

No. 621

UNITED NATIONS
and
SWITZERLAND

Exchange of letters (with annex) constituting an agreement relating to the settlement of claims filed against the United Nations in the Congo by Swiss nationals. New York, 3 June 1966

Official text: French.

Filed and recorded by the Secretariat on 3 June 1966.

ORGANISATION DES NATIONS UNIES
et
SUISSE

Échange de lettres (avec annexe) constituant un accord relatif au règlement de réclamations présentées contre l'Organisation des Nations Unies au Congo par des ressortissants suisses. New York, 3 juin 1966

Texte officiel français.

Classé et inscrit au répertoire par le Secrétariat le 3 juin 1966.

[TRANSLATION — TRADUCTION]

No. 621. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED NATIONS AND SWITZERLAND RELATING TO THE SETTLEMENT OF CLAIMS FILED AGAINST THE UNITED NATIONS IN THE CONGO BY SWISS NATIONALS. NEW YORK, 3 JUNE 1966

I

3 June 1966

AD 632/1 (2) ONUC

Mr. Ambassador,

A number of Swiss nationals, a list of whom in attached hereto, have lodged with the United Nations claims for damage to persons and property arising out of the operations of the United Nations Force in the Congo, particularly those which took place in Katanga. The claims in question have been examined by United Nations officials assigned to assemble all the information necessary for establishing the facts submitted by the claimants or their beneficiaries and any other available information.

Consultations have taken place with the Swiss Government. The examination of the claims having now been completed, and without prejudice to the privileges and immunities enjoyed by the United Nations, the Organization will pay to the Swiss Government twenty-eight thousand United States dollars in final settlement of all claims arising from the causes mentioned in the first paragraph of this letter.

I have the honour to inform you that the claimants in respect of whom the United Nations has considered that it must bear financial responsibility are as follows, for the amounts indicated :

1. M ^{me} Jean-Claude Favre	\$25,000
2. Desco de Schulthess and Co.	578
3. Paul Stoudmann	713
4. Manfred Blaser	1,548
5. Marius Golay	161
TOTAL	<u>\$28,000</u>

¹ Came into force on 3 June 1966 by the exchange of the said letters.

The payment of the sum aforesaid is subject to the condition that the Swiss nationals who believe that they suffered damage — including those in respect of whom the United Nations has not considered that it must bear financial responsibility — shall renounce all further claims and, consequently, that the Swiss Government shall take no further action on their behalf.

Acceptance of the above-mentioned payment shall constitute final settlement between Switzerland and the United Nations of all the claims referred to in this letter. It is understood that this settlement does not affect any claims arising out of contractual relationships between the claimants and the Organization or those which continue at present to be handled by United Nations administrative departments, such as ordinary requisitions.

Accept, Sir, the assurances of my highest consideration.

U THANT
Secretary-General

His Excellency Mr. Bernard Turrettini
Ambassador Extraordinary and Plenipotentiary
Permanent Observer of Switzerland
to the United Nations
New York, N. Y.

ANNEX

LIST OF SWISS NATIONALS WHO HAVE LODGED CLAIMS WITH THE UNITED NATIONS FOR DAMAGE TO PERSONS AND PROPERTY ARISING OUT OF THE OPERATIONS OF THE UNITED NATIONS FORCE IN THE CONGO

Blaser, M. F.	Golay, Marius
Bruderlin, E. A.	Maier, Walter
Charbonnier, Iphigénie (Madame Veuve)	Stoudmann, P. B.
Desco de Schulthess and Co.	Thorens, Alain
Diethelm et Cie	Van de Walle, Herman *
Favre, Madame Jean-Claude	

* The Swiss authorities have indicated that they have no information on Mr. Van de Walle's situation and that his nationality is uncertain.

II

New York, 3 June 1966

OFFICE OF THE PERMANENT OBSERVER OF SWITZERLAND
TO THE UNITED NATIONS

Mr. Secretary-General,

I have the honour to acknowledge receipt of your letter of 3 June 1966 concerning the settlement of claims lodged with the United Nations by Swiss nationals or their beneficiaries who suffered damage arising out of the operations carried out by the United Nations Force in the Congo, particularly those which took place in Katanga.

I have the honour to inform you that the Swiss Government is in agreement with the proposed final settlement.

I am able to confirm that the Swiss injured parties—including those in respect of whom the United Nations has not considered that it must bear financial responsibility—have stated that they renounce all further claims. In these circumstances, the Swiss Government will take no further action on their behalf.

Accept, Sir, the assurances of my high consideration.

B. TURRETTINI
Permanent ObserverHis Excellency U Thant
Secretary-General of the United Nations
New York, N. Y.