

No. 20391

**YUGOSLAVIA
and
AUSTRIA**

**Treaty for the settlement of certain questions relating to
property. Signed at Vienna on 19 March 1980**

*Authentic texts: Serbo-Croatian and German.
Registered by Yugoslavia on 17 September 1981.*

**YOUOSLAVIE
et
AUTRICHE**

**Traité relatif au règlement transactionnel de diverses ques-
tions concernant certains biens. Signé à Vienne le
19 mars 1980**

*Textes authentiques : serbo-croate et allemand.
Enregistré par la Yougoslavie le 17 septembre 1981.*

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA AND THE REPUBLIC OF AUSTRIA FOR THE SETTLEMENT OF CERTAIN QUESTIONS RELATING TO PROPERTY

The Socialist Federal Republic of Yugoslavia and the Republic of Austria, desiring to settle certain questions relating to property, have agreed as follows:

Article 1. (1) The Socialist Federal Republic of Yugoslavia shall pay to the Republic of Austria the sum of 2,400,000 (two million four hundred thousand) Austrian Shillings as global, lump-sum compensation for property, rights and interests of Austrian persons which were nationalized in the territory of the Socialist Federal Republic of Yugoslavia under article 3 of the Act of 28 April 1948 amending and supplementing the Private Enterprises Nationalization Act and which are not covered by the provisions of article 27, paragraph 2, of the State Treaty for the re-establishment of an independent and democratic Austria of 15 May 1955.²

(2) The sum referred to in paragraph 1 shall be transferred to an account of the Republic of Austria at the Austrian National Bank within 30 days from the date of entry into force of this Treaty.

Article 2. (1) For the purposes of this Treaty, the term "Austrian persons" means natural persons who possessed Austrian nationality on 28 April 1948 and who also possess that nationality on the date of signature of this Treaty.

(2) In cases of succession to the rights of an Austrian person (paragraph 1) occurring after 28 April 1948, successors must, if they are natural persons, have possessed Austrian nationality on the date of signature of this Treaty or, if they are artificial persons, have had their head offices in the territory of the Republic of Austria on that date.

Article 3. The Republic of Austria shall not present or support any claims as successors, by Austrian natural or artificial persons, against the Socialist Federal Republic of Yugoslavia which have arisen as a direct consequence of the Yugoslav measure referred to in article 1.

Article 4. (1) The former Austrian owners of nationalized real property which is the subject of this Treaty shall be released, *vis-à-vis* Yugoslav creditors, from all liabilities attached to such real property.

(2) Payment of the sum referred to in article 1, paragraph 1, shall release the Socialist Federal Republic of Yugoslavia and Yugoslav natural and artificial persons from all liabilities *vis-à-vis* the Republic of Austria and Austrian persons (article 2) in respect of claims which have arisen as a direct consequence of the Yugoslav measure referred to in article 1.

¹ Came into force on 1 January 1981, i.e., the first day of the third month following the month of the exchange of the instruments of ratification, which took place at Belgrade on 21 October 1980, in accordance with article 7.

² United Nations, *Treaty Series*, vol. 217, p. 223.

Article 5. The distribution of the sum referred to in article 1 shall be within the exclusive competence of the Republic of Austria.

Article 6. The Socialist Federal Republic of Yugoslavia shall, so far as possible, transmit to the Republic of Austria all information that may be required for the distribution of the sum referred to in article 1.

Article 7. (1) This Treaty shall be ratified. The instruments of ratification shall be exchanged as soon as possible at Belgrade.

(2) This Treaty shall enter into force on the first day of the third month following the expiry of the month in which the instruments of ratification are exchanged.

IN WITNESS WHEREOF the duly appointed plenipotentiaries have signed this Treaty and have thereto affixed their seals.

DONE at Vienna on 19 March 1980, in two original copies in the Serbo-Croatian and German languages, both texts being equally authentic.

For the Socialist Federal Republic
of Yugoslavia:

[Signed]

BOŽIDAR RADUNOVIĆ

Deputy Federal Secretary of Finance

For the Republic of Austria:

[Signed]

Dr. WILLIBALD PAHR

Federal Minister for Foreign Affairs
