperation in the erection of facilities on the territory of the former German Democratic Republic and on the territory of the Union of Soviet Socialist Republics under existing agreements on economic and technical cooperation and other contractual arrangements with organizations of the German Democratic Republic. The prospects for cooperation and questions pertaining to the way such cooperation is to be implemented shall be separately examined by the mixed working groups. In this connection, detailed attention shall be paid to special economic and financial issues, including possible reciprocal claims arising out of the discontinuance on short notice of individual cooperation projects.

5. The enterprises and organizations of both countries shall, under their own liability, perform contracts for the delivery of goods in accordance with the "General conditions for the delivery of goods between organizations of the CMEA member countries 1968/1988".

Article 2

The Contracting Parties, acting in accordance with existing rules, laws and agreements, shall do everything possible to promote the further development of economic, industrial and scientific-technical cooperation and to involve a broad range of participants in it. In this connection, particular attention shall be directed at cooperation between small and medium-sized firms and enterprises.

Article 3

The Contracting Parties shall be guided by the Final Document of the Vienna meeting of representatives of States members of the Conference on Security and Co-operation in Europe and by the provisions of the Agreement between the European Economic Community, the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation of 18 December 1989. Accordingly, they shall continue their efforts to further reduce or gradually eliminate trade barriers of all kinds and in so doing shall contribute to the expansion and diversification of their trade relations.

Within the limits of their actual and legal possibilities, the Contracting Parties shall endeavour to create the kind of conditions that will ensure the further expansion and intensification of their commercial and economic relations.