

July 18, 1973

Letter, Oskar Fischer to Cde. Hermann Axen, 'Text of a Statement to be Presented Verbally to the Council of the Embassy of the PR China to the GDR'

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Summary:

Documents related to East Germany's protest against the intended establishment of a Chinese trade representation in West Berlin. The East German Ministry of Foreign Affairs stresses that West Berlin cannot be regarded as part of West Germany. Therefore, by initiating diplomatic relations with West Berlin without considering the existence of the internationally acknowledged Four Power Agreement on Berlin between the US, Britain, France, and the Soviet Union, China is deliberately acting against the interests of East Germany.

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Contents:

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Council of Ministers
Of the German Democratic Republic
Ministry for Foreign Affairs
Deputy Minister
Berlin, July 18, 1973
Member of the Politburo and
Secretary of the Central Committee of the SED
Comrade Hermann Axen
Berlin
Dear Comrade Axen!

As has become known to us from publications of the FRG and of the West Berlin press, the ambassador of the PR China to the FRG has sent a calling card to the mayor of West Berlin as well as to the minister presidents of the FRG states following his accreditation. Other press reports have informed us about the PR China's intention of establishing a representation in West Berlin which would be subordinate to the embassy in Bonn.

For this cause, we believe it is necessary to verbally present the position of the GDR on this matter to the council of the embassy of the PR China to the GDR.

I have attached a draft text here.

I request your approval.

Attachment

With socialist greetings

[signature]

Oskar Fischer

[over]

Text of a Statement to be Presented Verbally to the Council of the Embassy of the PR China to the GDR

Due to recent events, the Ministry for Foreign Affairs of the German Democratic Republic believes it to be necessary to outline the position of the German Democratic Republic with regards to the status of West Berlin and regarding some matters which are directly connected to this:

1. In judging the status of West Berlin, one must proceed from the following basic facts:

West Berlin was at no time a part of the Federal Republic of Germany. The three Western powers had to account for this circumstance from the beginning and underline multiple times that West Berlin is not a part of the FRG and is not governed by it.

In the Quadripartite Agreement from September 3, 1971, it was again confirmed in international law that that "these sectors are as heretofore not a part of the Federal Republic of Germany and will continue to not be governed by it." At the same, it was emphasized that the articles of the Basic Law that contradict this remain suspended.

It follows from these facts that the FRG in no way possesses sovereign rights vis-à-vis West Berlin. Connections between the western sectors of Berlin and the FRG can only be maintained and developed under consideration of the basic facts presented above.

2. The People's Republic of China has proceeded from the fact in the past that West Berlin is not a part of the FRG and may not be governed by it. The German Democratic Republic always welcomed this position of the PR China.

Recently, the ambassador of the People's Republic of China sent his calling card over to the governing mayor of West Berlin and the minister presidents of the federal states of the FRG. In this, the mayor of West Berlin was handled by the official representative of the PR China to the FRG in exactly the same way as the heads of government of the FRG states, over which the federal government in Bonn exercises

sovereign rights anchored in the Basic Law of the FRG.

Such conduct must be judged as an expression of a change in the position of the PR China with regards to the status of West Berlin.

With this official step, the efforts of the FRG to integrate West Berlin into the political and societal system of the FRG in violation of the Quadripartite Agreement and to treat West Berlin like a federal state of the FRG are supported.

The MfAA of the GDR expresses its disconcertment over this step by the ambassador of the PR China, who developed official diplomatic activities vis-à-vis West Berlin. It is regrettable that the legitimate interests of the GDR are damaged and the efforts of the FRG to undermine the Quadripartite Agreement are abetted.

The MfAA expresses the hope that the Chinese side consider the position of the GDR and refrains from conducting diplomatic activities vis-à-vis West Berlin through the embassy of the PR China in the FRG.

3. Recently, some socialist countries have requested the establishment of general consulates in West Berlin with the responsible bodies of the USA, Great Britain and France. In case the Chinese side has similar aims, the GDR expects that in realizing them, it will also proceed from the fact that West Berlin is not a part of the FRG and not governed by it.

That means in particular:

The establishment of a representation in West Berlin may in no way take place on the basis and in the context of relations between the PR China and the FRG;

An independent representation of the PR China in West Berlin should be directly answerable to the MfAA of the PR China and not to the embassy of the PR China in the FRG;

Placing an application to establish such a representation should be done with the three Western powers, but not via the embassies of these states to the FRG.

The MfAA of the GDR would welcome it if the PR China would proceed in its future policy vis-à-vis West Berlin from the status of West Berlin that is defined in the Quadripartite Agreement and would consider the legitimate interests of the GDR.

I ask you to transmit this standpoint of the MfAA of the GDR to the MfAA of the PR China.