

No. 3554

NETHERLANDS
and
JAPAN

Protocol (with exchange of notes) relating to settlement of the problem concerning certain types of private claims of Netherlands nationals. Signed at Tokyo, on 13 March 1956

Official text of the Protocol: English.

Official texts of the exchange of notes: English and Japanese.

Registered by the Netherlands on 11 October 1956.

PAYS-BAS
et
JAPON

Protocole (avec échange de notes) relatif au règlement de certaines catégories de réclamations privées de ressortissants néerlandais. Signé à Tokyo, le 13 mars 1956

Texte officiel du Protocole: anglais.

Textes officiels de l'échange de notes: anglais et japonais.

Enregistré par les Pays-Bas le 11 octobre 1956.

No. 3554. PROTOCOL¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF JAPAN RELATING TO SETTLEMENT OF THE PROBLEM CONCERNING CERTAIN TYPES OF PRIVATE CLAIMS OF NETHERLANDS NATIONALS. SIGNED AT TOKYO, ON 13 MARCH 1956

The Government of the Kingdom of The Netherlands and the Government of Japan,

Desiring to settle the problem concerning certain types of private claims of Netherlands nationals which the Government of Japan might wish voluntarily to deal with, as referred to in the letters of 7th and 8th of September, 1951, exchanged between Minister of Foreign Affairs of the Kingdom of The Netherlands, Dirk U. Stikker, and Prime Minister of Japan, Shigeru Yoshida,

Have agreed as follows :

Article I

For the purpose of expressing sympathy and regret for the sufferings inflicted during the Second World War by agencies of the Government of Japan upon Netherlands nationals, the Government of Japan shall voluntarily tender as a solatium the amount of Pounds Sterling equivalent to U.S.\$10,000,000 to the Government of the Kingdom of The Netherlands on behalf of those Netherlands nationals.

Article II

1. The Government of Japan shall pay to the Government of the Kingdom of The Netherlands the sum provided for in Article I in five annual installments starting with the Japanese fiscal year to which the date of the coming into force of the present Protocol belongs, each annual installment being the amount of Pounds Sterling equivalent to U.S.\$2,000,000.

2. The amount of Pounds Sterling referred to in paragraph 1 above shall be calculated at the par value of Pound Sterling agreed to by the International Monetary Fund, prevailing at the time of each of such payments.

Article III

The Government of the Kingdom of The Netherlands confirms that neither itself nor any Netherlands nationals will raise against the Government of Japan any claim concerning the sufferings inflicted during the Second World War by agencies of the Government of Japan upon Netherlands nationals.

¹ Came into force on 1 June 1956 by an exchange of notes, in accordance with article IV.

Article IV

The present Protocol shall be approved as constitutionally required in the Kingdom of The Netherlands and in Japan, and shall enter into force on the date of exchange of notes indicating such approval.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Protocol.

DONE in duplicate, in the English language, at Tokyo, this thirteenth day of March, one thousand nine hundred fifty-six.

For the Government of the Kingdom of The Netherlands :

(*Signed*) REUCHLIN

For the Government of Japan :

(*Signed*) Mamoru SHIGEMITSU

[TRANSLATION¹ — TRADUCTION²]

Tokyo, March 13, 1956

Monsieur l'Ambassadeur,

With reference to the Protocol between the Government of Japan and the Government of the Kingdom of The Netherlands relating to Settlement of the Problem concerning Certain Types of Private Claims of Netherlands Nationals,³ I have the honour to inform Your Excellency that it is the understanding of the Japanese Government that the term "the time of each of such payments" in Paragraph 2, Article II of the said Protocol means "the time of each of the five years when the Japanese Government begins to take steps for the payment".

I have further the honour to request Your Excellency to be good enough to confirm that the same is also the understanding of the Netherlands Government.

It is added that such steps for the payment by the Japanese Government will eventually be taken on the 1st of June every year, and actual remittances to the Netherlands Government will take place approximately within ten days thereafter.

I avail myself of this opportunity to renew to Your Excellency, Monsieur l'Ambassadeur, the assurances of my highest consideration.

(Signed) Mamoru SHIGEMITSU
Minister for Foreign Affairs of Japan

His Excellency Mr. Jonkheer O. Reuchlin
Ambassador Extraordinary and Plenipotentiary
of the Kingdom of the Netherlands
Tokyo

II

NETHERLANDS EMBASSY

Tokyo, March 13th, 1956

Monsieur le Ministre,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date reading as follows :

[See note I]

¹ Translation by the Government of Japan.

² Traduction du Gouvernement japonais.

³ See p. 4 of this volume.

I have further the honour to confirm on behalf of the Netherlands Government that it is also the understanding of the Netherlands Government that the term “ the time of each of such payments ” in Paragraph 2, Article II of the said Protocol means “ the time of each of the five years when the Japanese Government begins to take steps for the payment ”.

I avail myself of this opportunity to renew to Your Excellency, Monsieur le Ministre, the assurance of my highest consideration.

(Signed) REUHLIN

His Excellency Mr. Mamoru Shigemitsu
Minister for Foreign Affairs
Tokyo