



Treaty Series No. 59 (1947)

Exchange of Notes
constituting an Agreement

between His Majesty's Government in the United Kingdom
and the Austrian Federal Government

regarding the Deferment of certain Claims

Vienna, 17th/28th April, 1947

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

HIS MAJESTY'S STATIONERY OFFICE

ONE PENNY NET

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM
AND THE AUSTRIAN FEDERAL GOVERNMENT REGARDING
THE DEFERMENT OF CERTAIN CLAIMS

Vienna, 17th/28th April, 1947

No. 1

Mr. N. J. A. Cheetham to M. Leopold Figl

United Kingdom Political Representative,
Vienna, 17th April, 1947.

Sir,

IN order that the Austrian Federal Government may be in a position up to the end of 1947 to use as much as practicable of Austria's earnings of external currency for the purpose of paying for imports and services essential for the economic revival and rehabilitation of Austria, His Majesty's Government in the United Kingdom are willing, on the condition specified in the second paragraph of this Note, to agree to the deferment until the end of 1947 of claims for :—

- (a) repayment of all debts under any contract entered into by the Austrian Government before 14th March, 1938 (whether already due and accrued, or falling due before the end of 1947), to the Government of the United Kingdom ;
- (b) repayment of all debts under any contract entered into before 3rd September, 1939, by persons resident in Austria (whether already due and accrued or falling due before the end of 1947), to the Government of the United Kingdom ;
- (c) payment to the Government of the United Kingdom of such occupation costs due to the British authorities in Austria as are payable in currencies other than schillings ;
- (d) payment for goods supplied and services rendered to Austria, by, or on behalf of, His Majesty's Government in the United Kingdom between 8th May, 1945, and 1st July, 1946.

2. The Austrian Federal Government undertake that they will not at any time agree to settle the claims of the Governments of the other occupying Powers relating to the matters referred to in (a), (b), (c), and (d) above on terms more favourable than those accorded to His Majesty's Government in the United Kingdom.

3. I suggest that this Note and Your Excellency's reply, confirming the acceptance on behalf of the Austrian Federal Government of the above proposals of His Majesty's Government in the United Kingdom, shall be deemed to constitute an agreement between the two Governments.

I avail, &c.

(Sgd.)

N. J. A. CHEETHAM.

No. 2

*M. Gruber to Mr. W. H. B. Mack**Wien,**den 28. April 1947.*

Herr Minister!

IN Beantwortung der Note vom 17. April 1947, die von Mr. Cheetham an den Herrn Bundeskanzler gerichtet wurde, beehre ich mich Euer Exzellenz zur Kenntnis zu bringen, dass die österreichische Bundesregierung mit den in obiger Note enthaltenen Vorschlägen völlig einverstanden ist.

Die Bundesregierung ist auch einverstanden, dass die Note Mr. Cheethams und meine vorliegende Antwort als Vereinbarung der beiden Regierungen über den Gegenstand gelten.

Dem geäußerten Wunsch entsprechend, erlaube ich mir noch zu bemerken, dass die österreichische Bundesregierung auf die Gleichbehandlung der im Stillhalteabkommen genannten britischen Forderungen mit solchen Forderungen anderer Staaten besonders Bedacht nehmen wird.

Endlich erlaube ich mir noch folgendes beizufügen :

In der Zeit von April 1945 bis zum Beginn der Tätigkeit der U.N.R.R.A. hat das Oberkommando der Roten Armee der österreichischen Bundesregierung zur Überbrückung der Notlage Lebensmittel geliefert. Es wurde damals vereinbart, dass Österreich dafür an die Sowjetunion Kompensationswaren zu liefern hat. Als Abrechnungsbasis wurden beiderseits die österreichischen Grosshandels-Einstandpreise 1937 in Aussicht genommen. Tatsächlich wurden bisher solche Waren im Werte von rund 3½ Millionen S an die Sowjetunion geliefert. Auf das in letzter Zeit vom sowjetischen Element gestellte Verlangen nach endgültiger Festlegung der österreichischen Lieferverpflichtungen hat die österreichische Bundesregierung auf den Umstand hingewiesen, dass die Frage der Rückzahlung von Reliefschulden an alle Besatzungsmächte gemeinsam bei den Staatsvertragsverhandlungen entschieden werden wird und dass die Einzelverhandlungen bis dahin aufgeschoben werden mögen. Die Erlöse aus den sowjetischen Lebensmittellieferungen in der Höhe von rund 30 Millionen S (Preisbasis 1937) sind mittlerweile auf ein österreichisches Konto bei der Österreichischen Nationalbank erlegt worden.

Genehmigen Sie, &c.

Der Bundesminister

für die Auswärtigen Angelegenheiten :
(Sgd.) GRUBER.*(Translation of No. 2)**Vienna,**28th April, 1947.*

Mr. Minister,

IN reply to the Note of 17th April, 1947, which was addressed by Mr. Cheetham to the Federal Chancellor, I have the honour to bring to your Excellency's notice that the Austrian Federal Government concurs entirely in the proposals contained in the above Note. The Federal Government is also in agreement that Mr. Cheetham's Note and this present Note constitute an agreement between the two Governments in the matter.

With regard to the wish you have expressed, I take the liberty of observing that the Austrian Federal Government will devote special attention to securing that the British demands mentioned in the deferment agreement receive treatment equal to that accorded to the similar demands of other States.

In conclusion I take the liberty of adding the following :—

In the period from April 1945 until the commencement of U.N.R.R.A.'s activity the Supreme Command of the Red Army delivered foodstuffs to the Austrian Federal Government to tide over the crisis. It was agreed at the time that Austria was to deliver goods in compensation to the Soviet Union. The Austrian 1937 wholesale prices were accepted by both sides as the basis of calculation. In actual fact such goods have been delivered to the Soviet Union to the value of about 3½ million schillings. In reply to the demand made recently by the Soviet Element for a final settlement of the Austrian delivery commitments, the Austrian Federal Government indicated that the question of repayment of relief debts to all the occupying Powers will be decided in common at the negotiations for the State treaty and that detailed negotiations should be postponed until then. The proceeds of the Soviet deliveries of foodstuffs to a value of about 30 million schillings (1937 price basis) are deposited in the meantime in an Austrian account in the Austrian National Bank.

Please accept, &c.

(Sgd.)

GRUBER.

LONDON
 PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE
 To be purchased directly from H.M. Stationery Office at the following addresses:
 York House, Kingsway, London, W.C.2; 13a Castle Street, Edinburgh, 2;
 39-41 King Street, Manchester, 2; 1 St. Andrew's Crescent, Cardiff;
 Tower Lane, Bristol, 1; 80 Chichester Street, Belfast
 OR THROUGH ANY BOOKSELLER
 1947

Price 1d. net