

No. 45097*

**Switzerland
and
Japan**

Exchange of letters between Switzerland and Japan concerning the sharing between the two Governments of the confiscated assets. Berne, 22 April 2008

Entry into force: *22 April 2008, in accordance with the provisions of the said letters*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *Switzerland, 8 July 2008*

**Suisse
et
Japon**

Échange de lettres entre la Suisse et le Japon sur le partage des valeurs patrimoniales confisquées et la réciprocité. Berne, 22 avril 2008

Entrée en vigueur : *22 avril 2008, conformément aux dispositions desdites lettres*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Suisse, 8 juillet 2008*

* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The relevant Treaty Series volume will be published in due course.*

Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour l'enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive. Le volume correspondant du Recueil des Traités sera disponible en temps utile.

[ENGLISH TEXT – TEXTE ANGLAIS]

Ambassade du Japon

3012 BERNE

Berne, April 22, 2008

Excellency,

I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Government of the Swiss Confederation concerning the sharing between the two Governments of the confiscated assets held by the Canton of Zurich, the Swiss Confederation, in the case of money laundering by Susumu Kajiyama, and propose on behalf of the Government of Japan the following arrangements:

1. The Government of the Swiss Confederation shall transfer to the Government of Japan CHF 28,979,738.88, which represents approximately 50 percent of the abovementioned assets, within 1 month after the date of entry into force of the present arrangements.
2. Each Government will share the assets confiscated in its country with the other Government on a reciprocal basis and in accordance with its laws and regulations, when an offence similar to the abovementioned case takes place.

I have further the honour to propose that this Note and Your Excellency's Note in reply confirming on behalf of the Government of the Swiss Confederation the foregoing arrangements shall constitute an agreement between the two Governments, which shall enter into force on the date of Your Excellency's Note in reply.

I avail myself of this opportunity to extend to Your Excellency the assurances of my highest consideration.



Nobuyasu Abe
Ambassador Extraordinary and Plenipotentiary
of Japan in Switzerland

His Excellency
Ambassador Paul Seger
Director of the Directorate for International Law
Federal Department of Foreign Affairs
Swiss Confederation



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Foreign Affairs FDFA
Directorate for International Law DIL

CH-3003 Bern, EDA

His Excellency

Mr. Nobuyasu Abe
Ambassador of Japan
in Switzerland

Berne, 22 April 2008

Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of today's date which reads as follows:

"I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Government of the Swiss Confederation concerning the sharing between the two Governments of the confiscated assets held by the Canton of Zurich, the Swiss Confederation, in the case of money laundering by Susumu Kajiyama, and propose on behalf of the Government of Japan the following arrangements:

- 1. The Government of the Swiss Confederation shall transfer to the Government of Japan CHF 28,979,738.88, which represents approximately 50 percent of the abovementioned assets, within 1 month after the date of entry into force of the present arrangements.*
- 2. Each Government will share the assets confiscated in its country with the other Government on a reciprocal basis and in accordance with its laws and regulations, when an offence similar to the abovementioned case takes place.*

I have further the honour to propose that this Note and Your Excellency's Note in reply confirming on behalf of the Government of the Swiss Confederation the foregoing arrangements shall constitute an agreement between the two Governments, which shall enter into force on the date of Your Excellency's Note in reply."

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I have further the honour to confirm on behalf of the Government of the Swiss Confederation the foregoing arrangements and to agree that Your Excellency's Note and this Note in reply shall constitute an agreement between the two Governments, which shall enter into force on the date of this Note in reply.

I avail myself of this opportunity to extend to Your Excellency the assurances of my highest consideration.

Yours sincerely,

Directorate for International Law DIL


Ambassador Paul Seger
Director