

**No. 1176**

---

**NETHERLANDS  
and  
UNITED STATES AND BRITISH ZONES  
OF OCCUPATION IN GERMANY**

**Agreement concerning the restitution of inland water transport craft and equipment (with exchange of letters).  
Signed at Berlin, on 20 January 1947**

*Official text: English.*

*Registered by the Netherlands on 17 April 1951.*

---

**PAYS-BAS  
et  
ZONES D'OCCUPATION AMÉRICAINNE  
ET BRITANNIQUE EN ALLEMAGNE**

**Accord concernant la restitution de certains bateaux et de matériel de navigation intérieure (avec échange de lettres). Signé à Berlin, le 20 janvier 1947**

*Texte officiel anglais.*

*Enregistré par les Pays-Bas le 17 avril 1951.*

No. 1176. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE NETHERLANDS AND THE AUTHORITIES OF THE UNITED STATES AND BRITISH ZONES OF OCCUPATION IN GERMANY CONCERNING THE RESTITUTION OF INLAND WATER TRANSPORT CRAFT AND EQUIPMENT. SIGNED AT BERLIN, ON 20 JANUARY 1947

---

This Agreement concerning the restitution of Inland Water Transport craft and equipment is made between the Commanders-in-Chief and Military Governors of the U.S. and British Zones of Occupation in Germany of the one part and the Royal Netherlands Government of the other part.

1. The Royal Netherlands Government will forego any right it may have under Art. 6 (A) of the Final Act of the Paris Conference on Reparations in respect of such craft and equipment.

To this end it will—

(a) Initiate proceedings for the restitution from the Netherlands to the U.S. and British Zones of Occupation in Germany of all Inland Water Transport craft and equipment registered in Germany on the 9th May 1940 and proved to be of German ownership and being at present located in the Netherlands.

Such restitution will be made through the Office of the Commissioner General for the Netherlands Economic Recuperation (C.G.R.).

The proceedings will be similar to those for the restitution of Netherlands equipment from Germany.

(b) Cause the C.G.R. to invite a Commission consisting of one or more U.S. and/or British Officers, advised by German shipping experts, to verify the number and location of German craft in the Netherlands. The C.G.R. will give every assistance to enable this Commission to discharge its task effectively.

2. The Royal Netherlands Government, however, retains its full right to make claims through the Inter-Allied Reparations Agency in respect of any Inland Water Transport craft or equipment which the Allied Control Authority may declare available for reparations.

<sup>1</sup> Came into force on 20 January 1947, in accordance with paragraph 5.

3. Subject to the provisions in force with respect to restitution the Military Governors in the U.S. and British Zones of Occupation in Germany will forthwith initiate proceedings for the restitution of all Inland Water Transport craft and equipment registered in the Netherlands on the 9th May 1940, and proved to be of Dutch ownership and being at present located in Germany.

4. This Agreement is made subject to the right of the respective Military Governors to retain the use of such craft and equipment as they may deem necessary for the economic needs of their Zones.

5. This Agreement will come into force on the 20th January 1947.

Signed on behalf of the Commanders-in-Chief and Military Governors of the U.S. and British Zones of Occupation in Germany by :

B. ROBERTSON  
Deputy Military Governor  
(British)

L. D. CLAY  
Deputy Military Governor  
(U.S.)

Signed on behalf of the Royal Netherlands Government by :  
The Commissioner General  
for Netherl. Economic  
Recuperation  
Ir. L. F. OTTO

## EXCHANGE OF LETTERS

### I

O/L-19577/CG.

To : Transport Division CCG (BE)  
Berlin

Transport Division OMGUS  
Berlin

22 January 1947

The agreement on the restitution of inland water transport craft and equipment was drafted in Berlin as a directive to be followed by the three parties for the further restitution of inland water transport craft and equipment. Now that the United States and British Authorities wish to come to an official

agreement, to be signed on behalf of the Netherlands Government, it is necessary to raise the following points :

It is, of course, understood that the agreement of the Netherlands Government under Para 1 to forego any right it may have under Art. 6 (A) of the Final Act of the Paris Conference on Reparations, refers only to the right to claim craft and equipment mentioned under 1 (A) that is, craft and equipment registered in Germany on the 9th May 1940 and proved to be of German ownership and being at present located in the Netherlands, and does not refer to German interests in companies owing craft and equipment registered in Holland.

Also it is observed that the agreement differs from the draft in so far as it refers to restitution to the United States and British zones of occupation, whereas the draft provided for restitution to Germany. While it is recognized that physically the restitution will in fact be to the British and American zone, it must, of course, be understood that so far as the Netherlands are concerned the restitution is to the Allied Occupation Authorities and that the receipt of the craft by the British and American Authorities must be regarded as a receipt by them on behalf of all four Allies.

We appreciate that a similar point arises under Para 3 and that the obligation accepted by the British and American Authorities under that paragraph to initiate proceedings for the restitution of Dutch craft located in Germany extends only to the British and United States zones.

There is a further point which arises on Para 4. It is, of course, understood that if the Military Governors should decide to retain the use of any Dutch craft or equipment which is restitutable under this agreement, the retention will be on terms and conditions to be discussed between the parties.

We should be glad if you would arrange a letter, to be sent to us on behalf of both the British and American Military Governors, confirming our understanding of the agreement as set out above.

Commissioner General for Netherlands  
Economic Recuperation  
(Signed) Ir. L. F. Orro, Colonel

## II

22 January 1947

The Commissioner General for Netherlands  
Economic Recuperation  
Amsterdam

We refer to your minute of the 22nd January 1947 regarding the agreement to be signed on behalf of the Netherlands Government concerning the restitution of inland water craft and equipment.

On behalf of the British and American Military Governments, we beg to confirm that the interpretation you have placed on the agreement is in conformity with our understanding of what was agreed.

Signed on behalf of the British and American Deputy Military Governors:

Transport Division, OMGUS  
Hans W. HOLMER

Transport Division, C.C.G. (B.E.)  
H. W. W. FISHER