

No. 4690

**JAPAN
and
INDONESIA**

Protocol (with exchange of notes) relating to the settlement of the claims with respect to balances in the former clearing accounts and other accounts. Signed at Djakarta, on 20 January 1958

Official text: English.

Registered by Japan on 2 March 1959.

**JAPON
et
INDONÉSIE**

Protocole (avec échange de notes) relatif au règlement des créances résultant des soldes des anciens comptes de clearing et autres. Signé à Djakarta, le 20 janvier 1958

Texte officiel anglais.

Enregistré par le Japon le 2 mars 1959.

No. 4690. PROTOCOL¹ BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA RELATING TO THE SETTLEMENT OF THE CLAIMS WITH RESPECT TO BALANCES IN THE FORMER CLEARING ACCOUNTS AND OTHER ACCOUNTS. SIGNED AT DJAKARTA, ON 20 JANUARY 1958

The Government of Japan and the Government of the Republic of Indonesia,

Desiring to settle the claims with respect to the outstanding balances in the accounts opened in accordance with the Payments Agreement between Japan and the Republic of Indonesia signed at Djakarta on August 7, 1952, and the arrangements supplementary thereto of the same date ;

Have agreed as follows :

Article I

The amount of claims which Japan has against the Republic of Indonesia as the overall net balance of the balances as of January 20, 1958 in the accounts provided for in the Payments Agreement between Japan and the Republic of Indonesia signed at Djakarta on August 7, 1952 ; the Protocol attached to the Payments Agreement, signed at Djakarta on August 7, 1952 ; and the Exchange of Notes concerning disposal of balance of Old Account, effected on August 7, 1952 between the Chief Delegate of Japan to the Trade Conference between Japan and Indonesia and the Minister for Foreign Affairs of the Republic of Indonesia, are confirmed to be one hundred and seventy-six million nine hundred and thirteen thousand nine hundred and fifty-eight United States of America dollars and forty-one cents (\$176, 913, 958.41).

Article II

1. Japan waives its claims of one hundred and seventy-six million nine hundred and thirteen thousand nine hundred and fifty-eight United States of America dollars and forty-one cents (\$176, 913, 958.41), specified in the preceding Article.

2. As a result of the foregoing, all claims of Japan and the Republic of Indonesia arising out of the accounts provided for in the agreements enumerated in the preceding Article are finally disposed of.

¹ Came into force on 15 April 1958, the date of the exchange of the instruments of ratification at Tokyo, in accordance with article III.

Article III

This Protocol shall be ratified. It shall come into force either on the date of exchange of the instruments of ratification or on the date the Treaty of Peace¹ between Japan and the Republic of Indonesia comes into force, whichever date is the later.

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

DONE in duplicate at Djakarta, this twentieth day of January of the year one thousand nine hundred and fifty-eight.

For the Government
of Japan :
Aiichiro FUJIYAMA

For the Government
of the Republic of Indonesia :
SOEBANDRIO

EXCHANGE OF NOTES

I

Djakarta, January 20, 1958

Excellency,

I have the honour to refer to the Protocol between the Government of Japan and the Government of the Republic of Indonesia relating to Settlement of the Claims with respect to Balances in the Former Clearing Accounts and Other Accounts, signed today.² It is the understanding of the Government of Japan that the amount of the claims which Japan has against the Republic of Indonesia has been computed as follows :

(I) Balances payable by the Republic of Indonesia to Japan :

- (i) Balance in the "Indonesia-Japan Special Account (A)" provided for in the Exchange of Notes concerning disposal of balance of Old Account, effected on August 7, 1952 between the Chief Delegate of Japan to the Trade Conference between Japan and Indonesia and the Minister for Foreign Affairs of the Republic of Indonesia (hereinafter referred to as the "Exchange of Notes") : fifty-four million United States of America dollars (\$54,000,000)
- (ii) Balance in the "Indonesia-Japan Special Account (B)" provided for in the Exchange of Notes : six million United States of America dollars (\$6,000,000)
- (iii) Balance in the "Special Account No. 1" provided for in Article 7 of the Payments Agreement between Japan and the Republic of Indonesia signed at Djakarta

¹ United Nations, *Treaty Series*, Vol. 324, No. 4688.

² See p. 4 of this volume.

on August 7, 1952 (hereinafter referred to as the "Agreement"): ninety million thirty-one thousand seven hundred and twenty-seven United States of America dollars and fifteen cents (\$90,031,727.15)

- (iv) Balance in the "Japan Special Trade Account" provided for in Article 10 of the Agreement : nineteen million seven hundred and sixty-two thousand seven hundred and fifty United States of America dollars and eight-two cents (\$19,762,750.82)
- (v) Balance in the "Indonesia Open Account" provided for in Article 2 of the Agreement, including the unpaid portion of the amounts payable in United States of America dollars under paragraph 1. B of the Protocol attached to the Payments Agreement, signed at Djakarta on August 7, 1952, in accordance with Article 7 of the Agreement : twenty-six million five hundred and two thousand one hundred and seventy United States of America dollars and seventy-one cents (\$26,502,170.71)

(II) Balance payable by Japan to the Republic of Indonesia :

Balance in the "Japan Open Account" provided for in Article 2 of the Agreement : nineteen million three hundred and eighty-two thousand six hundred and ninety United States of America dollars and twenty-seven cents (\$19,382,690.27)

(III) Amount of the claims which Japan has against the Republic of Indonesia as the overall net balance of the Balances specified in (I) and (II) above : one hundred and seventy-six million nine hundred and thirteen thousand nine hundred and fifty-eight United States of America dollars and forty-one cents (\$176,913,958.41)

I should be grateful if Your Excellency could confirm the above-mentioned understanding on behalf of your Government.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

Aiichiro FUJIYAMA
Plenipotentiary of Japan

His Excellency Subandrio
Plenipotentiary of the Republic of Indonesia

II

Djakarta, January 20, 1958

Excellency,

I have the honour to acknowledge the receipt of your note of today's date, which reads as follows :

[See note I]

I have the honour to confirm that the above note is a correct statement of the understanding of my Government on the matter.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

SOEBANDRIO

The Plenipotentiary
of the Republic of Indonesia

His Excellency Aiihiro Fujiyama
Plenipotentiary of Japan