

entitled to such sum plus the value of the use of the money for the entire period during which he was deprived of its use, otherwise interest, if he is to receive full compensation.⁽¹⁾

Because of the limited funds available under the Bulgarian settlement and uncertainty in some cases as to the actual date of loss of the property, Chief Justice Campbell was unable to recommend payment of interest from date of loss. Also the "numerous fluctuations and reforms in the value of currency" made it "difficult to determine a rate or duration of interest which would provide adequate compensation in each individual case without unduly depleting the fund available under Articles I and II of the 'Agreement' ". Accordingly, in view of these factors, the Chief Justice recommended that "in each case where the allowance of interest is not specifically excluded, there be added to the capital amount to which a claimant is found to be entitled under the 'Agreement', a sum by way of interest equivalent to one-third of each capital amount".

An outline of Chief Justice Campbell's general recommendations would be incomplete without mention of his recommendation as to payment of expenses. The Chief Justice explained in this respect that :

It is also apparent that claimants have necessarily incurred considerable expense in the preparation of their claims. In the absence of detailed proof of the items of expense so incurred, I recommend that there be paid to each claimant who establishes a valid claim (or claims) the sum of 50 dollars to compensate for expenses incurred in the preparation and presentation of the claim or claims. Where two or more beneficiaries share in the proceeds of a claim or group of claims established under the "Agreement", I recommend that they share equally in such additional payment to be made for expenses.

The importance of this claims-settlement agreement for Canada can be appreciated when it is recalled that the Department of External Affairs has records of several thousand claims of Canadian citizens against other states, including a number of Eastern European states, for nationalization and other takings of their property. These claims have reached a total amount of millions of dollars and it is hoped that the Bulgarian settlement will be followed by settlements with other Eastern European states.

(1) Quoted in *Report of the Advisory Commissioner on War Claims*, February 25, 1952, Page 88.