

particular government towards an overall settlement of general categories of Canadian claims, as in the case of Hungary, Bulgaria and Poland, the Department issues for the guidance of claimants special notices and questionnaires designed to meet the particular requirements of the pending negotiations. These notices invite Canadians to submit details of their claims to the Department by a given deadline, preparatory to negotiations. After the period of registration, the claims are examined and classified by legally-trained staff in the Claims Section and, where necessary, individual claimants are asked to provide further information and documentation which the Canadian negotiators would require to advance the claims effectively during negotiations. As an example, the text of the Department's notice in respect of Poland dated September 1, 1965, is set out below.

Types of Assistance Available

Assuming that the prerequisites have been met and that the claimant has established that he has a grievance or a claim which may be taken up by the Canadian Government, what kind of assistance might be contemplated by the Canadian Government? Assistance by the Canadian Government might be considered under one of the four following headings:

- (a) Presentation of individual claims for settlement through diplomatic channels.
- (b) Presentation of individual claims for adjudication by an international tribunal.
- (c) Negotiation of a lump-sum settlement of a number of claims.
- (d) Assistance by way of informal good offices.

The presentation of claims on an individual basis through diplomatic channels may lead to a settlement or may eventually lead to third-party adjudication or negotiations towards a lump-sum settlement, which would include other similar claims that remain unsatisfied. Thus (a) may suffice to settle the matter, or it may merely be a preliminary to (b), particularly where the claim at issue poses difficult questions of fact or of law which require judicial determination, or (c), where numerous claims are involved.

Settlement by International Court or Tribunal

The classical mode of settlement of international claims, if no agreement can be reached by direct diplomatic negotiations, is by reference to an international court or arbitral tribunal for adjudication. The matter may be referred to the International Court of Justice in The Hague by agreement of the parties, or as a result of their acceptance of the compulsory jurisdiction of the Court by declarations made under Article 36 of the Statute of the International Court of Justice. Alternatively, the claim may be adjudicated by a special court or tribunal having jurisdiction conferred upon it by agreement of the parties. An example of this mode of settlement was the celebrated "I'm alone" case of 1929, where Canada and the United States agreed to refer to a mixed arbitral commission the question