

No. 7133

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**NETHERLANDS  
and  
BULGARIA**

**Agreement concerning the settlement of financial questions  
(with exchange of letters). Signed at Sofia, on 7 July  
1961**

*Official text: French.*

*Registered by the Netherlands on 14 February 1964.*

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**PAYS-BAS  
et  
BULGARIE**

**Accord concernant le règlement de questions financières  
(avec échange de lettres). Signé à Sofia, le 7 juillet 1961**

*Texte officiel français.*

*Enregistré par les Pays-Bas le 14 février 1964.*

[TRANSLATION — TRADUCTION]

No. 7133. AGREEMENT<sup>1</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE PEOPLE'S REPUBLIC OF BULGARIA CONCERNING THE SETTLEMENT OF FINANCIAL QUESTIONS. SIGNED AT SOFIA, ON 7 JULY 1961

The Netherlands Government and the Bulgarian Government, desiring to settle certain financial problems between their two countries, have concluded the following Agreement.

*Article 1*

1. The Bulgarian Government shall pay to the Netherlands Government an amount fixed at 1.5 million Dutch guilders, calculated on the basis of one Dutch guilder being equal to 0.245489 grammes of pure gold, in global, lump-sum settlement of the following :

(a) Claims for compensation arising from Bulgarian measures of nationalization, expropriation or confiscation, or other measures of total or partial dispossession, which have affected the property, rights or interests of individuals or bodies corporate of Netherlands nationality possessing that status both on the date on which such measures were taken and on the date of signature of this Agreement;

(b) Obligations of the Bulgarian Government to the Netherlands Government and to Netherlands individuals or bodies corporate arising out of article 23 of the Treaty of Peace with Bulgaria, signed in Paris on 10 February 1947;<sup>2</sup>

(c) All the commercial and financial claims of Netherlands individuals or bodies corporate against Bulgarian debtors, in so far as such claims arose before the conclusion of the Bulgarian-Netherlands Payments Agreement of 4 June 1947;

(d) Bulgarian external public bonds or bonds guaranteed by the Bulgarian State held on 31 December 1960 by Netherlands individuals or bodies corporate possessing that status on the date of signature of this Agreement.

2. In the event of a change in the gold content of the Dutch guilder as stated above, the unpaid part of the global sum shall be adjusted accordingly.

*Article 2*

1. Payment of the sum mentioned in article 1 shall be made to the Netherlands Government by the Bulgarian Government in Dutch guilders in semi-

<sup>1</sup> Came into force on 1 July 1962, in accordance with article 9.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 41, p. 21.

annual instalments, each instalment being equal to 7 per cent of the payments made during the preceding calendar half-year by Netherlands purchasers of merchandise originating in or coming from Bulgaria.

2. The semi-annual payments shall be made by the National Bank of Bulgaria at the order of the Bulgarian Government on the basis of information supplied to the National Bank of Bulgaria by the Nederlandsche Bank.

3. The semi-annual payments shall be made not later than the end of the second month following 30 June and 31 December of each year and shall be deposited to the credit of an account in Dutch guilders entitled "Compensation—Bulgaria", which shall be opened on the books of the Nederlandsche Bank in the name of the Netherlands Government.

4. The first payment shall be made in respect of the half-year period ending immediately after the date on which the Agreement enters into force.

5. The last payment shall consist of the difference between the global sum to be paid in accordance with article 1 and the total amount of the payments already made.

### *Article 3*

1. After the sum fixed in article 1 has been paid in full, the Netherlands Government shall deem the Netherlands claims mentioned in that article to have been finally settled. This settlement shall release the Bulgarian Government from liability in respect of the Netherlands Government and the Netherlands individuals and bodies corporate concerned.

2. The Bulgarian Government, for its part, shall deem all claims by the Bulgarian State against Netherlands individuals or bodies corporate arising before the signature of the Bulgarian-Netherlands Payments Agreement of 4 June 1947 to have been finally settled.

3. The Bulgarian Government shall deem all Bulgarian claims against the Netherlands claimants benefiting from this Agreement to have been finally settled. The property, rights and interests, and the compensation paid, shall not be subject to future Bulgarian taxes and charges.

4. On the entry into force of this Agreement, neither the Netherlands Government nor the Bulgarian Government shall be able any longer to press or in any way to support the claims settled by this Agreement. Similarly, the Netherlands Government shall not support any claim on the part of such of its nationals as have rejected the benefits of this Agreement.

### *Article 4*

Netherlands claims arising out of Bulgarian legislation or other measures adopted after the signature of this Agreement shall not be deemed to have been settled by the provisions of this Agreement.

*Article 5*

The Netherlands Government shall, so far as possible, return to the Bulgarian Government the notarized documents in the possession of claimants whose claims have been settled in accordance with article 1, paragraph 1 (a). The Netherlands Government shall likewise return to the Bulgarian Government the Bulgarian currency and certificates of ownership of external bonds with redeemable coupons which their holders have declared for the purpose of redemption by the Bulgarian Government.

*Article 6*

1. The distribution of the global, lump-sum amount of 1.5 million Dutch guilders, mentioned in article 1, among the Netherlands claimants shall be a matter entirely within the competence and responsibility of the Netherlands Government.

2. For the purpose of facilitating the implementation of this Agreement, the Bulgarian Government shall provide the Netherlands Government, at its request and so far as possible, with all the information which the Netherlands authorities may need in order to consider the applications made by Netherlands claimants entitled to compensation.

*Article 7*

The Nederlandsche Bank and the National Bank of Bulgaria, each acting on behalf of its Government, shall agree on the technical arrangements to be made for the purpose of implementing this Agreement.

*Article 8*

The application of this Agreement to Surinam and to the Netherlands Antilles shall be subject to the approval of their respective Governments. Such approval shall be deemed to have been tacitly granted unless the Netherlands Government shall have notified the Bulgarian Government to the contrary within three months following the entry into force of this Agreement.

*Article 9*

This Agreement shall enter into force on a date to be determined by an exchange of notes stating that the formalities prescribed by the national laws of each Contracting Party have been complied with.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed this Agreement.

DONE at Sofia, in duplicate in the French language, on 7 July 1961.

For the Netherlands Government :

(Signed) W. A. FROWEIN

For the Bulgarian Government :

(Signed) V. TODOROV

## EXCHANGE OF LETTERS

### I

Sofia, 7 July 1961

Sir,

Having taken into consideration the course of the negotiations which have led to the conclusion of the Agreement between the Kingdom of the Netherlands and the People's Republic of Bulgaria concerning the settlement of financial questions, signed this day,<sup>1</sup> the Netherlands Government confirms its intention to distribute the global, lump-sum amount mentioned in article 1 of the said Agreement as follows :

(a) 700,000 Dutch guilders for the Netherlands property, rights and interests referred to in article 1, paragraph 1 (a), (b) and (c) of the said Agreement, of which a maximum amount of 10,000 Dutch guilders shall be allotted to Netherlands nationals claiming damages exclusively under article 23 of the Treaty of Peace with Bulgaria, signed in Paris on 10 February 1947;

(b) 800,000 Dutch guilders for the redemption of the bonds referred to in article 1, paragraph 1 (d) of the Agreement.

I should be grateful if you would kindly take note of the foregoing.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia

### II

Sofia, 7 July 1961

Sir,

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

[See letter I]

<sup>1</sup> See p. 23 of this volume.

I have taken note of the contents of your letter and have the honour to confirm that the distribution of the total sum is a matter wholly within the competence and responsibility of the Netherlands Government.

Accept, Sir, the assurances of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Acting Chargé d'Affaires of the Netherlands  
at Sofia

### III

Sofia, 7 July 1961

Sir,

During the negotiations which have led to the conclusion of the Agreement between the People's Republic of Bulgaria and the Kingdom of the Netherlands concerning the settlement of financial questions, signed this day, an evaluation was made, on the one hand, of the balances in the "domestic leva" accounts held by Netherlands individuals and bodies corporate at the National Bank of Bulgaria and the Bulgarian Savings Bank, amounting to a total of 221,022.18 leva, or 84,045.25 Dutch guilders, as shown in schedule A which forms an integral part of this letter, and, on the other hand, of the claims of Bulgarian individuals and bodies corporate against Netherlands banks, amounting to a total of 64,353.09 Dutch guilders, as shown in schedule B which forms an integral part of this letter.

In order to effect a final settlement of the above-mentioned mutual debts and credits, the two Contracting Parties have agreed to make compensation for them as follows.

Within sixty days after the entry into force of the said Agreement, the Bulgarian claimants shall instruct the Netherlands banks mentioned in schedule B to deposit their holdings to the credit of the Netherlands Government in an account entitled "Bulgarian-Netherlands Claims" on the books of the Nederlandsche Bank. Within the same period, the National Bank of Bulgaria shall transfer the difference between the total of schedule A<sup>1</sup> and that of schedule B, viz. 19,692.15 Dutch guilders, to the same account.

Upon receipt of the said sums, the Netherlands Government shall pay to the creditors listed in schedule A the sums indicated therein.

Compensation having thus been paid for the above-mentioned claims and debts, the Bulgarian and Netherlands Parties shall deem their mutual claims and debts mentioned in the schedules to have been finally settled.

<sup>1</sup> See p. 33 of this volume.

I should be grateful if you would record the agreement of the Netherlands Government to the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Acting Chargé d'Affaires of the Netherlands  
at Sofia

### SCHEDULE A

#### NETHERLANDS CLAIMS

<i>Netherlands creditors</i>	<i>Bulgarian debtors</i>	<i>Amount (in leva)</i>
1. N.V. Oostersche Tabak-Maatschappij (Ortab)	National Bank of Bulgaria at Sofia .	31,111.09
2. N.V. Hollandsche Tabak-Maatschappij (Holtab), Rotterdam	State Savings Bank at Plovdiv . . .	572.-
3. N.V. Beleggings- en Trust-Maatschappij "Thracia", Amsterdam	National Bank of Bulgaria at Sofia .	100.69
4. J. C. Müller N.V., Rotterdam	National Bank of Bulgaria at Sofia .	1,316.02
5. Rotterdamsche Bank N.V., Rotterdam	National Bank of Bulgaria at Sofia .	1,436.20
6. N.V. Philips Gloeilampenfabrieken, Eindhoven	National Bank of Bulgaria at Sofia .	181,197.14
7. J. Duyvis and Zoon, Amsterdam	National Bank of Bulgaria at Sofia .	1,906.04
8. N.V. Oostersche Tabak-Maatschappij (Ortab), Amsterdam	State Savings Bank at Samokov . .	3,383.-
	<b>TOTAL</b>	<b>221,022.18</b>

In Dutch guilders : 84,045.24

### SCHEDULE B

#### BULGARIAN CLAIMS

	<i>Amount (in Dutch guilders)</i>
(a) <i>Claims of the National Bank of Bulgaria against:</i>	
1. Amsterdamsche Bank N.V., Amsterdam . . . . .	56,523.14
2. H. Albert de Bary and Co. N.V., Amsterdam . . . . .	116.-
3. Amsterdamsche Bank N.V., Amsterdam . . . . .	732.49
4. Labouchere and Co. N.V., Amsterdam—Swiss fr 731.58 . . . . .	590.60
Labouchere and Co. N.V., Amsterdam—£12.10.Od. . . . .	124.84
(b) <i>Claims by the State Insurance Institute against:</i>	
1. Banque de Paris et des Pays-Bas S.A., Amsterdam . . . . .	1,766.02
2. R. Mees and Zoonen, Rotterdam . . . . .	4,500.-
	<b>TOTAL</b>
	<b>64,353.09</b>

## IV

Sofia, 7 July 1961

Sir,

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

[See letter III]

I have the honour to record the agreement of the Netherlands Government to the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia

## V

Sofia, 7 July 1961

Sir,

With reference to the definition of Netherlands property, rights and interests given in articles 1 and 3 of the Agreement between the Kingdom of the Netherlands and the People's Republic of Bulgaria concerning the settlement of financial questions, signed this day, I have the honour to state that the property, rights and interests in Bulgaria of the Maison Poels, Meir, Antwerp, Belgium, or of its shareholders, the three Poels brothers, all of whom are residents of Belgium, have not been considered as Netherlands. The said interests were discussed as Belgian interests during the negotiations between Belgium and Bulgaria concerning Belgian interests in Bulgaria, and will continue to be considered as such.

I shall be obliged if you will confirm that the interests in question will be deemed to be Belgian interests.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia



## VI

Sofia, 7 July 1961

Sir,

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

[See letter V]

I have the honour to confirm that the interests in question will be deemed to be Belgian interests.

Accept, Sir, the assurances of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Acting Chargé d'Affaires of the Netherlands  
at Sofia

## VII

Sofia, 7 July 1961

Sir,

With reference to the Agreement between the People's Republic of Bulgaria and the Kingdom of the Netherlands concerning the settlement of financial questions, signed this day, I have the honour to state that the claims of Mrs. Penka Salo Ventura, as heiress to the property of the late Salo Ventura in the Netherlands, have not been settled by the above-mentioned Agreement.

I shall be obliged if you will confirm the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Acting Chargé d'Affaires of the Netherlands  
at Sofia

## VIII

Sofia, 7 July 1961

Sir,

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

[See letter VII]

I have the honour to confirm the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia

## IX

Sofia, 7 July 1961

Sir,

From the negotiations which led to the conclusion of the Agreement between the Kingdom of the Netherlands and the People's Republic of Bulgaria concerning the settlement of financial questions, signed this day, it emerged that the tobacco warehouse of the N.V. Oostersche Tabak-Maatschappij (Ortab) of Amsterdam at Samokov had not been affected by nationalization or similar measures. However, in view of the restrictions imposed upon owners of real estate in Bulgaria, the N.V. Oostersche Tabak-Maatschappij (Ortab) preferred to sell the warehouse at Samokov to the Bulgarian State, which had expressed a willingness to purchase it. Accordingly, the global sum has been computed so as to include the purchase price of the said warehouse, the calculation having been made in accordance with the same criteria as those applied in calculating the amount of compensation to be paid for other, expropriated real estate of the said Company.

I should be obliged if you would confirm that the two delegations have agreed to the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia

## X

Sofia, 7 July 1961

Sir,

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

[See letter IX]

I have the honour to confirm that the two delegations have agreed on the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Chargé d'Affaires of the Netherlands  
at Sofia

## XI

Sofia, 7 July 1961

Sir,

With reference to the Agreement between the People's Republic of Bulgaria and the Kingdom of the Netherlands concerning the settlement of financial questions, signed this day, I have the honour to inform you that the Government of the People's Republic of Bulgaria declares itself prepared to begin making the payments in question, as from the date of signature of the Agreement, in the following manner.

The first payment shall be in respect of the period from the date of this letter to the end of the current calendar half-year and shall be made within two months after the end of that period.

Until the Agreement enters into force, the semi-annual payments shall be credited to a non-interest-bearing account in Dutch guilders entitled " Account 2 ", which shall be opened on the books of the Nederlandsche Bank in the name of the National Bank of Bulgaria for the account of the Bulgarian Government.

The credit balance in " Account 2 " shall be unavailable during one year from the date of signature of the Agreement. If the Agreement enters into force in the meantime, the credit balance in " Account 2 " shall be made available to the Netherlands Government and shall be automatically deposited to the credit of the " Compensation-Bulgaria " account in the name of the Netherlands Government in the Nederlandsche Bank. If the Agreement is not ratified

during the above-mentioned period, the credit balance in " Account 2 " shall be made available to the Bulgarian Government and shall be automatically deposited to the credit of the ordinary account carried in the name of the National Bank of Bulgaria on the books of the Nederlandsche Bank.

I should be grateful if you would record the agreement of the Netherlands Government to the above.

Accept, Sir, the assurance of my highest consideration.

(Signed) V. TODOROV

Mr. W. A. Frowein  
Acting Chargé d'Affaires of the Netherlands  
at Sofia

## XII

Sofia, 7 July 1961

Sir,

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

[See letter XI]

I have the honour to record the agreement of the Netherlands Government to the above.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov  
Chairman of the Bulgarian Delegation  
Sofia

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