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## REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Note verbale dated 12 May 1975 from the Permanent Mission of  
the Union of Soviet Socialist Republics to the United Nations  
addressed to the Secretary-General

The Permanent Mission of the Union of Soviet Socialist Republics to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him of the following.

With reference to the letter from the Permanent Representatives of France, the United Kingdom and the United States addressed to the Secretary-General, dated 14 April 1975 (document A/10078 and Corr.1 of 23 April 1975) concerning the United Nations Demographic Yearbook, the Permanent Mission of the Union of Soviet Socialist Republics reaffirms its point of view, as set out in its note verbale dated 13 November 1974 (document A/9855 of 13 November 1974). The Permanent Mission also wishes to draw attention to the following facts.

1. The Soviet Union rejects the assertions in the three-Power letter concerning the present legal status of Berlin, capital of the German Democratic Republic. The capital of the German Democratic Republic is an integral part of that country, from which it is inseparable, and has exactly the same legal status as any other part of the territory of the German Democratic Republic. Neither the provisions of the Quadripartite Agreement of 3 September 1971 nor the Quadripartite Declaration of 9 November 1972 (S/10955) 1/ affects in any way whatsoever the position of Berlin as the capital of the German Democratic Republic, a fact which those instruments take for granted.

2. The attempts of the three Powers to prove otherwise by referring to quadripartite wartime and post-war agreements and decisions cannot be regarded as sound, inasmuch as they are clearly contrary to legal and factual realities. The

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1/ Official Records of the Security Council, Twenty-eighth Year, Supplement for April, May and June 1973.

Soviet Union deems it essential to emphasize that France, the United Kingdom and the United States do not possess, and never did possess, any "original", non-treaty rights over Berlin. Territorially, Berlin was never detached from the former Soviet zone of occupation in Germany, a fact which is reflected and confirmed in the quadripartite instruments.

3. On the question of the authority exercised jointly by the four Powers over Berlin, it was of course the three Powers themselves that brought that situation to an end by frustrating the implementation of the quadripartite agreements and decisions and by cutting off the western sectors of Berlin from their natural environment. It is perfectly obvious that they cannot claim advantages under an agreement that they themselves violated, much less claim any rights whatsoever with respect to the capital of the German Democratic Republic.

4. The Soviet Union continues to deem it essential that all parties should take into consideration the political and territorial situation which actually exists in that area, as a result of events in the post-war period and as now recognized and accepted by the immense majority of States. Such an attitude would serve the cause of developing normal and business-like co-operation on a broad international basis.

The Permanent Mission of the Union of Soviet Socialist Republics requests you to circulate this note as a General Assembly document under item 12 (Report of the Economic and Social Council) of the preliminary list of items to be included in the provisional agenda of the thirtieth session of the General Assembly.

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