

No. 7133

**NETHERLANDS
and
BULGARIA**

**Agreement concerning the settlement of financial questions
(with exchange of letters). Signed at Sofia, on 7 July
1961**

Official text: French.

Registered by the Netherlands on 14 February 1964.

**PAYS-BAS
et
BULGARIE**

**Accord concernant le règlement de questions financières
(avec échange de lettres). Signé à Sofia, le 7 juillet 1961**

Texte officiel français.

Enregistré par les Pays-Bas le 14 février 1964.

[TRANSLATION — TRADUCTION]

No. 7133. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE PEOPLE'S REPUBLIC OF BULGARIA CONCERNING THE SETTLEMENT OF FINANCIAL QUESTIONS. SIGNED AT SOFIA, ON 7 JULY 1961

The Netherlands Government and the Bulgarian Government, desiring to settle certain financial problems between their two countries, have concluded the following Agreement.

Article 1

1. The Bulgarian Government shall pay to the Netherlands Government an amount fixed at 1.5 million Dutch guilders, calculated on the basis of one Dutch guilder being equal to 0.245489 grammes of pure gold, in global, lump-sum settlement of the following :

(a) Claims for compensation arising from Bulgarian measures of nationalization, expropriation or confiscation, or other measures of total or partial dispossession, which have affected the property, rights or interests of individuals or bodies corporate of Netherlands nationality possessing that status both on the date on which such measures were taken and on the date of signature of this Agreement;

(b) Obligations of the Bulgarian Government to the Netherlands Government and to Netherlands individuals or bodies corporate arising out of article 23 of the Treaty of Peace with Bulgaria, signed in Paris on 10 February 1947;²

(c) All the commercial and financial claims of Netherlands individuals or bodies corporate against Bulgarian debtors, in so far as such claims arose before the conclusion of the Bulgarian-Netherlands Payments Agreement of 4 June 1947;

(d) Bulgarian external public bonds or bonds guaranteed by the Bulgarian State held on 31 December 1960 by Netherlands individuals or bodies corporate possessing that status on the date of signature of this Agreement.

2. In the event of a change in the gold content of the Dutch guilder as stated above, the unpaid part of the global sum shall be adjusted accordingly.

Article 2

1. Payment of the sum mentioned in article 1 shall be made to the Netherlands Government by the Bulgarian Government in Dutch guilders in semi-

¹ Came into force on 1 July 1962, in accordance with article 9.

² United Nations, *Treaty Series*, Vol. 41, p. 21.

annual instalments, each instalment being equal to 7 per cent of the payments made during the preceding calendar half-year by Netherlands purchasers of merchandise originating in or coming from Bulgaria.

2. The semi-annual payments shall be made by the National Bank of Bulgaria at the order of the Bulgarian Government on the basis of information supplied to the National Bank of Bulgaria by the Nederlandsche Bank.

3. The semi-annual payments shall be made not later than the end of the second month following 30 June and 31 December of each year and shall be deposited to the credit of an account in Dutch guilders entitled "Compensation—Bulgaria", which shall be opened on the books of the Nederlandsche Bank in the name of the Netherlands Government.

4. The first payment shall be made in respect of the half-year period ending immediately after the date on which the Agreement enters into force.

5. The last payment shall consist of the difference between the global sum to be paid in accordance with article 1 and the total amount of the payments already made.

Article 3

1. After the sum fixed in article 1 has been paid in full, the Netherlands Government shall deem the Netherlands claims mentioned in that article to have been finally settled. This settlement shall release the Bulgarian Government from liability in respect of the Netherlands Government and the Netherlands individuals and bodies corporate concerned.

2. The Bulgarian Government, for its part, shall deem all claims by the Bulgarian State against Netherlands individuals or bodies corporate arising before the signature of the Bulgarian-Netherlands Payments Agreement of 4 June 1947 to have been finally settled.

3. The Bulgarian Government shall deem all Bulgarian claims against the Netherlands claimants benefiting from this Agreement to have been finally settled. The property, rights and interests, and the compensation paid, shall not be subject to future Bulgarian taxes and charges.

4. On the entry into force of this Agreement, neither the Netherlands Government nor the Bulgarian Government shall be able any longer to press or in any way to support the claims settled by this Agreement. Similarly, the Netherlands Government shall not support any claim on the part of such of its nationals as have rejected the benefits of this Agreement.

Article 4

Netherlands claims arising out of Bulgarian legislation or other measures adopted after the signature of this Agreement shall not be deemed to have been settled by the provisions of this Agreement.

Article 5

The Netherlands Government shall, so far as possible, return to the Bulgarian Government the notarized documents in the possession of claimants whose claims have been settled in accordance with article 1, paragraph 1 (a). The Netherlands Government shall likewise return to the Bulgarian Government the Bulgarian currency and certificates of ownership of external bonds with redeemable coupons which their holders have declared for the purpose of redemption by the Bulgarian Government.

Article 6

1. The distribution of the global, lump-sum amount of 1.5 million Dutch guilders, mentioned in article 1, among the Netherlands claimants shall be a matter entirely within the competence and responsibility of the Netherlands Government.

2. For the purpose of facilitating the implementation of this Agreement, the Bulgarian Government shall provide the Netherlands Government, at its request and so far as possible, with all the information which the Netherlands authorities may need in order to consider the applications made by Netherlands claimants entitled to compensation.

Article 7

The Nederlandsche Bank and the National Bank of Bulgaria, each acting on behalf of its Government, shall agree on the technical arrangements to be made for the purpose of implementing this Agreement.

Article 8

The application of this Agreement to Surinam and to the Netherlands Antilles shall be subject to the approval of their respective Governments. Such approval shall be deemed to have been tacitly granted unless the Netherlands Government shall have notified the Bulgarian Government to the contrary within three months following the entry into force of this Agreement.

Article 9

This Agreement shall enter into force on a date to be determined by an exchange of notes stating that the formalities prescribed by the national laws of each Contracting Party have been complied with.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed this Agreement.

DONE at Sofia, in duplicate in the French language, on 7 July 1961.

For the Netherlands Government :

(Signed) W. A. FROWEIN

For the Bulgarian Government :

(Signed) V. TODOROV

EXCHANGE OF LETTERS

I

Sofia, 7 July 1961

Sir,

Having taken into consideration the course of the negotiations which have led to the conclusion of the Agreement between the Kingdom of the Netherlands and the People's Republic of Bulgaria concerning the settlement of financial questions, signed this day,¹ the Netherlands Government confirms its intention to distribute the global, lump-sum amount mentioned in article 1 of the said Agreement as follows :

(a) 700,000 Dutch guilders for the Netherlands property, rights and interests referred to in article 1, paragraph 1 (a), (b) and (c) of the said Agreement, of which a maximum amount of 10,000 Dutch guilders shall be allotted to Netherlands nationals claiming damages exclusively under article 23 of the Treaty of Peace with Bulgaria, signed in Paris on 10 February 1947;

(b) 800,000 Dutch guilders for the redemption of the bonds referred to in article 1, paragraph 1 (d) of the Agreement.

I should be grateful if you would kindly take note of the foregoing.

Accept, Sir, the assurances of my highest consideration.

(Signed) W. A. FROWEIN

Mr. V. Todorov
Chairman of the Bulgarian Delegation
Sofia

II

Sofia, 7 July 1961

Sir,

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

[See letter I]

¹ See p. 23 of this volume.