

The WITNESS: As I say, they would allow the case to be defended by the insurance company in the usual way. But they are not obligated to do so.

Mr. GOODE: But they do waive their immunity in those cases?

The WITNESS: Yes. Immunity can always be waived, and that practice has become very general.

Mr. GOODE: Yes.

Mr. GRAYDON: But suppose there is no insurance. What would happen then?

Mr. STICK: In that case, Canada would pay it.

Mr. LESAGE: It has happened, and via diplomatic channels the family was compensated by the government whose representative caused the accident. There has never been any trouble. The government of the country pays.

Mr. GOODE: Mr. Graydon asked: suppose there was no insurance. Let us suppose that this family is entitled to receive \$10,000 under the law. Do we have to depend on the foreign country to pay that money through diplomatic channels? It might take 5 years. Or, does the government of Canada accept a responsibility for it?

Mr. LESAGE: The Canadian government does not have any responsibility. I do not think a settlement would take 5 years. I might say that any claims of that kind have been promptly settled by other countries here; and whenever we have had claims against us because of the fault or negligence of our representatives in other countries, the people entitled to be paid, have been paid and paid very promptly.

Mr. GOODE: I do not think that Russia comes under this heading.

The WITNESS: It is always a matter of deep concern to the foreign government.

Mr. GOODE: This may not come under the Act, but let us suppose we had a damage claim against Russia. The parliamentary assistant has said that it would not take as long as 5 years to get it paid. But I disagree with him. I think it would take even longer than that. I believe we have had certain damage claims against them, and I believe those claims have been outstanding for 20 years and are not settled yet.

Mr. LESAGE: There has never been any trouble with anyone.

Mr. GOODE: Might I suggest that this might happen at some time. As to the particular position we are in, and the position that the family is in, while it is purely hypothetical at the moment, it might happen.

The WITNESS: The best answer to your question, I think, Mr. Goode, is that we are concerned with our own people in foreign countries, because they also drive cars and may become involved in the unfortunate experience of an accident. So we regard this question of immunity as a rather delicate one. Of course, there are all sorts of factors involved. Our relationship to the foreign country in question is involved, and our representation in that country is involved, and there is naturally sympathy with anybody who has a family in those circumstances. I do not think that too much point should be made of this problem, but that is not for me to say, of course.

Mr. GOODE: You are saying that you are not going to answer me?

The WITNESS: No. But I do know that these occurrences are so rare that they are really most exceptional.

Mr. QUELCH: I remember that recently there was a good deal of trouble about a foreign representative here whose dog bit somebody, and the victim was unable to get compensation.

Mr. BREITHAUP: That happened right here in Ottawa, I think, about a year ago.