

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1952 No. 14

Overgelegd aan de Staten-Generaal door de Minister
van Buitenlandse Zaken

A. TITEL

*Financiële Overeenkomst betreffende de handel tussen het Koninkrijk
der Nederlanden en (Bezet) Japan; Tokio, 13 April 1951*

B. TEKST

De tekst is geplaatst in *Tractatenblad* 1951 No. 51.

G. INWERKINGTREDING

Zie *Tractatenblad* 1951 No. 51.

J. GEGEVENS

Zie *Tractatenblad* 1951 No. 51.

De ondertekening door Nederland en Japan, op 8 September 1951, van het Vredeverdrag met Japan (*Tractatenblad* 1951 No. 134) heeft, in overeenstemming met artikel 8 van de onderhavige Overeenkomst, o.a. tot wisseling van de volgende brieven geleid:

I

THE GAIMUSHO

Tokyo, November 8, 1951

Monsieur l'Ambassadeur,

Having in view the desirability to continue cordial trade relations between Japan and the Kingdom of The Netherlands after the coming into force of a peace treaty between the Allied Powers, or any of them, and Japan, I have the honour to inform Your Excellency that, with regard to the trade between Japan and the Kingdom of The Netherlands as from the date of coming into force of the said treaty, the Government of Japan will apply in practice the terms and provisions mutatis mutandis of the documents annexed hereto, until the

conclusion of new agreement or agreements on trade between Japan and the Kingdom of The Netherlands.

I avail myself of this opportunity to renew to Your Excellency, Monsieur l'Ambassadeur, the assurance of my highest consideration.

For the Minister:

(s.) S. IGUCHI,

Vice-Minister for Foreign Affairs.

*His Excellency Monsieur P. E. Teppema,
Chief of the Netherlands Mission in Japan,
Tokyo.*

ANNEX

- I. Trade Agreement between the Kingdom of the Netherlands and Occupied Japan, signed 13 April 1951.
- II. Financial Agreement for Trade between the Kingdom of the Netherlands and Occupied Japan, signed 13 April 1951.
- III. Trade Plan between the Kingdom of the Netherlands and Occupied Japan, signed 13 April 1951.
- IV. Memorandum for the Chief of the Netherlands Mission in Japan from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, file No. 091.31 (10 May 51) ESS/FTC, dated 10 May 1951, subject: Explanatory Note with Respect to Services.
- V. Memorandum from the Chief of the Netherlands Mission in Japan to General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section, file No. 44.34.23/2705, dated 17 May 1951, subject: Explanatory Note with respect to Services.
- VI. Memorandum from the Head of the Netherlands Mission in Japan to General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section, file No. 44.34.23/2656, dated 8 May 1951, subject: Explanatory Note Concerning Article II, Paragraph e of the Trade Agreement.
- VII. Memorandum for the Chief of the Netherlands Mission in Japan from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, file No. 091.31 (11 May 1951) ESS/FTC, dated 11 May 1951, subject: Explanatory Note Concerning Article II, Paragraph e of the Trade Agreement between the Kingdom of the Netherlands and Occupied Japan.
- VIII. Memorandum for the Chief of the Netherlands Mission in Japan from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, file No. 091.31 (10 May 51) ESS/FTC, dated 10 May 1951, subject: Explanatory Note with Respect to Shipping.
- IX. Memorandum from the Chief of the Netherlands Mission to General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section, file No. 44.34.23/2704, dated 17 May 1951, subject: Explanatory Note with Respect to Shipping.
- X. Memorandum for the Chief of the Netherlands Mission in Japan from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, file No. 091.31 (10 May 51) ESS/FTC, dated 10 May 1951, subject: Explanatory Note with Respect to Trade.
- XI. Memorandum from the Chief of the Netherlands Mission in Japan to General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section, file No. 44.34.23/2703, dated 17 May 1951, subject: Explanatory Note with respect to Trade.

- XII. Memorandum for the Chief of the Netherlands Mission in Japan from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, file No. 091.31 (8 Nov. 1951) ESS/FTC, dated 8 November 1951, subject: Kingdom of the Netherlands — Occupied Japan Trade Plan.
- XIII. Memorandum from the Chief of the Netherlands Mission in Japan to General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section, file No. 43.13/6365, dated 8 November 1951, subject: Kingdom of the Netherlands — Occupied Japan Trade Plan.

 II

THE GAIMUSHO

Tokyo, November 8, 1951

My dear Counsellor,

With reference to the letter from the Minister for Foreign Affairs of Japan to the Chief of the Netherlands Mission in Japan, dated November 8, 1951, I wish to inform you that it is my understanding that the words "the terms and provisions mutatis mutandis of the documents annexed hereto" shall be construed as follows:

1. "The Supreme Commander for the Allied Powers", "the Supreme Commander for the Allied Powers acting in respect of Occupied Japan", "the Supreme Commander for the Allied Powers, or his successor" and "General Headquarters, Supreme Commander for the Allied Powers" shall read "the Government of Japan".

2. "Occupied Japan" shall read "Japan".

3. "The Bank is designated as an agency acting under the authorization of the Supreme Commander for the Allied Powers" shall read "the Bank is designated as an agency of the Foreign Exchange Control Board of the Government of Japan".

4. Article IV of the Trade Agreement and Article 8 of the Financial Agreement shall read as follows:

"This Agreement may be revised by mutual consent of the parties or may be cancelled upon request of the Government of the Kingdom of the Netherlands or of the Government of Japan, upon ninety (90) days' notice in writing. Any revision, cancellation or termination of this Agreement shall be without prejudice to any right or obligation accruing or incurred prior to the effective date of such revision or cancellation".

5. In case of uncertainty as to the modification of any other words, it shall be decided by mutual agreement of both parties.

Yours very sincerely,

(s.) M. YUKAWA,

Director of the Bureau of International Economic
Affairs, Ministry of Foreign Affairs.

Baron E. J. Lewe Van Aduard,
Counsellor,

Deputy Chief of the Netherlands Mission in Japan.

De overdracht door de Opperbevelhebber der Geallieerde strijdkrachten aan de Japanse Regering van de rechten en het aandeel in de rekeningen ingesteld bij de Betalingsregeling van 30 December 1948 (vertrouwelijk medegedeeld aan de Tweede Kamer der Staten-Generaal bij brief van 25 Mei 1949, Bijl. *Handelingen* Tweede Kamer 1948—1949, 767, No. 7) en de onderhavige Overeenkomst, is vastgesteld bij de volgende Overeenkomst:

Agreement between the Supreme Commander for the Allied Powers, the Government of Japan and the Government of the Kingdom of the Netherlands for Transfer and Assumption of Rights and Interest in the Open Accounts Established by the Financial Arrangement and Financial Agreement for Trade between the Kingdom of the Netherlands and Occupied Japan

The Supreme Commander for the Allied Powers, the Government of Japan and the Government of the Kingdom of the Netherlands have agreed as follows:

The Supreme Commander for the Allied Powers hereby transfers and assigns to the Government of Japan as of the opening of business of the 1st day of December 1951, and the Government of Japan hereby accepts and assumes from the Supreme Commander for the Allied Powers as of the said date whatever rights and interest the Supreme Commander for the Allied Powers has or may have in the Account designated as the "Netherlands—Japan Open Account", maintained on the books of the Bank of Japan, in pursuance of the Financial Agreement for Trade between the Kingdom of the Netherlands and Occupied Japan, dated 13 April 1951, and in the Accounts maintained on the books of De Nederlandsche Handel-Maatschappij, N.V., Tokyo, and De Nationale Handelsbank, N.V., Tokyo, in the name of De Nederlandsche Bank, as provided for in the Financial Arrangement between the Netherlands and Occupied Japan, dated 30 December 1948 which was superseded by the aforesaid Financial Agreement for Trade between the Kingdom of the Netherlands and Occupied Japan, dated 13 April 1951.

The Government of the Kingdom of the Netherlands hereby consents and agrees to the transfer and assignment by the Supreme Commander for the Allied Powers to the Government of Japan as of the opening of business on the said date hereinabove mentioned whatever rights and interest the Supreme Commander for the Allied Powers has or may have in the Accounts hereinabove mentioned.

The Government of Japan, upon acceptance and assumption of whatever rights and interest the Supreme Commander for the Allied Powers has or may have in the aforesaid Accounts, releases, discharges and shall hold harmless the Supreme Commander for the Allied Powers, and his staff representatives, from all debts, payments, claims, demands, rights, liabilities or other obligations, if any, incurred

or to be incurred in connection with the aforesaid Accounts, and simultaneously therewith,

The Government of Japan accepts and assumes all debts, payments, claims, demands, rights liabilities or other obligations, if any, of the Supreme Commander for the Allied Powers, and his staff representatives, in connection with the aforesaid Accounts, and also simultaneously therewith,

The Government of the Kingdom of the Netherlands, upon transfer and assignment to the Government of Japan as of the opening of business on the 1st day of December 1951, of whatever rights and interest the Supreme Commander for the Allied Powers has or may have in the aforesaid Accounts, releases, discharges and shall hold harmless the Supreme Commander for the Allied Powers, and his staff representatives, from all debts, payments, claims, demands, rights, liabilities or other obligations, if any, incurred or to be incurred in connection with the aforesaid Accounts.

Done at Tokyo, Japan in triplicate in the English language on the 8th day of November 1951.

For the Government of the
Kingdom of the Netherlands:

(s.) P. E. TEPPEMA.

For the Supreme Commander
for the Allied Powers:

(s.) CYRIL A. BARNES.

For the Government of Japan:

(s.) S. IGUCHI.

Uitgegeven de drie en twintigste Januari 1952.

De Minister van Buitenlandse Zaken,
STIKKER