

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1963 Nr. 71

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de
Republiek Indonesië inzake Westelijk Nieuw-Guinea
(West-Irian), met Bijlage en bijbehorende
overeenkomsten;
New York, 15 augustus 1962*

B. TEKST

De tekst van Overeenkomst, Bijlage en bijbehorende overeenkomsten is geplaatst in *Trb.* 1962, 77. Zie ook *Trb.* 1962, 160.

C. VERTALING

Zie *Trb.* 1962, 84 en *Trb.* 1962, 160.

D. GOEDKEURING

E. BEKRACHTIGING

G. INWERKINGTREDING

Zie *Trb.* 1962, 160.

J. GEGEVENS

Zie *Trb.* 1962, 84 en *Trb.* 1962, 160.

Op 1 mei 1963 is het bestuur over Westelijk Nieuw-Guinea door UNTEA overgedragen aan Indonesië.

Krachtens de bevoegdheid neergelegd in artikel XXIV, lid 2, der Overeenkomst heeft de Secretaris-Generaal van de Verenigde Naties een beslissing genomen ten aanzien van de afwikkeling van een aan-

tal vorderingen en schulden van UNTEA, met inbegrip van vorderingen en schulden die op 1 oktober 1962 van het voormalige Gouvernement van Nederlands Nieuw-Guinea op UNTEA waren overgegaan. Deze beslissing is neergelegd in een brief d.d. 29 april 1963, waarvan de tekst hieronder volgt.

29 April 1963.

Sir,

I have the honour to refer to article XXIV, paragraph 2, of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands which provides that "Indonesia and the Netherlands will be consulted by the Secretary-General in the preparation of the UNTEA budget and other financial matters relating to the United Nations responsibilities under the present Agreement; however, the Secretary-General will have the final decision".

Among "other financial matters" is the question of settlement or disposition of outstanding claims which UNTEA has in respect of (i) Netherlands nationals not residing in the territory of West New Guinea (West Irian) on 30 April 1963; (ii) corporate bodies established under Netherlands law or under the laws of the territory who on that date are not doing business in the territory; and (iii) former Netherlands subjects who do not possess Netherlands nationality and who on or before that date had given up residence in the territory of West New Guinea (West Irian). UNTEA is entitled until 1 May 1963 to settle all outstanding claims and debts of the territory of West New Guinea (West Irian).

Having consulted Indonesia and the Netherlands by aide-mémoire of 19 April 1963, in accordance with article XXIV of the Agreement between the Republic of Indonesia and the Kingdom of the Netherlands, and pursuant to the authority given me in that Agreement, I have the honour to inform you of my decision that the outstanding claims referred to in the second paragraph of this letter, which include claims arising from taxation on income and/or profits as well as advances extended and credits made to third parties by the former Government of Netherlands New Guinea, are transferred to the Netherlands Government in return for the payment of one million Dutch Guilders, today received from the Netherlands. The Government of the Netherlands, in accepting the transfer of the aforementioned claims is also assuming responsibility for the settlement of any claims which persons or corporate bodies in the three categories referred to above may have against UNTEA for reimbursement of over payments of taxes on income and/or profits.

To the extent possible, all files and data in the possession of UNTEA relating to the claims referred to in the second paragraph of this letter will be transferred to the Netherlands Government.

Except as may otherwise be agreed, all other claims of UNTEA outstanding on 1 May 1963, will be considered as transferred to the Republic of Indonesia as Administrator of the territory.

Accept, Sir, the assurances of my highest consideration.

(sd.) U THANT
Secretary-General

His Excellency

Mr. C. W. A. Schurmann

Ambassador Extraordinary and Plenipotentiary

*Permanent Representative of the Netherlands
to the United Nations*

711 Third Avenue,

New York 17, N. Y.

Uitgegeven de eenendertigste mei 1963.

De Minister van Buitenlandse Zaken a.i.,

J. DE QUAY.