

No. 8949

BELGIUM
and
LUXEMBOURG

Agreement regulating the implementation of the Agreement between the Government of Belgium and the Government of the Grand Duchy of Luxembourg, on the one hand, and the Government of the People's Republic of Poland, on the other hand, concerning compensation for certain Belgian and Luxembourg interests in Poland, signed at Warsaw on 14 November 1963. Signed at Luxembourg, on 14 January 1965

Official texts : French and Dutch.

Registered by Belgium on 30 January 1968.

BELGIQUE
et
LUXEMBOURG

Accord réglant l'exécution de l'Accord entre le Gouvernement de la Belgique et le Gouvernement du Grand-Duché de Luxembourg, d'une part, et le Gouvernement de la République populaire de Pologne, d'autre part, concernant l'indemnisation de certains intérêts belges et luxembourgeois en Pologne, signé à Varsovie, le 14 novembre 1963. Signé à Luxembourg, le 14 janvier 1965

Textes officiels français et néerlandais.

Enregistré par la Belgique le 30 janvier 1968.

[TRANSLATION — TRADUCTION]

No. 8949. AGREEMENT¹ BETWEEN BELGIUM AND THE GRAND DUCHY OF LUXEMBOURG REGULATING THE IMPLEMENTATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF BELGIUM AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG, ON THE ONE HAND, AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF POLAND, ON THE OTHER HAND, CONCERNING COMPENSATION FOR CERTAIN BELGIAN AND LUXEMBOURG INTERESTS IN POLAND, SIGNED AT WARSAW, ON 14 NOVEMBER 1963. SIGNED AT LUXEMBOURG, ON 14 JANUARY 1965

The Belgian Government and the Luxembourg Government,

Desiring to regulate the implementation of the Agreement between the Government of Belgium and the Government of the Grand Duchy of Luxembourg, on the one hand, and the Government of the People's Republic of Poland, on the other hand, concerning compensation for certain Belgian and Luxembourg interests in Poland, signed at Warsaw, on 14 November 1963,

Have agreed as follows:

Article 1

A Belgo-Luxembourg *Ad Hoc* Commission shall be established for the purpose of distributing among the Belgian and Luxembourg claimants the global lump-sum compensation of 600 million Belgian francs fixed by the Agreement concluded on 14 November 1963 between the Government of Belgium and the Government of the Grand Duchy of Luxembourg, on the one hand, and the Government of the People's Republic of Poland, on the other hand, concerning compensation for certain Belgian and Luxembourg interests in Poland.

This distribution shall be made *pro rata*.

Article 2

The Belgo-Luxembourg *Ad Hoc* Commission shall have its seat at Brussels.

It shall consist of a Chairman and four members.

¹ Came into force on 23 March 1967, two months after the exchange of the instruments of ratification, which took place at Brussels on 23 January 1967, in accordance with article 11.

The Chairman and three members shall be appointed by the Belgian Government, the other member by the Luxembourg Government.

Article 3

Persons claiming the compensation which is provided for the interests specified in article II and article VI of the Agreement of 14 November 1963 shall, on pain of disqualification, address their applications to the Belgo-Luxembourg *Ad Hoc* Commission within a period of six months from the entry into force of the present Agreement.

Applications addressed to the Commission within the same period by associations formed to represent the claimants shall also be admissible.

Article 4

The rulings of the Belgo-Luxembourg *Ad Hoc* Commission shall be final.

The Belgo-Luxembourg *Ad Hoc* Commission shall:

- Draw up the definitive list of claimants;
- Rule on the merits and the value of the claims;
- Determine the share of a claimant in the distribution of the compensation;
- Be empowered to decide to make interim distributions out of the global amount of the compensation due to the claimants.

Article 5

The Commission shall lay down the rules which are to apply to the distribution of the compensation, in conformity with the Agreement of 14 November 1963.

It shall establish its own procedure.

It shall be obliged to hear, at their request, any persons claiming a right to compensation.

Article 6

The Commission shall consult the Ministry of Foreign Affairs and External Trade of Belgium or the Ministry of Foreign Affairs of the Grand Duchy of Luxembourg, according as the interests involved are Belgian or Luxembourg.

Article 7

The Commission shall be empowered, if it deems it advisable, to obtain assistance in its work from any defence committee established in Belgium or in the Grand Duchy of Luxembourg to safeguard the interests in question which has gathered together the applications for compensation emanating from the Belgian or Luxembourg claimants.

It shall be empowered to consult experts specializing in the valuation of industrial property.

Article 8

The working costs of the *Ad Hoc* Commission and of its secretariat shall be charged against the global, lump-sum compensation of 600 million francs.

Article 9

The Commission shall complete its examination of the claims and shall take the decisions thereon within a period of one year from the end of the period specified in the first paragraph of article 3 above.

Article 10

Upon the proposal of the Belgo-Luxembourg *Ad Hoc* Commission, the Belgian Government and the Luxembourg Government shall prescribe such measures as are necessary for the implementation of the Agreement of 14 November 1963 and of the present Agreement and shall determine the manner in which the payment of compensation will be effected.

Article 11

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Brussels as soon as possible.

It shall enter into force two months after the exchange of the instruments of ratification.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

DONE at Luxembourg, on 14 January 1965, in two copies in the French and Dutch languages, both texts being equally authentic.

For Belgium:

François DE SELYS-LONGCHAMPS

For the Grand Duchy
of Luxembourg:

P. WERNER