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LEGAL AFFAIRS

Under the Direction of the Departmental Legal Adviser, who is an Assistant Under-Secretary of State for External Affairs, the Legal Division works to ensure that, so far as Canada is concerned, international undertakings are conducted in accordance with approved legal principles and practices. It provides the Department with advice on public and private international law and on constitutional and comparative law, and maintains contact on certain matters with the Department of Justice, the Office of the Judge Advocate General and other government legal branches. In addition, the Legal Division follows closely the work of the Sixth (Legal) Committee of the United Nations General Assembly and the International Law Commission. It concerns itself, in a variety of other ways, with Canada's role in respect of the development of international law.

Organizationally, the Division comprises a Head of Division, two Deputy Heads, and several sections. The Legal Planning Section is designed to co-ordinate and assist in planning Canadian policy on legal and quasi-legal questions and to handle problems referred to the Legal Division from political divisions. An Interdepartmental Legal Planning Committee has been established to anticipate the need for legally qualified personnel to participate in international conferences and negotiations, to help ensure that all government departments concerned with such conferences and negotiations are adequately consulted in the formulation of guidance on legal matters, and, in general, to assist in providing liaison and co-ordination between departments.

A Treaty and Economic Section assists in the preparation and interpretation of international agreements and is responsible for the maintenance of treaty records, the registration of treaties under the United Nations, their publication in the Canada Treaty Series and their tabling in Parliament, and deals with problems of an economic nature.

The Claims Section is concerned with the protection of the properties and interests of Canadian citizens which might be subject to nationalization, confiscation or other arbitrary measures by foreign governments. This Section seeks to assist such Canadians, for example, by presentation of international claims through diplomatic channels to recover property abroad which has been wrongfully seized or to obtain compensation in accordance with established principles of international law.

Certain officers deal with boundary-waters questions and private international law matters. In the course of 1965, the Legal Division has been responsible for such matters of special interest to Canada as the peaceful uses of outer space, the Gut Dám Tribunal, and the settlement of claims with Eastern European countries.