



Kurzinformation

Recognition of new states

According to German constitutional law, the recognition of a new state is a unilateral act falling within the competence of the executive powers. According to Article 59 (1) of the German Basic Law it is the President of the Federal Republic as the Head of State having the power to recognize a new state (e.g. recognition of Kosovo 2008). In practice, this power has already been exercised by the German Chancellor (e.g. the recognition of Madagascar 1960) or the German Foreign Minister (e.g. recognition of the Federal Republic of Yugoslavia 1996) acting on behalf of the Head of State.

To recognize a state, the President of the Federal Republic of Germany would send a diplomatic note (letter of recognition) to the representative of the state to be recognized. The letter of recognition is published in the Bulletin of the Federal Government.

The political decision of recognition falls within the responsibility of the German Government. The Government's decision is taken as a decision of the cabinet (Article 65 of the Basic Law) following to the "Rules of Procedure of the Federal Government."

Although the German Parliament (Bundestag) has no legal powers with a view to the recognition of states, it may make any political (but legally non-binding) proposals in this field. For instance, the left wing party in Germany (DIE LINKE) tabled several motions to recognize the Palestinian Autonomous Territories as a state (Palestine).