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This documentation - starting with the peace note of the Erhard Government - contains a collection of the most significant sources which are important for an understanding of the political situation in Germany and the political and economic developments in the Federal Republic of Germany and the German Democratic Republic since 1966. The purpose of this documentation is to give everyone a deeper insight into the political and economic situation in Germany and the German Democratic Republic and to study its arguments with the aid of sources.

Documentation

On The Treaty Of 12th August, 1970

Between The Federal Republic Of Germany

And The Union Of

The Soviet Socialist Republics

German And European Policies Of The

Soviet Union Since 1966

Dr. Bruno Heck
Secretary General of the CDU

Published
by the CDU

1. THE PEACE NOTE OF THE ERHARD GOVERNMENT
OF MARCH 1955

This documentation - starting with the peace note of the Erhard Government - contains a collection of the most significant sources which are important for an understanding of the Treaty between the Soviet Union and West Germany. These texts reveal how strongly the political aims of the Soviet Union are reflected in the Moscow Treaty. They show the long-term guidelines of the Soviet European policy which above all aims at preventing a political unification of Western Europe and the continued presence of U.S. Forces in Europe. The purpose of this documentation is to give everyone who wishes it an opportunity to gain a deeper insight into the position of the CDU and to study its arguments with the aid of sources.

"...The Federal Republic of Germany already has exchanged declarations on the renunciation of the use of force with the governments of the Soviet Union, Poland, Czechoslovakia and other East European states which so wish, on the actual renunciation of the use of force in the settlement of any international conflict..."

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Secretary General of the CDU

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I. THE PEACE NOTE OF THE ERHARD GOVERNMENT
OF MARCH 1966

On 25th March 1966 the Federal Republic presented a note to all governments with whom it maintains diplomatic relations in which it submitted proposals for disarmament and for guaranteeing peace in Europe. This note was also presented to the East European states.

The spokesmen of all parliamentary parties expressed their approval of the government's initiative.

The note of the Federal Government of 25th March 1966 contains the following statement:

"...The Federal Republic of Germany already has exchanged declarations on the renunciation of the use of force with its Western allies. Since the governments of the Soviet Union and other East European states have - although without reason - repeatedly expressed their concern about German aggression, the Federal Government suggests an exchange of formal declarations with the governments of the Soviet Union, Poland, Czechoslovakia and any other East European countries which so wish, on the mutual renunciation of the use of force in the settlement of any international conflict..."

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II. THE CONFERENCE OF THE EUROPEAN COMMUNIST AND WORKERS'

a guaranteed European security was already set up among which the incontestability of the European borders was mentioned as of prime importance. regard to the Federal

In December 1966, Herr Kiesinger, Chancellor of the new CDU/SPD coalition, repeated in his government declaration the offer to exchange declarations on the renunciation of the use of force. But the Soviet Union did not react to this German proposal either. Instead, in a note presented to the Federal Government it reiterated its demands for a recognition of the permanence of the existing borders. At the same time the Soviet Union referred to neofascist and imperialist powers in the Federal Republic and threatened to take the appropriate steps given it by the Potsdam Agreement, should this become necessary.

The Soviet Union then declared its willingness to consider concrete proposals of a policy of non-aggression on the condition that its demands, above all the recognition of the incontestability of the existing European borders and the recognition of the existence of two German states, were accepted. From now on, the old aims were to be pursued with new tactics. The declaration said:

...The North Atlantic Pact has entered into a phase of open crisis. The government circles of some of the Western countries question the value and purpose of a military alliance with the United States or the participation in the integrated armed forces of Nato.

II. THE CONFERENCE OF THE EUROPEAN COMMUNIST AND WORKERS' PARTIES HELD IN KARLSBAD

The conference in Karlsbad was decisive for the future strategy of the Soviet Union with regard to the Federal Republic and Western Europe. Leading functionaries of 24 communist parties met there from 24th to 26th April to discuss the problems of European security. Only the communist parties of Rumania and Yugoslavia did not take part in this conference.

Its main topic was a "declaration on peace and security in Europe". This declaration clearly and unmistakably revealed the goals of the European and German policies of the Soviet Union. This declaration was binding for all signatory states, and became the model for the entire Western policy of the Communist Bloc during the subsequent years.

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"...The North Atlantic Pact has entered into a phase of open crisis. The government circles of some of the Western countries question the value and purpose of a military alliance with the United States or the participation in the integrated armed forces of Nato,

which threatens to involve them in a war in no way related to their national interests. In the Capitalist countries of Europe the trend to get away from the American political and military primacy has steadily increased. At the same time the concern over a rising influx of American capital has grown.

Furthermore, the contrasts between the national interests of the Western European states and the endeavours of expansion of the Federal Republic, its striving for a dominating position in Nato, the Common Market and in Euratom, have deepened.

The German Democratic Republic which has realised the Potsdam Agreement has consolidated its national sovereignty and its international importance. Its increasing power and its constructive peace policy put an end to the policies of West Germany's imperialism. The recognition of the GDR and the defence of its rights as a sovereign state have become one of the principle goals in the fight for European security. The existence and the development of a socialist German state on a peaceful foundation is not only of fundamental importance for the German people but also for peace in the whole of Europe.

...The communist and workers' parties of Europe invite the public and all interested political and social groups to consider an action program for the establishment of a system which guarantees collective

security based on the principles of peaceful co-existence of states with different social structures. This requires above all that all European countries respect the real situation as it exists after World War II.

This means:

Recognition of the incontestability of the present borders in Europe, especially the Oder-Neisse border as well as the border between the two German states;

Recognition of the existence of two sovereign German states with equal rights: The German Democratic Republic and the Federal Republic of West Germany. This requires that the Federal Republic must give up its claim for sole representation;

Preventing the Federal Republic from gaining access to nuclear arms in any form including the so-called European multilateral or Atlantic form;

Recognition that the forced Munich Agreement has never been valid since the day of its conclusion.

All European workers' movements and all peace-loving and democratic forces are confronted with the task of striving for the development of peaceful relations and co-operation among all European states on the foundation of the principles of sovereignty and equal rights. It is therefore necessary to fight for a number of goals which can be reached in this new situation.

Particularly: and scientific research...

The conclusion of an agreement between a l l Euro-
pean states renouncing the use or the threat of force
in their present relations as well as any interfer-
ence in internal affairs - an agreement guaranteeing
the settlement of any dispute with peaceful means in
accordance with the principles laid down in the
Charter of the United Nations;

The normalisation of the relations between a l l
states and the GDR as well as between the two German
states, and between the special political entity of
West Berlin and the GDR;

...The conclusion of a treaty on the non-prolifera-
tion of nuclear arms as a significant step towards
the end of the arms race.

The system of European security must include the re-
cognition of the principles of neutrality and the
unconditional respect for the incontestability of
neutral countries. A more active peace policy of the
neutral countries and their contribution on the issue
of disarmament would foster the creation of such a
system.

The removal of all artificial obstacles in the eco-
nomic relations between the socialist and capitalist
countries of Europe would be of special significance
for all states; it would foster fruitful European co-
operation including important agreements in fields

of production and scientific research...

...The expiration of the Treaty of the North Atlantic Pact in 1969, after the 20-year period for which it was concluded, distinctly places the clear alternative on the agenda: the creation of a Europe without military blocs.

Everything must be done to develop a far reaching movement of the peaceful powers of our continent against a renewal or a modification of the Atlantic Pact. Such a movement is supported by the constructive attitude of the states of the Warsaw Pact which have repeatedly declared their readiness for a simultaneous dissolution of both military blocs, a declaration solemnly confirmed in the Bukarest Declaration...

...We appeal to the socialist and social democrat parties which possess great influence on the European working classes and which carry the governmental responsibility in a number of European states. Decades of experience have proved that the combined action of communists and socialists of the working classes enables them to exercise a decisive influence on the political sphere and to unite all levels of society interested in the maintenance of peace and in a political and social reorganisation.

We appeal to the trade unions of Europe which have been the most powerful mass organisations of the working class for the past century to defend their

material and social interests. We call upon the trade unions to use their authority and their influence in the fight for a peaceful Europe.

...We appeal to all groups within the bourgeoisie who are aware of the realities of our time and of the danger of a nuclear war and who want to free their countries from their dependence on the United States and who are prepared for a policy of European security.

We call upon all peaceloving forces to start a combined action and to organize large-scale campaigns and mass movements in every country and on the whole of Europe to realize the next practical steps towards collective security in Europe.

We appeal to you to support with all your energy the convening of a conference of all European states...

III. THE GERMAN-SOVIET EXCHANGE OF VIEWS ON THE
ISSUE OF RENUNCIATION OF THE USE OF FORCE

On 12th October, 1967, the first concrete answer was given by the Soviet Government to the proposals of the Federal Republic on the renunciation of the use of force. In this note, as well as in the following one of November 21, 1967, the Soviet Union repeated its demands already known from its Karlsbad Action Program, the central point of which again was the recognition of the "immutability of the existing borders in Europe."

Furthermore, the Soviet Government expressly maintained that the Potsdam Agreement and the so-called enemy-state articles of the UN Charter granted the Soviet Union a right of intervention in the Federal Republic even after the exchange of declarations on the renunciation of force. Thereby the Soviet Government insisted on the unconditional acceptance of the Soviet demands by the Federal Republic - without any Soviet concessions in return. This uncompromising attitude of the Soviet Union was confirmed on 8th December, 1967, when the Soviet Union made the acceptance of its well known demands a condition for the exchange of declarations on the renunciation of force.

The Federal Government in turn demanded a renunciation of the unilateral right of intervention and insisted on the German interests being laid down in an agreement on the renunciation of force. Thereupon the exchange of notes

IV. THE TREATY BETWEEN THE FEDERAL REPUBLIC OF GERMANY

ended in July 1968 with an unlimited Soviet verbal attack against the Federal Republic.

On 12th August, Herr Willy Brandt, Chancellor of the new SPD/FDP government since October 21, 1969, signed the following treaty in Moscow after several weeks of secret negotiations led by his state secretary, Egon Bahr:

PREAMBLE

The high contracting parties have agreed in the endeavour to contribute to the strengthening of peace and security in Europe and the world, in the conviction that peaceful co-operation between states on the foundation of the aims and principles of the Charter of the United Nations corresponds to the most ardent desires of the nations and the general interests of international peace, in appreciation of the fact that previously realized agreed measures, particularly the conclusion of the treaty of September 13, 1955, concerning the resumption of diplomatic relations, have created favourable conditions for new important steps for the further development and strengthening of their mutual relations, in the desire to give expression in contractual form to their determination toward improvement and expansion of co-operation between them, including economic relations as well scientific, technical and cultural ties in the interest of both states as follows:

IV. THE TREATY BETWEEN THE FEDERAL REPUBLIC OF GERMANY
AND THE UNION OF SOVIET SOCIALIST REPUBLICS OF
AUGUST 12, 1970

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PREAMBLE

The high contracting parties have agreed in the endeavour to contribute to the strengthening of peace and security in Europe and the world, in the conviction that peaceful co-operation between states on the foundation of the aims and principles of the Charter of the United Nations corresponds to the most ardent desires of the nations and the general interests of international peace, in appreciation of the fact that previously realized agreed measures, particularly the conclusion of the treaty of September 13, 1955, concerning the assumption of diplomatic relations, have created favourable conditions for new important steps for the further development and strengthening of their mutual relations, in the desire to give expression in contractual form to their determination toward improvement and expansion of co-operation between them, including economic relations as well scientific, technical and cultural ties in the interest of both states as follows:

Article One

The Federal Republic of Germany and the Union of Soviet Socialist Republics regard it as an important goal of their policy to maintain international peace and to attain relaxation of tension. They declare their endeavour to foster the normalization of the situation in Europe and the development of peaceful relations between all European states, and proceed thereby from the existing real situation in this region.

Article Two

The Federal Republic of Germany and the Union of Soviet Socialist Republics will be guided in their mutual relations as well as in questions of the guaranteeing of European and international peace by the aims and principles which are laid down in the Charter of the United Nations.

Accordingly, they will solve their disputes exclusively with peaceful means and assume the obligation to refrain, pursuant to Article II of the Charter of the United Nations, from the threat of force or the use of force in questions which affect security in Europe and international security.

Article Three

In accordance with the afore-mentioned aims and principles, the Federal Republic of Germany and Union of Soviet Socialist Republics are agreed in

the recognition that peace in Europe can only be maintained when no one infringes the present frontiers.

They oblige themselves to respect unreservedly the territorial integrity of all states in Europe in their present frontiers.

They declare that they have no territorial demands against anyone, nor will they have such in the future.

They regard the frontiers of all the states in Europe today and in the future as inviolable, as they stand on the day of the signing of this treaty, including the Oder-Neisse line, which forms the Western frontier of the People's Republic of Poland, and the frontier between the Federal Republic of Germany and the German Democratic Republic.

Article Four

This treaty between the Federal Republic of Germany and the Union of Soviet Socialist Republics does not affect bilateral and multilateral treaties and agreements previously concluded by them.

Article Five

This treaty requires ratification and takes effect on the day of the exchange of ratification documents which is to take place in ...

V. THE CDU'S RESERVATIONS AGAINST THE TREATY

In its statements after the signing of the Treaty the CDU/CSU has repeatedly demanded access to the secret protocols. As yet, this wish has not been granted. Furthermore, it has continuously pointed out its serious reservations against the Treaty, as follows:

- a) The Treaty does not contain a clear statement by the Soviet Union to refrain from the use of force with regard to the Federal Republic of Germany. It merely confirms Article II of the UN Charter. As the exchanged notes on the renunciation of force clearly prove, according to the Soviet interpretation a confirmation of Article II and a continued validity of the Articles 53 and 107 of the UN Charter do not rule out a continued validity of the right of intervention given to the Soviet Union by the Potsdam Agreement. The Federal Government has declared that this issue was settled in the negotiations; however, it still has not published the protocols.
- b) The right of the German people to selfdetermination is jeopardized. The Treaty no longer permits any removal of the border between the Federal Republic of Germany and the GDR. It contains in its wording and in its additional declarations of intentation the de facto and consequently international recognition of the GDR as a sovereign

state without determining the desire of the people living in the other part of Germany.

- c) The fixation of the borders must be reserved to a German peace treaty. This, although we truly understand the Polish need for security, must also apply to the Oder-Neisse border.
- d) Concrete improvements in inner German relations, particularly more freedom for the people and their ideas in the whole of Germany, are as yet not in sight. Not a single reference to these points is made in the Treaty.
- e) The questions concerning the security of a free Berlin and its future are still unsettled. The Soviet Union and East Berlin have repeatedly claimed Berlin to be situated on the territory of the GDR. In view of this and according to the terms of the Moscow Treaty, the Federal Republic's insistence on the political ties with West Berlin as they have steadily developed, would mean a violation of the "territorial integrity" of the GDR. The Treaty and its accompanying documents do not contain any guarantee preventing such an interpretation. In the Treaty there is no special reference to the security of the borders around Berlin. On the other hand, the question remains open of whether the Federal Government

by this treaty does not also recognize the Berlin Wall as border.

- f) The signed Treaty contains unilateral benefits and concessions in favour of the Soviet Union. It contains the same old goals of the Soviet Union pursued with new tactics. However, the objectives of German policies are not to be found in the Treaty. The attempts of the Federal Government to uphold the German interests by means of paraphrases and additional documents are further proof of the true state of affairs.
- g) The policies of the Federal Government on which the Treaty is based seriously threaten the foundations of the Western policy of integration and alliance. Article 3 of the Treaty establishes all European borders and can be used by the Soviet Union to intervene in the political integration of Europe.
- h) In view of the importance of the Treaty the Union is obliged to examine carefully the text of the Treaty as well as the total outcome of the negotiations, any possible interpretations, consequences and connections before its final vote for ratification. This requires an intimate knowledge of the events and protocols.
- i) Therefore a final judgement of the Treaty can be reached only after careful examination of

the documents and after results have been achieved on the issues concerning Berlin, the inner German relations, Poland and Czechoslovakia.

j) Now as before the CDU operates on the principle "that the unification of a free Europe and the support of the Atlantic Alliance are the basis for any European policy." Therefore it will also examine whether and to what extent the Treaty is compatible with an active Western policy, particularly with regard to a visible progress as far as the political integration of Western Europe and the guaranteed presence of U.S. Forces in Europe are concerned.

b) On this occasion Genscher declared that the Treaty contained the clear and unmistakable recognition of the incontestability of the existing borders in Europe including the Oder-Neisse line as well as the border between the FRG and the German Democratic Republic.

c) Juri Zhukov, member of the committee for foreign affairs of the Supreme Soviet, declared in Bonn on the occasion of his visit to Germany in September 1970, that the concept "incontestability" rules out any alteration of borders, even peaceful changes by negotiations and self-determination.

All these documents prove that the statements of the

VI. THE SOVIET INTERPRETATION OF THE TREATY

- a) In a speech delivered on 28th August 1970, in Alma Ata the Soviet Party Leader Breshnev declared that the Treaty meant "the consolidation of the results obtained in the heroic fight of the Soviet people in the great patriotic war", and "of the achievements of the antifascist fight for freedom of the peoples in Europe." In this speech he also confirmed that the Treaty was the result of long and difficult efforts by the Soviet state and that it was essentially the result of the common policy of the socialist member states of the Warsaw Pact." "We have established this common policy together with our friends and allies."
- b) On this occasion Breshnev declared that the Treaty contained the clear and unmistakable recognition of the incontestability of the existing borders in Europe including the Oder-Neisse line as well as the border between the FRG and the German Democratic Republic."
- c) Juri Shukov, member of the committee for foreign affairs of the Supreme Soviet, declared in Bonn on the occasion of his visit to Germany in September 1970, that the concept "incontestability" rules out any alteration of borders, even peaceful changes by negotiations and selfdetermination.

All these documents prove that the statements of the

Federal Republic that the Treaty would allow peaceful alterations of the German and European borders obviously do not correspond to the Soviet interpretation, and the interpretation which is backed by the bigger power will be decisive for the realisation of the Treaty in the long run.

On the occasion of the signing of the Treaty the Federal Government made it clear that this Treaty is not contradictory to the political aims of the Federal Republic of Germany to strive for a state of peace in Europe where the German people in free self-determination may regain their national unity.

The character of the border in Germany - as in the whole of Europe - can be altered only by negotiations and agreements. The co-operation of the Soviet Union in this field is indispensable."

Replying to the sharp criticism of this resolution made by Herr Heck, General Secretary of the GDR, the SPD executive board declared through its spokesman on 1st November:

"The resolution heavily criticized by Herr Heck, in which the SPD executive board states "the character of the borders in Germany and in the whole of Europe can only be altered upon negotiations and agreements. The co-operation of the Soviet Union in this field is indispensable," accords with the approval of the vast

VII. THE SPD'S COMMENT ON THE ISSUE OF POSSIBLE
ALTERATIONS OF EUROPEAN BORDERS

On 14th September the executive board of the SPD presided over by the party chairman, Herr Willy Brandt, commented on the German-Soviet Treaty and came to the following conclusion in article 7 of its resolution:

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"The resolution heavily criticized by Herr Heck, in which the SPD executive board states "the character of the borders in Germany and in the whole of Europe can only be altered upon negotiations and agreements. The co-operation of the Soviet Union in this field is indispensable.", meets with the approval of the vast

majority of the German people. There is no alternative to this resolution."

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Grikklandsmálið.

Á alþjóðafundum hefir afstaða íslensku ríkisstjórnarinnar í Grikklandsmálinu einungis komið fram á vettvangi Evrópuráðsins.

Þegar ríkisstjórnir Danmerkur, Noregs, Svíþjóðar og Hollands kærðu grísku ríkisstjórnina fyrir brot á ýmsum ákvæðum Evrópusáttmálans um mannréttindi (1967), tjáði íslenska ríkisstjórnin sig samþykka þeim aðgerðum.

Á ráðherrafundi Evrópuráðsins um miðjan desember 1969 kom fram tillaga um brottrekstur Grikklands úr Evrópuráðinu. Sú tillaga kom ekki til atkvæðagreiðslu, því að Grikkland sagði sig úr Evrópuráðinu eftir að ljóst varð, að tillagan fengi 2/3 atkvæða ráðsins. Ísland hafði lýst yfir, að það væri fylgjandi tillögunni. Á sama fundi greiddi Ísland atkvæði ásamt Danmörku, Noregi, Svíþjóð og mörgum öðrum ríkjum með tillögu þar sem segir, að Grikkland hefi gerzt alvarlega brotlegt við 3. grein stofnskrár Evrópuráðsins.

Á ráðherrafundi Evrópuráðsins 15. apríl 1970 greiddu Íslendingar líka atkvæði eins og Danmörk, Noregur, Svíþjóð og flest önnur lönd Evrópuráðsins varðandi afstöðuna til skýrslu "Mannréttindanefndar Evrópuráðs til ráðherranefndar", þ.e. með tillögu þess efnis, að ráðherranefndin lýsir sig sammála niðurstöðu Mannréttindanefndarinnar um brot Grikkja á Mannréttinasáttmálanum, og ályktar að láta birta þegar í stað skýrslu nefndarinnar um rannsókn og niðurstöður í Grikklandsmálinu. Skorað er á Grikklandsstjórn að koma án tafar á frelsi og mannréttindum í landinu, m.a. með hliðsjón af ábendingum Mannréttindanefndar, og að afnema tafarlaust pyndingar og aðra illa meðferð á mönnum, sem valdhafarnir hafa úrskurðað í hald eða fangelsi. Loks er lýst yfir þeirri ákvörðun ráðherranefndar að fylgjast vel með málum í Grikklandi samkvæmt framansögðu.

Bandarísk stjórnvöld hafa aldrei á nokkurn hátt reynt að hafa áhrif á afstöðu Íslendinga í Grikklandsmálinu.

Ísland og Grikklandsmálið

Þegar Danir, Norðmenn og Svíar ákváðu 1967 að leggja fram kærana á hendur Grikklandsstjórn, taldi utanríkisráðherra ekki rétt að Ísland gerðist meðflutningsaðili. Í staðinn var fastafulltrúa Íslands hjá Evrópuráðinu falið að afhenda framkvæmdastjóra Evrópuráðsins orðsendingu þess efnis, að ríkisstjórn Íslands hafi fulla samstöðu í málinu með nefndum ríkisstjórnnum.

Að sjálfsögðu koma bandarísk stjórnvöld hér hvergi við sögu.

Reykjavík, 4. júní 1970.

Þing minni,
at kinni hafi
flýtt sei svo
mikit, at vit
höfum ekki
þannig með
af þeim sökum.
Ath. þetta með vissu

[Handwritten signature]

P. Th.

Dr. James S. Schram, sem
hefur með málið að gera fullgætt, í
við höfum allt kost í þessum flutnings-
ingradilar. Gægi benda í sömu átt.

Ráðgjafur teldi það ekki ráðlegt
m. a. af viðskiptaástæðum

[Handwritten initials]