

No. 23310

**FINLAND
and
GERMAN DEMOCRATIC REPUBLIC**

Agreement on the settlement of financial questions and questions relating to the law of property (with exchange of letters). Signed at Berlin on 3 October 1984

Authentic texts: Finnish and German.

Authentic text of the exchange of letters: German.

Registered by Finland on 27 March 1985.

**FINLANDE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

Accord relatif au règlement de questions financières et de questions de propriété (avec échange de lettres). Signé à Berlin le 3 octobre 1984

Textes authentiques : finnois et allemand.

Texte authentique de l'échange de lettres : allemand.

Enregistré par la Finlande le 27 mars 1985.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC ON THE SETTLEMENT OF FINANCIAL QUESTIONS AND QUESTIONS RELATING TO THE LAW OF PROPERTY

The Government of the Republic of Finland and the Government of the German Democratic Republic,

Desiring to contribute to the further development of relations between the Republic of Finland and the German Democratic Republic,

Pursuant to article 5 of the Treaty regulating relations between the Republic of Finland and the German Democratic Republic of 8 December 1972,² have agreed as follows:

Article 1. (1) The Government of the German Democratic Republic shall pay to the Government of the Republic of Finland a net amount of 6,100,000 (six million one hundred thousand) markkaa in settlement of the Finnish financial claims and claims relating to the law of property referred to in article 2.

(2) The Government of the Republic of Finland shall be responsible for allocating this amount.

Article 2. The following shall be settled under this Agreement:

- (1) Financial claims and claims relating to the law of property entered by the Republic of Finland and by nationals and legal persons of the Republic of Finland in respect of property which can be proved to have been extant and to which the Republic of Finland, Finnish nationals or Finnish legal persons were entitled on 8 May 1945, and to which the aforesaid are entitled and which is administered by the State in the German Democratic Republic at the time of entry into force of this Agreement.
- (2) Financial claims and claims relating to the law of property in respect of property situated in the German Democratic Republic which can be proved to have been extant on 8 May 1945, which at that time rightfully belonged to persons other than German nationals and to which, at the time of the entry into force of this Agreement, the Republic of Finland, Finnish nationals or Finnish legal persons are entitled and which is administered by the State in the German Democratic Republic.
- (3) Financial claims and claims relating to the law of property entered by the German Democratic Republic and by nationals and legal persons of the German Democratic Republic in respect of the property, referred to in paragraph (1) and in paragraph (2), of the Republic of Finland, Finnish nationals or Finnish legal persons.

¹ Came into force on 26 December 1984, i.e., the thirtieth day following the exchange of the instruments of ratification (Finland) or approval (German Democratic Republic) which took place at Helsinki on 26 November 1984, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 881, p. 61.

Article 3. This Agreement shall not apply to financial claims and claims relating to the law of property entered by the Republic of Finland and by Finnish nationals and legal persons which arose after 8 May 1945 in the territory of the German Democratic Republic and are not administered by the State.

Article 4. (1) Nationals of the Republic of Finland within the meaning of this Agreement are persons who, at the time of the entry into force of this Agreement, possess the nationality of the Republic of Finland under its legislation.

Legal persons of the Republic of Finland within the meaning of this Agreement are those which have been established under the legislation of the Republic of Finland and have their seat in the Republic of Finland.

(2) Nationals of the German Democratic Republic within the meaning of this Agreement are persons who, at the time of the entry into force of this Agreement, possessed the nationality of the German Democratic Republic under its legislation.

Legal persons of the German Democratic Republic within the meaning of this Agreement are those which have been established under the legislation of the German Democratic Republic and have their seat in the German Democratic Republic.

Article 5. The obligation to pay, set forth in article 1, paragraph (1), shall be carried out in accordance with the exchange of notes annexed to this Agreement which shall be considered a part of this Agreement.

Article 6. With the full payment of the amount specified in article 1, paragraph (1), all financial claims and claims relating to the law of property mentioned in article 2, paragraphs (1) and (2), entered by the Republic of Finland and by nationals and legal persons of the Republic of Finland and all financial claims and claims relating to the law of property, referred to in article 2, paragraph (3), entered by the German Democratic Republic and by nationals and legal persons of the German Democratic Republic shall be definitively settled and extinguished.

Article 7. (1) With the entry into force of this Agreement neither of the Contracting Parties shall raise, or in any way support, claims which are settled by the present Agreement.

(2) Claims in respect of the property specified in article 2, paragraph (1) and paragraph (2), which are raised by third States against the German Democratic Republic after the entry into force of this Agreement shall be settled by the Government of the Republic of Finland.

Article 8. This Agreement shall be approved or ratified, as the case may be, in accordance with the national legislation of the Republic of Finland or the German Democratic Republic, as the case may be, and shall enter into force on the thirtieth day after the exchange of the instruments of approval or ratification, which shall take place at Helsinki.

DONE at Berlin on 3 October 1984, in two originals, each in the Finnish and German languages, both texts being equally authentic.

For the Government of the Republic of Finland:

HOLGER ROTKIRCH

For the Government of the German Democratic Republic:

SUPRANOWITZ

EXCHANGE OF LETTERS

I

The Chairman of the Delegation of the Government of the German Democratic Republic to the Chairman of the Delegation of the Government of the Republic of Finland

Berlin, 3 October 1984

Sir,

In the course of the negotiations held between the governmental Delegations of the German Democratic Republic and the Republic of Finland concerning the conclusion of an Agreement on the settlement of financial questions and questions relating to the law of property, agreement was reached on the following:

The Government of the German Democratic Republic shall pay the net amount specified in article 1, paragraph (1), of this Agreement, namely, 6,100,000 (six million one hundred thousand) markkaa within six months after the exchange of the instruments of ratification or approval. The payment shall be made in accordance with the Agreement between the German Democratic Republic and the Republic of Finland on payment transactions of 25 February 1959,¹ including the amendments thereto which entered into force on 1 January 1978 or 1 September 1983, in the form of agreement markkaa by credit memorandum in favour of the Government of the Republic of Finland into the clearing account with Suomen Pankki, Helsinki.

I request you, Sir, to confirm that the content of this letter is a correct rendering of the agreement reached.

Accept, Sir, etc.

Prof. Dr. SUPRANOWITZ

¹ United Nations, *Treaty Series*, vol. 1366, No. I-23056.

II

The Chairman of the Delegation of the Government of the Republic of Finland to the Chairman of the Delegation of the Government of the German Democratic Republic

Berlin, 3 October 1984

Sir,

I have the honour to acknowledge receipt of your letter of today's date reading as follows:

[*See letter I*]

I hereby confirm that the content of your letter is a correct rendering of the agreement reached.

Accept, Sir, etc.

Ambassador ROTKIRCH
