

No. 3798

**UNITED STATES OF AMERICA
and
LUXEMBOURG**

**Exchange of notes constituting an agreement relating to
claims for war damage to private property. Luxem-
bourg, 15 June 1955**

Official texts: English and French.

Registered by the United States of America on 8 April 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
LUXEMBOURG**

**Échange de notes constituant un accord relatif aux créances
pour dommages de guerre aux biens privés. Luxembourg,
15 juin 1955**

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 8 avril 1957.

No. 3798. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND LUXEMBOURG RELATING TO CLAIMS FOR WAR DAMAGE TO PRIVATE PROPERTY. LUXEMBOURG, 15 JUNE 1955

Nº 3798. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LE LUXEMBOURG RELATIF AUX CRÉANCES POUR DOMMAGES DE GUERRE AUX BIENS PRIVÉS. LUXEMBOURG, 15 JUIN 1955

I

The American Minister to the Luxembourg Minister of Foreign Affairs

I

Le Ministre des États-Unis au Ministre des affaires étrangères du Luxembourg

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AMERICAN LEGATION

No. 69

Luxembourg, June 15, 1955

Excellency :

I have the honor to refer to the conversations regarding the conclusion of a war damage agreement between our two governments.

Since in the course of our previous exchanges of views on this subject it has become clear that the Government of the United States and the Government of Luxembourg are desirous of concluding a reciprocal agreement relating to war damage to private property, I have been instructed by my Government to conclude such an agreement with the Luxembourg Government as follows :

Article 1

1. The Luxembourg laws, *arrêtés*, and regulations relating to compensation for war damage to private property, with the exception of Titles II and III and Articles 59 and 60 of the Luxembourg law of February 25, 1950, shall apply to war damage caused during World War II in the territory of the Grand Duchy of Luxembourg to movable and immovable tangible property belonging, on the date of the loss, to natural or juridical persons who are able to prove possession of United States of America nationality both on the date of the loss and on that of the payment of the compensation. Persons possessing American nationality only on one of those two dates and Luxembourg nationality on the other date shall also be entitled to the said benefit.

¹ Came into force on 15 June 1955 by the exchange of the said notes.

¹ Entré en vigueur le 15 juin 1955 par l'échange desdites notes.

2. American holdings of capital of juridical persons of Luxembourg nationality shall be placed on an equal footing with Luxembourg holdings, with a view, especially, to the application of Article 3 of the Luxembourg law of February 25, 1950.

3. In case of transfer, assignment, or partition of the right to compensation and, more generally, in all the cases stipulated in Article 14 of the aforementioned law of February 25, 1950, American nationals shall be treated as Luxembourg nationals.

Article 2

American laws or regulations relating to compensation for war damage to private property caused during World War II in the territory of the United States of America, including Hawaii and Alaska, having been applicable to Luxembourg nationals on a basis of equality with American nationals, Luxembourg nationals who were legally entitled to claim compensation as long as such laws or regulations were in force, and whose compensation has not been settled, may present their claims to the Department of State for settlement in accordance with constitutional processes.

In the event that some future legislation by the Congress of the United States provides compensation for war damage for nationals of countries previously excluded from such benefit under the Philippine Rehabilitation Act of 1946, the Government of the United States will recommend that the Congress extend such benefit to legally qualified Luxembourg nationals.

Article 3

The two Governments undertake to supply each other with all assistance necessary for the execution of the present agreement.

The competent authorities of the two countries or their delegates shall keep each other informed with respect to the execution of the present agreement and shall settle by common accord any difficulties or disputes that might result therefrom.

Article 4

Under penalty of preclusion, the damage referred to in the present agreement must, if this requirement has not been met previously, be declared to the competent authorities, in accordance with the terms and conditions peculiar to each country, within the six months following the official publication of the agreement in the Grand Duchy of Luxembourg.

I have been authorized to declare that the foregoing provisions meet with the approval of my Government and that if they meet with the approval of the Luxembourg Government, this note, together with Your Excellency's reply thereto, indicating such approval, shall constitute an agreement between the two governments, to take effect upon the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Wiley T. BUCHANAN, Jr.

His Excellency Joseph Bech
Minister of Foreign Affairs
Luxembourg

approbation, constitueront un accord entre les deux Gouvernements qui entrera en vigueur à la date de la réponse de Votre Excellence. »

J'ai l'honneur de marquer à Votre Excellence l'accord du Gouvernement luxembourgeois sur ce qui précède.

Je saisis volontiers cette occasion, Monsieur le Ministre, pour renouveler à Votre Excellence les assurances de ma haute considération.

BECH

Son Excellence Monsieur Wiley T. Buchanan, Jr.
Envoyé extraordinaire et Ministre plénipotentiaire
des États-Unis d'Amérique
Luxembourg

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

T2.144

Luxembourg, June 15, 1955

Mr. Minister :

I have the honor to acknowledge receipt of Your Excellency's note of this date which reads as follows :

[See note I]

I have the honor to inform Your Excellency of the Luxembourg Government's concurrence in the foregoing.

I take pleasure in availing myself of this occasion, Mr. Minister, to renew to Your Excellency the assurances of my high consideration.

BECH

His Excellency Wiley T. Buchanan, Jr.
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America
Luxembourg

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

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