

No. 2795

**UNITED STATES OF AMERICA
and
ITALY**

**Exchange of notes constituting an agreement relating to the use
of funds derived from the sale of confiscated property.
Rome, 16 May 1951**

Official texts: English and Italian.

Registered by the United States of America on 4 March 1955.

**ÉTATS-UNIS D'AMÉRIQUE
et
ITALIE**

**Échange de notes constituant un accord relatif à l'utilisation
des fonds provenant de la vente des biens confisqués.
Rome, 16 mai 1951**

Textes officiels anglais et italien.

Enregistré par les États-Unis d'Amérique le 4 mars 1955.

No. 2795. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND ITALY RELATING TO THE USE OF FUNDS DERIVED FROM THE SALE OF CONFISCATED PROPERTY. ROME, 16 MAY 1951

I

The American Ambassador to the Italian Minister of Foreign Affairs

F. O. No. 7341

May 16, 1951

Excellency :

I have the honor to inform you that there is in deposit with the Banca d'Italia in Rome for the joint account of the Embassy of the United States of America and the British Embassy a quantity of jewelry, silverware and other articles of value as well as Allied, neutral and enemy currencies and securities which were taken in Italy from the German Forces by the Allied Forces and which are presumed to have been looted by the German Forces.

The Italian Government has been kept informed of the arrangements being made jointly by the Government of the United States and the Government of the United Kingdom for the disposal of these items, including the arrangements under which the International Refugee Organization has agreed to receive a considerable part of these items and to sell for hard currency the jewelry and other articles so received.

The Government of the United States and the Government of the United Kingdom propose to allocate to the Italian Government fifty per cent of the proceeds of the sale of these items which are to be handed over to, and sold by, the International Refugee Organization in accordance with the arrangements referred to in the preceding paragraph of this note. This proposal is, however, subject to two conditions which the two Governments believe will be acceptable to the Italian Government :

- (a) That the Italian Government will use the funds so received (except as provided in sub-paragraph (b) below) for the assistance of war orphans and mutilated children or other similar purposes :
- (b) That the Italian Government will set aside ten per cent of the funds so received for the purpose of satisfying any claims by Italian nationals, or persons now resident in Italy, who can prove that their property was included in the

¹ Came into force on 16 May 1951 by the exchange of the said notes.

property liquidated by the International Refugee Organization, it being understood that any balance of the amount so set aside against which there are no claims pending may be used by the Italian Government on or after the 1st October, 1951 for the purposes mentioned in sub-paragraph (a) of this paragraph.

A note in similar terms is being addressed to Your Excellency by His Excellency the Ambassador of the United Kingdom,¹ and I suggest that his communication and the present communication, together with your replies thereto, confirming that the conditions set forth in the third paragraph of this note are acceptable to the Italian Government, shall be regarded as constituting an agreement on this matter between the United States Government and the Government of the United Kingdom on the one hand and the Italian Government on the other.

Please accept, Excellency, the renewed assurances of my highest consideration.

James Clement DUNN

Ambassador of the United States of America

His Excellency Count Carlos Sforza
Minister of Foreign Affairs of the Republic of Italy

II

The Italian Minister of Foreign Affairs to the American Ambassador

[ITALIAN TEXT — TEXTE ITALIEN]

IL MINISTRO DEGLI AFFARI ESTERI

40/07108/341

Roma, li 16 mag. 1951

Signor Ambasciatore,

Ho l'onore di accusare ricevuta della lettera di Vostra Eccellenza n. 7341 del 16 maggio 1951 relativa al deposito, congiuntamente fatto presso la Banca d'Italia in Roma, dall'Ambasciata degli Stati Uniti d'America e dall'Ambasciata di S.M. Britannica, di un certo quantitativo di gioielli, argenteria ed altri oggetti di valore, nonchè di valute e titoli alleati, neutrali e nemici, presi in Italia alle Forze tedesche dalle Forze alleate; il tutto presumibilmente bottino effettuato dalle Forze tedesche.

Il Governo italiano è stato informato delle disposizioni adottate congiuntamente dai Governi degli Stati Uniti d'America e di Gran Bretagna circa l'impiego

¹ The following information is provided by the Department of State of the United States of America (*Treaties and Other International Acts Series 2476*, p. 2, footnote 1): "Exchange of notes dated May 16, 1951, between the United Kingdom and Italy; not printed by the Department of State of the United States of America."

[TRANSLATION¹ — TRADUCTION²]

THE MINISTER OF FOREIGN AFFAIRS

40/07108/341

Rome, May 16, 1951

Mr. Ambassador,

I have the honor to acknowledge the receipt of Your Excellency's note No. 7341 of May 16, 1951, relating to the deposit with the Banca d'Italia in Rome, effected jointly by the Embassy of the United States of America and the Embassy of His Britannic Majesty, of a certain quantity of jewels, silverware, and other articles of value, as well as Allied, neutral, and enemy currencies and securities, taken in Italy from the German Forces by the Allied Forces, and all presumably looted by the German Forces.

[See note I]

I have the honor to inform Your Excellency that the Italian Government accepts the two conditions set forth above.

I am today transmitting a note in identical terms to His Excellency the Ambassador of His Britannic Majesty in reply to his note dated May 16, 1951, couched in terms identical with those of Your Excellency's note, to which I reply herein.

I agree with Your Excellency that the notes thus exchanged shall be considered as constituting an agreement on this matter between the Government of the United States of America and the Government of His Britannic Majesty, on the one hand, and the Italian Government, on the other hand.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

SFORZA
Minister

His Excellency James Clement Dunn
Ambassador of the United States of America
Rome

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.