

No. 8487

**UNITED NATIONS
and
LUXEMBOURG**

**Exchange of letters constituting an agreement relating to the
settlement of claims filed against the United Nations
in the Congo by Luxembourg nationals. New York,
28 December 1966**

Official text: French.

Registered ex officio on 28 December 1966.

**ORGANISATION DES NATIONS UNIES
et
LUXEMBOURG**

**Échange de lettres constituant un accord relatif au règlement
de réclamations présentées contre l'Organisation des
Nations Unies au Congo par des ressortissants luxem-
bourgeois. New York, 28 décembre 1966**

Texte officiel français.

Enregistré d'office le 28 décembre 1966.

[TRANSLATION — TRADUCTION]

No. 8487. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED NATIONS AND LUXEMBOURG RELATING TO THE SETTLEMENT OF CLAIMS FILED AGAINST THE UNITED NATIONS IN THE CONGO BY LUXEMBOURG NATIONALS. NEW YORK, 28 DECEMBER 1966

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UNITED NATIONS
NEW YORK

28 December 1966

Sir,

A number of Luxembourg nationals have lodged with the United Nations claims for damage to persons and property arising from the operations of the United Nations Force in the Congo, particularly those which took place in Katanga. The claims in question have been examined by United Nations officials assigned to assemble all the information necessary for establishing the relevant facts submitted by the claimants or their beneficiaries and any other available information.

The United Nations has agreed that the claims of Luxembourg nationals who may have suffered damage as a result of harmful acts committed by ONUC personnel, and not arising from military necessity, should be dealt with in an equitable manner.

It has stated that it would not evade responsibility where it was established that United Nations agents had in fact caused unjustified damage to innocent parties.

It is pointed out that, under these principles, the United Nations does not assume liability for damage to persons or property which resulted solely from military operations or which was caused by third parties, such as Baluba refugees; cases based on such claims are therefore excluded from the proposed compensation.

Consultations have taken place with the Luxembourg Government. The examination of the claims having now been completed, the United Nations shall,

¹ Came into force on 28 December 1966 by the exchange of the said letters.