

U.S.-ALBANIAN CLAIMS SETTLEMENT AGREEMENT

*Agreement Between the Government of the United States
of America and the Government of the Republic of
Albania on the Settlement of Certain Outstanding Claims*

Entered into Force April 18, 1995

The Government of the United States of America and the Government of the Republic of Albania, desiring to settle claims and outstanding financial issues, have agreed as follows:

Article 1

The claims settled pursuant to this agreement are:

- (a) the claims of United States nationals (including natural and juridical persons) against Albania arising from any nationalization, expropriation, intervention, and other taking of, or measures affecting, property of nationals of the United States prior to the date of this agreement; and
- (b) the claims of nationals of Albania (including natural and juridical persons) against the United States prior to the date of this agreement.

Article 2

Albania shall pay to the United States the sum of U.S. \$2,000,000 (two million dollars) (the settlement amount) as full and final settlement of the claims specified in article 1.

Article 3

1. Upon entry into force of this agreement, the United States shall inform the Tripartite Commission for the Restitution of Monetary Gold of its readiness to consent to the release to the Government of Albania, in accordance with the procedures referred to in paragraph 2, of the appropriate amount of gold under Part III of the Agreement of Reparation of January 14, 1946 and the practices and procedures of the Tripartite Gold Commission. The parties understand that release of the gold to Albania requires the consent not only of the United States Government, but also of the Governments of France and the United Kingdom.
2. Simultaneously with the release to Albania of the gold referred to in paragraph 1, Albania shall pay to the United States the settlement amount. Procedures for the simultaneous release and payment will be agreed by the two parties.

Article 4

The United States shall be exclusively responsible for the distribution of the settlement amount referred to in article 2, to United States nationals for their claims as specified in article 1, in accordance with U.S. law.

Article 5

Albania shall afford United States nationals (including natural and juridical persons) with claims not settled by this agreement the same rights as it affords Albanian nationals under the laws of Albania to pursue and receive compensation, restitution, or any other local remedy available under its domestic restitution or compensation procedures.

Article 6

This agreement shall enter into force on the date on which the parties have notified each other that the necessary domestic requirements have been fulfilled.

In witness whereof, the undersigned, being duly authorized thereto by their respective Governments, have signed the present agreement.

Done at Tirana, in duplicate in the English and Albanian languages, both languages being equally authentic, this 10th day of March, 1995.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

Joseph E. Lake

Ambassador Extraordinary and Plenipotentiary

FOR THE GOVERNMENT OF THE REPUBLIC OF ALBANIA:

Dylber Vrioni

Deputy Prime Minister and Minister of Finance

AGREED MINUTE

During the negotiations of the agreement between the Government of the United States of America and the Government of Albania on the Settlement of Certain Outstanding Claims, signed today, recognizing the special factual circumstances involved, the following understandings, which shall be an integral part of the agreement, were reached:

1. For purposes of article 1, the term "United States nationals" shall include dual United States--Albanian nationals only if those nationals are domiciled in the United States currently or for at least half the period of time between when the property was taken and the date of entry into force of the agreement.
2. Recognizing that the Conservative Baptist Mission Society wishes to obtain restitution of its properties in Albania under Albanian law, rather than receiving compensation therefor under the agreement, and without prejudice to the validity of its claims, any claim by the Conservative Baptist Mission Society for the following three parcels of property in or near Korcha, Albania shall be considered not to have been settled under articles 1 and 2: (1) the property situated on Rruga Dh. Cickes (now Rruga Niko Dodona) known as the American School, the Kennedy School or the Evangelical Mission; (2) the two-story residence formerly used for housing of a staff family, behind the main building of the American School; and (3) a 27-acre property, known as Kennedy Hill, located on St. Athanas hill overlooking the city of Korcha. These properties shall be restituted to the Conservative Baptist Mission Society under Albanian law.
3. Recognizing that Albania is administering a domestic program for compensation and restitution of certain properties, the United States and Albania agreed to exchange information concerning the claims brought under the Albanian program by United States nationals covered by the agreement, as well as information concerning any compensation or restitution provided, in order to assist in avoiding double recovery by claimants.