

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

MITZI SCHOO
Jones Point
New York

Claim No. CZ-4,564

Decision No. CZ- 279

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

PROPOSED DECISION

This is a claim against the Government of Czechoslovakia under Section 404, Title IV, of the International Claims Settlement Act of 1949, as amended, by MITZI SCHOO, a national of the United States since her naturalization on November 14, 1941, based upon a refusal by that Government to allow the claimant's brother in Czechoslovakia to forward money from that country to the claimant in the United States in payment of the purchase price of a house.

Section 404 of the Act provides, inter alia, for the determination by the Commission in accordance with applicable substantive law, including international law, of the validity and amount of claims by nationals of the United States against the Government of Czechoslovakia for losses resulting from the nationalization or other taking on and after January 1, 1945, of property, including any rights or interests therein, owned at the time by nationals of the United States.

CZ-9

It appears from the record that the sole act of which the claimant complains is the refusal of the Government of Czechoslovakia to allow her brother in that country to forward money to her in the United States in payment of a debt. It is a well established principle of international law that a State has an absolute right to regulate its own currency. In the exercise of this right, a State may properly prohibit the export of currency. The Commission finds, therefore, that such refusal does not constitute a taking of property within the meaning of Section 404; therefore, the claim must be and hereby is denied.

The Commission finds it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

MAR 7 1960

BY DIRECTION OF THE COMMISSION:

Francis T. Masterson

Francis T. Masterson
Clerk of the Commission

THIS DECISION WAS ENTERED AS THE COMMISSION'S
FINAL DECISION ON APR 11 1960

Francis T. Masterson

Clerk of the Commission

JWm
WB
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BTM