

GOVERNMENT



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The Department of External Affairs announced today that under provisions of treaties of peace signed with three countries -- Italy, Roumania and Finland -- Canada has the right to re-examine the decisions of all of their prize courts held during the Second World War.

In the event Canada finds that the decisions of these courts were not in conformity with international law, the Governments concerned are required to set the decisions aside and revise them according to the wishes of the Canadian Government. All three treaties of peace in this matter are substantially the same.

At the same time, the Department announced that provisions are contained in the treaties of peace with Italy, Roumania, Hungary and Finland for the revision of judgments by public courts. The Governments of these four countries are obliged to enable the nationals of the United Nations to submit for review any judgment where the national has been unable adequately to present his case, either as plaintiff or defendant.

This obligation is imposed on the Government concerned during the period of one year, commencing from the date of the coming into force of the treaties of peace concerned. With respect to Italy, this period expires ~~March~~ 15, 1948, and with respect to Roumania, Hungary and Finland, the period expires ~~March~~ 19, 1948.

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The reference in each treaty of peace in connection with prize courts is as follows:

Annex XVII A of the treaty of peace with Italy and

Annex VI A of the treaties of peace with Roumania and Finland.

The reference in each treaty of peace with respect to the public court judgments is as follows:

Annex XVII B of the treaty of peace with Italy

Annex VI of the treaty of peace with Hungary, and

Annex VI B of each of the treaties of peace with Roumania and Finland

Annex XVII of the treaty of peace with Italy on the subject of Prize Courts and Judgments reads:

"A. Prize Courts

Each of the Allied and Associated Powers reserves the right to examine, according to a procedure to be established by it, all decisions and orders of the Italian Prize Courts in cases involving ownership rights of its nationals, and to recommend to the Italian Government that revision shall be undertaken of such of those decisions or orders as may not be in conformity with international law.

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