

**Exchange of notes constituting an agreement concerning the delimitation of the
borderline between Denmark and the Federal Republic of Germany in the
Flensburg Fiord area
22 and 28 October 1970(1)**

Note Verbale from Germany

The Embassy of the Federal Republic of Germany has the honour to inform the Royal Danish Ministry of Foreign Affairs as follows:

The old Holnaes (Holnis) lighthouse in Flensburg Fiord, which serves as a reference point for demarcating the frontier between Germany and Denmark, was taken out of service in 1966 and replaced by a new lighthouse 30 metres further south. On behalf of the Government of the Federal Republic of Germany, the Embassy of the Federal Republic of Germany proposes to the Government of the Kingdom of Denmark, in accordance with the Treaty of 10 April 1922 between Denmark and Germany concerning the settlement of questions arising out of the transfer to Denmark of the sovereignty over North Sleswig, the following agreement:

For the purpose of demarcating the frontier line between Germany and Denmark in Flensburg Fiord north-east of Flensburg, the newly erected Holnaes (Holnis) lighthouse situated 30 metres south of the old lighthouse (former reference point) shall serve as a new frontier reference point.

The competent survey agencies of the two States shall jointly:

- (a) Determine the geographical co-ordinates of the new lighthouse;
- (b) Re-determine and mark the position of outlying beacon 4a (east of the lighthouse) on the line between the lighthouse and frontier point D and outlying beacon 9a (west of the lighthouse) on the line between the lighthouse and frontier point K, and establish their geographical co-ordinates;
- (c) Establish the geographical co-ordinates of the new unmarked frontier points E and I.

A joint supplementary protocol concerning the new demarcation and the new geographical co-ordinates of the reference points in the systems of co-ordinates of each State shall be drawn up, and reference shall be made to this supplementary protocol in the frontier atlas constituting an integral part of the frontier Treaty of 3 September 1921.(2)

This Agreement shall also apply in respect of Land Berlin, unless the Government of the Federal Republic of Germany informs the Government of the Kingdom of Denmark otherwise within three months from the date on which the Agreement enters into force.

If the Government of the Kingdom of Denmark confirms that it agrees with the proposal of the Government of the Federal Republic of Germany, the Embassy proposes that this note verbale and such confirmation shall constitute an agreement between the Government of the Federal Republic of Germany and the Government of the Kingdom of Denmark, to enter into force on the date of the note of reply from the Ministry of Foreign Affairs of the Kingdom of Denmark.

The Embassy of the Federal Republic of Germany takes this opportunity, etc.

Copenhagen, 22 October 1970.

Royal Danish Ministry of Foreign Affairs.

Copenhagen

Note Verbale from Denmark

The Ministry of Foreign Affairs acknowledges receipt of the note of 22 October 1970 from the Embassy of the Federal Republic of Germany, which reads as follows:

[See note 1]

The Ministry of Foreign Affairs has the honour to inform the Embassy of the Federal Republic of Germany that the Government of the Kingdom of Denmark agrees with the proposal set forth in the above-mentioned Note Verbale and that it considers the Embassy's Note Verbale and this confirmation as constituting an agreement between the Government of the Kingdom of Denmark and the Government of the Federal Republic of Germany to enter into force on the date of this reply.

Copenhagen, 28 October 1970.

Embassy of the Federal Republic of Germany, Copenhagen

Endnotes

1 (Note - Note)

Signed at Copenhagen on 22 and 28 October 1970

Registered by Denmark on 15 May 1973: **No. 12513**

Came into force on 28 October 1970, the date of the note in reply, in accordance with the provisions of the said notes.

2 (Note - Note)

See the preamble of the "Agreement regarding the maintenance of the frontier line between the two countries, and the upkeep of the frontier marks", annexed to the "Treaty concerning the settlement of questions arising out of the transfer to Denmark of the sovereignty over North Sleswig" signed at Copenhagen on 10 April, 1922 (League of Nations, Treaty Series, vol. X, p. 193), which states as follows:

"The new national frontier between the German Reich and Denmark has been delimited, marked out and surveyed on the ground, by the Frontier Delimitation Commission, which was formed in accordance with Article III of the Treaty of Versailles. The results of the observations and surveys have been recorded in a volume of maps, which was published in triplicate on September 3, 1921. The three copies of this official publication have been deposited, respectively, in the archives of the Ambassadors' Conference at Paris, and with the Governments of the two States concerned."