



# **International Boundary Study**

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## **Germany – Netherlands Boundary**

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**INTERNATIONAL BOUNDARY STUDY**

**No. 31**

**GERMANY - NETHERLANDS BOUNDARY**

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# THE GERMANY - NETHERLANDS BOUNDARY

## I. BOUNDARY BRIEF

The Germany - Netherlands boundary extends for approximately 335 miles<sup>1</sup> (570 kilometers) from the Ems-Dollart estuary on the North Sea to the Belgian tripoint southwest of Aachen. The entire terrestrial boundary has been demarcated and, since the entering into force on June 10, 1963 of the Treaty of April 8, 1960, there have been no disputed sections. However, a "boundary" through the Ems-Dollart estuary has not as yet been negotiated. A convention signed on the same date as the treaty provides for the allocation of the marine area for exploration and exploitation as well as the procedures by which an agreement may be reached.

## II. BACKGROUND

### A. Geographical

The frontier between Germany and the Netherlands, by West European norms, is largely a lightly-settled area of relatively limited economic value. Only in the region south and west of the Rhine does the boundary traverse a densely-populated area of significant economic importance.

The boundary originates in the low featureless Ems Marshes of the North Sea coast. This agricultural region, reclaimed from the sea in recent times, is criss-crossed by drainage canals and crescent-shaped dikes. The Boundary Aa River (in German Grenz Aa) has been for years a minor source of irritation until the negotiation of the recent treaty.

South of the polder land, the boundary traverses the Boertanger Moor and the Nordhorn Moor. Originally, a vast uninhabited tract, the moors were elected as an ideal frontier zone several centuries ago. These two areas were, until recent times, overlain with a thick layer of peat which had to be removed before the land could be exploited agriculturally. As a result of greater population pressures, settlement took place first on the Dutch side and only recently have German settlers begun to dig peat and till the land. The population density of the Nordhorn Moor (about 68 per square kilometer) is greater than that of the Boertanger Moor (about 30 per square kilometer) due to the development of industrial and mining activity. Primarily among these are the oil and gas fields between Coevorden (Netherlands) and Meppen (Germany) and textile districts centered on Enschede (Netherlands) and Gronau (Germany).

Approximately 500 producing wells, almost equally divided between the two countries,

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<sup>1</sup> Measured on 1:25,000 topographic maps in the Office of the Geographer. According to the German and Dutch official figures, the 1939 boundary was 629 kilometers (391 miles) and the 1949 boundary was 552 kilometers (343 miles).

constitute the oil field. By agreement wells may not be drilled within 165 feet of the boundary. In the textile district, the previously rural landscape has given way to a dominantly urban area and towns and mills abound.

While previously a large number of mill workers commuted daily across the boundary, the practice has all but stopped in recent years. This change results as much from the general shortage of labor in both states as it does from national policies.

Below the moors, the Munsterland stretches southward and westward to the Rhine. Primarily an upland, it has been heavily glaciated and contains widespread areas of ground moraine and outwash. Soils have been extensively weathered, but are well-drained and reasonably fertile. Much of the region, in contrast to the northern moors, has been occupied continuously for over a thousand years. Rye and potatoes are the main staples with fodder crops, beets, and livestock of lesser value.

The international boundary crosses the Rhine and its distributaries in a complex region of recent alluvial deposition, dikes, older flood plains and abandoned courses. The soils generally are fertile, silty loams, well drained and productive. Rural population densities, while not large (about 60 per square kilometer) are greater than in the polder and moorlands. Moreover, the large number of commercial cities along the Rhine increase the average density to about 160 inhabitants per square kilometer.

Southward the boundary enters the terraced plains and hill lands north of the Rhine Slate Mountains. The Cologne - Aachen mining and industrial region on the German side and the comparable district of the middle Maas in the Netherlands attain population densities over 500 inhabitants per square kilometer. These coal fields, and their utilization, played an important role in the 1949 provisional adjustments of the Dutch - German frontier, particularly in the Kerkrade - Herzogenrath area.

The final small segment of the boundary traverses the upland Venn to terminate on an unnamed hill (321 meters), the highest elevation in the Netherlands, to the southwest of Aachen.

The Dutch - German boundary cannot be classified as a "natural" boundary; rather, in its general N - S alignment it transects the east - west oriented natural features. The bases of the boundary are to be found in the historical occupation of the land.

## **B. Historical**

The historical development of the boundary may be divided into two parts: north and south of the Rhine. The former segment represents the stable frontiers of various German counties, duchies, and bishoprics established for over 400 years. As was pointed out much of the area had been unfit for human occupation until recent times. The erection of dikes, draining of marshes and stripping of peat are several examples of the work undertaken in the last several centuries to reclaim the land. In addition, several of the moor

areas, for strategic reasons, were kept unoccupied as a defensible buffer zone. Essentially the northern boundary reflects, with only minor adjustments, the status quo which has prevailed since 1559.

In contrast, the southern section from the Rhine to the Belgian tripoint has undergone constant change up to and including the 1815 Congress of Vienna. At various periods Dutch sovereignty extended eastward almost to the Rhine while German influence has included such currently Dutch cities as Roermond and Maastricht. The Vienna Congress boundary represented a compromise between the conflicting claims and, while not completely satisfactory to either, it has proven to be a relatively effective border. Numerous adjustments have been made in recent times, as will be noted below, but these have essentially been very minor in scope. The 1960 treaty changes have been typical of the technical adjustments of the last century.

### **III. ANALYSIS OF BOUNDARY ALIGNMENT**

The Dutch - German boundary is not based primarily on "natural" features. In certain areas, streams and other topographic features are utilized but these have been chosen primarily for their socio-economic rather than physical bases.

From south to north, the boundary is composed of a series of straight lines, usually very short in length, joining determined fixed points, i.e., demarcation pillars. The density of the pillars is such that all are intervisible or nearly so. Only in the flat polderland, where drainage canals are utilized as the boundary, does one find reasonably long stretches without pillars.

The boundary has been one of Europe's more stable lines, the northern segment being approximately 400 years old while the southern dates from 150 years ago. In spite of the relative stability, as populations have increased and the border areas become bound to their national economies, certain problems have developed. These may be characterized as minor irritants rather than major headaches. Based on technical questions of communications, drainage, and customs control rather than on more explosive social or economic factors, they have nevertheless complicated normal relations between the two states.

Primarily to ease these technical problems but also as a form of indemnification for war damages, the Netherlands advanced territorial claims to Germany in 1948. Due to the inability of the Four Powers to draft a peace treaty with Germany, the London Conference (1948) agreed that "provisional rectifications" could be made along the western frontiers of Germany. The Working Party on Provisional Adjustments of the Western Frontiers of Germany, meeting in Paris in 1948 and early 1949, scaled down considerably the claims of the various countries. At this time, the recommendations were referred to demarcation commissions. Eventually changes were made along the Dutch, Belgian, Luxembourg, and French boundaries.

The Final Report of the Demarcation Commission of the Netherlands - German Frontier was issued in The Hague in 1949. By this Report and the subsequent approval of the Netherlands Government, approximately 26 square miles and 9,553 persons were transferred from Germany to the provisional administration of the Netherlands. The original Dutch claims had included approximately 700 square miles and over 100,000 persons. The following parcels were transferred:

REFERENCE NO.	NAME	AREA	POPULATION
II - A - 1	Westerwoldsche Aa	131 acres	-
II - A - 2	Boertanger Moor	54 acres	-
II - A - 3	Denekamp	20 acres	-
II - A - 4	Losser	153 acres	18
II - A - 6	Rekken	*	-
II - A - 7	Ramsbeek	27 acres	-
II - A - 8	Dinxperlo	114 acres	353
II - A - 9	Elten	7 sq. mi.	3,255
II - A - 10	Millingen	*	-
II - A - 11	Beek	1 sq. mi.	147
II - A - 12	Reichswald	*	-
II - A - 14	Hommersum	17 acres	4
II - A - 15	Siebengewald	*	-
II - A - 16	Arcen	178 acres	12
II - A - 17	Sittard	16 sq. mi.	4,205
II - A - 18	Waubach	*	-
II - A - 19	River Worm	205 acres	134
II - A - 20	Kerkrade	20 acres	-
II - A - 21	Vaals	*	-
* Insignificant		Totals	
		26 sq. mi.	
		487 acres	9,553

Almost since the cession, negotiations proceeded for an orderly and permanent settlement of the boundary. The main problem, however, proved not to be terrestrial rectifications but the creation of a water boundary through the Ems-Dollart estuary to the Frisian Islands. The interest of the Netherlands involves the polderization of the Dollart and the creation of a deep-water port at Delfzijl. Germany has maintained that these "improvements" will result in the destruction of Emden as a major port.

While unable to resolve this dispute, on April 8, 1960 the two Governments signed a final "settlement" treaty on the boundary and other questions.<sup>2</sup> Final ratification took a great deal of time, however, and the treaty did not become effective until June 10, 1963. Basically the treaty produced 43 immediate adjustments of the boundary and four additional which will take place in the future after certain border stream regulations are accomplished. The changes involve:

<sup>2</sup> Article 7 of the Bonn Convention on Relations provides the final determination of the boundaries of Germany must await a peace settlement for the whole of Germany.

1. Permanent transfer of provisionally-administered German territory to the Netherlands;
2. Return to Germany of Dutch provisionally-administered territory;
3. Cession of additional Germany (1937) territory to the Netherlands; and
4. Cession of Netherlands (1937) territory to Germany.

Most of the transfers represent very minor alterations of the boundary and they may be mapped only at the largest of scales, i.e., 1:25,000 and over. However, several will affect all maps (see attached map).

Treaty Paragraph	Name	Comments
A§-5	Vaals Quarter	Between boundary pillars 196-a and 197 (c. 12 meters x 350 meters) along highway. Provisionally to Netherlands in 1949. Part ceded outright; part returned to Germany. II-A-21 in 1949 agreement.
A§-6	Herzogenrath-Kerkrade	Between pillars 229 and 232, a strip about 7 meters x 1600 meters. Area along Nieuwstraat ceded permanently to Netherlands. Two very small areas returned to Germany. II-A-20 in 1949 agreement (c. 20 acres).
A§-7	Herzogenrath-Rolduc	Continues A§-6 above from x stones 232b to 235 (c. 60 - 175 meters x 900 meters). About 50% was provisional Dutch administration, remainder added from Germany (1937). However, a triangular area (140 meters x 240 meters) returned to Germany as was a rectangle (260 meters x 200 - 260 meters) in the south.
A§-8	Rimburg-Eygelshoven	Continues A§-7 above along the meandering Worm River. The stream has been canalized in a smooth curve for about 5,500 meters returning most of the provisionally ceded territory to Germany but permanently transfers a small area to Netherlands. Section II-A-19

of 1949 provisional transfer.

A§-9	Scherpensed-Waubach	Between pillars 256 and 257, the boundary is displaced from center of road to German edge. Area: 2 - 3 meters x 115 meters. Section II-A-18 of 1949 provisional transfer.
A§-10	Selfkant-Tuddern-Sittard	Major return of territory to Germany including most of the 1949 provisional transferred. (II-A-17) 16 square miles. The 1939 boundary is restored except for five minor transfers in A§-11 - A§-15 below.
A§-11	Rodebach	Minor exchange of territory caused by regulation of the meandering Rodebach by Mindergangelt - Schinveld. Triangular area within Oude Beek and Rodebach (brooks), about 500 meters x 200 meters ceded to Netherlands with a comparable area to the west ceded to Germany.
A§-12	Alter Rodebach	Again a mutual cession of territory for regulation of boundary brook.
A§-13	Alter Rodebach	Continues A§-12 to the north, both cessions are between pillars 305 and 311.
A§-14	Isenbruch/Susteren	Continues from above but boundary leaves brook to follow road. Small mutual cessions near pillar 312.
A§-15	Saeffelen/Konigsbosch	Near Pillar 324, a small (about 15 meters x 120 meters) cession of Dutch territory.
A-16	Rothenbach	Again a mutual cession of territory involved in stream regulation between pillars 373 and 374.
A§-17	Straelen/Arcen	Between pillars 480 and 486, about 50% of the provisionally-transferred territory (178 acres) is returned to Germany.



An additional triangular area (about 415 meters x 375 meters) of German territory is ceded to the Netherlands to simplify boundary control. Section II-A-16 of 1949 provisional transfer.

A§-18 Walbeck/Arcen Continuation of above between pillars 488 and 499. The triangles between 488 and 492 are now Dutch while the large triangle between 492 and 499 is returned to Germany.

A§-19 Gaesdonk/Siebengewald Provisional (1949) boundary accepted in the main to improve local traffic. Entire road between pillars 530 and 532 to Netherlands. II-A-15 of 1949 provisional transfer.

A§-20 Boeckelt/Bergen Again adjustments to place paths entirely in one country rather than being shared. Between pillars 535 and 539.

A§-21 Hommersum/Bergen Two provisionally ceded areas, 240 meters x 260 meters and 15 meters x 140 meters transferred to Netherlands and one 550 meters x 40 meters returned to Germany; between pillars 555 and 561. Section II-A-14 (17 acres) of 1949.

A§-22 Grafswegen/Ottersum Again a transfer to place entire path in the Netherlands. Provisional cession, II-A-12; between pillars 589 and 595.

A§-23 Wyler Beek The third largest of the 1949 provisional transfers (1 square mile) between pillars 626 IX and 642. About 80% of area is now ceded to Netherlands and remainder, south of 269 bis, is returned to Germany. Section II-A-11 of 1949.

A§-24 Keeken/Millingen Between pillars 650 and 652 a mutual cession of paths ceded (775 square meters to Germany; 1750 to Netherlands). Section

II-A-10 of 1949 cession.

A§-25	Elten	The next to the largest 1949 transfer involving 7 square miles. By the new treaty about 90% has been returned to Germany. Remaining sections covered by A§-26 - A§-29 below. Section II-A-9 of 1949 cession.
A§-26	Pillars 682 - 683	90 meter x 15 meter strip ceded to Netherlands.
A§-27	Customs House	Boundary moved 200 meters west for 1 kilometer between pillars 684 and 688 for planned autobahn.
A§-28	Pillar 689	Small triangle, 70 meters x 20 meters, ceded to Netherlands to control entire road.
A§-29	Pillars 695 - 702	An irregular area approximately 2,000 meters x 500 meters ceded to Netherlands for road of A§-27. A small area 200 meters x 200 meters of 1937 Netherlands ceded to Germany.
A§-30	Praest/Gendringen	Rectangle 450 meters x 550 meters between pillars 711 and 712 ceded by Germany for the autobahn.
A§-31	Issel	Between pillars 718 and 720, the meandering brook has been straightened involving a mutual cession of 1937 territory.
A§-32	Bocholter Aa	An identical situation between pillars 728 and 730.
A§-33	Suderwick/Dinxperlo	Almost all of the 1949 transferred territory (114 acres) is returned to Germany. Four small sections are retained by the Netherlands while four bits of 1939 Netherlands are transferred to Germany. The road, Anholter Weg, which originally caused the difficulty, will be relocated. Section II-A-8 of 1949.

A§-34	Zwillbrock/Eibergen	All of the provisionally ceded territory (27 acres) between posts 806 and 811-36 is returned to Germany. Section II-A-7 of 1949.
A§-35	Ammeloe/Rekken	Provisional transfer made permanent. Section II-A-6 of 1949.
A§-36	Bardel/Losser	Near pillar 6 two small projections, 5 x 5 meters and 5 x 10 meters, are permanently ceded to the Netherlands. Along with A§-37 and 38 below, this formed II-A-4 of 1949 agreements.
A§-37	Bardel/Losser	Between pillars 7 and 12 a triangular area, 1000 meters x 210 meters, transferred permanently to Netherlands.
A§-38	Bardel/Losser	A 60 meter x 60 meter projection to the Netherlands. The remaining provisionally-transferred territory between Bardel and Losser returns to Germany.
A§-39	Streitweg/Vrijdijk	All of a path now in the Netherlands. Between pillars 24 and 33. Section II-A-3 (with A§-40 below) of 1949 transfer.
A§-40	Frensdorf/Denekamp	Most of the provisionally-transferred territory (20 acres) returned to Germany. However, two irregular areas, 200 meters x 40 meters between pillars 35 and 39 and 20 meters x 100 meters between 40 and 41-III now permanently in the Netherlands.
A§-41	Radewijker Bach	The straightening of the border brook transfers 19 areas, almost equally divided between the two states, between pillars 113 and 116.
A§-42	Laar/Coevorden	Transfer of drainage canal to

Germany between pillars 133 and 140.

A§-43	Grenz Aa	Again this involves the regulation of a boundary stream with about 170 meanders cut off and an almost equal transfer of territory. The territory between pillars 151 XIV and 156 was not part of the 1949 transfers.
A§-44	Rhede/Vlagtwedde	All of the provisionally-administered territory, three strips about 10 meters wide and 27 kilometers long, have been returned to Germany. (54 acres). II-A-2 of 1949.
A§-45	Kloster Dunebroek/ Bellingwolde	The final three transfers were part of the 1949 parcel II-A-1. In this case, 25 meters x 1650 meters between pillars 186 and 187 is permanently Dutch.
A§-46	Bunderneuland/ Nieuweschans	For a planned highway, an area 850 meters x 175 meters between pillars 192 and 195 I has been ceded to the Netherlands.
A§-47	Westerwoldsche Aa	A complex transfer of territory for water-drainage control. About two-thirds of the provisionally-transferred territory now ceded to Netherlands. In addition, one small area of 1937 Germany passes to the Netherlands and three small areas of Dutch territory to Germany.

In addition to these transfers, four other cessions are scheduled to take place when the necessary engineering works may be completed.

Treaty Paragraph	Name	Comments
B§-2	Amstelbach/Bleyerheider Bach	Two small border streams will be straightened between pillars 224 and 227.
B§-3	Muhlenbach (Junge Wurm)	A similar situation between pillars 361 and 362 for a

distance of approximately 500 meters.

B§-4	Rothenbach	A brook will be regulated for a distance of about 1300 meters between posts 374 and 376.
B§-5	Rammelbach	Between pillars 41 IV and 47, the brook will be regulated for about 1200 meters.

#### IV. TREATIES

In the following discussion, only the treaties of the 19th and 20th centuries are included. The earlier agreements have either been superseded or included in the provisions of the later documents.

**A. Treaty between Great Britain, Austria, Prussia, and Russia, and Netherlands, signed in Vienna, 31 May 1815.** (Incorporated with the provisions of the "Congress of Vienna", June 9, 1815). (BFSP 2:3)

The treaty defined a new boundary in (present day) southern Netherlands by dividing Prussian and Netherlands claims. The northern boundary was treated as the historical frontier.

**B. Boundary Treaty between Prussia and Netherlands.** Signed in Aachen on 26 June 1816 (BFSP 3:720)

Detailed delimitation and demarcation descriptions are included in this treaty which established definitively the Congress of Vienna boundary.

**C. Boundary Treaty between Hanover and the Netherlands.** Signed at Meppen, July 2, 1824.

On the basis of treaties dating from 1548 to 1801, a precise modern delimitation of the boundary from Welperven to the Ems was established.

**D. Treaty between Great Britain, Austria, France, Prussia, and Russia, on the one part, and the Netherlands, on the other.** Signed at London, on 19 April 1839.

The division of the Low Countries as accomplished and the 1815 boundary was separated into two sectors, i.e., Belgian and Dutch.

**E. Boundary Treaty between Netherlands and Prussia.** Signed at Aachen, December 11, 1868. (Martens NRG 20:537)

The treaty reestablished markers in certain sectors where they had been destroyed and provided for minor changes near Worms Brook, Gangelt and Vlodrop (pillars 238, 239, 263 - 6, 268 - 71, 372, and 373).

**F. Treaty to Regulate the Respective Rights Concerning ... Dikes on the Frontier ...** Signed at The Hague, December 17, 1904. (BFSP 97:1036)

The boundary was not modified by this technical-administrative agreement.

**G. Report by the Demarcation Commission of the Netherlands - German Frontier.** Signed at The Hague, December 10, 1949.

As a result of the Paris Protocol of March 22, 1949, the Commission made 19 provisional changes in the frontier totaling 26 square miles and 487 acres. The changes are dealt with specifically in II-B above. However provisional they were, these modifications formed the basis for the treaty below.

**H. Treaty between the Federal Republic of Germany and the Kingdom of the Netherlands on the course of the common territorial boundary ... and other boundary questions.** Signed at The Hague, April 8, 1960 with Protocols. Entered into force June 10, 1963.

The alterations made by this treaty have been discussed in Section III above. As has been seen, most of the changes are very minor and cannot be shown cartographically except at the largest scales. To document the territorial exchanges, the treaty annexes 43 large scale maps of the modifications and four of the future changes.<sup>3</sup>

Due to the large number of annexes, they could not be reproduced and annexed. However, they should be consulted for large-scale compilation or revision.<sup>4</sup>

The changes in the boundary which would affect small scale cartography are shown on the attached map.

**I. Treaty between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the Regulation of the cooperative Work in the Ems Estuary.** Signed at The Hague, August 8, 1960.

The boundary through the Dollart and the Ems Estuary has long been a problem to the two states. The present treaty, which provides for the mutual exploration and exploitation of the region, does not solve the dispute. Rather in Paragraph 10, Article 46, it specifically states

<sup>3</sup> The maps range in scale from 1:50,000 to 1:500. Most, however, are between 1:10,000 and 1:2,000.

<sup>4</sup> See Bundgesetzblatt, Teil II, Nr. 18, 25 June 1963, pp. 458 - 652, Federal Minister of Justice, Bonn.

that the treaty does not affect the boundary and each state reserves its rights. Annex A, a 1:50,000 map, shows an area in the Dollart to be drained by the Dutch while Annex B defines the area of the Ems Estuary. However, the supplementary agreement of the same date includes a specific map of the defined area (grenzbereich/grensgebied) (see Map No. 2) of the Ems and the "line" dividing the Ems area for gas and oil exploitation. The "line" is not to be construed as an accepted boundary.

## **V. SUMMARY**

The new treaty has shortened German - Dutch boundary and reduced the number of custom's anomalies and drainage problems. As a result, many of the causes of discord have been erased. There still exists, however, the dispute in the Ems Estuary but the Ems Treaty provisions should serve to reduce this cause of friction. Furthermore, procedures now exist whereby a solution may be sought through the international court.

It should be remembered that Article 7 of the Bonn Convention on Relations provides the final determination for the boundaries of Germany must await a peace settlement of the whole of Germany. As a result, these current boundary arrangements are necessarily still provisional even though the boundary should be shown as international.

This International Boundary Study is one of a series of specific boundary papers prepared by the Geographer, Office of Research in Economics and Science, Bureau of Intelligence and Research, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16.

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