

**FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579**

**IN THE MATTER OF THE CLAIM OF**

INOCENCIA CAMACHO

**Under the International Claims Settlement  
Act of 1949, as amended**

**Claim No. CU-1611**

**Decision No. CU 2870**

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was presented by INOCENCIA CAMACHO in the amount of \$15,000.00 based upon the asserted ownership and loss of certain improved real property and personal property in Cuba. Claimant has been a national of the United States since her birth in Puerto Rico.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964), 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government

of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

Claimant contends that she has lost an interest in improved real property in Cuba valued at \$10,000.00 and certain personal property located on said premises valued at \$5,000.00. The record contains a copy of Document of Separation and Sale No. 22, a copy of Document of Construction No. 26, four photographs, a certificate of birth registration, a report furnished to the Commission from sources within Cuba, affidavits from claimant's daughter and son-in-law, and claimants own affidavits, letters, and statements.

On the basis of the entire record, including information available to the Commission, the Commission finds that claimant, INOCENCIA CAMACHO was the owner of certain improved real property described as Lot "C" (consisting of 234 square meters), Reparto Chicharrones, Las Lagunas, Santiago de Cuba, Oriente, Cuba improved with a one-story, five-room house (with kitchen, bath, running water, and sewage connections), 80 square meters in size, built of mortar with mosaic floors and criolla roof. Moreover, the Commission finds that claimant was the owner of certain personal property located on the premises hereinabove described.

On December 6, 1961 the Cuban Government published its Law 989 (Official Gazette, XXIII, No. 237, p. 23705) which confiscated all assets, personal property and real estate, rights, shares, stocks, bonds and securities of persons who left the country. (See Claim of Wallace Tabor and Catherine Tabor, Claim No. CU-0109, 25 FCSC Semiann. Rep. 53 [July-Dec. 1966]).

Claimant states that on January 25, 1964, prior to her departure from Cuba to the United States on February 10, 1964, two uniformed policemen evicted claimant from the subject property, confiscated claimant's keys, and sealed up the house. Claimant contends that she has never recovered the realty or the contents thereof. The Commission finds, in the absence of evidence to the contrary, that claimant's interest in the subject property was taken by the Government of Cuba on January 25, 1964, pursuant to the provisions of Law 989.

Based on the entire record including information available to the Commission, the Commission finds that on the date of loss, the subject land had a value of \$200.00, the house had a value of \$2,000.00, and the personal property located in said house (consisting of certain household goods and personal effects) had a value of \$930.00. Accordingly, the Commission concludes that claimant suffered a loss, within the meaning of Title V of the Act, in the total amount of \$3,130.00.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (See Claim of Lisle Corporation, Claim No. CU-0644).

Accordingly, the Commission concludes that the amount of loss sustained by claimant shall be increased by interest thereon at the rate of 6% per annum from January 25, 1964, the date on which the loss occurred, to the date on which provisions are made for the settlement thereof.

CERTIFICATION OF LOSS

The Commission certifies that INOCENCIA CAMACHO suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Three Thousand One Hundred Thirty Dollars (\$3,130.00) with interest thereon at 6% per annum from January 25, 1964 to the date of settlement.

Dated at Washington, D. C.,  
and entered as the Proposed  
Decision of the Commission

**AUG 21 1968**

*Leonard W. Baughman*  
Leonard W. Baughman, Chairman

*Theodore Jaffe*  
Theodore Jaffe, Commissioner

*Sidney Freidberg*  
Sidney Freidberg, Commissioner

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)