



Treaty Series No. 52 (1951)

Exchange of Notes

between the Government of the United Kingdom
and the Italian Government regarding

the allocation to Italy of a share in the proceeds of sale by
the International Refugee Organisation of certain Valuables,
Currencies and Securities presumed looted by the German
Forces and taken from them in Italy by the Allied Forces

Rome, 16th May, 1951

[Similar Notes were exchanged between the United
States Government and the Italian Government]

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of His Majesty
July 1951*

LONDON
HIS MAJESTY'S STATIONERY OFFICE
THREEPENCE NET

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE ITALIAN GOVERNMENT REGARDING THE ALLOCATION TO ITALY OF A SHARE IN THE PROCEEDS OF SALE BY THE INTERNATIONAL REFUGEE ORGANISATION OF CERTAIN VALUABLES, CURRENCIES AND SECURITIES PRESUMED LOOTED BY THE GERMAN FORCES AND TAKEN FROM THEM IN ITALY BY THE ALLIED FORCES

Rome, 16th May, 1951

No. 1

His Majesty's Ambassador at Rome to the Italian Minister for Foreign Affairs

British Embassy,

Your Excellency,

Rome, 16th May, 1951.

I have the honour to inform you that there is in deposit with the Banca d'Italia in Rome for the joint account of His Majesty's Embassy and the United States Embassy a quantity of jewellery, silverware and other articles of value as well as allied, neutral and enemy currencies and securities which were taken in Italy from the German Forces by the Allied Forces and which are presumed to have been looted by the German Forces.

The Italian Government have been kept informed of the arrangements being made jointly by His Majesty's Government and the United States Government for the disposal of these items, including the arrangements under which the International Refugee Organisation has agreed to receive a considerable part of these items and to sell for hard currency the jewellery and other articles so received.

His Majesty's Government and the United States Government propose to allocate to the Italian Government fifty per cent. of the proceeds of the sale of these items which are to be handed over to, and sold by, the International Refugee Organisation in accordance with the arrangements referred to in the preceding paragraph of this Note. This proposal is, however, subject to two conditions which the two Governments believe will be acceptable to the Italian Government—

- (a) that the Italian Government will use the funds so received (except as provided in sub-paragraph (b) below) for the assistance of war orphans and mutilated children or other similar purposes;
- (b) that the Italian Government will set aside ten per cent. of the funds so received for the purpose of satisfying any claims by Italian nationals, or persons now resident in Italy, who can prove that their property was included in the property liquidated by the International Refugee Organisation, it being understood that any balance of the amount so set aside against which there are no claims pending may be used by the Italian Government on or after 1st October, 1951, for the purposes mentioned in sub-paragraph (a) of this paragraph.

A Note in similar terms is being addressed to your Excellency by His Excellency the Ambassador of the United States of America, and I suggest that his communication and the present communication, together with your replies thereto, confirming that the conditions set forth in paragraph 3 of

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this Note are acceptable to the Italian Government, shall be regarded as constituting an agreement on this matter between His Majesty's Government and the United States Government on the one hand and the Italian Government on the other.

I avail, &c.

V. A. L. MALLET.

No. 2

The Italian Minister for Foreign Affairs to His Majesty's Ambassador at Rome

Signor Ambasciatore,

Rome, li 16 mag. 1951.

ho l'onore di accusare ricevuta della lettera di Vostra Eccellenza del 16 maggio 1951 relativa al deposito, congiuntamente fatto presso la Banca d'Italia in Roma, dall'Ambasciata di S.M. Britannica e dall'Ambasciata degli Stati Uniti d'America, di un certo quantitativo di gioielli, argenteria ed altri oggetti di valore, nonchè di valute e titoli alleati, neutrali e nemici, presi in Italia alle Forze tedesche dalle Forze alleate; il tutto presumibilmente bottino effettuato dalle Forze tedesche.

Il Governo italiano è stato informato delle disposizioni adottate congiuntamente dai Governi di S.M. Britannica e degli Stati Uniti d'America circa l'impiego di tali beni, comprese le disposizioni secondo le quali l'IRO ha accettato di ricevere una considerevole parte dei beni medesimi e di vendere contro valuta pregiata i gioielli e gli altri oggetti così ricevuti.

I Governi di S.M. Britannica e degli Stati Uniti d'America si propongono di attribuire al Governo italiano il cinquanta per cento del ricavato della vendita di tali oggetti, che l'IRO ritirerà e venderà conformemente alle intese di cui al paragrafo precedente della presente lettera. Questa proposta, tuttavia, è subordinata a due condizioni:

- (a) che il Governo italiano userà i fondi così ricevuti, salve le disposizioni del seguente comma (b), per l'assistenza dei bambini orfani e mutilati di guerra, o per analoghi scopi;
- (b) che il Governo italiano accantonerà il dieci per cento dei fondi così ricevuti per soddisfare i reclami dei cittadini italiani, o delle persone attualmente residenti in Italia, che possano comprovare che la loro proprietà era compresa nella proprietà liquidata dall'IRO: con l'intesa che, della somma così accantonata, ogni rimanenza non impegnata per reclami precedenti, potrà essere usata dal Governo italiano a partire dal 1° ottobre 1951 per gli scopi di cui al comma (a) del presente paragrafo.

Ho l'onore di informare Vostra Eccellenza che il Governo italiano accetta le due condizioni sopra esposte.

Lettera in termini identici alla presente trasmetto in data odierna a S.E. l'Ambasciatore degli Stati Uniti d'America, in risposta alla sua lettera n. 7341 in data 16 maggio 1951 stesa in termini identici a quella di V.E. cui qui rispondo.

Concordo con V.E. nel considerare le lettere così scambiate come costituenti un accordo su questa materia fra i Governi di S.M. Britannica e degli Stati Uniti d'America da una parte, ed il Governo italiano dall'altra.

Voglio gradire, Signor Ambasciatore, la rinnovata espressione della mia più alta considerazione.

SFORZA.

(Translation of No. 2)

Mr. Ambassador,

Rome, 16th May, 1951.

I have the honour to acknowledge the receipt of your Excellency's letter of 16th May, 1951, regarding the deposit with the Bank of Italy in Rome for the joint account of the Embassy of His Britannic Majesty and the Embassy of the United States of America of a certain quantity of jewellery, silverware and other articles of value, as well as allied, neutral and enemy currencies and securities, taken in Italy from the German Forces by the Allied Forces ; all presumably booty captured by the German Forces.

The Italian Government have been kept informed of the arrangements being made jointly by the Governments of His Britannic Majesty and of the United States of America for the disposal of these assets, including the arrangements under which the International Refugee Organisation has agreed to receive a considerable part of these assets and to sell for hard currency the jewellery and other articles so received.

The Governments of His Britannic Majesty and of the United States of America propose to allocate to the Italian Government fifty per cent. of the proceeds of the sale of these items, of which I.R.O. will take delivery and sell in accordance with the arrangements referred to in the preceding paragraph of this letter. This proposal is, however, subject to two conditions—

- (a) that the Italian Government will use the funds so received, except as provided in the following paragraph (b), for the assistance of war orphans and mutilated children, or for similar purposes ;
- (b) that the Italian Government will set aside ten per cent. of the funds so received to satisfy the claims of Italian nationals, or of persons now resident in Italy, who can prove that their property was included in the property liquidated by I.R.O. ; with the understanding that any balance of the sum so set aside, against which there are no claims pending, may be used by the Italian Government on or after 1st October, 1951 for the purposes mentioned in sub-paragraph (a) of the present paragraph.

I have the honour to inform your Excellency that the Italian Government accept the two above-mentioned conditions.

I am to-day sending an identical letter to His Excellency the Ambassador of the United States of America in reply to his letter No. 7341 dated 16th May, 1951, in identical terms to your Excellency's letter to which I am here replying.

I agree with your Excellency to consider the letters so exchanged as constituting an agreement on this matter between the Governments of His Britannic Majesty and of the United States of America of the one part, and the Italian Government of the other.

Please accept, &c.
SFORZA.