

No. 5546

**YUGOSLAVIA
and
NETHERLANDS**

Agreement regarding compensation for Netherlands interests nationalized in Yugoslavia. Signed at Belgrade, on 22 July 1958

Official text: French.

Registered by Yugoslavia on 18 January 1961.

**YUGOSLAVIE
et
PAYS-BAS**

Accord sur l'indemnisation des intérêts néerlandais nationalisés en Yougoslavie. Signé à Belgrade, le 22 juillet 1958

Texte officiel français.

Enregistré par la Yougoslavie le 18 janvier 1961.

[TRANSLATION — TRADUCTION]

No. 5546. YUGOSLAV-NETHERLANDS AGREEMENT¹ REGARDING COMPENSATION FOR NETHERLANDS INTERESTS NATIONALIZED IN YUGOSLAVIA. SIGNED AT BELGRADE, ON 22 JULY 1958

The Government of the Federal People's Republic of Yugoslavia and the Government of the Kingdom of the Netherlands, desirous of making arrangements for the payment of global, lump-sum compensation for Netherlands property, rights and interests in Yugoslavia affected by Yugoslav measures of nationalization and expropriation and other restrictive measures of a similar nature, have agreed on the following provisions :

Article 1

The Yugoslav Government shall pay to the Government of the Netherlands the equivalent in Netherlands florins of the sum of \$ US655,000 as global, lump-sum compensation for the effects of nationalization, expropriation or any other restrictive measures of a similar nature on Netherlands property, rights and interests in Yugoslavia.

Article 2

This Agreement shall be deemed to settle all claims arising from Yugoslav measures of nationalization and expropriation and other restrictive measures of a similar nature which have affected Netherlands property, rights and interests in Yugoslavia owned by individuals and bodies corporate of Netherlands nationality possessing that status on the date on which such measures were taken and on the date of signature of this Agreement, including all Netherlands interests in the form of direct or indirect participation in enterprises in Yugoslavia.

This Agreement shall be deemed also to settle all claims (commercial, financial and otherwise), including claims evidenced by securities, of the Netherlands individuals and bodies corporate referred to in the preceding paragraph against Yugoslav individuals and bodies corporate who have been affected by measures of nationalization and expropriation and other restrictive measures of a similar nature.

The Government of the Netherlands undertakes not to present or support any claim by a Netherlands individual or body corporate based on the Yugoslav measures referred to in this article.

¹ Came into force on 25 August 1959, the date on which the two Governments informed each other that the constitutional approval required in the two countries had been obtained, in accordance with article 11.

Article 3

Payment in full of the amount mentioned in article 1 above shall release the Yugoslav State and any Yugoslav institutions, individuals or bodies corporate considered under Yugoslav law to be the successors of the original owners from all liability in so far as concerns the Netherlands property, rights, interests and debts referred to in article 2.

On the entry into force of this Agreement and provided that it is carried into effect in accordance with the terms agreed between the Parties, all Yugoslav institutions, individuals and bodies corporate shall be indemnified against any further claims by the Netherlands claimants.

Article 4

The Government of the Netherlands shall obtain from the claimants all supporting documents, securities and certificates relating to the property, rights, interests and debts which are the object of compensation under the terms of this Agreement.

It undertakes to preserve the said documents and to forward them to the Yugoslav Government after settlement of the claims to which they relate and, at the latest, after payment in full of the sum mentioned in article 1 above.

Article 5

1. Netherlands individuals and bodies corporate shall renounce all claims against Yugoslav debtors, whether individuals or bodies corporate, who have been subjected to nationalization, expropriation or other restrictive measures of a similar nature.

2. Netherlands individuals or bodies corporate holding majority shares in companies incorporated under Yugoslav law which have been affected by measures of nationalization and expropriation or other restrictive measures of a similar nature shall be compensated for their vested right to claim against those companies and shall be relieved from all liability towards them.

3. Netherlands individuals and bodies corporate holding shares in companies incorporated under Yugoslav law which have been affected by measures of nationalization and expropriation or other restrictive measures of a similar nature shall have no claim to monies which may be owing to those companies outside the Netherlands and shall not be responsible for any liabilities which those companies may have incurred outside the Netherlands.

Companies incorporated under Yugoslav law in which Netherlands individuals or corporations hold a majority share shall renounce all claim to monies owing to them by Netherlands individuals or corporations resident in the Netherlands. Such monies shall be recovered for account of the beneficiaries referred to in article 2.

Article 6

The distribution of the global, lump-sum compensation among the claimants shall be the responsibility of the Government of the Netherlands alone and no responsibility therefor shall be assumed by the Yugoslav State or by Yugoslav institutions, individuals or bodies corporate.

Article 7

Netherlands claims arising out of Yugoslav measures taken after the signature of this Agreement shall be excluded from the provisions of the said Agreement.

Article 8

For the purpose of the implementation of this Agreement, the two Governments shall provide each other with all necessary information and assistance.

Article 9

1. The two Contracting Parties have agreed that the equivalent in Netherlands florins of the sum of \$US655,000 mentioned in article 1 above shall be paid in five equal annual instalments, the first of which shall be payable on 31 January 1959 and the last on 31 January 1963.

2. Payment and transfer of the annual instalments shall be made to a special account in the name of the Netherlands Ministry of Foreign Affairs with the Nederlandsche Bank N.V., Amsterdam, in accordance with the payments agreements in force between the two contracting countries.

Article 10

Any difficulty concerning the interpretation or application of this Agreement shall be settled by agreement between the two Governments.

Article 11

This Agreement shall enter into force on the date on which the two Governments inform each other that the constitutional approval required in the two countries has been obtained.

DONE at Belgrade, in two original copies in the French language, on 22 July 1958.

For the Government
of the Federal People's Republic
of Yugoslavia :
Viktor REPIČ

For the Government
of the Netherlands :
M. G. E. Baron VAN ITTERSUM