

No. 23698

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
VANUATU**

**Exchange of notes constituting an agreement concerning the
United Kingdom contribution towards compensation
claims arising out of civil disturbances in Vanuatu in
1980. Port Vila, 13 March 1984**

Authentic text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland
on 2 January 1986.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
VANUATU**

**Échange de notes constituant un accord relatif à la
contribution du Royaume-Uni au paiement d'indem-
nités réclamées à la suite des émeutes à Vanuatu en
1980. Port Vila, 13 mars 1984**

Texte authentique : anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
le 2 janvier 1986.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF VANUATU CONCERNING THE UNITED KINGDOM CONTRIBUTION TOWARDS COMPENSATION CLAIMS ARISING OUT OF CIVIL DISTURBANCES IN VANUATU IN 1980

I

*The United Kingdom High Commissioner at Port Vila
to the Minister of Foreign Affairs and External Trade of Vanuatu*

BRITISH HIGH COMMISSION
PORT VILA

13 March 1984

Sir,

I have the honour to refer to recent correspondence in which the Government of Vanuatu advised that its Council of Ministers accepts in full the Report prepared by Peat, Marwick, Mitchell and Company on compensation claims arising out of civil disturbances on the islands of Santo, Tanna and Malekula between May and August 1980, and to inform you that the Government of the United Kingdom of Great Britain and Northern Ireland shall make an *ex-gratia* contribution of VT 142,068,023 (One hundred and forty-two million sixty-eight thousand and twenty-three vatu) to assist the Government of Vanuatu to meet the cost of admissible claims.

2. The contribution referred to in the preceding paragraph, which amounts to one-third of the total of admissible claims listed in Appendices III, IV and V of the said Report, is made without prejudice to the position of the Government of the United Kingdom and does not amount to the admission of past, present or future liability on the part of the Government of the United Kingdom in any way. This contribution discharges the Government of the United Kingdom from any further contribution in respect of claims arising out of the above-mentioned civil disturbances, and shall be in full and final settlement of any such claims which might be made upon the Government of the United Kingdom.

3. Accordingly, I have the honour to propose that the Government of Vanuatu establish and administer a Compensation Fund from which such claims can be met and into which the contribution made by the Government of the United Kingdom shall be paid.

4. The contribution made by the Government of the United Kingdom shall be used by the Government of Vanuatu to meet one-third of the cost of any

¹ Came into force on 13 March 1984, the date of the note in reply, in accordance with the provisions of the said notes.

admissible claim listed in Appendices III, IV and V of the said Report, and not more than one-third of any one of the claims at the expense of others.

5. The Government of Vanuatu shall ensure that, on receipt of payment, each claimant signs a discharge recording that payment to him has been received and that he undertakes to pursue no further claim, directly or indirectly against the Government of the United Kingdom.

6. The Government of Vanuatu shall supply the Government of the United Kingdom with an annual statement in triplicate in respect of payments made from the Compensation Fund. Each copy of the statement shall be countersigned by the appropriate audit authority, shall show the actual payments made out of the contribution made by the Government of the United Kingdom during each financial year and shall certify that the payments were made in accordance with the terms and conditions set out in this Note. Statements shall be forwarded to the Government of the United Kingdom as soon as possible and in any event not later than twelve months after the end of each financial year.

7. If the proposals set out above are acceptable to the Government of Vanuatu, I have the honour to propose that the present Note together with your reply in that sense shall constitute an Agreement between our two Governments which shall enter into force on the date of your reply.

8. I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

RICHARD B. DORMAN

II

*The Minister of Foreign Affairs and External Trade of Vanuatu
to the United Kingdom High Commissioner at Port Vila*

PORT VILA

13 March 1984

Your Excellency,

I have the honour to acknowledge receipt of your Note of 13 March 1984 which reads as follows:

[See note I]

In reply, I confirm that the contents of your Note are acceptable to the Government of Vanuatu and that your Note and this reply shall constitute an Agreement between our two Governments in this matter which shall enter into force today.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

SELA MOLISA