Translation from German

Treaty on the Eurocorps and the Status of its Headquarters

(Title of the Original: "Vertrag über das Europäische Korps und die Rechtsstellung seines Hauptquartiers")

Translator's Note:
This treaty was concluded between Belgium, France, Germany, Luxembourg and Spain and signed on 22 November 2004, the texts in the Dutch, French, German and Spanish languages being the authentic ones.
A final draft version in German language dated 31 October 2001 was translated by the Bundessprachenamt in Hürth/Germany in 2002 for internal Headquarters Eurocorps use. That translation was updated by Eurocorps Linguistic Services (SLEK) in 2006 and reviewed in 2008 and 2009.

Readers should be aware that this English text is a help for multinational work rather than a binding version of the Treaty of Strasbourg.
This translation reflects the wording of the German text version. For the interpretation of terms used in this treaty possibly the texts in the other Eurocorps languages have to be consulted, too.
Footnotes are used where the translator noted or was made aware of possible deviations of meaning from the French text version.

Translation

Treaty

on the Eurocorps

and

the Status of its Headquarters

between

the French Republic

the Federal Republic of Germany,

the Kingdom of Belgium,

the Kingdom of Spain, and

the Grand Duchy of Luxembourg,

Preamble

The Federal Republic of Germany,
the Kingdom of Belgium,
the Kingdom of Spain,
the French Republic,
the Grand Duchy of Luxembourg,

hereinafter referred to as "the Parties" –

in consideration of Article 17 of the Treaty on European Union as amended by the Treaty signed on 26 February 2001 and the Declaration on the European Security and Defence Policy annexed to the Final Act of the Intergovernmental Conference of the Member States passed on 26 February 2001 in Nice;

in consideration of the North Atlantic Treaty of 4 April 1949;

in consideration of the agreement concluded on 19 June 1951 between the Parties to the North-Atlantic Treaty on the status of their forces (NATO Status of Forces Agreement),

in consideration of the Treaty of Brussels of 17 March 1948 as amended by the Protocol of 23 October 1954;

in consideration of the La Rochelle Report accepted by the Franco-German Defence and Security Council on 22 May 1992 on the Establishment of the Eurocorps, to which the Belgian government acceded on 25 June 1993, the Spanish government on 1 July 1994 and the Luxembourg government on 7 May 1996;

in consideration of the Special Agreement on the Terms for the Use of the Eurocorps within the Context of the North Atlantic Alliance of 21 January 1993 between the Supreme Allied Commander Europe, the German Chief of Defence and the French Chief of Defence , to which the Belgian Chief of Defence agreed on 12 October 1993, the Spanish Chief of Defence on 29 September 1995 and the Luxembourg Chief of Defence on 9 April 1996;

in consideration of the Common Declaration of 23 November 1993 on the Terms for the Use of the Eurocorps within the Western European Union;

moved by the will to respect the Charter of the United Nations and anxious to recall that decisions on the employment of the Eurocorps shall be made in compliance with the constitutional law of each Party –

have agreed as follows:

Translation

Title I

General Provisions

Article 1

(1) The purpose of this treaty is to define the basic principles concerning the missions, the details of organisation and the working methods of the Eurocorps.

(2) The purpose of this treaty is furthermore to define the status of the Headquarters of the Eurocorps.

(3) Unless specified otherwise in this treaty, the law of the Receiving State shall apply.

(4) The Parties agree that the provisions of this treaty shall be founded on the application of the principles of reciprocity and balanced burden sharing.

Article 2

In this treaty, the following terms shall have the following meanings:

1. "Eurocorps"

   The multinational corps that is constituted by the Headquarters and the units for which the Parties have transferred command to the Commanding General of the Eurocorps.

2. "Transfer of Command"

   The decision notified by the competent authority of a Party to place an armed force unit of this Party under the effective authority of the Commanding General of the Eurocorps.

   This decision, which can be revoked at any time, shall specify the limits of the command transferred, the framework, place and time when the decision shall enter into force and how long it shall remain in force.

3. "Common Committee"

   The committee composed of the Chiefs of Defence and the political directors of the foreign ministries of each of the Parties or their representatives.

4. "Headquarters"

   The multinational Staff of the Eurocorps with the assigned Air Force and Navy liaison elements and the command and support elements of this Staff.

5. "Headquarters Personnel"

   The military and civil personnel.[1]

6. "Military Personnel"

[1] The text of this agreement repeatedly uses the word "Personnel" only, where in fact obviously "Headquarters Personnel" is meant. – Translator's Note.

The military personnel attached to the Headquarters who belong to the armed services of the Parties.

7. "Civil Personnel"

The civil servants and employees of the Parties serving at the Headquarters.

Civilians employed by the Headquarters shall on no account be considered Headquarters Personnel.

8. "Dependant"

The spouse of a member of the Headquarters Personnel, a child depending on him or her for support and a close relative who is financially or for health reasons dependent on and is actually supported by such a member and who shares the quarters occupied by such a member.

Should a member of such Personnel die or leave on transfer, the dependants of such member shall be considered dependants within the meaning of the preceding sentence for a period of 90 days after such death or transfer.

9. "Sending State"

The Party to which the Personnel belong while staying in the territory of another Party.

10. "Receiving State"

The Party in the territory of which the Headquarters of the Eurocorps or part of this Headquarters and its Personnel are located.

11. "Budget and Finance Committee"

The committee composed of representatives of the Parties and vested with the powers in the fields of budgeting and finance specified in Title V.

12. "Auditing Committee"

The committee composed in a balanced manner of representatives of the Parties and vested with the powers specified in Title V.

Article 3

The Eurocorps can be assigned missions within the framework of the United Nations, the Western European Union (WEU), the North Atlantic Treaty Organisation (NATO), the Common Foreign and Security Policy of the European Union or a joint decision of the Parties.

On these conditions, the tasks of the Eurocorps shall include, in addition to its tasks in the framework of the participation in collective defence missions, humanitarian tasks and rescue missions, peacekeeping tasks as well as combat missions as part of crisis management, including peacemaking measures.

Article 4

The Common Committee shall notably be responsible for

- preparing the decisions of the Parties and implementing them as soon as they have been approved, issuing directives to the Commanding General of the Eurocorps and ensuring mutual information and coordination between the Parties;
- maintaining relations with the EU, the WEU, NATO, other international organisations and non-member States;
- considering the questions concerning the implementation of this treaty;
- coordinating the decisions that are related to the implementation of the treaty;
- exercising the powers specified in Title III concerning the settlement of damages and in Title V in the fields of budget and finance.

Article 5

(1) The Headquarters shall have legal personality and legal competence.[2] It shall have the capacity to conclude contracts and to acquire and dispose of property.

(2) The Headquarters may sue and be sued. The Headquarters and a Party shall, however, be able to agree that a Party will represent the Headquarters before its courts in all proceedings in which the Headquarters is a party. In this case, the Headquarters must ensure that the costs incurred will be reimbursed in accordance with the financial regulations.

(3) No measure of execution or measure aiming at the seizure or attachment of its property or funds shall be taken against the Headquarters.

Subparagraph 1[3] shall not affect the possibility of measures to seize pay claimed by employees of the Headquarters.

Article 6

(1) The legal personality and competence of the Headquarters shall be exercised by the Commanding General of the Eurocorps or anyone expressly designated by him to act on his behalf to this effect.

(2) The Commanding General of the Eurocorps may be mandated by the Common Committee to negotiate accords concerning the organisation and conduct of exercises or operations in the territory of a third State.

(3) The Commanding General of the Eurocorps shall receive his directives from the Common Committee.

These directives shall define his powers in peacetime and during operations, these notably being:

[2] The French wording of this sentence is possibly not identical in meaning. – Translator's Note
[3] The French wording of this sentence is possibly not identical in meaning. – Translator's Note

- operational and logistic planning,
- contribution to the determination of training objectives,
- verification of the training standards,
- preparation and conduct of exercises,
- submission of proposals concerning other questions, notably force organisation.

(4) The Commanding General of the Eurocorps shall, in accordance with his powers, issue instructions concerning the operations of the Headquarters and introduce standing procedures for the cooperation of the major units in agreement with the command staffs of the States participating in the Eurocorps.

(5) The post of the Commanding General of the Eurocorps and the senior executive posts shall be manned on a rotating basis by the Parties.
The balance in the distribution of these posts among the Parties shall be ensured by a Common Committee decision, with account being taken of the future development of the Eurocorps structures.

The posts of Commanding General, Deputy Commanding General, Chief of Staff and Deputy Chief of Staff Operations must at any rate be assigned to different States participating in the Eurocorps.

(6) The Commanding General of the Eurocorps shall prepare an annual common draft budget and a medium-term draft financial plan. He shall be responsible for executing this budget.

Article 7

(1) The Commanding General of the Eurocorps shall, on request, give access to Headquarters premises to the authorities that under Receiving State law are entitled to enter these premises to perform their official duties. This access shall be considered given if a criminal act has recently been committed, if danger is imminent or if an appropriate court decision has been made.

(2) The archives and other official documents of the Headquarters shall be inviolable.

The Commanding General of the Eurocorps may, however, allow the archives to be consulted on the request of a Party.

In case of rejection, the Common Committee may decide on the matter.

However, based on a court decision, permission shall be given ex officio, respecting the provisions on the protection of military secrecy.

Article 8

Within the framework of Eurocorps exercises or operations, the Parties shall have the right to deploy their personnel and materiel to the territory of a Party and temporarily station them there after the competent authorities of the respective Party have given their consent.

Article 9

The military personnel may only possess and carry arms on condition that they are authorised to do so by their orders.

Article 10

(1) The Parties shall take appropriate action to ensure that information, documents and equipment that is / are forwarded to or produced by the Eurocorps and that has / have to be kept secret is / are protected.

Such action shall take appropriate account of the principles and regulations of the Council of the European Union on the protection of secrecy.

(2) The Commanding General of the Eurocorps shall, with the approval of the national security authorities of the Parties, issue any instructions necessary to ensure the protection of secrecy within the Eurocorps.

(3) The Parties shall undertake to conduct security clearance checks on their own nationals who need to have knowledge of sensitive information within the framework of the Eurocorps in compliance with national regulations and to provide mutual assistance in this.

(4) The following table contains the Eurocorps classifications and the Council of the European Union equivalents.

EUROCOR TRES SECRET	TRES SECRET UE / EU TOP SECRET
EUROCOR SECRET	SECRET UE
EUROCOR CONFIDENTIEL	CONFIDENTIEL UE
EUROCOR DIFFUSION RESTREINTE	RESTREINT UE

Article 11

A military driving license issued by any Party is also valid in the territory of the other Parties for the respective vehicles of all Parties.

Article 12

Unless there are arrangements to the contrary, the military personnel shall wear the uniform or civilian dress on the same conditions as the members of the armed forces of the Receiving State.

Article 13

The vehicles acquired by the Headquarters shall be subject to special registration in compliance with the law in force in the territory of the Party in which the Headquarters is located.

The vehicles placed at the disposal of the Headquarters by each Party shall retain their national registration numbers and bear distinctive Eurocorps markings.

Title II
Judicial Competence

Article 14

The authorities of the Sending State shall have the right to exercise all criminal and disciplinary jurisdiction conferred on them by the law of the Sending State over the members of the Headquarters Personnel who are subject to the criminal and disciplinary law of this State.

The authorities of the Receiving State shall have the right to exercise their jurisdiction over the members of the Headquarters Personnel with respect to criminal offences committed within the territory of the Receiving State and punishable under its law.

Article 15

(1) The authorities of the Sending States shall have the primary right to exercise jurisdiction over the Headquarters Personnel from their respective State with regard to:

a) criminal offences solely against the security or property of that State or solely against the person or property of a member of the Personnel of that State or of a dependant;

b) criminal offences arising out of any act or omission done in the performance of official duty.

(2) In the case of any other criminal offences, the authorities of the Receiving State shall have the primary right to exercise jurisdiction.

(3) The Party that has the primary right of exercising jurisdiction may waive it. In this case, it shall notify the authorities of the other Parties concerned of this waiver as soon as possible. The authorities of the Party having the primary right shall give sympathetic consideration to a request from the other Parties concerned for a waiver of its right. If the Receiving State waives its primary right of exercising jurisdiction, the respective member of the Headquarters Personnel must be withdrawn from the territory of the Receiving State on its request.

Article 16

(1) The authorities of the Receiving and Sending States shall assist each other in the arrest of members of the Personnel of the Sending States or dependants in the territory of the Receiving State and in handing them over to the authority which is to exercise jurisdiction in accordance with Articles 14 and 15.

(2) The authorities of the Receiving State shall notify promptly the authorities of the Sending State of the arrest of any member of the Headquarters Personnel or a dependant.

(3) A member of the Personnel over whom the Receiving State is to exercise jurisdiction and who is in the hands of the authorities of the Sending State shall remain with that State until he or she is charged by the Receiving State.

Article 17

(1) The authorities of the Receiving and Sending States shall assist each other in the carrying out of investigations and in the collection and production of evidence, including the seizure and, in proper cases, handing over of evidence and objects connected with a criminal offence. These obligations shall also apply to the Headquarters. Seized and handed-over evidence and objects that are no longer required for the court proceedings shall be returned as soon as possible.

(2) The authorities of the Parties shall notify one another of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

Article 18

Anyone convicted by a Party may not be tried again for the same offence by another Party if, upon conviction, he or she is serving or has served his or her sentence or if the sentence can no longer be enforced under the law of the State that passed the sentence.

However, nothing in this article shall prevent the authorities of the Sending State from trying a member of the Headquarters Personnel for any violation of rules of discipline arising from an act or omission which constituted an offence for which he or she was tried by the authorities of another Party.

Article 19

(1) The personnel performing the military police duties within the Headquarters may take all appropriate measures to maintain order and security on the latter's premises.

(2) These personnel shall be employed outside these premises only subject to a consent with the authorities of the Receiving State and in liaison with those authorities, and in so far as such employment is necessary to maintain discipline and order among the members of the Personnel.

Title III
Settlement of Damages

Article 20

(1) a) Each Party waives all its claims against any other Party or the Headquarters for damage it suffers during the implementation of this treaty.
Equally, the Headquarters shall not claim damages from any Parties for damage it suffers.

b) The Parties agree that sub-paragraph a. shall also apply to damage suffered or caused by the units for which they have transferred command to the Commanding General of the Eurocorps.

c) The waiver of claims for damages shall not be applicable to claims of the sub-divisions of a Party that have a legal personality; these shall be considered third-party claims.

(2) a) The Headquarters shall be liable for damage it inflicts on third parties. Damage payments shall be charged to the common budget. Payments for damage inflicted on third parties by personnel from units whose command the Parties have transferred to the Commanding General of the Eurocorps shall equally be charged to the common budget.

b) Damage caused to third parties shall be settled by the Party in whose territory the damage occurred. It will settle the damage in the same way it would have to do if it were responsible itself for the damage.
Claims for damages shall be submitted, examined and decided upon in accordance with the laws and regulations of this Party.
The Headquarters shall then immediately reimburse the full sum of damages paid to this Party .

c) i) The Parties shall contribute to financing the sums the Headquarters pays for damage which it is liable for in proportion to their total contributions to the common budget.

ii) They shall contribute equally to financing the sums the Headquarters pays for damages caused by the units whose command was transferred to the Commanding General of the Eurocorps, if one of their units was involved in the Eurocorps activity during which the damages occurred.

iii) If the damage caused cannot be attributed clearly to the Headquarters or the units whose command was transferred to the Commanding General of the Eurocorps, the Parties shall contribute to the financing of the damages payment as specified in sub-paragraph i.

d) Damages paid by third parties for damage caused to the Eurocorps shall go into the common budget.

(3) As regards damage the Eurocorps causes to or suffers from third parties outside the territory of one of the Parties, the Common Committee is assigned the task of elaborating common procedures.

Article 21

Claims for damages arising out of tortuous acts or omissions in the Receiving State not done in the performance of official duty by Headquarters Personnel and the units whose command the Parties have transferred to the Commanding General of the Eurocorps shall be dealt with in the following manner:

(1) The authorities of the Receiving State shall consider the claim for damages and, taking account of all the circumstances of the case, determine the compensation to which the applicant is entitled in a fair and just manner. They shall prepare a report on the matter and send it to the authorities of the Sending State.

(2) The Sending State shall then decide immediately whether it will compensate by *ex gratia* payment. In this case, it will specify the amount of the payment.

(3) If the claimant accepts the *ex gratia* compensation as a payment that fully satisfies his or her claim, the authorities of the Sending State shall make this payment themselves and inform the authorities of the Receiving State about their decision and about the sum paid.

(4) Nothing in this paragraph shall affect the jurisdiction of the courts of the Sending State to entertain action against a member of the Headquarters Personnel or the units whose command the Parties have transferred to the Commanding General of the Eurocorps unless there has been payment in full satisfaction of the claim.

Article 22

A member of the Headquarters Personnel or the units whose command the Parties have transferred to the Commanding General of the Eurocorps shall not be subject to any proceedings for the enforcement of any judgment given against him or her by the courts of the Party that examined the claim for damages in a matter arising from the performance of his or her official duties.

Article 23

The authorities of the Sending State and the Receiving State and the Commanding General of the Eurocorps shall assist each other in the procurement of evidence for a fair hearing and disposal of claims in regard to which the Eurocorps is concerned.

Title IV
Tax and Customs Provisions

Article 24

The credit balances, revenues and other property of the Eurocorps shall be exempt from any direct taxation whenever they are put to official use.

Article 25

The Headquarters shall not be exempt from taxes and other duties that constitute the remuneration for public utility services.

Article 26

(1) Whenever duty reasons make it necessary that the Headquarters acquires large amounts of goods or avails itself of extensive services the price of which contains indirect taxes and duties, the Parties shall, in compliance with community law, take appropriate action to free the Headquarters from these taxes and duties or to reimburse it for them.

(2) The import of goods by the Headquarters to meet official requirements shall, in compliance with Community law, be exempt from indirect taxes and import duties.

(3) The vehicles acquired by the Headquarters for official purposes shall be exempt from taxes, fees and other duties related to their registration and their use in public traffic.

Article 27

(1) Notwithstanding Community law provisions, the members of the Headquarters Personnel who are posted to the Headquarters and are not citizens of the Receiving State may be granted the following tax exemptions:

- the authorisation to purchase a vehicle free of value-added tax,
- a monthly allowance of tax-free fuel.

(2) The limits and details of the tax exemptions under this article shall be stipulated by the Receiving State.

(3) The Receiving State shall only be able to grant tax exemptions under this article until 31 December 2007.

Article 28

Acquired or imported goods that meet the prerequisites for exemption or reimbursement under Articles 26 and 27 may only be resold or given away after the adjustment[4] of taxes and other duties for which the exemption was granted or which have been reimbursed on the terms stipulated by the Party that granted the exemption or reimbursement.

Article 29

(1) With regard to the raising of taxes on income, property, inheritance and gifts and the application of the bilateral agreements on the avoidance of double taxation, the members of the Headquarters Personnel who, exclusively on account of serving at the Headquarters of the Eurocorps, take up residence in the territory of a Party other than the one that pays them remuneration or similar payments for this service are - for the purposes of the tax laws - to be considered as if they had retained their residence in the latter country .

This provision shall also apply to the spouses unless they themselves go out to work and to the children of the persons referred to by this article who are entitled to maintenance and live in their households.

(2) Remuneration and similar fees that are paid to the Headquarters Personnel in this capacity shall be solely subject to taxation by the Sending State that pays them.

Article 30

The customs and tax authorities of each Party may render the approval of all the duty and tax exemption and relief provided for in this treaty dependent on the observance of the terms they consider necessary to prevent abuse.

[4] The French wording of this sentence is possibly not identical in meaning. – Translator's Note

Title V
Budget and Finance Provisions

Article 31

A common annual budget shall be drawn up. It shall include the revenue and the investment and operating expenses of the Headquarters, including the personnel expenses for the civilians employed by the Headquarters. It shall also include the revenue and expenses specified in Title III. The expenses shall be financed by the Parties in accordance with the financial regulations.

Article 32

(1) The Auditing Committee shall

- monitor observance of the Budgetary and Financial Regulations;
- check revenues and expenditures of the common annual budget;
- annually verify the budget execution and prepare its report on it.

(2) The chairman of this committee shall be selected from among the committee members on a rotation basis. His nationality must be different from that of the Commanding General of the Eurocorps.

(3) The national auditing authorities shall have the right to inspect documents at the Headquarters of the Eurocorps that serve as a foundation for financial contributions and national expenditure.

Article 33

The Budget and Finance Committee shall

- advise the Common Committee on financial and budget matters;
- draw up the Budgetary and Financial Regulations, which lay down details notably on the possible modes of financing, on the budgetary procedures, on the keys determining the burden-sharing key and on the procedures of calling for funds, and submit these regulations to the Common Committee for approval;
- consider the drafts of the common annual budget and medium-term plan, have them amended as required and submit them to the Common Committee for approval;
- consider the Commanding General's annual report on the budget execution;
- consider the Auditing Committee's annual report on the budget execution after obtaining the Commanding General's comments, if applicable;
- notify the Common Committee of the conclusions it has drawn on the two reports cited in this article.

Article 34

The Common Committee shall

- approve the financial regulations;
- approve the common annual budget and the medium-term plan;
- approve the report on the execution of the common annual budget after taking note of the Auditing Committee's report and the conclusions drawn by the Budget and Finance Committee.

Title VI
Miscellaneous

Article 35

(1) Whenever the Common Committee so decides, exercises may be conducted in the territory of one Party or another for the purpose of instructing and training the Eurocorps.

(2) Exercises shall fundamentally take place in areas reserved for this purpose. If the aims of exercises cannot be achieved in this way, exercises may be conducted in open terrain.

Article 36

The Headquarters shall benefit from the same relief for the use of the postal and telecommunications services as the armed forces of the Party in whose territory it is located.

Article 37

(1) It is the exclusive responsibility of the authorities of the Receiving State to take appropriate action to provide the Headquarters with the premises it needs and the appertaining facilities and services.

(2) Within the premises provided to the Headquarters for its exclusive use, the law of the Receiving State shall only apply to matters that do not concern the organisation, the internal running and administration of the Headquarters, the personnel and their dependants or other internal affairs that have no foreseeable effect at all on the rights of third parties, on the neighbouring communes or on public security and order.

Article 38

(1) Within the framework of the execution of this treaty, persons who are qualified to discharge a function in the medical service of the armed forces of a Party may exercise this function for the benefit of the personnel of the other Parties and their dependants, irrespective of their nationality.

(2) Within the framework of the execution of this treaty, the Headquarters Personnel and their dependants shall receive appropriate medical and dental treatment, including hospital treatment, in military medical establishments on the same terms as the personnel of the Party in whose territory they are.

Article 39

The Headquarters Personnel and their dependants shall not be subject to the legislation of the Receiving State concerning the registration of aliens.

Article 40

Within the framework of the execution of this treaty and subject to the requirements of maintaining public safety and order, vehicles and other means of transport that are in conformity with the regulations of one Party shall also meet the prerequisites for use in the territory of any other Party.

Article 41

(1) Whenever movables or immovables are no longer required by the Headquarters or in the event of a denunciation on the part of one or all of the Parties, the Parties shall agree on the residual value of the investments and on the compensation of this value.

(2) The details concerning the application of these provisions and notably the criteria for determining the residual value shall be set forth in the financial regulations.

Article 42

(1) The Common Committee may approve the appointment of personnel from third States to the Headquarters.

(2) The status of such personnel shall be stipulated by an agreement between the States that appoint them and the Receiving State.

(3) Details of how personnel from third States may participate in Eurocorps activities shall be determined by the Parties.

(4) The costs related to the presence of personnel from third States shall be borne by the States that appoint them.

Title VII
Final Provisions

Article 43

(1) Disputes between the Parties over the interpretation or application of this treaty shall be settled in negotiations between them.

(2) Disputes that cannot be settled in direct negotiations between the Parties concerned shall be referred to the Common Committee.

Article 44

(1) This treaty may be amended at any time on the proposal of a Party with the agreement of all Parties.

(2) Each amendment shall require ratification and enter into force in accordance with Article 46.

Article 45

This treaty may be complemented by implementing agreements concluded on behalf of the governments of the Parties or by special agreements concluded by the competent authorities of the Parties.

Article 46

(1) This treaty shall require ratification by the Parties. The instruments of ratification shall be deposited with the government of the French Republic.

(2) The treaty shall enter into force one month after the deposit of the last instrument of ratification.

Article 47

(1) The Parties may unanimously invite any member State of the European Union to accede to this treaty.

(2) The instruments of accession shall be deposited with the government of the French Republic.

(3) The Parties and the acceding State shall agree the terms of accession, notably those concerning the budget and finances, on the basis of this treaty and the provisions adopted for its application.

(4) This treaty shall enter into force for the acceding State a month after the deposit of its instrument of accession.

Article 48

The government of the French Republic shall notify each Party and each acceding party of the effective date of depositing of their instruments of ratification or accession and the date on which this treaty will enter into force for the Parties and the acceding parties.

Article 49

(1) This treaty may be denounced at any time by any Party upon expiration of a 10-year-term, counted from the date of entry-into-force for the Party wishing to denounce it.

(2) Any Party wishing to denounce this treaty shall provide written notification to the government of the French Republic, which shall notify the other Parties.

(3) If the treaty is denounced by a Party or if the Parties decide to terminate this contract, they shall agree on the consequences resulting from this situation, notably in the field of budget and finances, on the basis of this treaty and the provisions adopted for its application.

(4) The denunciation shall take effect one year after the receipt of the notification.

In witness whereof, the plenipotentiaries have signed this treaty.

Done at *Brussels* on *22 November 2004*

in the German, Spanish, French and Dutch languages, all the texts being equally authentic, the original being deposited in the archives of the government of the French Republic.

It shall issue each Party a certified copy.

For the French Republic

Michèle Alliot-Marie, Defence Minister

(Signature)

For the Federal Republic of Germany
Wilhelm Schönfelder, Ambassador, Permanent Representative to the European Union

(Signature)

Walter Kolbow, Parliamentary Secretary of State to the Federal Defence Minister

(Signature)

For the Kingdom of Belgium
Dirk Wouters, Ambassador, Representative to the Politics and Security Committee of the European Union

(Signature)

For the Kingdom of Spain
José Bono Martinez, Defence Minister

(Signature)

For the Grand Duchy of Luxembourg
Luc Frieden, Defence Minister

(Signature)

Translation

Final Act upon Signature of the Treaty of Strasbourg

Today the representatives of the French Republic, the Federal Republic of Germany, the Kingdom of Belgium, the Kingdom of Spain and the Grand Duchy of Luxembourg have signed the Treaty on the Eurocorps and the Status of its Headquarters, the so-called "Treaty of Strasbourg".

Annexed to this Final Act is a declaration of the Kingdom of Belgium and the Grand Duchy of Luxembourg regarding the elements of the Luxembourg armed forces to be placed under the command of the Commanding General of the Eurocorps. The signatories take notice of this declaration.

Done at *Brussels* on *22 November 2004*

For the French Republic

Michèle Alliot-Marie, Defence Minister

(Signature)

For the Federal Republic of Germany
Wilhelm Schönfelder, Ambassador, Permanent Representative to the European Union

(Signature)

Walter Kolbow, Parliamentary Secretary of State to the Federal Defence Minister

(Signature)

For the Kingdom of Belgium
Dirk Wouters, Ambassador, Representative to the Politics and Security Committee of the European Union

(Signature)

For the Kingdom of Spain
José Bono Martinez, Defence Minister

(Signature)

For the Grand Duchy of Luxembourg
Luc Frieden, Defence Minister

(Signature)

Declaration as part of the Final Act upon Signature of the Treaty of Strasbourg

The governments of the Grand Duchy of Luxembourg and the Kingdom of Belgium declare that the elements of the Luxembourg armed forces that will potentially be placed under the command of the Commanding General of the Eurocorps will, rather than forming an independent contribution, as a matter of principle be completely incorporated into the units of the Belgian armed forces.

The governments of the Federal Republic of Germany, the Kingdom of Spain and the French Republic take notice of the existence of this agreement.

As a consequence, the integrated Luxembourg elements do not constitute units in the sense of Article 20, Paragraph 2, Letter c, Item ii. Thus, this provision will always be applied taking into account this agreement, when the agreement is put into effect.

The Parties agree that in the event the Luxembourg elements are not integrated into the units of the Belgian armed forces, Article 20, Paragraph 2, Letter c, Item ii will be applied taking into account Article 1 Paragraph 4 concerning the principle of balanced burden-sharing.