

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, DC 20579

In the Matter of the Claim of

CONSERVATIVE BAPTIST FOREIGN
MISSION SOCIETY

Against the Government of Albania

Claim No. ALB-079

Counsel for Claimant:

W. Thomas Powell, Esquire
Powell & Boyer

ORDER

This claim against the Government of Albania is based upon the alleged confiscation of real property located in the District of Korce.

Under section 4(a) of Title I of the International Claims Settlement Act of 1949 ("ICSA"), as amended, the Commission has jurisdiction to

receive, examine, adjudicate, and render final decisions with respect to claims of . . . nationals of the United States included within the terms of . . . any claims agreement on and after March 10, 1954, concluded between the Government of the United States and a foreign government (exclusive of governments against which the United States declared the existence of a state of war during World War II) . . . providing for the settlement and discharge of claims of . . . nationals of the United States against a foreign government, arising out of the nationalization or other taking of property, by the agreement of the Government of the United States to accept from that government a sum in en bloc settlement thereof.

22 U.S.C. 1623(a) (1994).

The Governments of the United States and Albania concluded an agreement for en bloc settlement of claims of United States nationals against Albania on March 10, 1995. *Agreement Between the Government of the United States and the Government of the Republic of Albania on the Settlement of Certain Outstanding Claims*, March 10, 1995 (entered into force April 18, 1995) ("Settlement Agreement"). Claims covered by the Settlement Agreement are

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

Settlement Agreement, Article 1(a).

The claimant's attorney, by facsimile letter of October 11, 1996, has now notified the Commission that the claimant wishes to withdraw its claim from further consideration by the Commission.

The Commission notes that under Paragraph 2 of the Agreed Minute which is part of the Settlement Agreement, any claim by the claimant for "three parcels of property in or near Korcha, Albania" is specifically excluded from the agreement. Nevertheless, the claimant filed a claim in the Commission's program, as a precaution to protect its rights. The claimant recently advised the Commission that the property has now been returned to it. The Commission,

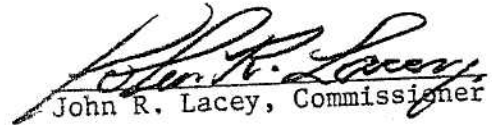
therefore, accepts the claimant's request to withdraw its claim. In doing so, the Commission makes no determination on the merits of the claim.

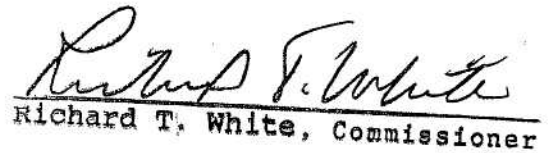
Accordingly, it is ORDERED that the present claim be and it is hereby dismissed without prejudice.

Dated at Washington, DC and entered as the Order of the Commission.

NOV 18 1996


Delissa A. Ridgway, Chair


John R. Lacey, Commissioner


Richard T. White, Commissioner