

I was the first Canadian Minister to have raised this matter with any American Secretary of State, when I spoke to Mr. Shultz last May. As a result of that conversation, Mr. Shultz asked his Legal Advisor, Judge Sofaer, to review the matter. Mr. Shultz informed me in Calgary that Judge Sofaer had concluded that the U.S. was not liable and that the U.S. Courts should decide on the case. The disadvantage to a court settlement, of course, is that it takes time, and the Plaintiffs are elderly. I emphasized to Mr. Shultz that I attach the highest priority to an early resolution of this matter, and that I would seek the full cooperation of the U.S. Administration in ensuring that the court case proceed as expeditiously as possible.

Judge Sofaer's response suggests there might be facts in U.S. possession which are not known to Canada. I want to know the facts, so the Minister of Justice and I have accepted a United States offer to brief a senior official from the Canadian Justice Department on the facts as the U.S. sees them.

You have suggested that I take that case before the International Court of Justice, in the Hague. That would not offer much relief to the Canadian citizens since International Court proceedings can take a long time. Moreover, the International Court does not have the power to award compensation to private individuals. If the priority is to help these Canadians - and that is my priority - it would not be useful to engage in still another legal procedure at this stage.

Certain facts are in dispute. What is not in dispute is that Canadian citizens were subjects of experimental psychiatric treatment which adversely affected them. I want to help those Canadians. That is what caused me to raise the matter in the first place. My main objective remains to achieve just compensation for the Canadians involved. I trust I will have your help, and that of others who are interested, in resisting diversion from that essential purpose.

In accordance with your practice, I am publishing this letter.

With good wishes,

Yours sincerely,


Joe Clark"