

No. 8120

**NETHERLANDS
and
CZECHOSLOVAKIA**

**Agreement relating to the settlement of financial matters
(with exchange of letters). Signed at The Hague, on
11 June 1964**

Official text: English.

Registered by the Netherlands on 21 February 1966.

**PAYS-BAS
et
TCHÉCOSLOVAQUIE**

**Accord concernant le règlement de questions financières
(avec échange de lettres). Signé à La Haye, le 11 juin 1964**

Texte officiel anglais.

Enregistré par les Pays-Bas le 21 février 1966.

No. 8120. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC RELATING TO THE SETTLEMENT OF FINANCIAL MATTERS. SIGNED AT THE HAGUE, ON 11 JUNE 1964

The Government of the Kingdom of the Netherlands and the Government of the Czechoslovak Socialist Republic,

Having regard to the "Agreement between the Netherlands and Czechoslovakia concerning Netherlands interests affected in Czechoslovakia by nationalisation, confiscation and national administration" concluded on 4 November 1949,

Having regard to the "Agreement between the Netherlands and Czechoslovakia concerning Czechoslovak interests affected in the Netherlands by the Netherlands Law No. H 251 of 18th July 1947" concluded on 28 November 1952,

Desiring to reach full and final settlement of the questions specified therein and of other financial matters,

Have agreed as follows :

Article 1

1. The Czechoslovak Government shall pay the sum of 5,400,000 Netherlands guilders to the Netherlands Government in full settlement of claims for compensation in respect of all Netherlands property, rights and interests affected by Czechoslovak measures of nationalisation, confiscation, expropriation or other similar measures taking or limiting the ownership of such property, rights and interests as well as in respect of all Netherlands mortgage claims on Czechoslovak property affected by such measures.

2. For the purposes of the present Agreement Netherlands property, rights and interests referred to in paragraph 1 of this Article shall mean property, rights and interests held both at the date of the relevant Czechoslovak measure and at the date of signature of the present Agreement, by Netherlands physical persons, or juridical persons established and having their seat in the Kingdom of the Netherlands.

¹ Came into force on 10 December 1964, the date fixed by an exchange of notes in which the Contracting Parties informed each other that the formalities required by their respective national legislations had been complied with, in accordance with article 8.

Article 2

The Netherlands Government shall pay the sum of 2,900,000 Netherlands guilders to the Czechoslovak Government in full settlement of claims for compensation in respect of all Czechoslovak capital assets which under Netherlands Law No. H 251 of 18 July 1947 became the property of the State of the Netherlands.

Article 3

1. For payment of the sum mentioned in Article 1 of the present Agreement shall be used :

- a) the sum of 4,500,000 Netherlands guilders, being the total of the advance payments made by the Czechoslovak Government to the Nederlandsche Bank N.V. under the Agreement concluded between the two Governments on 4 November 1949 and considered as paid and received by both Governments at the date of the coming into force of the present Agreement,
- b) the sum of 900,000 Netherlands guilders, to be deducted from the sum of 2,900,000 Netherlands guilders that the Netherlands Government shall pay to the Czechoslovak Government under Article 2 of the present Agreement and considered as paid and received at the date of the coming into force of the present Agreement.

2. The payment of the sum of 2,000,000 Netherlands guilders remaining after deducting 900,000 Netherlands guilders in accordance with paragraph 1 *b* of this Article, shall be made on the account of the Czechoslovak Government with the Czechoslovak State Bank in Prague within one month after the coming into force of the present Agreement and shall be considered as final settlement of the payment mentioned in Article 2 of the present Agreement.

Article 4

1. The Netherlands Government declares that by the payment of the sum mentioned in Article 1 of the present Agreement the Czechoslovak Government, as well as Czechoslovak physical and juridical persons, shall be discharged from all liabilities in respect of the property, rights and interests compensated by virtue of Article 1 towards the Netherlands Government and the Netherlands physical and juridical persons.

2. The Czechoslovak Government declares that by the payment of the sum mentioned in Article 2, in the manner prescribed in Article 3 of the present Agreement, the Netherlands Government as well as Netherlands physical and juridical persons, shall be discharged from all liabilities in respect of Czechoslovak capital assets compensated by virtue of Article 2 towards the Czechoslovak Government and the Czechoslovak physical and juridical persons.

3. As from the date of the coming into force of the present Agreement the Kingdom of the Netherlands shall no longer present any claims settled by virtue of Article 1 of the present Agreement nor give such claims any support whatever.

4. As from the date of the coming into force of the present Agreement the Czechoslovak Socialist Republic shall no longer present any claims settled by virtue of Article 2 of the present Agreement nor give such claims any support whatever.

Article 5

The Czechoslovak Government considers as completely settled all Czechoslovak claims by reason of taxes and levies in respect of the property, rights and interests covered by Article 1.

Article 6

1. The responsibility for the distribution of the sums referred to in Article 1 and 2 shall rest solely with the Netherlands Government and the Czechoslovak Government, respectively.

2. To facilitate the implementation of the present Agreement each Government shall give the other, on request, all the necessary information and assistance.

Article 7

After the sum referred to in Article 1 has been distributed, the Netherlands Government shall deliver to the Czechoslovak Government a list of the persons who have been granted compensation and shall hand over all the available documents of title relating to the claims for compensation.

Article 8

This Agreement shall come into force at a date to be fixed by an exchange of Notes, in which the Contracting Parties shall inform each other that the formalities required by their respective national legislations have been complied with.

IN WITNESS WHEREOF the undersigned representatives, duly authorised for that purpose, have signed the present Agreement.

DONE at The Hague, this 11th day of June 1964, in two copies in the English language.

For the Government of the Kingdom of the Netherlands :

J. LUNS

For the Government of the Czechoslovak Socialist Republic :

L. ŽILKA

EXCHANGE OF LETTERS

I

The Hague, June 11, 1964

Excellency,

With reference to the negotiations leading to the conclusion of the Agreement between the Government of the Kingdom of the Netherlands and the Government of the Czechoslovak Socialist Republic relating to the settlement of financial matters signed today, I have the honour to state that it was agreed that the financial questions mentioned in article 11 of the "Accord entre le Royaume des Pays-Bas et la République tchécoslovaque sur le Rapatriement" concluded on 31 January 1945 will be considered as finally settled.

I shall appreciate your confirmation of the above understanding.

Accept, Excellency, the assurances of my highest consideration.

J. LUNS

His Excellency Dr. Ladislav Žilka
Envoy Extraordinary and Minister Plenipotentiary
of the Czechoslovak Socialist Republic
at The Hague

II

The Hague, June 11, 1964

Excellency,

I have the honour to acknowledge receipt of your letter of this date which reads as follows :

[See letter I]

I have the honour to confirm that I fully agree with the understanding expressed above.

Accept, Excellency, the assurances of my highest consideration.

L. ŽILKA

His Excellency Mr. J. M. A. H. Luns
Minister of Foreign Affairs
of the Kingdom of the Netherlands

III

The Hague, June 11, 1964

Excellency,

With reference to the Agreement between the Government of the Netherlands and the Government of the Czechoslovak Socialist Republic relating to the settlement of financial matters signed today, I have the honour to state that it was understood that the sum mentioned in paragraph 1 of Article 1 of this Agreement should include compensation for property, rights and interests affected by Czechoslovak measures of nationalisation, confiscation, expropriation or other similar measures also in such cases in which, in particular by reason of special circumstances prevailing before and during the last war, property, rights and interests were held by physical or juridical persons other than Netherlands persons, for account and risk of Netherlands physical or juridical persons, and inasmuch as such claims for compensation are not covered by an agreement between Czechoslovakia and a third country.

I shall appreciate your confirmation of the above understanding.

Accept, Excellency, the assurances of my highest consideration.

J. LUNS

His Excellency Dr. Ladislav Žilka
Envoy Extraordinary and Minister Plenipotentiary
of the Czechoslovak Socialist Republic
at The Hague

IV

The Hague, June 11, 1964

Excellency,

I have the honour to acknowledge receipt of your letter of this date which reads as follows :

[See letter III]

I have the honour to confirm that I fully agree with the understanding expressed above.

Accept, Excellency, the assurances of my highest consideration.

L. ŽILKA

His Excellency Mr. J. M. A. H. Luns
Minister of Foreign Affairs
of the Kingdom of the Netherlands