



Treaty Series No. 45 (1992)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Estonia

concerning the Settlement of Outstanding Claims
and Financial Issues

Tallinn, 26 March 1992

[The Exchange of Notes entered into force on 26 March 1992]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA
CONCERNING THE SETTLEMENT OF OUTSTANDING CLAIMS
AND FINANCIAL ISSUES**

No. 1

Her Majesty's Ambassador at Tallinn to the Minister for Foreign Affairs of Estonia

British Embassy

Tallinn

26 March 1992

Note No. 007/92

Your Excellency,

I have the honour to refer to recent discussions between our two Governments concerning outstanding claims and financial issues, and to propose that:—

(1) The Government of the United Kingdom of Great Britain and Northern Ireland shall transfer to the Eesti Pank 154,754·859 fine ounces of gold on 31 March 1992 subject to the necessary technical arrangements being made;

(2) The Government of the Republic of Estonia and Eesti Pank shall regard as fully and finally settled any claims which either of them may have relating to the gold held on behalf of Eesti Pank by the Bank of England on 16 June 1940, and hereby agree to indemnify the Government of the United Kingdom of Great Britain and Northern Ireland and the Bank of England against any other claims from whatever source which may be made to the said gold;

(3) The Government of the United Kingdom of Great Britain and Northern Ireland will neither on its behalf nor on behalf of its physical and juridical persons pursue with the Government of the Republic of Estonia or support claims arising after 1 January 1939, and before 27 August 1991 in relation to property, rights and banking, commercial and financial interests, including those affected by nationalisation or other measures, in Estonia owned by the Government or nationals of the United Kingdom of Great Britain and Northern Ireland; and in relation also to bonds owned by nationals of the United Kingdom of Great Britain and Northern Ireland;

(4) The Government of the Republic of Estonia will neither on its own behalf nor on behalf of its physical and juridical persons pursue with the Government of the United Kingdom of Great Britain and Northern Ireland or support claims arising after 1 January 1939 and before 27 August 1991 in relation to property and other assets situated on the territory of the United Kingdom of Great Britain and Northern Ireland (including bank accounts, ships detained by the British authorities, and banking, commercial and financial interests) which belonged to physical and juridical persons of Estonia.

If the foregoing proposal is acceptable to the Government of the Republic of Estonia, I have the honour to propose that this Note, and Your Excellency's reply in that sense, shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

BRIAN LOW

The Deputy Minister of Foreign Affairs of Estonia to Her Majesty's Ambassador at Tallinn

*Ministry of Foreign Affairs
Tallinn*

26 March 1992

Note No. 011/146

Excellency,

I have the honour to refer to Your Excellency's Note No. 007/92 of March 26, which in translation reads as follows:

Ekstsellents,

Mul on au viidata meie Valitsuste vahel hiljuti toimunud läbirääkimistele rahuldamata pretensioonide ja finantsküsimuste osas ja teha ettepanek, et:—

(1) Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi Valitsus kannab 31.märtsil 1992.a. Eesti Pangale üle 154,754.859 untsi puhast kulda, eeldusel, et on läbi viidud vajalikud tehnilised ettevalmistused;

(2) Eesti Vabariigi Valitsus ja Eesti Pank loevad täielikult ja lõplikult lahendatuks kõik pretensioonid, mida kummalgi neist võib olla seoses kullaga, mis Eesti Pank oli enne 16.juunit 1940.a. hoiustanud Inglise Pangas ja nõustuvad käesolevaga kindlustama Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi Valitsust ja Inglise Panka igasuguste teistest allikatest tulevate pretensioonide vastu ülalnimetatud kullale;

(3) Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi Valitsus ei tõstata ja ei toeta oma nimel ega oma füüsiliste ja juriidiliste isikute nimel Eesti Vabariigi Valitsuse ees pretensioone, mis tulenevad ajavahemikust 1.jaanuar 1939.a. kuni 27.august 1991.a. Eestis Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi Valitsusele või tema kodanikele kuulunud varadest, õigustest ja pangandus-, äri- ja finantsintressidest, sealhulgas natsionaliseerimise või muude meetmetega saadud kahjust, ning samuti Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi kodanikele kuulunud obligatsioonidest;

(4) Eesti Vabariigi Valitsus ei tõstata ja ei toeta oma nimel ega oma füüsiliste ja juriidiliste isikute nimel Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi Valitsuse ees pretensioone, mis tulenevad ajavahemikust 1.jaanuar 1939.a. kuni 27.august 1991.a. Suurbritannia ja Põhja-Iirimaa Ühendatud Kuningriigi territooriumil asunud ja Eesti füüsilistele ja juriidilistele isikutele kuulunud varadest ja muudest aktivest, sealhulgas pangaarvetest, Briti ametivõimude poolt arestitud laevadest, ja pangandus-, äri- ja finantsintressidest.

Kui eelpooltoodud ettepanek on vastuvõetav Eesti Vabariigi Valitsusele, on mul au teha ettepanek, et käesolev Noot ja Teie Ekstsellentsi samasisuline vastus moodustavad lepingu meie Valitsuste vahel, mis jõustub Teie Ekstsellentsi poolt antava vastuse kuupäeval.

Teie Ekstsellents, kasutades juhust avaldan veelkord oma sügavaima lugupidamise kinnitust.

[Translation as in No. 1]

In reply, I have the honour to confirm that the foregoing proposal is acceptable to the Government of Estonia, who therefore agree that Your Excellency's Note and this reply shall constitute an agreement between our two Governments, which shall enter into force today.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

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