

No. 4315

**GREECE
and
ROMANIA**

Agreement (with annex and Protocol) concerning the settlement of economic questions pending between the two countries since 1939. Signed at Athens, on 25 August 1956

Official text: French.

Registered by Greece on 5 May 1958.

**GRÈCE
et
ROUMANIE**

Accord (avec annexe et Protocole) concernant le règlement des questions économiques en suspens depuis 1939 entre les deux pays. Signé à Athènes, le 25 août 1956

Texte officiel français.

Enregistré par la Grèce le 5 mai 1958.

[TRANSLATION — TRADUCTION]

No. 4315. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF GREECE AND THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC CONCERNING THE SETTLEMENT OF ECONOMIC QUESTIONS PENDING BETWEEN THE TWO COUNTRIES SINCE 1939. SIGNED AT ATHENS, ON 25 AUGUST 1956

The Government of the Kingdom of Greece and the Government of the Romanian People's Republic, being desirous of settling the economic questions pending between the two countries since 1939 by applying the relevant provisions of the Treaty of Peace between the Allied and Associated Powers and Romania, signed in Paris, on 10 February 1947,² have agreed on the following provisions :

Article 1

The Romanian Government shall pay to the Greek Government :

(a) The sum of \$US3 million as an agreed amount of compensation for damage sustained by Greek nationals to their property, rights and interests in Romania during the war;

(b) The sum of \$US3 million as an agreed amount of compensation for damage caused to vessels of Greek ownership in Romanian territorial waters during and after the war and for their purchase by the Romanian Government

The said compensation shall apply to the vessels of Greek ownership mentioned in the list³ annexed to this Agreement, irrespective of their flag or their present condition.

The said vessels, whether seaworthy or unfit for use, shall remain at the disposal of the Romanian Government.

The aforesaid sum shall include a special allocation of \$US360,000 for vessels that have been the subject of purchase contracts entered into by the Romanian Government and have been transferred to other States under the Armistice Agreement. The names of these vessels and of their owners and the amounts due in each case appear in the above-mentioned list under letter " D ".

¹ Came into force on 14 February 1958 by the exchange of the instruments of ratification at Bucharest, in accordance with article 8.

² United Nations, *Treaty Series*, Vol. 42, p. 3.

³ See p. 239 of this volume.

Article 2

1. The sums provided in article 1 shall be paid in equal annual instalments in goods through the Greek-Romanian clearing arrangement over a period of seven years from the date on which this Agreement comes into force.

2. For this purpose, an amount of 8 per cent of the FOB value of Romanian goods imported into Greece shall, as from the entry into force of this Agreement and in proportion as the said goods are paid for, be credited to an account in United States dollars to be opened by the Bank of Greece in the name of the Greek Government, which shall be known as the "*Compte Arriérés R.P.R.*" (R.P.R. Outstanding Balance Account) and shall be free of interest and charges.

3. In the event that the amounts thus credited to the "*Compte Arriérés R.P.R.*" should not be sufficient to cover the annual instalment of approximately \$US860,000, the difference shall be made up by the additional importation into Greece of Romanian goods, the exchange value of which shall be paid in its entirety into the aforesaid account.

4. Without prejudice to the arrangements provided for in paragraphs 1, 2 and 3, and subject in each case to the agreement of the two Governments, the value of State supplies ordered by the Greek Government on the Romanian market may be credited to the aforesaid "*Compte Arriérés R.P.R.*" in excess of the amount specified in paragraph 3. The amounts thus credited over and above the regular annual instalment would be applied towards future annual instalments.

Article 3

1. The agreed amount of compensation provided for in article 1 shall be apportioned by the Greek Government among the nationals concerned, and no responsibility in this regard shall devolve upon the Romanian Government.

2. The Greek Government, on its own behalf and on behalf of its nationals, permanently waives all claims on the Romanian Government concerning damage caused by the war and concerning the ships disposed of by this Agreement.

3. For its part, the Romanian Government, on its own behalf and on behalf of its nationals, waives all claims on the persons compensated under article 1 and all claims in respect of the property for which the compensation provided in that article is granted.

Article 4

All Greek and Romanian claims and debts arising from commercial transactions between Greece and Romania entered into under trade and payments agreements concluded between the two countries before 1941 shall be regarded as having been cancelled out, the Romanian Government transferring

to the Greek Government all Romanian claims arising from the said transactions against individuals or bodies corporate domiciled or resident in Greece, and the Greek Government transferring to the Romanian Government all Greek claims arising from the said transactions against individuals or bodies corporate domiciled or resident in the Romanian People's Republic.

Article 5

1. Immovable property in the Romanian People's Republic belonging to Greek nationals repatriated up to the date on which this Agreement is signed shall be repurchased by the Romanian Government on the basis of the rental value reported in 1938 by the persons concerned to the Romanian revenue authorities for purposes of the tax on immovable property.

2. The Romanian Government shall pay equitable compensation to Greek nationals whose property has been nationalized in the Romanian People's Republic.

3. Without prejudice to the legal provisions in force in the Romanian People's Republic, the Romanian Government shall do its utmost to enable repatriated Greek nationals to liquidate, to dispose of in Romania or to transport to Greece movable property left by them in Romania.

4. The amount of the compensation provided for in paragraphs 1 and 2 in respect of nationalized property and abandoned immovable property and the procedure for the transfer of such compensation to Greece shall be established by a Joint Commission which shall begin to function at Bucharest immediately after the establishment of the diplomatic missions of the Romanian People's Republic in the Kingdom of Greece and of the Kingdom of Greece in the Romanian People's Republic. The said Commission shall complete its work as soon as possible and at the latest within five months from the date on which it is established.

Article 6

The Joint Commission provided for in article 5 shall also have authority to deal with the following matters :

(a) The return of a number of railway wagons belonging to the Greek State Railways which were left in Romanian territory after the war;

(b) Claims of the Greek company Société Anonyme Poudrerie et Cartoucherie in respect of material delivered during the war to the Romanian authorities and of machinery removed from its factories during the war and transported to Romania;

(c) Any other matter relating to such property, rights and interests in Romania of individuals and bodies corporate of Greek nationality as are not dealt with in this Agreement, namely : claims on Romanian nationals or the Romanian State, bank deposits, securities, shares, etc.

Article 7

In order to facilitate the apportionment by the Greek Government of the agreed amounts of compensation provided for in article 1, the Romanian Government shall furnish to the Greek Government, at its request and to the extent possible, all the information and documents necessary for considering the application for compensation submitted by Greek nationals.

Article 8

This Agreement shall be ratified and shall come into force on the date of the exchange of the instruments of ratification, which shall take place at Bucharest as soon as possible.

DONE at Athens in duplicate on 25 August 1956.

For the Government of the Kingdom of Greece :

G. PAPADAKIS

For the Government of the Romanian People's Republic :

A. LAZAREANU

ANNEX

LIST OF VESSELS REFERRED TO IN ARTICLE 1

A. TUGBOATS

- | | |
|--------------------|---------------|
| 1. Adrianopolis | 17. Iordan |
| 2. Alekos | 18. Makis |
| 3. Angela 50% | 19. Maria |
| 4. Aris | 20. Melissa |
| 5. Calliopi | 21. Netti 51% |
| 6. Castor 51% | 22. Oituz |
| 7. Danubiul | 23. Omonia |
| 8. Delfin | 24. Petros |
| 9. Dionisia | 25. Portolo X |
| 10. Elli | 26. Primavara |
| 11. Erica | 27. Rahova |
| 12. Gabriel Florin | 28. Sofia 51% |
| 13. Georgica | 29. Spiros |
| 14. Gladston | 30. Sirin |
| 15. Haralambos | 31. Theodoros |
| 16. Helidon | |

B. CHALANDS

- | | |
|--------------------------|------------------------|
| 1. Adrienne 50% | 48. Ioannis Kangelaris |
| 2. Aghios Dyonissios | 49. Irini |
| 3. Aghios Nicolaos | 50. Jacques |
| 4. Aghios Petros | 51. Kalomira |
| 5. Aias | 52. Kyriacula |
| 6. Alexandru T. | 53. Kranea |
| 7. Alexandra | 54. Kriti |
| 8. Anastasia 50% | 55. Laertis |
| 9. Andrei | 56. Liteos |
| 10. Antigoni | 57. Livatho |
| 11. Ardeal | 58. Luca Emil 75% |
| 12. Aristidis | 59. Maria S. |
| 13. Argostoli | 60. Marini |
| 14. Asimina 75% | 61. Marietta Golda 50% |
| 15. Beno | 62. Marios Scrivanos |
| 16. Braila | 63. Mercedes 50% |
| 17. Braila | 64. Mihai Bravu |
| 18. Calomira S. | 65. Minerva |
| 19. Calliopi S. | 66. Moreno 55% |
| 20. Calliopi A. | 67. Nedon |
| 21. Carola | 68. Nestor |
| 22. Chirica Murgeni | 69. Nina Mioara 25% |
| 23. Costin | 70. Nicu |
| 24. Despina | 71. No. 3 |
| 25. Dimitrios | 72. No. 6 |
| 26. Dimitrios P. | 73. Olympos |
| 27. Dimitrios K. 50% | 74. Olt P. |
| 28. Dimosthenis | 75. Panaghis |
| 29. Dimosthenis 50% | 76. Paraschiva |
| 30. Ditti 25% | 77. Petros Levendis |
| 31. Dragasani | 78. Pinelopi B. |
| 32. Dyo fili 55% | 79. Pinelopi K. 50% |
| 33. Eleni Levendis | 80. Pinelopi P. |
| 34. Elefterios Venizelos | 81. Predeal |
| 35. Elisabetta | 82. Rigas Fereos 50% |
| 36. Elpida | 83. Sft. Gheorghios |
| 37. Emmanuel | 84. Sft. Spiridon 50% |
| 38. Esther | 85. Sft. Vasile |
| 39. Evanthia | 86. Stella 33% |
| 40. Fotini | 87. Telemac 50% |
| 41. Gheorghe 75% | 88. Thraki |
| 42. Gheorghios | 89. Tina V. |
| 43. Gherassimos | 90. Urania |
| 44. Grigorios | 91. Valeria |
| 45. Haralambos | 92. Vassos |
| 46. Ileana | 93. Violeta |
| 47. Ilias | 94. Zoe |

C. VESSELS OF VARIOUS TYPES

- | | |
|----------------|---------------------------|
| 1. Arny | 14. Mircea 50% |
| 2. Dafni 50% | 15. Naluca |
| 3. Elefterios | 16. Nana |
| 4. Elena | 17. Nelly |
| 5. Elpis 50% | 18. Pithefs |
| 6. Elli | 19. Ponton A. No. 1 |
| 7. Ionel I | 20. Atelier flottant |
| 8. Ionel II | 21. Ponton Plutitor No. 1 |
| 9. Janetta 50% | 22. Ponton Plutitor No. 2 |
| 10. Kanaris | 23. R. No. 1 45% |
| 11. Lula | 24. Titti |
| 12. Macedonia | 25. Ulm |
| 13. Meropi | 26. Vizirul |

D. VESSELS PURCHASED BY CONTRACT

I. *Contract: A. Dracoulis*

Exchange value : \$US153,701

- | | |
|----------------------|--------------------------|
| 1. Thraki — tugboat | 6. Hécatonhir — elevator |
| 2. Iason — tugboat | 7. Zeus — elevator |
| 3. Smyrni — tugboat | 8. Posseidon — elevator |
| 4. Thraki — elevator | 9. Hermis — elevator |
| 5. Kriti — elevator | |

II. *Contract: Diogenis Dendrinos*

Exchange value : \$US149,550

- | | |
|----------------------|------------------|
| 1. Salamis — tugboat | 2. Sofia — barge |
|----------------------|------------------|

III. *Contract: Grigorios Valérianos*

Exchange value : \$US56,749

- | |
|---------------------------|
| 1. Dionisios V. — tugboat |
|---------------------------|

PROTOCOL

The Government of the Kingdom of Greece and the Government of the Romanian People's Republic, having regard to the provisions of article 1 of the Agreement concerning the settlement of economic questions pending between the two countries since 1939,¹ state that they have decided that the only persons entitled to receive compensation for damage caused by the war in Romania are Greek nationals whose cases are specifically provided for in those articles of the Treaty of Peace between Romania and the Allied and Associated Powers which served as a basis for the conclusion of the said Agreement.

No consideration shall therefore be given to claims for compensation in respect of :

- (a) Impairment of health or any physical or moral injury;
- (b) Evacuation by reason of military operations;
- (c) Loss of livelihood;
- (d) Loss of wages;
- (e) Loss of customers.

This Protocol has been drawn up for the sole purpose of facilitating the apportionment of compensation by the Greek Government among the persons entitled thereto and in no way derogates from the provisions of the above-mentioned Agreement, particularly the provisions of article 3, paragraphs 1 and 2.

DONE at Athens, on 25 August 1956.

For the Government of the Kingdom of Greece :

G. PAPADAKIS

For the Government of the Romanian People's Republic :

A. LAZAREANU

¹ See p. 233 of this volume.