

No. 31159

**AUSTRALIA
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

**Exchange of letters constituting an agreement relating to
Nauru. Canberra, 24 March 1994**

Authentic text: English.

Registered by Australia on 18 August 1994.

**AUSTRALIE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

**Échange de lettres constituant un accord concernant Nauru.
Canberra, 24 mars 1994**

Texte authentique : anglais.

Enregistré par l'Australie le 18 août 1994.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND RELATING TO NAURU

I

24 March 1994

Your Excellency,

I have the honour to refer to the discussions between the Government of the United Kingdom of Great Britain and Northern Ireland ("the United Kingdom") and the Government of Australia regarding the Agreement between Australia and the Republic of Nauru for the Settlement of the Case in the International Court of Justice Concerning Certain Phosphate Lands in Nauru signed at Nauru on 10 August 1993 ("the Settlement Agreement")² and in particular Article 3 of that Agreement, which enures in favour of the United Kingdom and which constitutes a release for the United Kingdom from all claims which Nauru might make against it in relation to the administration of Nauru and the other matters referred to in that Article. I further have the honour to make the following proposals.

1. The Government of the United Kingdom shall in reliance on Article 3 of the Settlement Agreement and on an ex gratia basis pay to the Government of Australia the sum of £5,740,000 (five million, seven hundred and forty thousand pounds sterling) in full and final settlement of any claims whatsoever that the Government of Australia may have, now or in the future, against the Government of the United Kingdom, its servants or agents:

- (a) arising out of or concerning the administration of Nauru during the period of the League of Nations Mandate or the United Nations Trusteeship, or the termination of that administration;
- (b) arising out of or concerning the phosphate mining at Nauru, including any matter concerning the British Phosphate Commissioners, their assets or liabilities, or concerning the winding up of the affairs of Commissioners and the distribution of their assets and liabilities; or

¹ Came into force on 24 March 1994, the date of the letter in reply, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 1770, No. I-30807.