

The Arbitral Tribunal will not be restricted as regards the nature or proof of evidence produced before it and will have full jurisdiction to consider all matters of fact or law submitted to it.

The decision of the Arbitral Tribunal shall be final.

The expenses of the Arbitral Tribunal shall be a charge on the proceeds of the liquidation of German property, before their division.

IV

A. The term "property", as used in the Accord and this Annex, includes all property of every kind and description and every right or interest of whatever nature in property acquired before the first of January, 1948. For the purposes of the Accord sums paid or payable by persons in Switzerland through the German-Swiss Clearing shall not be regarded as German property.

B. The expression "Germans in Germany" means all natural persons resident in Germany and all juridical persons constituted or having a place of business or otherwise organized in Germany, other than those organizations of whatever nature the ownership or control of which is held by persons who are not of German nationality. Appropriate measures will be taken to liquidate the interests in Switzerland which German nationals resident in Germany have through such organizations and equally to safeguard substantial interests of non-German persons which would otherwise be liquidated.

Germans who have been repatriated before the first of January 1948, or in connection with whom, before that date, a decision by the Swiss authorities has been taken that such persons should be repatriated from Switzerland, are to be considered as falling within the expression "Germans in Germany".

V

The Swiss Government undertakes, in recognition of the special circumstances, to permit the three Allied Governments to draw immediately up to 50,000,000 Swiss francs upon the proceeds of liquidation of German property against their share thereof. These advances will be devoted to the rehabilitation and resettlement of non-repatriable victims of German action, through the Inter-Governmental Committee on Refugees.

VI

A. Pending the conclusion of multilateral arrangements to which it is the intention of the three Allied Governments to invite the Swiss Government to adhere, and pending the participation of the Swiss Government in such arrangements, no German-owned patent in Switzerland shall be sold or otherwise transferred without the concurrence of the Compensation Office and the Joint Commission.

B. No German-owned trademark or copyright shall be sold or transferred without the concurrence of the Compensation Office and the Joint Commission.

VII

The preceding provisions do not apply to property in Switzerland of the German State, including property of the Reichsbank and the German railroads.

(Here follow the names of the signatories for the Governments of the United States, France and the United Kingdom of Great Britain and Northern Ireland.)

Washington, D.C., May 25, 1946.