

No. 4363

**NETHERLANDS
and
FRANCE**

**Agreement concerning reciprocal compensation for marine
losses originating in the events of the 1939-1945 war.
Signed at Paris, on 27 November 1953**

Official text: French.

Registered by the Netherlands on 16 June 1958.

**PAYS-BAS
et
FRANCE**

**Accord relatif à des indemnités réciproques concernant
des dommages d'ordre maritime ayant leur origine
dans des événements de la guerre de 1939-1945. Signé
à Paris, le 27 novembre 1953**

Texte officiel français.

Enregistré par les Pays-Bas le 16 juin 1958.

[TRANSLATION — TRADUCTION]

No. 4363. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE FRENCH REPUBLIC CONCERNING RECIPROCAL COMPENSATION FOR MARINE LOSSES ORIGINATING IN THE EVENTS OF THE 1939-1945 WAR. SIGNED AT PARIS, ON 27 NOVEMBER 1953

Her Majesty the Queen of the Netherlands and the President of the French Republic, having decided to settle the matters in dispute between them relating to marine losses originating in the events of the 1939-1945 war, have resolved to conclude an agreement to this end and have for this purpose appointed as their plenipotentiaries :

Her Majesty the Queen of the Netherlands : His Excellency Baron W. van Boetzelaer, Ambassador Extraordinary and Plenipotentiary; and the President of the French Republic : Mr. Pierre Charpentier, Minister Plenipotentiary,

Who, having communicated their full powers, have agreed upon the following provisions :

Article 1

The Netherlands Government and the French Government, having examined the maritime claims made by each Government against the other originating in the events of the 1939-1945 war, have, by agreement between them and after offsetting the reciprocal claims set out in article 2, decided that the amount of £8,000 sterling shall be paid by the Netherlands Government to the French Government as compensation.

This amount shall be paid in guilders, one month after the exchange of the instruments of ratification of this Agreement, to the account of the French Treasury at the official guilder-pound sterling rate of exchange on the day of payment.²

Article 2

This payment shall constitute full and final settlement of all claims made by the French Government in respect of the vessels *Dupleix*, *Baltic* and *Midas* and of all claims made by the Netherlands Government or the Netherlands Maritime and Commercial Commission in respect of the vessels *Rhea*, *Pluto*,

¹ Came into force on 17 September 1954 by the exchange of the instruments of ratification at Paris, in accordance with article 5.

² Payment of this compensation shall be made to the current account of the Public Treasury with the Bank of France to the order of the *Agent comptable des avoirs du Trésor à l'étranger*, paymaster.

Export, Salomé, Simone-Marie, the fishing craft BRU 87 and YE 94, and all Netherlands cargoes unloaded in France or within the French Union during the period of hostilities.

Article 3

The Netherlands Government and the French Government waive all further claims in respect of the vessels and cargoes referred to in article 2 of this Agreement and undertake to deal themselves with any claims relating thereto asserted by their nationals.

In addition, the two Governments waive all further governmental claims of the same character as the claims defined in article 1, paragraph 1, and undertake not to support in any way claims asserted by their nationals against the other Government.

Article 4

In view of this Agreement the proceedings concerning the *Dupleix* instituted before the Batavia Prize Court are without purpose and no judgement which the Court may make in the matter will be binding on the French Government.

Article 5

This Agreement shall enter into force upon the exchange of the instruments of ratification.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Paris on 27 November 1953, in duplicate.

For Her Majesty
the Queen of the Netherlands :
(Signed) W. VAN BOETZELAER

For the President
of the French Republic :
(Signed) P. CHARPENTIER