

Anexo 2

Contract between the Federal Republic of Germany and the German Democratic Republic over the production of the unit of Germany from 31 August 1990 (agreement contract), excerpt

"the Federal Republic of Germany and the German Democratic Republic -

DECIDED to complete the unit of Germany in peace and liberty as equal member of the commonwealth of nations in free self-determination

ON THE BASIS OF the DESIRE of humans in both parts of Germany, together in peace and liberty in a right-nationally arranged to live democratic and social Federal State

IN GRATEFUL RESPECT for those, which help the liberty in peaceful way to the breakthrough, which held them steadfastly to the task of the production of the unit of Germany and to complete,

IN the CONSCIOUSNESS of the continuity of German history and recalling the special responsibility for a democratic development in Germany, resulting from our past, which remains obligated for the attention of the human rights and the peace,

IN the TENDENCY to make through the German unit a contribution for the agreement of Europe and for the setting up of a European peace order in that borders no more do not separate and all European peoples a trusting living together ensured,

IN CONSCIOUSNESS that the inviolability of the borders and the territorial integrity and sovereignty of all states are in Europe in its borders a fundamental condition for the peace -

AGREED to close a contract over the production of the unit of Germany with the following regulations:

Chapter I

Effect of the entry

[...]

Article 2

Capital, day of the German unit

(1) capital of Germany is Berlin. The question of the seat of parliament and government is decided after the production of the unit of Germany.

(2) 3 October is as the day of the German unit legal holiday.

Chapter II

Basic Law

Article 3

The entry into force of the Basic Law

With the taking effect of the entry the Basic Law for the Federal Republic of Germany steps into in the federal law gazette the part III, arrangement number 100-1, published

settled version, last changed by law from 21 December 1983 (BGBl. I S. 1481), in the countries Brandenburg, Mecklenburg-Western Pomerania, Saxonia, Saxonia-Anhalt and Thuringia as well as in the part of Land Berlin, in which it did not apply so far, with itself the changes in strength, resulting in from article 4, as far as in the present Treaty nothing different one is certain.

[...]

Chapter III Adjustment of right

[...]

Article 10

Quite the European community

(1) with the taking effect of the entry the contracts apply over the European communities together with changes and additions as well as the international agreements, contracts and resolutions in the area specified in article 3, which stepped in connection with the present Treaties into strength.

(2) on the basis of the contracts over the European communities for been issued legal instrument apply with the taking effect of the entry in the area specified in article 3, as far as the responsible organs of the European communities do not issue special arrangements. These special arrangements are to the administrative needs to consider and to the avoidance of economic difficulties serve.

(3) legal instrument of the European communities, whose conversion or execution falls to the competence of the countries, are to be converted by these by national legal regulations or driven out.

Chapter IV International-law contracts and agreements

Article 11

Stand the Federal Republic of Germany

The Contracting Parties assume international-law contracts and agreements, to which the Federal Republic of Germany belongs as a Contracting Party including such contracts, which justify memberships in international organizations or institutions their validity kept and the rights and obligations following from it refer with exception of the contracts specified in plant I also to the area specified in article 3. As far as adjustments are necessary in individual cases, the all-German government with the respective contracting parties will sit down into the behaviour.

Article 12

Contracts of the German Democratic Republic

(1) Contracting Parties are itself united to regulate to determine that the international-law contracts of the German Democratic Republic in the course of the production of the unit of Germany under the criteria of the confidence protection, which is to be discussed interest situation of the states involved and the contractual obligations of the Federal

Republic of Germany as well as according to the principles of a liberal, democratic and right-national constitutional structure and considering the competencies of the European communities with the contracting parties of the German Democratic Republic in order their Fortgeltung, adjustment or its expiring, and/or.

(2) united Germany specifies its attitude for the transition of international-law contracts of the German Democratic Republic after consultations with the respective contracting parties and with the European communities, as far as their competencies are affected.

(3) if united Germany intends to occur international organizations or other multilateral contracts to which the German Democratic Republic belongs, not however the Federal Republic of Germany, then agreement with the respective contracting parties and with the European communities, as far as their competencies are affected, is manufactured.

[...]

Chapter VI

Public ability and owing

[...]

Article 29

External trade relations

(1) the grown externaleconomical relations of the German Democratic Republic, in particular the existing contractual obligations opposite the countries of the advice for mutual economic aid, enjoys confidence protection. They are developed further and developed with consideration of the interests of all involved ones and considering of free market principles as well as the competencies of the European communities.

The all-German government will carry ensuring that these relations is regulated organizational appropriately in the context of the technical competence. (2) the Federal Government and/or the all-German government will come to an agreement with the responsible organs of the European communities on it, which special arrangements are necessary for a transition period in the area of the foreign trade regarding paragraph 1.

Chapter VII

Work, social, family, women, health service and environmental protection

[...]

Article 34

Environmental protection

(1) on the basis of in article 16 of the contract from 18 May 1990 in connection with the environmental framework law of the German Democratic Republic from 29 June 1990 (GBI. I NR. 42 S. 649) justified German environmental union is it task of the legislators, the natural bases of life of humans considering precaution - to protect causer and co-operation principle and the uniformity of the ecological living conditions on high to promote at least however the level reached in the Federal Republic of Germany.

(2) for the promotion of the goal specified in paragraph 1 ecological reorganization and development programs for the area specified in article 3 are to be set up in the context of

the basic legal competence regulations. Priority measures are to be planned for the protection from dangers for the health of the population.

[...]

Chapter IX

Transition and final clauses

[...]

Article 45

The entry into force of the contract

(1) the present Treaty including lying close minutes and the plants I to III enters into force on the day, on which the governments communicated to the Federal Republic of Germany and the German Democratic Republic each other that the necessary domestic conditions for the entry into force are fulfilled.

(2) the contract remains after taking effect of the entry as Federal Law valid right.

Happening to Berlin on 31 August 1990 in two originals in German language.

For the Federal Republic of Germany

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For the German Democratic Republic

Dr. Guenther ruffle

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Political archives foreign office, contract archives