

No. 8105

**ALBANIA, AUSTRALIA, BELGIUM,
CANADA, DENMARK, etc.**

**Agreement on reparation from Germany, on the
establishment of an Inter-Allied Reparation Agency
and on the restitution of monetary gold. Done at
Paris, on 14 January 1946; and
Protocol attached to the above-mentioned Agreement.
Signed at Brussels, on 15 March 1948**

Official texts : French and English.

Registered by France on 15 February 1966.

**ALBANIE, AUSTRALIE, BELGIQUE,
CANADA, DANEMARK, etc.**

**Accord concernant les réparations à recevoir de
l'Allemagne, l'institution d'une Agence interalliée
des réparations et la restitution de l'or monétaire.
Fait à Paris, le 14 janvier 1946; et
Protocole additionnel à l'Accord susmentionné. Signé à
Bruxelles, le 15 mars 1948**

Textes officiels français et anglais.

Enregistrés par la France le 15 février 1966.

No. 8105. AGREEMENT¹ ON REPARATION FROM GERMANY, ON THE ESTABLISHMENT OF AN INTER-ALLIED REPARATION AGENCY AND ON THE RESTITUTION OF MONETARY GOLD. DONE AT PARIS, ON 14 JANUARY 1946

The Governments of Albania, The United States of America, Australia, Belgium, Canada, Denmark, Egypt, France, The United Kingdom of Great Britain and Northern Ireland, Greece, India, Luxembourg, Norway, New Zealand, The Netherlands, Czechoslovakia, The Union of South Africa and Yugoslavia, in order to obtain an equitable distribution among themselves of the total assets which, in accordance with the provisions of this Agreement and the provisions agreed upon at Potsdam on 1 August 1945² between the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, are or may be declared to be available as reparation from Germany (hereinafter referred to as German reparation), in order to establish an Inter-Allied Reparation Agency, and to settle an equitable procedure for the restitution of monetary gold.

Have agreed as follows :

¹ In accordance with article 1 of Part IV, the Agreement came into force on 24 January 1946 in respect of the following States on behalf of which it was signed on the dates indicated, these States being collectively entitled to 81.45% of the aggregate of shares in category A of German reparation (as defined in article 1 of Part I) :

State	Date of signature	State	Date of signature
Belgium	14 January 1946	United Kingdom	14 January 1946
France	14 January 1946	United States of America	14 January 1946
Luxembourg	14 January 1946	Greece	24 January 1946
Netherlands	14 January 1946		

It came into force subsequently for the following States upon their signature of the Agreement on the dates indicated :

State	Date of signature and of entry into force	State	Date of signature and of entry into force
Canada	30 January 1946	India	25 February 1946
Yugoslavia	4 February 1946	Czechoslovakia	27 February 1946
Norway	6 February 1946	Union of South Africa	28 February 1946
Denmark	20 February 1946	Egypt (UAR)	8 March 1946
New Zealand	20 February 1946	Albania	14 March 1946
Australia	25 February 1946		

On 16 December 1947 (with effect from 15 September 1947, the date of entry into force of the Treaty of peace with Italy) Italy adhered to the arrangement for the restitution of monetary gold set forth in part III of the Agreement, see United Nations, *Treaty Series*, Vol. 82, p. 237; see also United Nations, *Treaty Series*, Vol. 91, p. 21, and Vol. 100, p. 304.

² *British and Foreign State Papers*, Vol. 145, p. 852.

PART I

GERMAN REPARATION

Article 1

SHARES IN REPARATION

A. German reparation, (exclusive of the funds to be allocated under Article 8 of Part I of this Agreement), shall be divided into the following categories :

Category A, which shall include all forms of German reparation except those included in *Category B*,

Category B, which shall include industrial and other capital equipment removed from Germany, and merchant ships and inland water transport.

B. Each Signatory Government shall be entitled to the percentage share of the total value of *Category A* and the percentage share of the total value of *Category B* set out for that Government in the Table of Shares set forth below :

TABLE OF SHARES

<i>Country</i>	<i>Category A</i>	<i>Category B</i>
Albania	.05	.35
United States of America	28.00	11.80
Australia	.70	.95
Belgium	2.70	4.50
Canada	3.50	1.50
Denmark	.25	.35
Egypt	.05	.20
France	16.00	22.80
United Kingdom	28.00	27.80
Greece	2.70	4.35
India	2.00	2.90
Luxembourg	.15	.40
Norway	1.30	1.90
New Zealand	.40	.60
Netherlands	3.90	5.60
Czechoslovakia	3.00	4.30
Union of South Africa *	.70	.10
Yugoslavia	6.60	9.60
TOTAL	100.00	100.00

* The Government of the Union of South Africa has undertaken to waive its claims to the extent necessary to reduce its percentage share of *Category B* to the figure of 0.1 per cent but is entitled, in disposing of German enemy assets within its jurisdiction, to charge the net value of such assets against its percentage share of *Category A* and a percentage share under *Category B* of 1.0 per cent.

C. Subject to the provisions of paragraph D below, each Signatory Government shall be entitled to receive its share of merchant ships determined in accordance with Article 5 of Part I of this Agreement, provided that its receipts of merchant ships do not exceed in value its share in Category B as a whole.

Subject to the provisions of paragraph D below, each Signatory Government shall also be entitled to its Category A percentage share in German assets in countries which remained neutral in the war against Germany.

The distribution among the Signatory Governments of forms of German reparation other than merchant ships, inland water transport and German assets in countries which remained neutral in the war against Germany shall be guided by the principles set forth in Article 4 of Part I of this Agreement.

D. If a Signatory Government receives more than its percentage share of certain types of assets in either Category A or Category B, its receipts of other types of assets in that Category shall be reduced so as to ensure that it shall not receive more than its share in that Category as a whole.

E. No Signatory Government shall receive more than its percentage share of either Category A or Category B as a whole by surrendering any part of its percentage share of the other Category, except that with respect to German enemy assets within its own jurisdiction, any Signatory Government shall be permitted to charge any excess of such assets over its Category A percentage share of total German enemy assets within the jurisdiction of the Signatory Governments either to its receipts in Category A or to its receipts in Category B or in part to each Category.

F. The Inter-Allied Reparation Agency, to be established in accordance with Part II of this Agreement, shall charge the reparation account of each Signatory Government for the German assets within that Government's jurisdiction over a period of five years. The charges at the date of the entry into force of this Agreement shall be not less than 20 per cent of the net value of such assets (as defined in Article 6 of Part I of this Agreement) as then estimated, at the beginning of the second year thereafter not less than 25 per cent of the balance as then estimated, at the beginning of the third year not less than $33\frac{1}{3}$ % per cent of the balance as then estimated, at the beginning of the fourth year not less than 50 per cent of the balance as then estimated, at the beginning of the fifth year not less than 90 per cent of the balance as

then estimated, and at the end of the fifth year the entire remainder of the total amount actually realized.

G. The following exceptions to paragraphs D and E above shall apply in the case of a Signatory Government whose share in Category B is less than its share in Category A :

- (i) Receipts of merchant ships by any such Government shall not reduce its percentage share in other types of assets in Category B, except to the extent that such receipts exceed the value obtained when that Government's Category A percentage is applied to the total value of merchant ships.
- (ii) Any excess of German assets within the jurisdiction of such Government over its Category A percentage share of the total of German assets within the jurisdiction of Signatory Government as a whole shall be charged first to the additional share in Category B to which that Government would be entitled if its share in Category B were determined by applying its Category A percentage to the forms of German reparation in Category B.

H. If any Signatory Government renounces its shares or part of its shares in German reparation as set out in the above Table of Shares, or if it withdraws from the Inter-Allied Reparation Agency at a time when all or part of its shares in German reparation remain unsatisfied, the shares or part thereof thus renounced or remaining shall be distributed rateably among the other Signatory Governments.

Article 2

SETTLEMENT OF CLAIMS AGAINST GERMANY

A. The Signatory Governments agree among themselves that their respective shares of reparation, as determined by the present Agreement, shall be regarded by each of them as covering all its claims and those of its nationals against the former German Government and its Agencies, of a governmental or private nature, arising out of the war (which are not otherwise provided for), including costs of German occupation, credits acquired during occupation on clearing accounts and claims against the Reichskreditkassen.