

No. 1737

DENMARK
and
NETHERLANDS

Exchange of notes constituting an agreement concerning equal treatment of physical and legal persons of Danish and Netherlands nationality with regard to the possibility of according compensation for war damage sustained in Denmark and in the Netherlands respectively as a result of the second world war. Copenhagen, 24 April and 8 May 1952

Official text: English.

Registered by Denmark on 28 May 1952.

DANEMARK
et
PAYS-BAS

Échange de notes constituant un accord tendant à assurer l'égalité de traitement entre les personnes physiques et morales de nationalité danoise ou néerlandaise, pour l'indemnisation éventuelle des dommages de guerre subis au Danemark ou aux Pays-Bas du fait de la deuxième guerre mondiale. Copenhague, 24 avril et 8 mai 1952

Texte officiel anglais.

Enregistré par le Danemark le 28 mai 1952.

No. 1737. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN DENMARK AND THE NETHERLANDS CONCERNING EQUAL TREATMENT OF PHYSICAL AND LEGAL PERSONS OF DANISH AND NETHERLANDS NATIONALITY WITH REGARD TO THE POSSIBILITY OF ACCORDING COMPENSATION FOR WAR DAMAGE SUSTAINED IN DENMARK AND IN THE NETHERLANDS RESPECTIVELY AS A RESULT OF THE SECOND WORLD WAR. COPENHAGEN, 24 APRIL AND 8 MAY 1952

I

LÉGATION DES PAYS-BAS

Copenhagen, April 24th, 1952

No. 1715/G 11

Monsieur le Ministre,

With reference to the Ministry of Foreign Affairs' note of the 24th May 1949 and subsequent conversations regarding equal treatment of physical and legal persons of Danish and Netherlands nationality with regard to the possibility of according compensation for war damage sustained in the Netherlands and in Denmark respectively, I have the honour to inform Your Excellency that the Netherlands Government have with interest taken note of the fact that the Danish Government, subject to reciprocity, are prepared to conclude an agreement with the Netherlands Government on this subject.

The Netherlands Government share the opinion of the Danish Government that the agreement should be confined to compensation for war damage on property and accordingly propose that the agreement should read as follows :

- “ 1. The Netherlands Government shall treat Danish subjects on a footing of equality with Netherlands nationals with respect to compensation for war damage sustained as a result of the second world war on property in the Netherlands.
- “ 2. The Danish Government shall treat Netherlands subjects on a footing of equality with Danish nationals with respect to compensation for war damage sustained as a result of the second world war on property in Denmark.

¹ Came into force on 8 May 1952 by the exchange of the said notes.

- “ 3. Legal persons in which Danish or Netherlands interests, or Danish and Netherlands interests in addition to each other, are represented for at least fifty per cent, whether according to the capital invested or according to the control exercised, shall receive for war damage on their property, sustained as a result of the second world war in Denmark and in the Netherlands, a compensation in accordance with the compensation accorded to legal persons by Danish and Netherlands Law respectively.
- “ 4. Any claim for compensation resulting from this agreement must be lodged with the competent Government within six months after the date of this agreement in order to be taken into consideration.”

If the Danish Government agree with the proposals contained in the foregoing paragraphs, I have the honour to suggest that the present note and Your Excellency's reply to that effect should be considered as placing on record the agreement of the two Governments in this matter.

I have the honour to be, Monsieur le Ministre, Your obedient Servant,

(Signed) George Paul LUDON

His Excellency Monsieur Erik Eriksen
Prime Minister, Minister of Foreign Affairs a.i.
Copenhagen

II

MINISTRY FOR FOREIGN AFFAIRS

Copenhagen, May 8th, 1952

P. J. IV. Index No. 6. D. 57

Monsieur le Ministre,

I have the honour to acknowledge receipt of your note of April 24th, 1952, concerning equal treatment of physical and legal persons of Danish and Netherlands nationality with regard to the possibility of according compensation for war damage sustained in Denmark and in the Netherlands respectively as a result of the second world war. I have the honour to inform Your Excellency that the Danish Government have with interest taken note of the fact that the Netherlands Government, subject to reciprocity, are prepared to conclude an agreement with the Danish Government on this subject.

The Danish Government share the opinion of the Netherlands Government that the agreement should be confined to compensation for war damage on property. The proposed agreement reads as follows :

[*See note I*]

I have the honour to confirm that the Danish Government agree with the proposals contained in the foregoing paragraphs and that Your Excellency's note and the present note should be considered as placing on record the agreement of the two Governments in this matter.

I have the honour to be, Monsieur le Ministre,
Your obedient Servant,

(*Signed*) Ole Bjørn KRAFT

His Excellency Monsieur G. P. Ludon
Envoy extraordinary and Minister plenipotentiary
of Her Majesty The Queen of the Netherlands
Copenhagen
