

that Party from treating the released property as German enemy.

(ii) If, after property is released under the Agreement:

(a) the recipient Party is obliged as a result of litigation in its territory to surrender custodian control of the property, the releasing Party may reassert its custodian control over the property in order to make an independent test of the litigated issue;

(b) the releasing Party is obliged as a result of litigation in its territory to make a disposition of the property which release has prevented it from making, that Party may reassert custodian control over the property in order to comply with the obligation imposed by the litigation.

If reassertion of custodian control by the releasing Party is required under this sub-paragraph, the recipient Party shall take appropriate action to facilitate such reassertion.

(iii) At the request of the releasing Party, appropriate arrangements shall be made by the recipient Party prior to the release of any property:

(a) assuring the releasing Party that it will be able to regain custodian control over the property or of the proceeds of sale or liquidation or of the value thereof, if required under the terms of sub-paragraph (ii) above;

(b) for indemnification of charges or expenses which may be incurred by the releasing Party with respect to the released property after the date of release.

I. The release of property under the provisions of the Agreement shall not

fjendtlig Kontrol, og at denne Part saaledes ikke kan behandle de frigivne Aktiver som tysk-fjendtlige.

(ii) Saafermt, efter at Aktiver er frigivet i Henhold til Aftalen:

(a) den modtagende Part er forpligtet til som et Resultat af Retssag i dens Territorium at frafalde den kustodiale Kontrol over Aktiverne, kan den frigivende Part paany overtage saadan Kontrol over Aktiverne for at gøre Sagen til Genstand for ny Prøvelse,

(b) den frigivende Part er forpligtet til som et Resultat af Retssag i dens Territorium at foretage en saadan Disposition over de Aktiver, som Frigivelse har forhindret den i at foretage, kan denne Part paany overtage Kontrollen over Aktiverne for derved at opfylde de ved Retssagen paalagte Forpligtelser.

Hvis ifølge nærværende Stykke den frigivende Part paany skal overtage den kustodiale Kontrol over de paagældende Aktiver, skal den modtagende Part træffe passende Foranstaltninger til at lette denne Genovertagelse.

(iii) Paa Anmodning af den frigivende Part skal der, forinden Aktiverne frigives, træffes passende Foranstaltninger af den modtagende Part, gaaende ud paa:

(a) at garantere den frigivende Part, at denne, hvis dette maatte kræves i Henhold til ovenstaaende Punkt (ii), vil være i Stand til at genoptage de kustodiale Kontrol over Aktiverne eller over Salgs- eller Realisationsprovenuet eller Modværdien deraf;

(b) skadesløs Refusion af Udgifter eller Omkostninger, som den frigivende Part efter Datoen for Frigivelsen maatte paadrage sig med Hensyn til de frigivne Aktiver.

I. Frigivelse af Aktiver i Henhold til Aftalens Bestemmelser skal ikke bringe til