

No. 6435

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**ISRAEL**  
**and**  
**FEDERAL REPUBLIC OF GERMANY**

**Agreement regarding German Secular Property in Israel  
(with exchange of letters). Signed at Geneva, on 1 June  
1962**

*Official text: English.*

*Registered by Israel on 18 December 1962.*

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**ISRAËL**  
**et**  
**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif aux biens séculiers allemands situés en Israël  
(avec échange de lettres). Signé à Genève, le 1<sup>er</sup> juin 1962**

*Texte officiel anglais.*

*Enregistré par Israël le 18 décembre 1962.*

No. 6435. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF ISRAEL REGARDING GERMAN SECULAR PROPERTY IN ISRAEL. SIGNED AT GENEVA, ON 1 JUNE 1962

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*Considering* that the Government of the Federal Republic of Germany and the Government of the State of Israel have concluded at Luxembourg on 10 September 1952<sup>2</sup> an agreement concerning compensation for German secular property in Israel, hereinafter called "The Property Agreement", and

*Considering* that pursuant to Article 7 of the Property Agreement, the Contracting Parties have concluded at Copenhagen on 29 October 1959, a "Special Agreement", by which a Mediator was appointed and certain questions were referred to him for mediation, and

*Considering* that the Contracting Parties have requested the Mediator to make a reconciliation proposal, and

*Considering* that the Mediator has submitted at Geneva on 21 May 1962 "Suggested Terms of a Fair Settlement", the Government of the Federal Republic of Germany and the Government of the State of Israel have agreed as follows :

*Article I*

Israel agrees to pay to the order of the Federal Republic of Germany the sum of fifty four million Deutsche Mark (DM 54,000,000.-).

*Article II*

The amount of DM 54,000,000.— referred to in Article I hereof is made up as follows :

- (a) the sum of DM 45,000,000.— suggested by the Mediator as a fair settlement of all the claims of the Federal Republic of Germany which under the Special Agreement were submitted to mediation ; and
- (b) the sum of DM 9,000,000.— in respect of all other claims advanced with regard to German secular property in Israel.

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<sup>1</sup> Came into force on 13 August 1962, the day following the day on which the Government of the Federal Republic of Germany notified the Government of Israel that the constitutional requirements to give effect to the Agreement had been fulfilled, in accordance with the provisions of article VII.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 345, p. 91.

*Article III*

(1) On account of the amount referred to in Article I hereof, Israel has already paid to the Federal Republic of Germany sums totalling twenty two million eight hundred thousand Deutsche Mark (DM 22,800,000.—).

(2) The balance amounting to thirty one million two hundred thousand Deutsche Mark (DM 31,200,000.—) will be paid by Israel in two equal instalments, payable not later than 31 December 1962, and not later than 31 December 1963, respectively, in the manner provided for in Article 4 (d) of the Property Agreement.

*Article IV*

The payment of the amount of DM 54,000,000.— referred to in Article I hereof shall be in full and final discharge of all claims, rights and interests of the Federal Republic of Germany or any person or body claiming for or under it or any of the persons referred to in Article 2 of the Property Agreement, by virtue of the Property Agreement or by virtue of any other claim or title regarding German secular property in Israel ; and the Government of the Federal Republic of Germany hereby acknowledges that upon payment of the amount referred to in Article I hereof, it will have no claim, right or interest whatsoever under the Property Agreement or under any other title whatsoever against the State of Israel in regard to any matter relating to German secular property in Israel.

*Article V*

This Agreement shall be communicated to the Mediator appointed under the Special Agreement, with the request of both Parties that the mediation proceedings be formally terminated.

*Article VI*

Subject to the provisions of Article III hereof, the Property Agreement and the Special Agreement shall cease to have any further force and effect.

*Article VII*

This Agreement shall come into force on the day following the day on which the Government of the Federal Republic of Germany notifies the Government of Israel that the constitutional requirements to give effect hereto have been fulfilled.

DONE at Geneva on the first day of June 1962 in two originals in the English language with two authentic copies thereof ; each of the Contracting Parties shall be furnished with one original, and the Mediator with the authentic copies.

For the Government  
of the Federal Republic of Germany :  
(Signed) Bernhard WOLFF

For the Government  
of Israel :  
(Signed) Zev ARGAMAN

## EXCHANGE OF LETTERS

No. 1, *a*

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

In connection with the Agreement signed today<sup>1</sup> between our Governments, I have the honour to particularize hereunder the separate claims which were advanced against the Government of Israel by the Government of the Federal Republic of Germany and to which the sum mentioned in Article II (*b*) of the said Agreement relates ; namely :

- (1) The amount of £1,793,000.— (one million seven hundred and ninety three thousand pounds sterling) referred to in Article 5 (*e*) of an Agreement concluded between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Israel at London on 30 March 1950 ;<sup>2</sup>
- (2) The amount of £346,000.— (three hundred and forty six thousand pounds sterling) referred to in the same Article of the said Agreement of 30 March 1950 ;
- (3) Property other than real estate which is or at any time was vested in the Custodian of German Property in Israel under Israel law.

The sum of DM 7,000,000.— (seven million Deutsche Mark) is being paid in respect of the claims mentioned under (1) and (2) above, and the balance of DM 2,000,000.—(two million Deutsche Mark) is being paid in respect of the property other than real estate mentioned under (3) above.

In this connection, I should like to state that, in the opinion of the Government of the Federal Republic of Germany, the acceptance, as a result of reconciliation proceedings, of the said sum of DM 7,000,000.— (seven million Deutsche Mark) in respect of the amounts of £1,793,000.— and £346,000.— mentioned above, does not prejudice any claims which your Government or any third Government may have against the Government of the United Kingdom of Great Britain and Northern Ireland with regard to these amounts.

Please accept, dear Mr. Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

<sup>1</sup> See p. 228 of this volume.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 86, p. 231.

No. 1, b

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

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

[See letter 1, a]

I am instructed to inform you of the consent of the Government of Israel to the contents of the above letter.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev ARGAMAN

No. 2, a

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

With reference to Article I of the Agreement concluded today between our Governments, I have the honour to inform you that the Government of the Federal Republic of Germany desires the payment of the amount therein specified to be made to Hessische Landesbank und Girozentrale, Frankfurt am Main, for the account entitled "Zahlung Israel" of the Deutsche Revisions- und Treuhand Aktiengesellschaft, Frankfurt am Main.

Please accept, dear Mr. Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

No. 2, *b*

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

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

[*See letter 2, a*].

I am instructed to confirm that the Government of Israel will act accordingly.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev ARGAMAN

No. 3, *a*

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

In connection with the Agreement concluded today between our Governments, I have the honour to inform you that, in conformity with Article 2 of the Agreement concluded at Luxembourg on 10 September 1952,<sup>1</sup> the Government of the Federal Republic of Germany has, in the negotiations leading up to today's Agreement, and in the conclusion of the same, represented the interests of all persons who were, or were reputed to be, at any time before 15 September 1952, the legal or beneficial owners of German secular property in Israel within the meaning of the said Agreement of 10 September 1952 (other than the Custodian of Enemy Property). The representation by the Government of the Federal Republic of Germany of such interests was irrespective of the present nationalities of the former owners concerned ; and insofar as such representation required any consent or authorization on the part or on behalf

<sup>1</sup> United Nations, *Treaty Series*, Vol. 345, p. 91.

of any such former owner or any Government concerned, such consent or authorization has duly been given to, and accepted by, the Government of the Federal Republic of Germany.

In the circumstances, the Government of the Federal Republic of Germany has instructed me to re-affirm to the Government of Israel that with the settlement of the claims, the subject-matter of the Agreement of 10 September, 1952, by the Government of Israel to the order of the Government of the Federal Republic of Germany as per today's Agreement, the claims of all such former owners concerned will have been finally settled and satisfied.

Please accept, dear Mr. Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

No. 3, b

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

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

[See letter 3, a]

Note has been taken of the above.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev ARGAMAN

No. 4, a

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

In connection with the Agreement signed today between our Governments, I am instructed to inform you that my Government wishes to emphasize that nothing in

the said Agreement is to be taken as implying any admission on the part of the Government of Israel, of the legal validity of all the claims as advanced by the Government of the Federal Republic of Germany against the Government of Israel, in respect of which the said Agreement has been concluded today between our two Governments.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev ARGAMAN

No. 4, b

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

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

[See letter 4, a]

I am instructed to inform you of the consent of the Government of the Federal Republic of Germany to the consents of the above letter.

Please accept, dear Mr. Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

No. 5, a

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

In connection with the Agreement concluded today between our Governments, I have the honour to inform you that this Agreement shall also apply to the *Land* Berlin, provided that the Government of the Federal Republic of Germany has not



made a declaration to the contrary to the Government of the State of Israel, within three months from the date of the coming into force of this Agreement.

Please accept, dear Mr. Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

No. 5, b

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

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

[See letter 5, a]

Note has been taken of the above.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev. ARGAMAN

No. 6, a

HEAD OF GERMAN DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the State of Israel

Dear Mr. Argaman,

I have the honour to confirm that the letters numbered 1, a, 1, b, 2, a, 2, b, 3, a, 3, b, 4, a, 4, b, 5, a and 5, b, respectively, exchanged between us today, shall form an integral part of the Agreement which was this day concluded between our Governments.

Please accept, dear Mr Argaman, the assurance of my highest consideration.

(Signed) Bernhard WOLFF

No. 6, b

HEAD OF ISRAEL DELEGATION

Geneva, 1st June 1962

The Authorized Agent of the Government  
of the Federal Republic of Germany

Dear Herr Wolff,

I have the honour to confirm that the letters numbered 1, a, 1, b, 2, a, 2, b, 3, a, 3, b, 4, a, 4, b, 5, a and 5, b, respectively, exchanged between us today, shall form an integral part of the Agreement which was this day concluded between our Governments.

Please accept, dear Herr Wolff, the assurance of my highest consideration.

(Signed) Zev ARGAMAN