

No. 3210

CANADA
and
NETHERLANDS

Exchange of notes constituting an agreement on the transfer of Canadian Army stores and equipment to the Netherlands Government, the settlement of claims resulting from the presence of Canadian forces in the Netherlands during the war, and related matters. The Hague, 28 November 1946 and 28 October 1948

Official text: English.

Registered by Canada on 27 March 1956.

CANADA
et
PAYS-BAS

Échange de notes constituant un accord sur la cession de fournitures et de matériel de l'armée canadienne au Gouvernement des Pays-Bas, le règlement de créances résultant de la présence de troupes canadiennes aux Pays-Bas pendant la guerre et d'autres questions connexes. La Haye, 28 novembre 1946 et 28 octobre 1948

Texte officiel anglais.

Enregistré par le Canada le 27 mars 1956.

No. 3210. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN CANADA AND THE NETHERLANDS ON THE TRANSFER OF CANADIAN ARMY STORES AND EQUIPMENT TO THE NETHERLANDS GOVERNMENT, THE SETTLEMENT OF CLAIMS RESULTING FROM THE PRESENCE OF CANADIAN FORCES IN THE NETHERLANDS DURING THE WAR, AND RELATED MATTERS. THE HAGUE, 28 NOVEMBER 1946 AND 28 OCTOBER 1948

I

The Canadian Ambassador to the Netherlands to the Minister for Foreign Affairs of the Netherlands

CANADIAN EMBASSY

The Hague, November 28, 1946

Sir,

I have the honour to refer to the negotiations recently conducted between representatives of the Netherlands Government and of the Canadian Government relative to the transfer of Canadian Army stores and equipment to the Netherlands Government, the settlement of claims resulting from the presence of Canadian Forces in the Netherlands, also related matters. As a result of these negotiations, it is my understanding that the following agreement was reached :

I. The Government of Canada :

- (a) agreed to transfer to the Government of the Netherlands all Canadian Army stores and equipment physically situated in the Netherlands on April 1st, 1946 ;
- (b) agreed to transfer to the Government of the Netherlands stores and equipment from other sources to meet balances (less deficiencies as agreed) or orders already placed with European representative of War Assets Corporation up to and including March 1st, 1946 ;
- (c) undertook to pay accounts for supplies for the Netherlands Army purchased in Canada through the agency of the Government of Canada to an amount not exceeding \$8,400,000.

II. The Government of the Netherlands :

- (a) agreed to cancel all claims against the Government of Canada in respect of goods and services supplied to the Canadian Army and as would be required by the Canadian

¹ Came into force on 28 October 1948 by the exchange of the said notes.

Army until August 1st, 1946 and undertook to pay, settle, satisfy and save harmless the Government of Canada and the members of its Armed Forces from all claims in respect of damage caused by or through members of Canadian Army serving, or who have served in the Netherlands, but excluding claims arising out of acts of moral turpitude by such members ;

- (b) undertook not to sell or otherwise dispose of, either directly or indirectly, any stores or equipment transferred to it by the Government of Canada to any country or to any persons in any country on the Continents of North and South America or the islands adjacent thereto ;
- (c) undertook to pay the sum of \$4,000,000 to the Government of Canada.

III. To the extent to which the purchases of military equipment in Canada by the representative of the Netherlands Ordnance through the agency of the Canadian Government were in excess of the sum of \$8,400,000 referred to in paragraph I, subparagraph (c) above, such excess purchases were not included in this settlement.

If the foregoing is acceptable to the Government of the Netherlands as an accurate statement of the agreement reached, this note and your reply thereto will be regarded as placing this agreement on record.

Accept, Sir, the renewed assurance of my highest consideration.

Pierre DUPUY

II

The Minister for Foreign Affairs of the Netherlands to the Canadian Ambassador to the Netherlands

MINISTRY OF FOREIGN AFFAIRS, ECONOMIC DEPARTMENT

No. 103643, '46.

The Hague, October 28, 1948

Sir,

I have the honour to acknowledge receipt of your Note of the 28th November 1946, concerning the transfer of Canadian Army stores and equipment to the Netherlands Government, reading as follows :

[See note I]

In reply I have the honour to inform you that the Netherlands Government has given formal approval to your above Note and will regard it and this reply as constituting an agreement between the two Governments.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

LOVINK