

The Governments of the United States and Albania concluded an agreement for en bloc settlement of claims of United States nationals against Albania on March 10, 1995. *Agreement Between the Government of the United States and the Government of the Republic of Albania on the Settlement of Certain Outstanding Claims*, March 10, 1995 (entered into force April 18, 1995) ("Settlement Agreement"). Claims covered by the Settlement Agreement are

the claims of United States nationals (including natural and juridical persons) against Albania arising from any nationalization, expropriation, intervention, or other taking of, or measures affecting, property of nationals of the United States prior to the date of this agreement[.]

Settlement Agreement, Article 1(a).

The claimant in this case has stated that the property which is the subject of his claim was confiscated by the Albanian government sometime between 1945 and 1990. At the time of confiscation, according to the claimant, the property was owned by either James Camberis or Constantinos Camberis (claimant's father and grandfather, respectively). The claimant has established that he is a citizen of the United States by virtue of his birth in the United States in 1941, and that his father, James Camberis, acquired United States nationality through the naturalization of his father, Constantinos Camberis, on January 22, 1925.

By letter dated February 9, 1996, the Commission asked claimant's attorney to submit some evidence of ownership and of the confiscation of the property in question. By letter dated May 15, 1996, claimant's attorney submitted additional evidence in support of the claim. However, no evidence of ownership or of confiscation has been submitted. Section 531.6(d) of the Commission's regulations provides:

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his or her claim.

45 C.F.R. 531.6(d)(1995).

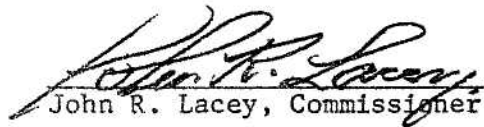
The Commission finds that the claimant has not met the burden of proof in that he has failed to submit supporting evidence to establish the ownership of the property which is the subject of his claim by himself or his father or grandfather, or to establish the date and circumstances of its alleged confiscation between 1945 and 1990. The claimant is responsible for the production of evidence in this case and thus bears the burden of proof in submitting independent objective evidence. Accordingly, the claim therefore must be and is hereby denied.

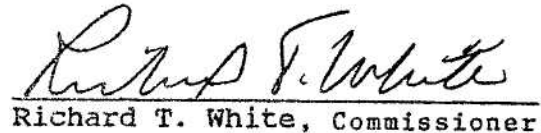
The Commission finds it unnecessary to make determinations with respect to other elements of this claim.

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

JUL 01 1996


Delissa A. Ridgway, Chair


John R. Lacey, Commissioner


Richard T. White, Commissioner

This decision was entered as the Commission's
Final Decision on AUG 15 1996

NOTICE: Pursuant to the Regulations of the Commission, any objections must be filed within 15 days after service or receipt of notice of this Proposed Decision. Absent objection, this 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 Regulations, 45 C.F.R. 531.5 (e) and (g) (1995).