
Legal Assistance to Canadians

Settlement of claims

In 1974 all known Canadian claims against Yugoslavia were presented to the Yugoslav authorities with a request for documentary evidence relating to each claim. Replies were received in respect of one-third of the claims submitted. Once the remaining information requested has been received, Canada will be ready to initiate formal claims negotiations. Correspondence also continued to be exchanged between the Canadian and Cuban Governments concerning Canadian claims in preparation for a second round of negotiations, to take place early in 1975.

Further to an understanding reached with the Chinese authorities, the Legal Bureau late in 1974 began to collect information regarding possible claims against the People's Republic of China. In the absence of an agreement between Canada and China to negotiate a formal claims settlement, however, the role of the Department will be simply to transmit details of potential claims to the Chinese authorities for investigation and verification by local authorities.

The claims of David McTaggart, arising out of the 1972 and 1973 *Greenpeace III* incidents, continued to be the subject of discussions between Canadian and French government representatives. It was realized that, if these failed to bring about a reasonable settlement, formal espousal of the claims could ensue. Numerous other individual and corporate Canadian citizens were also assisted in seeking compensation for various claims against foreign governments.

Private international law

The section of the Bureau of Legal Affairs dealing with private international law is responsible for legal proceedings between Canada and foreign countries, either on the basis of conventions or by arranged procedures. Private lawyers in

Canada generate a large volume of requests to serve legal documents such as divorce petitions and writs of summons on persons residing abroad, in cases where civil suits have been commenced in Canada. Evidence must often be obtained from witnesses abroad, either by private arrangements or by requests for rogatory commissions when the co-operation of foreign courts is required. Further, the section authenticates signatures on Canadian documents required for use abroad.

With the increasing mobility of individuals it is inevitable that questions of social security, enforcement of maintenance orders and judgments and other related issues should become the subject of international dialogue between states. As most of these subjects fall within areas of provincial jurisdiction, considerable liaison between the Department and provincial attorney-general departments is required to establish and administer the necessary reciprocal arrangements.

Another area where co-operation between states is needed is the enforcement of criminal law. To facilitate extradition of persons to and from Canada and of fugitive offenders in Commonwealth countries, the Department is in contact with police forces at all levels, and with provincial and federal departments of government, particularly with the Department of Justice, as well as with Canadian and foreign missions. The Legal Bureau in 1974 also represented the Department on the Canadian-U.S.-Mexico Tripartite Narcotics Control Talks, and acted as departmental adviser in the law-making activities of international organizations such as UNIDROIT and the Hague Conference on Private International Law.

During 1974 officers of the Department participated in the UN Conference on the Convention on Prescription (Limitations) in the International Sale of Goods. The Department was also represented on the International Adoption Committee established to simplify provincial adoption