

No. 21197

**ITALY, EUROPEAN COMMISSION OF THE DANUBE,
FRANCE, GREECE and UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND**

**Agreement relating to the transfer and distribution of the
assets of the European Commission of the Danube.
Concluded at Rome on 23 April 1977**

Authentic text: French.

Registered by Italy on 29 July 1982.

**ITALIE, COMMISSION EUROPÉENNE DU DANUBE,
FRANCE, GRÈCE et ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE DU NORD**

**Accord concernant le transfert et le partage des avoirs de la
Commission européenne du Danube. Conclu à Rome le
23 avril 1977**

Texte authentique : français.

Enregistré par l'Italie le 29 juillet 1982.

[TRANSLATION¹ — TRADUCTION²]

AGREEMENT³ BETWEEN THE EUROPEAN COMMISSION OF THE DANUBE AND THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE ITALIAN REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE HELLENIC REPUBLIC

The European Commission of the Danube, the Government of the French Republic, the Government of the Italian Republic, and the Government of the United Kingdom of Great Britain and Northern Ireland — these three Governments concluding simultaneously with the Government of the Socialist Republic of Romania the Agreement the text of which is annexed hereto⁴ — and the Government of the Hellenic Republic,

Considering it advisable to settle the issues still outstanding with the Government of the Socialist Republic of Romania;

Considering it appropriate to transfer to the European Commission of the Danube one hundred and thirteen kilograms six hundred and fifty-four grams of fine gold at present deposited with the Banca d'Italia in the name of the Italian Treasury;

Considering it advisable, after deducting the quantity of fine gold remitted to the Romanian Government, to distribute between the French, Italian and United Kingdom Governments the assets of the European Commission of the Danube deposited with the Bank for International Settlements in Basle, the Banque de France in Paris and Barclays Bank in London, together with the gold at present deposited with the Banca d'Italia;

Considering it necessary for the French, Italian and United Kingdom Governments to provide for the Hellenic Government, which is not participating in this distribution, adequate safeguards with regard to any claims which might be made against it as a former member of the European Commission of the Danube;

Have agreed as follows:

Article 1. The European Commission of the Danube agrees that the Governments of the French Republic, the Italian Republic and the United Kingdom of Great Britain and Northern Ireland should settle in accordance with the provisions of the

¹ Translation supplied by the Government of the United Kingdom.

² Traduction fournie par le Gouvernement du Royaume-Uni.

³ Came into force on 4 February 1981 (simultaneously with the Agreement of 23 April 1977 relating to the settlement of pending financial questions with regard the assets of the European Commission of the Danube⁴), upon definitive signature by the Commission and notification by all the signatory States to the Government of Italy of the completion of the required constitutional procedures for the approval of the two agreements, in accordance with article 5. The definitive signature was affixed by the Commission and notifications were received by the Government of Italy as follows:

<i>State</i>	<i>Date of definitive signature (s) or of deposit of the notification of approval</i>	<i>State</i>	<i>Date of definitive signature (s) or of deposit of the notification of approval</i>
European Commission of the Danube	23 April 1977 s	Italy	4 February 1981
France	10 March 1979	United Kingdom of Great Britain and Northern Ireland	30 May 1978
Greece	3 December 1980		

⁴ See p. 57 of this volume.

Agreement the text of which is annexed hereto (annex B)¹ the relationship between the European Commission of the Danube and the Government of the Socialist Republic of Romania with regard to the pensions of former Romanian employees of the European Commission of the Danube and with regard to the measures required to make available to the said Governments the assets in gold held by the European Commission of the Danube with the Bank for International Settlements in Basle, namely, fourteen kilograms five hundred and sixteen grams (14.516 kg) of fine gold, with the Banque de France in Paris, namely twenty-three kilograms four hundred and nine grams nine decigrams (23.4099 kg) of fine gold, and the British Treasury bonds deposited with Barclays Bank in London of a purchase value of eight thousand four hundred and seventy-five pounds sixty-eight pence (£8,475.68 sterling), together with the quantity of gold at present in Italy referred to in the following article.

Article 2. For its part the Government of the Italian Republic shall transfer to the European Commission of the Danube which shall be free to dispose thereof the one hundred and thirteen kilograms six hundred and fifty-four grams (113.654 kg) of fine gold at present deposited with the Banca d'Italia in the name of the Italian Treasury which the former Direction du Danube maritime had originally deposited in its name with the Banca Commerciale Italiana of Milan.

The European Commission of the Danube shall pay to the Government of the Italian Republic a sum corresponding to the legal fees and safe custody charges and amounting to five million one hundred and twenty-three thousand eight hundred and ninety-three lire (5,123,893 lire).

Article 3. Apart from that which is the subject-matter of the Agreement, the text of which is annexed hereto, and of any other debts which the European Commission of the Danube may have, the gold and bonds referred to in articles 1 and 2, together with the other assets which might still exist, shall be the property of the European Commission of the Danube.

Article 4. Not being a creditor of the European Commission of the Danube, the Government of the Hellenic Republic declares that it has no claims against that Commission and the Governments of the other three member countries.

The latter give the Government of the Hellenic Republic a guarantee in accordance with the terms and conditions laid down in the Declaration annexed to this Agreement (annex A).²

This guarantee can under no circumstance extend beyond the assets which will be distributed between the three creditor governments of the European Commission of the Danube and will be, in the case of each such government, proportional to its share.

Article 5. Each Signatory Government shall inform the Italian Ministry for Foreign Affairs in Rome in writing that the constitutional procedure required in each country for the coming into force of this Agreement has been duly completed.

When all the notifications necessary for the application of this Agreement as well as of the Agreement between the Government of the Socialist Republic of Romania and the Government of the French Republic, the Government of the Italian Republic and the Government of the United Kingdom of Great Britain and Northern Ireland, the text of which is annexed hereto, have been completed, both Agreements

¹ See p. 57 of this volume.

² See p. 63 of this volume.

shall come simultaneously into force, and the Italian Government shall inform each Signatory Government of the date of their coming into force.

DONE at Rome this twenty-third day of April in the year one thousand nine hundred and seventy-seven in five copies in the French language, one for each Signatory.

For the European Commission of the Danube:

[Signed]

ORAZIO ANTINORI

For the Government of the French Republic:

[Signed]

DEJEAN DE LA BATËE

For the Government of the Italian Republic:

[Signed]

ORAZIO ANTINORI

For the Government of the United Kingdom of Great Britain and Northern Ireland:

[Signed]

ALAN CLOWES GOODISON

For the Government of the Hellenic Republic:

[Signed]

LEONIDAS VRAILAS
