



Treaty Series No. 20 (1979)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Cuba
concerning Compensation for Losses
suffered by certain United Kingdom
Nationals as a result of the Implementation
of Cuban Nationalisation, Expropriation
and Similar Laws and Measures since
1 January 1959

Havana, 18 October 1978

[The Agreement entered into force on 18 October 1978]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 1979*

LONDON

HER MAJESTY'S STATIONERY OFFICE

25p net

**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF THE REPUBLIC OF CUBA
CONCERNING COMPENSATION FOR LOSSES
SUFFERED BY CERTAIN UNITED KINGDOM NATIONALS
AS A RESULT OF THE IMPLEMENTATION OF
CUBAN NATIONALISATION, EXPROPRIATION
AND SIMILAR LAWS AND MEASURES
SINCE 1 JANUARY 1959**

No. 1

*Her Majesty's Ambassador at Havana to the
First Vice-President of the National Bank of Cuba*

*British Embassy,
Havana
18 October 1978*

Sir,

I have the honour to refer to discussions which have recently taken place between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the Government of the United Kingdom") and the Government of the Republic of Cuba (hereinafter referred to as "the Government of Cuba"), concerning the question of compensation for losses suffered by certain United Kingdom nationals as a result of the implementation of Cuban nationalisation, expropriation and similar laws and measures since the 1st of January 1959. In accordance with those discussions, I have the honour to make the following proposals:

1. The Government of Cuba shall pay to the Government of the United Kingdom a sum in pounds sterling equivalent to Cuban Pesos \$350,000 in full and final settlement of the claims arising out of losses suffered prior to the date of this Note by the United Kingdom nationals listed in Annex A and Annex B to this Note as a result of the implementation of Cuban nationalisation, expropriation and similar laws and measures since the 1st of January 1959. Payment of the aforesaid sum shall be made in accordance with the provisions of paragraphs 2 and 4 of this Note.

2. Within one month of the date of this Note the Government of Cuba shall pay to the Government of the United Kingdom through the Cuban Embassy in London, by cheque made payable to the Finance Officer, Diplomatic Service, a sum in pounds sterling equivalent to Cuban Pesos \$172,115, at the rate of exchange prevailing on the date of payment, which sum represents the total compensation agreed in respect of the losses incurred by the persons listed in Annex A to this Note.

3. The Government of Cuba shall hold in suspense in a special account with the Banco Nacional in Havana the sum of Cuban Pesos \$177,885, which sum represents the total compensation agreed in respect of the losses incurred by the persons listed in Annex B to this Note.

4. The Government of Cuba shall pay to the Government of the United Kingdom, through the Cuban Embassy in London, by cheque made payable to the Finance Officer, Diplomatic Service, at the rate of exchange applied to the payment under paragraph 2 of this Note, a sum in pounds sterling equivalent to the amount specified in respect of each of the persons listed in Annex B to this Note, either

(a) within one month of the date on which the British Embassy in Havana notifies the Government of Cuba that the person listed in Annex B or his heir or successor in title is resident outside the United States of America; or

(b) at such earlier date as the Government of Cuba shall determine.

5. Payment of the sum in pounds sterling equivalent to Cuban Pesos \$350,000, in accordance with paragraphs 2 and 4 of this Note, shall fully and finally discharge the Government of Cuba and Cuban nationals (whether physical or juridical persons) from all liability to the Government of the United Kingdom and to the persons listed in Annex A and Annex B to this Note in respect of the claims mentioned in paragraph 1 of this Note.

6. For its part the Government of the United Kingdom undertakes not to present to the Government of Cuba, on its own behalf or on behalf of any person, any claim relating to a matter for the settlement of which paragraph 1 of this Note provides, or any claim relating to losses suffered by physical persons as a result of the implementation of the laws and measures referred to in paragraph 1 and which were the subject of discussions between the two Governments prior to the date of this Note; nor shall the Government of the United Kingdom support such claims.

If the foregoing proposals are acceptable to the Government of Cuba, I have the honour to propose that the present Note and your reply to that effect shall constitute an Agreement between the two Governments which shall enter into force on today's date.

I avail myself of this opportunity to renew to you the assurances of my most distinguished consideration.

E. JACKSON

ANNEX A

	<i>Pesos Cubanos</i>
Acheson, William McS.	299·00
Allbon, Miss Ethel L.	2,502·00
Beauclerk, Mrs. Lola, Diana M. and Rafael ...	72,750·00
Binge, Derick V.	780·00
Brooks, Mrs. Mary E.	269·00
Cameron, John S.	16,652·00
Fraser, Archibald L. H.	7,755·00
Green, George E.	24,125·00
Hettena, Mrs. Simone ...	9,879·00
Labern, Mrs. Frances M.	371·00
Lismore, Mrs. Viva E. ...	1,489·00
Lugg, Kenneth J.	5,937·00
Milne, John A. G.	486·00
Muller, Arthur R.	414·00
Murray, Moffat ...	190·00
Pella, Oscar A. and Hilda ...	9,664·00
Scribante, Joseph A.	606·00
Smith, Miss Hilda ...	10·00
Thomson, John A.	12,357·00
Vouvalis and Co. Ltd. ...	2,616·00
Williams, Miss Olwen ...	2,964·00
	<hr/>
	172,115·00
	<hr/>

ANNEX B

	<i>Pesos Cubanos</i>
Bell, John D.	8,626·00
Brown, Mrs. Ann ...	3,204·00
Brummer, P. H. ...	67·00
Coster, George W.	657·00
Heal, Ralph and Hilda ...	16,500·00
Howard, Mrs. Mary ...	16,150·00
Howard, Robert L. ...	3,685·00
Irvine, Angus M.	77,000·00
King, Mrs. Florence ...	5,981·00
Mather, E. J.	11,162·00
McGough, Edward L. R.	8,115·00
Solomon, Dr. Frederick ...	1,237·00
Townend, Mrs. V. S. ...	16,920·00
Williamson, Peter B. ...	8,581·00
	<hr/>
	177,885·00
	<hr/>

No. 2

*The First Vice-President of the National Bank of Cuba
to Her Majesty's Ambassador at Havana*

*Banco Nacional de Cuba
La Habana, Cuba.*

La Habana, 18 de octubre de 1978.

Señor Embajador:

Tengo el honor de acusar recibo de su carta de fecha 18 de octubre de 1978, cuyo texto es como sigue:

[Text in English as in No. 1]

En contestación, tengo el honor de informar que las anteriores proposiciones son aceptables al Gobierno de Cuba el que, por lo tanto, conviene en que debe considerarse que la Nota de usted y la presente respuesta constituyen un Convenio entre los dos Gobiernos, el que entrará en vigor a partir de la fecha de hoy.

Aprovecho la oportunidad para reiterarle el testimonio de mi consideración más distinguida.

JULIO IMPERATORI

[Annexes as in No. 1]

[Translation of No. 2]

The National Bank of Cuba
Havana
Cuba.

Havana 18 October 1978.

Sir,

I have the honour to acknowledge receipt of your Note dated 18 October 1978, the text of which is as follows:

[As in No. 1]

In reply I have the honour to state that the foregoing proposals are acceptable to the Government of Cuba who therefore agree that your Note and the present reply constitute an Agreement between the two Governments, which shall enter into force from today's date.

I avail myself of the opportunity to renew to you the assurance of my highest consideration.

JULIO IMPERATORI

1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

HER MAJESTY'S STATIONERY OFFICE

Government Bookshops

49 High Holborn, London WC1V 6HB

13a Castle Street, Edinburgh EH2 3AR

41 The Hayes, Cardiff CF1 1JW

Brazennose Street, Manchester M60 8AS

Southey House, Wine Street, Bristol BS1 2BQ

258 Broad Street, Birmingham B1 2HE

80 Chichester Street, Belfast BT1 4JY

*Government publications are also available
through booksellers*

LD

ISBN 0 10 174520 6

50