

No. 3429

NETHERLANDS
and
INDONESIA

Agreement concerning the transfer by Indonesia to the Netherlands of claims against Netherlands nationals. Signed at The Hague, on 11 August 1954

Official texts: Dutch and Indonesian.

Registered by the Netherlands on 16 May 1956.

PAYS-BAS
et
INDONÉSIE

Convention concernant la cession au Royaume des Pays-Bas de créances de la République d'Indonésie sur des nationaux néerlandais. Signée à La Haye, le 11 août 1954

Textes officiels néerlandais et indonésien.

Enregistrée par les Pays-Bas le 16 mai 1956.

[TRANSLATION — TRADUCTION]

No. 3429. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE REPUBLIC OF INDONESIA CONCERNING THE TRANSFER BY INDONESIA TO THE NETHERLANDS OF CLAIMS AGAINST NETHERLANDS NATIONALS. SIGNED AT THE HAGUE, ON 11 AUGUST 1954

The Government of the Kingdom of the Netherlands and the Government of the Republic of Indonesia,

Considering that it is desirable to reach a settlement concerning the transfer by Indonesia of claims arising before 1 January 1954 and held by Indonesia against individuals who on that date were Netherlands nationals,

Desiring to give effect to the agreement concluded on 12 January 1954 between the Ministers of Finance of the Netherlands and of Indonesia and relating to the transfer of the aforesaid claims,

Have agreed as follows :

Article 1

The Government of the Republic of Indonesia shall, up to the amounts outstanding on 12 January 1954, transfer to the Government of the Kingdom of the Netherlands full title to such claims arising before 1 January 1954 of a personal or corporate character as the Republic of Indonesia, including the former political entities which have been absorbed into the Republic of Indonesia, holds against individuals who on 1 January 1954 were Netherlands nationals.

The transfer shall be deemed to have taken place on 12 January 1954 and shall be effective against debtors as soon as this Agreement enters into force and from the date on which such entry into force is published in the Netherlands Treaty Series.

All additional sums, whether or not obtained under a previous action for recovery, which have become due to the Republic of Indonesia since 12 January 1954 in settlement of the transferred claims shall be paid over to the Netherlands by the Republic of Indonesia, payments in Netherlands currency being remitted to the Ministry of Foreign Affairs at The Hague and payments in Indonesian currency being remitted to the Office of the Netherlands High Commissioner at Djakarta.

¹ Came into force on 19 March 1956, in accordance with article 5.

Article 2

In consideration of the claims mentioned in article 1, the Government of the Kingdom of the Netherlands shall, within two weeks after the entry into force of this Agreement, pay to the Government of the Republic of Indonesia the sum of f. 20,000,000 (twenty million guilders) in Netherlands currency.

Article 3

The Government of the Republic of Indonesia shall, so far as possible, transfer to the Ministry of Foreign Affairs at The Hague or, as the case may be, to the Office of the Netherlands High Commissioner at Djakarta all Government records relating to the claims mentioned in article 1; and if the transfer of such records is not possible, Indonesia shall make them available for inspection and shall permit copies of them to be made.

To the extent that the claims referred to in article 1 have not yet been determined by the Indonesian authorities, Indonesia shall, in so far as it considers it possible to do so, co-operate in determining such claims with the Netherlands agencies to be appointed for this purpose.

Article 4

If the Netherlands so requests, the Indonesian Pension Fund shall withhold from the payments which it is required to make such sums as are specified by the Netherlands in particular cases.

Article 5

This Agreement shall enter into force on the date on which the Netherlands Government informs the Indonesian Government that the Agreement has received the constitutional approval required in the Netherlands.

IN WITNESS WHEREOF the duly authorized plenipotentiaries have signed this Agreement.

DONE in duplicate at The Hague on 11 August 1954 in the Netherlands and Indonesian languages, both texts being equally authentic.

For the Government
of the Kingdom of the Netherlands :
(Signed) J. W. BEYEN
(Signed) J. LUNS

For the Government
of the Republic of Indonesia :
(Signed) Susanto TIRTOPRODJO