



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 asserted that the properties that are the subject of his claim were confiscated by the Albanian government in 1955 and "officially confiscated" in 1966. At that time, according to the claimant, he was the owner of the properties in question. Claimant has also asserted that he acquired United States nationality by naturalization in 1964 but has submitted no evidence to substantiate that assertion. The only evidence submitted by the claimant in support of his claim consists of a hand-prepared map allegedly showing the properties for which he is claiming.

By letter dated February 14, 1996, the Commission requested that the claimant submit evidence of his United States nationality, his ownership of the properties in question and their alleged confiscation by the Albanian government. However, no substantive response has been received to date.

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).

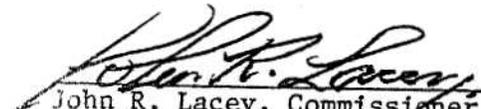
The Commission finds that the claimant has not met the burden of proof in that he has failed to submit supporting evidence to establish his United States nationality, the ownership of the properties which are the subject of his claim, and the date and circumstances of their alleged confiscation. In the absence of such evidence, the Commission must conclude that claimant's claim is not compensable under the terms of the Settlement Agreement. 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.

  
Delissa A. Ridgway, Chair

**AUG 16 1996**

  
John R. Lacey, Commissioner

This decision was entered as the Commission's  
Final Decision on OCT 07 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).