

No. 24930

**CANADA
and
CUBA**

**Agreement relating to the settlement of Canadian claims.
Signed at Havana on 7 November 1980**

Authentic texts: English, French and Spanish.

Registered by Canada on 16 July 1987.

**CANADA
et
CUBA**

Accord concernant le règlement des réclamations canadiennes. Signé à La Havane le 7 novembre 1980

Textes authentiques : anglais, français et espagnol.

Enregistré par le Canada le 16 juillet 1987.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE REPUBLIC OF CUBA RELATING TO THE SETTLEMENT OF CANADIAN CLAIMS

The Government of Canada and the Government of the Republic of Cuba, wishing to settle definitively the claims relating to indemnification for all property rights, causes of action, and interests of the Canadian natural and juridical persons affected by the laws, legal provisions and measures adopted by the Government of the Republic of Cuba on and after the first day of January, nineteen hundred and fifty-nine, have agreed to the following:

Article I. The Government of the Republic of Cuba shall pay to the Government of Canada, as global indemnity, the sum of eight hundred and fifty thousand Canadian dollars (\$850,000) in final settlement of all Canadian claims in respect of all property, rights, causes of action and interests of all natural persons of Canadian citizenship and juridical persons incorporated or constituted pursuant to the laws of Canada and who, or whose legal predecessors, being Canadian natural or juridical persons, were affected by the laws, legal provisions and measures adopted by the Government of the Republic of Cuba on or after the first day of January, nineteen hundred and fifty-nine, until the date of the signature of the present Agreement inclusive.

Article II. Payment of the sum of eight hundred and fifty thousand Canadian dollars (\$850,000) referred to in Article I of the present Agreement shall be effected through a payment of one hundred and fifty thousand Canadian dollars (\$150,000) on the date of the entry into force of the present Agreement and the remainder, amounting to seven hundred thousand Canadian dollars (\$700,000), in four equal payments of one hundred and seventy-five thousand Canadian dollars (\$175,000) each, payable in four successive half-yearly payments, the first of which shall be made six months after the entry into force of the present Agreement. Such payments shall be made in the form of cheques drawn to the order of the Receiver General of Canada and delivered to the Head of the Canadian Diplomatic Mission in Havana.

Article III. Payment in full of the sum referred to in Article I shall discharge the Government of the Republic of Cuba and Cuban natural and juridical persons from obligations in respect of all matters covered by this Agreement; the Government of Canada will then consider completely settled all claims covered by this Agreement whether or not they have been brought to the attention of the Government of the Republic of Cuba.

Article IV. The Government of Canada guarantees the Government of the Republic of Cuba and all Cuban natural and juridical persons that, acting on its own behalf or on behalf and in representation of Canadian natural and juridical persons, it will not present nor support in the future any claim related to matters covered by the present Agreement.

Article V. The distribution of the sum paid under Article I shall be at the exclusive discretion and within the exclusive competence of the Government of

¹ Came into force on 26 July 1981 by the exchange of the instruments of ratification, which took place at Ottawa, in accordance with article VIII.

Canada. The Government of the Republic of Cuba and Cuban natural and juridical persons are relieved from any responsibility regarding such distribution.

Article VI. 1. To assist the Government of Canada in the distribution of the sum to be paid under Article I, the Government of the Republic of Cuba shall, upon request by the Government of Canada, provide such information and documentation as may be available to it concerning the claims covered by the present Agreement.

2. The Government of Canada shall deliver to the Government of the Republic of Cuba all the bonds, shares and other documents used in each of the claims covered by the present Agreement that will have been considered valid as soon as practicable after their liquidation.

Article VII. Any disagreement concerning the interpretation and application of the present Agreement shall be resolved by direct negotiations between the two parties.

Article VIII. This Agreement shall enter into force on the date of the exchange of instruments of ratification. The exchange of instruments of ratification shall take place at Ottawa as soon as possible.

[For the testimonium and signatures, see p. 214 of this volume.]

DONE in duplicate at Havana, this 7th day of November 1980, in the English, French and Spanish languages, all three versions being equally authentic.

FAIT en double exemplaire à La Havane, ce 7^e jour de novembre 1980 en langues française, anglaise et espagnole, les trois versions faisant également foi.

For the Government of Canada:
Pour le Gouvernement du Canada :

G. R. HARMAN

For the Government of the Republic of Cuba:
Pour le Gouvernement de la République de Cuba :

JOSÉ A. FERNANDEZ DE COSSIO
