

No. 8654

**AUSTRALIA
and
FEDERAL REPUBLIC OF GERMANY**

Treaty regarding the division between Australia and Germany of compensation paid by the Government of the State of Israel for German secular property in Israel (with annexes and exchange of letters). Signed at Bonn, on 21 April 1965

Official texts: English and German.

Registered by Australia on 22 June 1967.

**AUSTRALIE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

Traité relatif à la répartition entre l'Australie et l'Allemagne des indemnités payées par le Gouvernement de l'État d'Israël aux propriétaires de biens séculiers allemands situés en Israël (avec annexes et échange de lettres). Signé à Bonn, le 21 avril 1965

Textes officiels anglais et allemand.

Enregistré par l'Australie le 22 juin 1967.

No. 8654. TREATY¹ BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE FEDERAL REPUBLIC OF GERMANY REGARDING THE DIVISION BETWEEN AUSTRALIA AND GERMANY OF COMPENSATION PAID BY THE GOVERNMENT OF THE STATE OF ISRAEL FOR GERMAN SECULAR PROPERTY IN ISRAEL. SIGNED AT BONN, ON 21 APRIL 1965

The Commonwealth of Australia and

The Federal Republic of Germany

In consideration of the fact

that the Government of the Federal Republic of Germany by virtue of its Agreement of 10th September 1952² with the Government of the State of Israel regarding German Secular Property in Israel (attached as Annex 1) has negotiated with the Government of the State of Israel concerning the amount of compensation payable for this property and in its negotiations has represented inter alia the interests of former German nationals who have acquired Australian citizenship ;

that the said negotiations have been concluded by virtue of an Agreement signed in Geneva on 1st June 1962³ and six exchanges of letters related thereto (attached as Annex 2) ,

that in the said Agreement of 1st June 1962, total compensation payable by the Government of the State of Israel for German Secular Property in Israel is fixed at fifty-four million Deutschemark (54,000,000 Deutschemark) ;

that in accordance with Article II of the said Agreement of 1st June 1962 and exchange of letters No. 1 the said total compensation of 54,000,000 Deutschemark is comprised of the following sums :

- a) 45,000,000 Deutschemark payable as compensation for real estate ;
- b) 7,000,000 Deutschemark payable as compensation for cash amounts of 1,793,000 and 346,000 pounds sterling ;

¹ Came into force on 30 January 1966, one month after the exchange of the instruments of ratification which took place at Canberra on 30 December 1965, in accordance with article 16

² United Nations, *Treaty Series*, Vol. 345, p 91

³ United Nations, *Treaty Series*, Vol 448, p 228

- c) 2,000,000 Deutschemmark payable as compensation for property which does not consist of the above mentioned real estate and cash amounts ;

that the Government of the State of Israel during the course of the above mentioned negotiations made to the Government of the Federal Republic of Germany interim payments of compensation amounting to 22,800,000 Deutschemmark less an amount of 114,000 Deutschemmark, which the Government of the State of Israel claimed and was granted because of what it considered to be interest lost through payment in advance ;

that the Government of the State of Israel on 31st December 1962 made a first settlement payment of 15,600,000 Deutschemmark as part of the amount of 31,200,000 Deutschemmark which remained payable after the deduction of the said interim payments ;

that the Government of the State of Israel on 1st December 1963 made a final settlement payment of 15,600,000 Deutschemmark less an amount of 35,000 Deutschemmark which the Government of the State of Israel claimed and was granted because of what it considered to be interest lost through payment in advance ;

Have agreed as follows :

Article 1

The Commonwealth of Australia consents to the arrangements made between the Government of the Federal Republic of Germany and the Government of the State of Israel whereby the Government of the State of Israel made payments up to 1st December 1963 of 53,851,000 Deutschemmark in full settlement of the amount of 54,000,000 Deutschemmark payable as total compensation for the said German Secular Property in Israel.

Article 2

From the amount of 54,000,000 Deutschemmark total compensation mentioned in Article 1 above shall be deducted the following amounts :

- a) 826,093 Deutschemmark used for the interest deductions referred to in Article 1 and for common costs already incurred in disbursing compensation,
- b) 793,907 Deutschemmark which shall be retained and used to defray any common costs incurred in the future in disbursing compensation. The Palestine German Association, Stuttgart, shall by agreement with the Templar Committee, Bentleigh, Australia, be entitled to dispose of up to 348,907 Deutschemmark of the above mentioned amount subject in each instance to the authorisation of the Minister of Finance of the Federal Republic of Germany. The Governments of the Contracting States shall come to a direct agreement on the use of the remaining amount of 445,000 Deutschemmark. The Palestine German Association and the Templar Committee shall subject to the authorisation of the Minister of Finance

of the Federal Republic of Germany jointly decide on the use of any moneys remaining after all common costs incurred in disbursing compensation have been defrayed.

Article 3

(1) After deduction of the amounts referred to in Article 2 above an amount of 52,380,000 Deutschemmark of the total compensation will be available for division between the Federal Republic of Germany and the Commonwealth of Australia.

(2) The amount specified in Clause 1 of this Article is comprised of the following sums :

- a) 43,650,000 Deutschemmark to be disbursed in respect of the amount of 45,000,000 Deutschemmark envisaged in accordance with the Agreement of 1st June 1962, as compensation for real estate
- b) 5,691,664 Deutschemmark to be disbursed in respect of the compensation envisaged in accordance with exchange of letters No 1 to the Agreement of 1st June 1962, for the cash amount of 1,793,000 pounds sterling.
- c) 1,098,336 Deutschemmark to be disbursed in respect of the compensation envisaged in accordance with exchange of letters No 1 to the Agreement of 1st June 1962, for the cash amount of 346,000 pounds sterling.
- d) 1,940,000 Deutschemmark to be disbursed in respect of the compensation envisaged in accordance with the Agreement of 1st June 1962, for property which does not consist of real estate and the above-mentioned cash amounts

Article 4

From the amount of 52,380,000 Deutschemmark referred to in Clause 1 of Article 3 above shall be deducted the amounts of 1,098,336 Deutschemmark and 1,940,000 Deutschemmark (Clause 2 *c* and *d* of Article 3 above) to be divided at a later date between the Commonwealth of Australia and the Federal Republic of Germany in accordance with Articles 7 and 8 below.

Article 5

(1) Of the amount of 49,341,664 Deutschemmark remaining after deduction of the amounts specified in Articles 2 and 4 above

- a) the Federal Republic of Germany shall receive 18,207,088 Deutschemmark,
 - b) the Commonwealth of Australia shall receive 31,134,576 Deutschemmark
- subject to the division at a later date of the amounts specified in Article 4 above.

(2) The amount of 49,341,664 Deutschemmark specified in Clause 1 of this Article contains :

- a) an amount of 17,460,000 Deutschemark as the share of the Federal Republic of Germany and an amount of 26,190,000 Deutschemark as the share of the Commonwealth of Australia of the amount of 43,650,000 Deutschemark specified in Clause 2a of Article 3 above,
- b) an amount of 747,088 Deutschemark as the share of the Federal Republic of Germany and an amount of 4,944,576 Deutschemark as the share of the Commonwealth of Australia of the amount of 5,691,664 Deutschemark specified in Clause 2b of Article 3 above.

(3) From the share of the Commonwealth of Australia specified in Clause 1b of this Article there shall be deducted :

- a) an amount of 13,831,292 Deutschemark which the Government of the Commonwealth of Australia has already received by way of interim payments made by the Government of the State of Israel during the course of the negotiations,
- b) an amount of 8,892,373 Deutschemark which the Government of the Commonwealth of Australia has already received out of the amount of 15,600,000 Deutschemark paid by the Government of the State of Israel on 31st December 1962.

(4) After deduction of the amounts mentioned in Clause 3 of this Article a remaining amount of 8,410,911 Deutschemark of the share mentioned in Clause 1b of this Article is due to the Commonwealth of Australia. This remaining amount, with the addition of whatever interest has accrued on the share of the Commonwealth of Australia up to the date of transfer, shall after conversion to Australian pounds and the deduction of transfer costs be paid to the Government of the Commonwealth of Australia within thirty days of the coming into force of this Treaty.

Article 6

(1) Only persons whose claims derive from the loss of real estate as listed in Appendix B to the Special Agreement of 29th October 1959 concluded by the Government of the Federal Republic of Germany and the Government of the State of Israel (Annex 3) or in Annex 4 shall share in the distribution of the amount of 43,650,000 Deutschemark (Clause 2a of Article 3 above).

(2) Only such persons whose claims derive from the loss of real estate appropriated by the Mandate authorities in favour of the Municipality of Tel Aviv and the Local Councils of Ramat Gan, Bnei Braq and Givatayim or sold to them shall share in the distribution of the amount of 5,691,664 Deutschemark (Clause 2b of Article 3 above).

Article 7

(1) The amount of 1,098,336 Deutschemark (Clause 2c of Article 3 above) shall be divided between the Commonwealth of Australia and the Federal Republic of Germany as soon as it has been determined whether and which persons have claims

to compensation for loss of assets disposed of by the Palestine Custodian of German Property of which the corresponding amount is contained in the final balance of 346,000 pounds sterling held by him at the time. If, after due registration of claims such losses are proved within the time limit fixed by either Contracting State, the persons concerned shall be compensated by the Federal Republic of Germany or by the Commonwealth of Australia pursuant to Article 9 below.

(2) Where losses in the nature of those mentioned in Clause 1 of this Article are not registered within the time limit determined by either Contracting State, the balance of the amount specified in Clause 1 of this Article which has not been used to compensate such losses shall, in accordance with Article 9 below, be disbursed to persons whose claims derive from the real estate appropriated by the Mandate authorities in favour of the Municipality of Tel Aviv and the Local Councils of Ramat Gan, Bnei Braq and Givatayim or sold to them and who did not share or shall not share in the disbursement of that part of the proceeds from the appropriation or sale paid by the United Kingdom to the Commonwealth of Australia and disbursed or to be disbursed by the said Commonwealth of Australia.

(3) The amount mentioned in Clause 1 of this Article shall be divided between the Commonwealth of Australia and the Federal Republic of Germany in the proportion resulting from comparison of the amounts of compensation to be paid by the Commonwealth of Australia and the Federal Republic of Germany in accordance with Article 9 below to persons entitled to such compensation under Clauses 1 and 2 of this Article.

Article 8

(1) The amount of 1,940,000 Deutschemark (Clause 2*d* of Article 3 above) shall be divided between the Commonwealth of Australia and the Federal Republic of Germany in the proportion resulting from comparison of losses of industrial property determined by the Ausgleichsamt (Equalization Board), Stuttgart, in assessment decisions in respect of persons who, under Article 9 below, would be entitled to compensation from the Federal Republic of Germany or the Commonwealth of Australia.

(2) Both Contracting States shall be at liberty also to compensate out of the share due to them pursuant to Clause 1 of this Article persons who have suffered losses other than losses of industrial property

Article 9

The disbursement of the shares of total compensation of the Commonwealth of Australia and the Federal Republic of Germany shall be governed by the following principles :

- a) From the share of the Federal Republic of Germany there shall be compensated persons having suffered losses of property or their heirs direct or indirect, provided

that the original sufferer of such loss was not domiciled or permanently resident in Australia on the operative date. If the original sufferer of such losses died before the operative date, his heirs direct or indirect shall be compensated out of the share of the Federal Republic of Germany provided that they were not domiciled or permanently resident in Australia on the operative date

- b) From the share of the Commonwealth of Australia there shall be compensated persons who are considered by the Government of the Commonwealth of Australia to be justly entitled to receive compensation and who on the operative date were domiciled or permanently resident in Australia or if not so domiciled or permanently resident in Australia claim through any such person. Preliminary disbursements made by the Government of the Commonwealth of Australia to persons who were domiciled or permanently resident in Australia at the time of the disbursement and who died before the operative date are deemed as between the Contracting States to have been properly so made.
- c) The operative date is fixed at 1st June 1962.

Article 10

In determining the entitlement to payment of compensation to individuals, "key figures" established according to identical principles shall serve as the base for calculations

Article 11

The compensation for losses in the nature of those specified in Articles 6, 7 and 8 above suffered by juridical persons shall be divided between the Commonwealth of Australia and the Federal Republic of Germany in the same proportion as that provided for or to be provided for in Clause 2 of Article 5 and Articles 7 and 8 above for the division of total compensation in respect of losses suffered by natural persons.

Article 12

The Commonwealth of Australia confirms that such protection of the interests of those former German nationals who now possess Australian citizenship as the Government of the Federal Republic of Germany effected both by negotiating with the Government of the State of Israel in pursuance of the Agreement of 10th September 1952 regarding German Secular Property in Israel and by concluding the Agreement of 1st June 1962, was based on the consent and authorisation of the Government of the Commonwealth of Australia and of individual claimants who now possess Australian citizenship, as given to and accepted by the Government of the Federal Republic of Germany.

Article 13

The Commonwealth of Australia acknowledges on its own behalf and on behalf of its citizens whose interests the Government of the Federal Republic of Germany protected both by negotiating with the Government of the State of Israel in pursuance of the Agreement of 10th September 1952 regarding German Secular Property in Israel and by concluding the Agreement of 1st June 1962, that it has no objection to raise in respect of such protection of the interests of former German nationals who now possess Australian citizenship.

Article 14

The Commonwealth of Australia following receipt of its share plus interest of the total compensation paid by the Government of the State of Israel in respect of German Secular Property in Israel, which share is established by the present Treaty, acknowledges that this share represents its due share of total compensation and that neither itself nor its citizens whose interests have been represented by the Government of the Federal Republic of Germany nor other persons who are compensated from the Australian share of the total compensation have any valid claim against the Federal Republic of Germany with regard to compensation paid by the Government of the State of Israel for such property in accordance with the said Agreement of 1st June 1962.

Article 15

The present Treaty shall also apply to Land Berlin provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Commonwealth of Australia within three months from the entry into force of the present Treaty

Article 16

(1) The present Treaty shall require ratification, the Instruments of Ratification shall be exchanged in Canberra as soon as possible.

(2) The present Treaty shall enter into force one month after the exchange of Instruments of Ratification.

DONE at Bonn, 21st April 1965 in four originals, two in English and two in German, the text of each being equally binding

For the Commonwealth of Australia .

F. J. BLAKENEY

For the Federal Republic of Germany :

Bernhard WOLFF

ANNEX 1

AGREEMENT BETWEEN THE GOVERNMENT OF ISRAEL AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY. SIGNED AT LUXEMBOURG, ON 10 SEPTEMBER 1952

[For the text of this Agreement, see *United Nations, Treaty Series, Vol 345, p. 91.*]

ANNEX 2

AGREEMENT (WITH EXCHANGE OF LETTERS) 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

[For the text of this Agreement and exchange of letters, see *United Nations, Treaty Series, Vol 448, p. 227*]

ANNEX 3

LIST OF PROPERTY

SUMMARY OF AREAS

<i>Location</i>	<i>Area (Dunums)</i>
Haifa	838 980
Jaffa	33 058
Sarona	1,692 102
Jerusalem	134 455
Acre	2,526 768
Wilhelma	10,199 633
Waldheim	8,798 365
Bethlehem	7,544,649
Neuhardthof	1,280 000
Galilee	63,869
Miscellaneous German Claims	81 211
TOTAL	33,193 090

PROPERTIES IN HAIFA

	<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>		
Land without buildings	10744	7	184 160		
	10749	7, 9, 18, 16, 19, 20			
	10750	2, 8, 15, 22			
	10801	34, 38, 49			
	10806	210, 214		6.014	
	10812	103			
	10811	2, 10, 12, 15, 36, 95, 120, 147 (inc. 184/1), 148, 156, 191/2, 192, 193, 244, 246, 251 and 252, 254, 278, 316		50.053	
	10813	22, 29 and 30, 73, 84, 85, 86, 92, 101, 131, 137, 146, 148, 173, 174, 214, 215, 233, 242, 243		10.403	
	10814	5, 10, 20, 24		44.073	
	10816	3, 4, 6 and 34, 14, 31, 36, 37		81.385	
	10817	3, 4, 23, 24, 29, 35, 37, 40, 55, 74, 75, 172, 174-176, 177-179, 180-183, 184-187, 188- 191, 194-197, 198-201, 206-209		65 848	
	10820	7, 8, 9, 18, 19, 20, 21, 23, 25, 26, 27, 29		53.451	
	10825	3, 12, 20, 32, 116, 154, 211, 514, 515		17 220	
	10826	9, 15, 23, 26, 30, 31, 35, 55, 66, 73, 75, 76		14.071	
	10827	2, 6, 7, 11, 13, 25, 30, 72, 82, 58, 60-62, 64-67, 68, 69, 70		2 166	
	10828	73, 75, 96, 80, 84, 85, 81		4.472	
	10829	37, 68, 70		11, 13	
	10830	11, 13		51	42.100
	10902	51		4, 6	
	10903	4, 6		60, 70	
11632	60, 70	2, 10, 12			
11655	2, 10, 12				
SUBTOTAL Land without buildings			604.919		
Land with buildings	10807	282	52.945		
	10811	5, 6, 7, 8, 9, 11, 16, 19, 20, 23, 24, 29, 30, 35, 37, 124, 141/2, 144, 152, 155, 191/1, 191/3, 194, 221, 256, 263, 271, 280			
	10812	39			
	10813	232			
	10820	10, 11, 12-17, 24	11 705		
	10825	7	26 390		
	10826	1, 2, 3, 4, 7, 8, 10, 12, 16, 20, 21, 24, 34, 44, 45, 48, 74, 77, 78, 79			
	10827	1, 2/1, 3, 4, 5, 10, 12, 14, 15, 16, 19, 20, 27, 29, 80, 81, 79	16.951		

<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
10828	1, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 72, 76, 79, 100	29 130
10829	1, 10, 12, 13, 14, 15, 19, 20, 21, 23, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 40, 41, 42, 43, 44, 46, 48, 49, 50, 51, 52, 53, 54, 56, 58, 60, 61, 69	42.737
10830	1, 2, 4, 5, 6, 7, 9, 10, 15, 16, 17	26 826
10831	1, 2/1, 2/2, 3, 4, 6, 7, 8, 9, 11, 30, 31	16.261
10832	55	9 445
10833	32, 33, 34, 42, 35, 36, 37, 38, 39, 40	
10839	41, 53, 59, 60	1 671
10840	64, 67, 348, 349, 355	
10853	122	
SUBTOTAL Land with buildings		234 061
GRAND TOTAL		838 980

PROPERTIES IN JAFFA

	<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
Land with buildings	6005*	63	10 072
	7011	49, 50	
	7014	90, 96	
	7017	91, 92, 104, 106	
	7012	2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17	13 830
	7016	24, 25, 26, 27, 28, 29, 31, 34, 37, 38, 54, 6, 113, 116	6 579
	7041	41, 42, 43, 49, 46, 47	2 577
	GRAND TOTAL		33 058

* Note

Block 6005, parcel 63, area of — 750' dunum agreed; no claim to be made apart from the value of the land itself. Block 7012, parcel 10, area 0.729 dunum, block 7016 parcels 25/26, area — 529 dunum (Wolfer estate) and block 7012 parcel 13, area — 500 dunum (Stephan). The Israel Delegation maintain their view that these properties do not come within the purview of the 1952 Agreement. However, the German Delegation state that all the heirs of the registered owners now have German citizenship. At the request of the German Delegation the Israel Delegation agree that the settlement to be reached and/or the decision of the mediator shall apply to these properties to all intents and purposes as if these properties came within the purview of the 1952 Agreement.

PROPERTIES IN SARONA

	<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
House	7103	12, 37	4 843
property	7104	74, 76, 77, 79, 81, 82	
and vacant	6131	6	78.612
land within	6146	13	
Sarona en-	6192	7	
viroons	6110	19	7.946
			SUBTOTAL 91.401
Sarona rural	4054	3, 4, 5, 6, 7, 8, 9, 11, 12	213.693
	4258	1	
	6252	13, 14, 15, 16	87.262
	6253	1, 2, 4, 5, 6, 7, 8, 9, 10	
	6590	12	446.701
	6660	3 (subparcels 1-5), 1, 6	
	6661	8 (subparcels 1-5)	
	7505	11, 12, 13, 14, 16, 18, 35, 36, 37	106 055
	7512	1	280.229
	7513	25	
	7514	8, 9, 11, 12, 13	
	7516	3, 5, 9	466 761
	7517	6	
	7523	16	
	7524	25	
			SUBTOTAL 1,600.701
			GRAND TOTAL 1,692.102

PROPERTIES IN JERUSALEM

	<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
Urban vacant	30006	55, 121, 122, 125, 130	3 963
land	30009	57	
	30011	13, 17, 18, 60, 68, 70	8 359
	30012	5, 45, 54 (49)*	
	30021	258	
	30033	39	39.596
	30139	10, 9 and 17 (47)*, (32)*, 22	
	30116	60, 74	5 453

* Numbers of parcels in parentheses are new Israeli numbers for the same parcels.

	<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
Urban house property	(Groll-Motza)		24.549
	30006	131	
	30009	13	
	30021	252, 253	
	30033	38	
	30061	8	
	30018	60 /61 (Eilender)	
	30011	12, 15, 16, 19, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 42, 43, 44, 46, 48, 63, 49, 50, 51, 52, 61, 72, 75, 76, 77, 54, 55	35.418
	30012	4, 6, 7, 8, 9, 10, 11, 15, 19, 46, 47, 48, 50	17.117
		GRAND TOTAL	<u>134.455</u>

PROPERTIES IN ACRE

<i>Buildings and Land</i>	<i>Quantity</i>
	<i>Dunums</i>
Buildings and wells on 9 farms	
Built-on area	—,600
Citrus orchards	212 500
Banana orchards	45 500
Fruit orchards	86.000
Flower and vegetable land	272.164
Clover, corn and fodder land	304.089
Total irrigated land	920.853
Cereal land	1,605.915
GRAND TOTAL	<u>2,526 768</u>

PROPERTIES IN WILHELMA

<i>Buildings and Land</i>	<i>Quantity</i>
Houses	57
Outbuildings	70
Dairy	1

<i>Buildings and Land</i>	<i>Quantity</i>
	<i>Dunums</i>
Built-on area or reserves thereof	803.399
Citrus orchards	
Wilhelma proper	865.770
Outlying area	29.934
Vineyards	285.674
Olive groves	68 437
Banana-orchards	59 475
Arable land, irrigated or irrigatable	2,060.680
Arable land, unirrigated	
Wilhelma proper	4,852.335
Outlying area	1,173.929
GRAND TOTAL	<u>10,199.633</u>

PROPERTIES IN WALDHEIM

<i>Buildings and Land</i>	<i>Quantity</i>
Houses	15
Barns	15
Outbuildings, fowl houses, pigsties	48
Dairy	1
Worker's dwelling	1
	<i>Dunums</i>
Built-on area or reserves thereof	132.200
Vineyards	41.000
Olive orchards	154.945
Fruit orchards	44.000
Arable land	4,221.182
Forest	4,205.038
GRAND TOTAL	<u>8,798.365</u>

PROPERTIES IN BETHLEHEM*

<i>Buildings and Land</i>	<i>Quantity</i>
Houses (including workers' dwellings)	21
Barns	24

* Including 504.102 dunums at Saffuriya.

<i>Buildings and Land</i>	<i>Quantity</i>
Sheds, pigsties, fowl houses	116
Dairy-creamery	1
	<i>Dunums</i>
Built-on-area or reserves thereof	136.000
Citrus orchards	9 000
Vineyards	88 445
Olive groves	98.000
Fruit orchards	123 500
Arable land	5,180.775
Forest	1,908 929
GRAND TOTAL	<u>7,544.649</u>

PROPERTIES IN NEUHARDTHOF

<i>Buildings and Land</i>	<i>Quantity</i>
Buildings on 6 farms	<i>Dunums</i>
50 meters deep with highway or street front	165.000
Plantation land	134 000
Crop land	928 629
Forest and uncultivated	16.000
	<u>1,243.629</u>
GRAND TOTAL (cf note below)	<u>1,280.000</u>

Note

The German Delegation suggest that an area of 36 371 dunums crop land be added in respect of block 10728 parcels 74, 99, 101, 103, 105, 106, 107, block 10730 parcels 68-75, block 10731 parcel 91 and block 10739 parcel 15 to the total area of 1,243.629 dunums for Templars' property at Neuhardtthof, which gives a Grand Total of 1,280.000 dunums; this addition representing a compromise settlement regarding the area expropriated on behalf of the British Forces in 1944.

The Israel Delegation accept this suggestion; it being understood between the parties that all claims of the previous owners for compensation in respect of the expropriation whether against British or other authorities (including rights pursuant to Article 7 of the British-Israel Financial Agreement 1950 and pursuant to any other Treaty or law) shall—in consideration of the settlement—be deemed to be assigned and vested in the Israel Government

PROPERTIES IN GALILEE

<i>Block</i>	<i>Parcels</i>	<i>Area (Dunums)</i>
<i>Nazareth</i>		
16876	13, 14	43 127
16522	143	
SUBTOTAL		43 127
<i>Tiberias</i>		
15009	1, 2, 42, 43	10 150
15010	1, 21, 22, 23, 2, 20	
15011	74	10 592
(or 15012)	(38)	
15012	11	
15033	27	
15045	46	
SUBTOTAL		20.742
GRAND TOTAL		63.869

MISCELLANEOUS GERMAN CLAIMS

<i>Buildings and Land</i>	<i>Quantity</i>
Land at Al Qubeibe (now Kefar Hanagid) west of Rehovot, half share in 48 dunums orange grove . . .	<i>Dunums</i> 25 000
Building plot at Beisan (now Bert Shean), Block 22878 parcel 34	3.512
Land at El Bewati near Beisan (now Hamadya), Block 18 parcels 7, 8, 9	28 566
Land at Et Tira	16 000
Block 10717 parcel 5	8 133
GRAND TOTAL	81 211

ANNEX 4

	<i>Block</i>	<i>Parcels</i>	<i>Area in dunums</i>
Haifa	10813	296	0.976
		297	1 179
Sarona	10814	23	3.200
	7103	2, 3, 36	2.867
	6109	13	17.376
Neuhardtthof	10733	26	8 720
		28	12 010

rights of appeal against the assessment decisions of the Ausgleichsamt Stuttgart as are granted in pursuance of the German Law on the Distribution of the share of the Federal Republic of Germany in the Compensation paid by Israel for German Secular Property in Israel according to the German-Israel Agreement of 1st June, 1962, to persons entitled to compensation from this share."

I have the honour to inform you that the Commonwealth of Australia agrees that persons entitled to compensation from the share of the Commonwealth of Australia in the total amount of compensation shall have the same rights of appeal against the assessment decisions of the Ausgleichsamt Stuttgart as have according to the above mentioned German law persons entitled to compensation from the share of the Federal Republic of Germany.

Accept, dear Herr Wolff, the assurance of my highest consideration.

F. J. BLAKENEY

Herr Ministerialdirektor a. D. Bernhard Wolff
Plenipotentiary of the Federal Republic of Germany

No. 2, a

[GERMAN TEXT — TEXTE ALLEMAND]

DER BEVOLLMÄCHTIGTE DER BUNDESREPUBLIK DEUTSCHLAND

Bonn, den 21 April 1965

Exzellenz,

ich beehre mich, auf den heute unterzeichneten Vertrag zwischen der Bundesrepublik Deutschland und dem Australischen Bund Bezug zu nehmen. In den Verhandlungen, die im Zusammenhang mit diesem Vertrag geführt worden sind, ist Einvernehmen darüber erzielt worden, daß die Regierungen der Vertragsschließenden Staaten sich über eine vorläufige Anwendung des Vertrages verständigen werden, falls wider Erwarten die Ratifikation des Vertrages nicht vor Ablauf der gegenwärtigen Legislaturperiode des Deutschen Bundestages möglich sein sollte.

Genehmigen Sie, Exzellenz, die Versicherung meiner ausgezeichnetsten Hochachtung

Bernhard WOLFF

Seiner Exzellenz dem Australischen Botschafter
Herrn F. J. Blakeney

No. 2, *b*

AUSTRALIAN EMBASSY

Bonn, 21 April 1965

Dear Herr Wolff,

I have the honour to confirm the receipt of your letter of 21 April 1965 which in agreed translation reads as follows :

“I have the honour to refer to the Treaty, signed today, between the Federal Republic of Germany and the Commonwealth of Australia. In the negotiations conducted in connection with the above mentioned Treaty it has been agreed that the Governments of the Contracting States will come to an understanding as to the provisional application of the said Treaty in the unexpected event of its ratification not being achieved before the expiration of the present period of legislation of the German Bundestag.”

I have the honour to confirm that the Governments of the Contracting States will come to an understanding as to the provisional application of the said Treaty in the event of its ratification not being achieved before the expiration of the present period of legislation of the German Bundestag.

Accept, dear Herr Wolff, the assurance of my highest consideration.

F. J. BLAKENEY

Herr Ministerialdirektor a. D. Bernhard Wolff
Plenipotentiary of the Federal Republic of Germany

No. 3, *a*

[GERMAN TEXT — TEXTE ALLEMAND]

DER BEVOLLMÄCHTIGTE DER BUNDESREPUBLIK DEUTSCHLAND

Bonn, den 21. April 1965

Exzellenz,

Ich beehre mich, auf den heute unterzeichneten Vertrag zwischen der Bundesrepublik Deutschland und dem Australischen Bund Bezug zu nehmen.

In den Verhandlungen, die im Zusammenhang mit diesem Vertrag geführt worden sind, ist Einvernehmen darüber erzielt worden, daß die Briefe Nr. 1 *a*, 1 *b*, 2 *a*, 2 *b*, die wir heute ausgetauscht haben, einen Bestandteil des vorgenannten Vertrages bilden.

Genehmigen Sie, Exzellenz, die Versicherung meiner ausgezeichnetsten Hochachtung.

Bernhard WOLFF

Seiner Exzellenz dem Australischen Botschafter
Herrn F. J. Blakeney

No. 3, b

AUSTRALIAN EMBASSY

Bonn, 21 April 1965

Dear Herr Wolff,

I have the honour to refer to the Treaty, signed today, between the Commonwealth of Australia and the Federal Republic of Germany.

In the negotiations conducted in connection with the above mentioned Treaty it has been agreed that the letters exchanged between us today and numbered 1 a, 1 b, 2 a, 2 b shall form an integral part of the Treaty mentioned above.

Accept, dear Herr Wolff, the assurance of my highest consideration.

F. J. BLAKENEY

Herr Ministerialdirektor a. D. Bernhard Wolff
Plenipotentiary of the Federal Republic of Germany
