

No. 7326

**BELGIUM
and
FEDERAL REPUBLIC OF GERMANY**

**Treaty concerning the compensation of war victims (with
exchange of letters). Signed at Brussels, on 21 Sep-
tember 1962**

Official texts: French and German.

Registered by Belgium on 30 June 1964.

**BELGIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Traité relatif à l'indemnisation de victimes de la guerre
(avec échange de lettres). Signé à Bruxelles, le 21 sep-
tembre 1962**

Textes officiels français et allemand.

Enregistré par la Belgique le 30 juin 1964.

[TRANSLATION — TRADUCTION]

No. 7326. TREATY¹ BETWEEN THE KINGDOM OF BELGIUM AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE COMPENSATION OF WAR VICTIMS. SIGNED AT BRUSSELS, ON 21 SEPTEMBER 1962

His Majesty the King of the Belgians and

The President of the Federal Republic of Germany,

desiring to settle certain questions between the two States concerning the compensation of war victims, and being aware of the humanitarian significance of such questions,

have agreed to conclude a Treaty, and to that end have appointed their plenipotentiaries :

His Majesty the King of the Belgians :

Mr. Paul-Henri Spaak, Minister for Foreign Affairs of the Kingdom of Belgium ;

The President of the Federal Republic of Germany :

Dr. Kurt Oppler, Ambassador of the Federal Republic of Germany at Brussels.

The plenipotentiaries, having found their respective full powers to be in good and due form, have agreed as follows :

Article 1

This Treaty regulates the compensation of war victims in the Belgian territories subject to German internal legislation during the war of 1940-1945, who

- (a) Were forcibly conscripted into the German Army and who in the course of and by reason of that conscription suffered physical injury or
 - (b) Are survivors of a victim who died as a result of such injury,
- and are covered by the legal provisions in force in the Kingdom of Belgium at 1 July 1962 relating to pensions for the indemnification of civilian victims of the war of 1940-1945 and their survivors.

Article 2

The Kingdom of Belgium shall continue to apply its legal provisions relating to pensions for the indemnification of civilian victims of the war of 1940-1945 and their

¹ Came into force on 1 April 1964, the first day of the month following the exchange of the instruments of ratification which took place at Bonn on 6 March 1964, in accordance with the provisions of article 12.

survivors, to the persons referred to in article 1, in accordance with the legislation in force.

Article 3

The Federal Republic of Germany shall pay to the Kingdom of Belgium, in conformity with the provisions of its law on the compensation of war victims (*Bundesversorgungsgesetz*), on behalf of the persons mentioned in article 1, the total amount of 30 million Deutsche Mark in accordance with the procedure set forth in article 4.

Article 4

The Federal Republic of Germany shall pay to the Kingdom of Belgium the amount mentioned in article 3 in two equal annual instalments. The first instalment shall be paid three months after the entry into force of this Treaty, and the second instalment one year after the first payment.

Article 5

The Kingdom of Belgium shall allocate the sum placed at its disposal by the Federal Republic of Germany under article 3 to the persons mentioned in article 1, in accordance with the procedure prescribed in article 6.

Article 6

(1) The Kingdom of Belgium shall make annual compensatory payments to the persons mentioned in article 1. Such compensatory payments shall be equal to the difference which existed on 1 July 1962 between, on the one hand, the annual amounts of the pensions and allowances due under the provisions of article 2 and, on the other hand, the annual amounts of any pensions and allowances payable under the law relating to pensions for the indemnification of military victims of the war of 1940-1945. Such compensation shall be payable half-yearly at the end of the period in respect of which the payments are due, until the time set in paragraph 4.

(2) In the case of disabled persons, the basis to be taken for the calculation of the indemnification pensions is 550 Belgian francs.

(3) The compensatory payments shall commence on 1 July 1962. The amounts due at the time of the entry into force of this Treaty shall be paid within three months following the payments of the first annual instalment provided for in article 4.

(4) The compensatory payments shall be made to the persons mentioned in article 1 as long as they are entitled to benefit under article 2.

(5) Notwithstanding the provision set forth in paragraph 4, entitlement to the compensatory payments provided for in this article shall not be affected by a change of nationality, provided that the State whose nationality the person concerned has acquired does not object.