

**No. 11168**

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**BELGIUM  
and  
MOROCCO**

**Agreement concerning compensation for certain Belgian property  
and interests in Morocco (with annex). Signed at Rabat on 18  
October 1967**

*Authentic text: French.*

*Registered by Belgium on 18 June 1971.*

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**BELGIQUE  
et  
MAROC**

**Accord sur l'indemnisation de certains biens et intérêts belges au  
Maroc (avec annexe). Signé à Rabat le 18 octobre 1967**

*Texte authentique: français.*

*Enregistré par la Belgique le 18 juin 1971.*

[TRANSLATION—TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM OF BELGIUM AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO CONCERNING COMPENSATION FOR CERTAIN BELGIAN PROPERTY AND INTERESTS IN MOROCCO

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The Government of the Kingdom of Belgium and the Government of the Kingdom of Morocco, desiring, on the one hand, to strengthen their bonds of friendship and co-operation, especially in the sphere of economic relations, and realizing, on the other hand, that for that purpose a definitive solution must be sought to all problems outstanding between the two countries and particularly to the question of the settlers' holdings lawfully repossessed by the Moroccan State, have, in accordance with the terms of the exchange of letters of 28 April 1965,<sup>2</sup> agreed as follows:

*Article I*

In recognition of the damage claimed by persons of Belgian nationality who previously owned settlers' holdings, the Government of the Kingdom of Morocco agrees to pay to the Government of the Kingdom of Belgium an all-inclusive lump sum in respect of all Belgian property, rights and interests subject on the date of the signing of this Agreement to the provisions of *Dahir* No. I-63.289 of 7 Joumada I 1383, corresponding to 26 September 1963, which lays down the procedures whereby the said settlers' holdings are to be repossessed by the Moroccan State.

*Article II*

For the purposes of this Agreement, the terms "property, rights and interests" shall be deemed to include:

- property, rights and interests belonging wholly or in part on the date of the repossession referred to in article I and on the date of the signing of this Agreement to natural or juridical persons of Belgian nationality;
- direct or indirect Belgian interests in companies having their headquarters in Morocco.

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<sup>1</sup> Came into force on 10 June 1971 by the exchange of the instruments of ratification, which took place at Brussels, in accordance with article XI.

<sup>2</sup> United Nations, *Treaty Series*, vol. 620, p. 171.

### Article III

The all-inclusive lump sum referred to in article I above shall be one million five hundred and eighty thousand dirhams, or fifteen million eight hundred thousand Belgian francs.

Subject to the provisions of article IV below, the Government of the Kingdom of Belgium, which alone has the competence and responsibility, shall apportion the said sum to the persons referred to in article I above, and shall deal with any appeals or actions which those persons may bring against the Moroccan State by reason of the implementation of *Dahir* I-63.289, referred to in article I of this Agreement.

For the purposes of this article and of the other financial provisions of the Agreement, the contracting parties have agreed upon a conversion rate of 1 dirham to 10 Belgian francs.

### Article IV

The Government of the Kingdom of Morocco reserves the right to withhold from the lump sum mentioned in article III above the sum of eighty thousand dirhams for the settlement of claims against the State of Morocco and Moroccan public institutions and of mortgage debts recorded in the deeds to the property subject to the provisions of the aforementioned *Dahir* I-63.289.

The Government of the Kingdom of Morocco shall regard as finally settled all claims in public law concerning the Belgian property, rights and interests referred to in articles I and II above. In particular, the persons mentioned in articles I and II of this Agreement shall be definitively discharged from all mortgage debts referred to in the preceding paragraph, and from all fiscal liabilities resulting from Moroccan laws or regulations either in respect of the property, rights and interests in question and which have been the subject of the provisions of the aforementioned *Dahir* No. I-63.289 or in respect of the monies to be apportioned to them under this Agreement.

### Article V

A. Payment of the sum referred to in article III above shall be made by the Government of the Kingdom of Morocco to the Government of the Kingdom of Belgium in seven successive annual instalments, in Belgian francs, as follows:

- One hundred thousand dirhams, or one million Belgian francs, in the first year;
- Two hundred thousand dirhams, or two million Belgian francs, in each of the second and third years;

—Two hundred and fifty thousand dirhams, or two million five hundred thousand Belgian francs, in each of the fourth, fifth, sixth and seventh years.

The first payment to be made shall cover the period from 1 January to 31 December 1967.

B. Each payment shall be made not later than the end of the tenth month of the year immediately following that to which it refers.

C. Payments for the annual periods which end before the entry into force of this Agreement shall be made not later than 10 months after the entry into force of the said Agreement.

#### *Article VI*

The payments referred to in article V above shall be credited to a special account to be opened with the Banque Nationale de Belgique in the name of the Belgian Treasury.

#### *Article VII*

The Banque Nationale de Belgique and the Banque du Maroc, each acting on behalf of its Government, shall jointly determine the technical measures necessary for the implementation of articles V and VI of this Agreement.

#### *Article VIII*

This Agreement shall release the Government of Morocco from liability in respect of any claims, as defined in articles I and II above, whether made by the Government of the Kingdom of Belgium or by the natural or juridical persons referred to in those articles.

As from the date of signature of this Agreement, the Government of the Kingdom of Belgium undertakes, subject to the fulfilment by the Moroccan party of its obligations under the said Agreement, not to support against the Moroccan Government or before an arbitration tribunal or a court of law, any claims that may be made by its nationals in respect of property, rights and interests covered by this Agreement.

After payment in full of the all-inclusive lump sum specified in article III above, the Government of the Kingdom of Belgium shall return to the Government of the Kingdom of Morocco the deeds or certificates pertaining to the Belgian property, rights and interests in question, and in particular those relating to the property, rights and interests contained in the itemized list, which shall not be considered exhaustive, annexed to this Agreement.

In cases where the Government of the Kingdom of Belgium is unable to furnish the said deeds and certificates, it shall provide the Government of the Kingdom of Morocco with an appropriate document of discharge.

*Article IX*

In accordance with the provisions of the Conventions concluded on 28 April 1965<sup>1</sup> with the Government of the Kingdom of Morocco concerning, on the one hand, technical co-operation between the two countries and, on the other hand, the encouragement of capital investment, the Government of the Kingdom of Belgium undertakes to make further efforts to facilitate any Belgian contribution to the action programmes of the Moroccan State or to the development of such sectors of the economy as the Government of the Kingdom of Morocco may decide to encourage in particular.

*Article X*

Belgian claims arising out of legislation or other measures adopted by Morocco after the signing of this Agreement shall not be settled by the payment of the all-inclusive lump sum referred to in articles I and III above.

*Article XI*

This Agreement shall be ratified by the competent authorities of each of the contracting parties.

It shall enter into force on the day of the exchange of the instruments of ratification.

DONE in duplicate at Rabat on 18 October 1967.

For the Government  
of the Kingdom of Belgium:  
[Signed]  
J. M. ANDRIEU

For the Government  
of the Kingdom of Morocco:  
[Signed]  
A. LAMRANI

## ANNEX

LIST OF BELGIAN PROPERTY, RIGHTS AND INTERESTS REFERRED TO IN THE THIRD PARAGRAPH OF ARTICLE VIII OF THE AGREEMENT OF 18 OCTOBER 1967 BETWEEN THE GOVERNMENT OF THE KINGDOM OF MOROCCO AND THE GOVERNMENT OF THE KINGDOM OF BELGIUM

<i>Name</i>	<i>Title deed</i>
1. Staquet Georges . . . . .	12 276 M
2. Société Agricole Martine (Staquet) . . . . .	4 624 M
3. Société Agricole Martine (Staquet) . . . . .	6 472 M
4. Gérard André Alfred . . . . .	6 717 M
5. Scohy Léon . . . . .	64 256 C
	71 040 C
	71 092 C

<sup>1</sup> United Nations, *Treaty Series*, vol. 620, p. 171.