

No. 12351

CANADA
and
BULGARIA

Agreement relating to the settlement of financial matters (with agreed minute, exchange of letters concerning the establishment of diplomatic relations and of diplomatic and trade representation between the two countries, and exchange of notes concerning certain consular matters). Signed at Ottawa on 30 June 1966

Authentic texts of the Agreement: English, French and Bulgarian.

Authentic texts of exchanges of letters and notes: English and French.

Registered by Canada on 28 March 1973.

CANADA
et
BULGARIE

Accord relatif au règlement de questions financières (avec extrait du procès-verbal, échange de lettres au sujet de l'établissement de relations diplomatiques et d'une représentation diplomatique et commerciale entre les deux pays, et échange de notes relatif à certaines questions consulaires). Signé à Ottawa le 30 juin 1966

Textes authentiques de l'Accord: anglais, français et bulgare.

Textes authentiques des échanges de lettres et de notes: anglais et français.

Enregistré par le Canada le 28 mars 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC
OF BULGARIA RELATING TO THE SETTLEMENT OF
FINANCIAL MATTERS

The Government of Canada and the Government of the People's Republic of Bulgaria, in their desire to settle definitively financial questions pending between the two countries, have agreed as follows :

Article I

The Bulgarian Government shall pay to the Canadian Government the lump-sum of forty thousand Canadian dollars in full and final settlement of the claims of the Government of Canada, Canadian citizens and Canadian juridical persons against the Bulgarian Government in respect of property, rights, interests and debts in Bulgaria which have been affected directly or indirectly by Bulgarian measures of nationalization, expropriation or other similar measures which have taken effect before the date of the present Agreement.

Article II

Payment of the lump-sum mentioned in article I of the present agreement shall be made by the Bulgarian Government to the Canadian Government within two months from the date of signature of this Agreement.

Article III

For the purpose of the present Agreement, claims of Canada citizens and of Canadian juridical persons refer to claims which were owned by Canadian citizens or by Canadian juridical persons on the effective date of nationalization, expropriation or other similar measure and continuously thereafter until the date of the present Agreement.

Article IV

The Canadian Government will consider as settled and discharged as between the Governments of Canada and Bulgaria all claims mentioned in

¹ Came into force on 30 June 1966 by signature, in accordance with article VII.

article I of the present Agreement, and the Canadian Government will not pursue, support or present to the Bulgarian Government any such claims whether or not they have already been brought to the attention of the Bulgarian Government. In respect of any measures of the type described in article I of this Agreement, the Bulgarian Government agrees not to pursue, support or present to the Canadian Government any claims against the Canadian Government held by the Bulgarian Government, by Bulgarian citizens or by Bulgarian juridical persons which may have arisen prior to the date of signature of this Agreement.

Article V

(1) The distribution of the amount mentioned in article I falls within the exclusive competence and responsibility of the Canadian Government.

(2) To facilitate the distribution of this amount the Bulgarian Government shall, at the request of the Canadian Government, furnish as soon as possible such documents and such details of title and of value as are held by the appropriate Bulgarian authorities so as to enable the Canadian Government to determine any claims of Canadian citizens.

Article VI

The Government of Canada will continue to return, in accordance with Canadian law, upon submission to the Canadian Custodian of Enemy Property of such evidence of ownership as the Custodian may require, those assets which were vested in the Custodian in respect of Bulgarian nationals, and which are still held by the Custodian, provided that the requirements of Canadian law shall, in the opinion of the Canadian authorities, be met before April 30, 1970.

Article VII

The present Agreement shall come into force upon the date of signature.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in two copies at Ottawa this thirtieth day of June, 1966, in the English, French and Bulgarian languages, each version being equally authentic.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, ont signé le présent Accord.

FAIT en double expédition à Ottawa le 30 juin 1966, en langues anglaise, française et bulgare, l'un et l'autre texte faisant également foi.

В УВЕРЕНИЕ НА КОЕТО долуподписаните, надлежно упълномощени от техните съответни правителства подписаха настоящата Спогодба.

СЪСТАВЕНА в два екземпляра в Отава на тридесети юни 1966 г., на английски, френски и български езици, като всеки текст има еднаква достоверност.

За Правителството на Канада :
For the Government of Canada :
Pour le Gouvernement du Canada :

PAUL MARTIN

За Правителството на Народна република България :
For the Government of the People's Republic of Bulgaria :
Pour le Gouvernement de la République populaire de Bulgarie :

Г. ГРОЗЕВ¹

¹ Signed by G. Grozev — Signé par G. Grozev.

AGREED MINUTE

The Delegation of Canada and the Delegation of the People's Republic of Bulgaria, pursuant to the Agreement between Canada and Bulgaria which was concluded on this day's date by the Governments of the two countries for the settlement of claims of the Canadian Government, of Canadian citizens and of Canadian juridical persons, reached the understanding that nothing in the above Agreement shall be deemed to relate to any external bond obligations issued or guaranteed by the Bulgarian Government.

PAUL MARTIN
G. GROZEV

Ottawa, June 30, 1966

EXTRAIT DU PROCÈS-VERBAL

La Délégation du Canada et la Délégation de la République populaire de Bulgarie, conformément à l'Accord entre le Canada et la Bulgarie conclu aujourd'hui par les Gouvernements des deux pays pour le règlement de réclamations du Gouvernement canadien, de citoyens canadiens et de personnes morales canadiennes, ont convenu que rien dans l'Accord ci-dessus n'est censé avoir trait aux obligations extérieures émises ou garanties par le Gouvernement bulgare.

PAUL MARTIN
G. GROZEV

Ottawa, le 30 juin 1966

СЪГЛАСУВАН ПРОТОКОЛ

Делегацията на Канада и делегацията на Народна република България, в съответствие със Спогодбата между Канада и България, сключена на днешната дата от правителствата на двете страни за уреждане на финансови претенции на канадското правителство, на канадски граждани и канадски юридически лица, постигнаха споразумение, че нищо в горната Спогодба не ще се счита, че се отнася до облигациите по външните държавни заеми издадени или гарантирани от българското правителство.

[Signed – Signé]
PAUL MARTIN
[Signed – Signé]
G. GROZEV

Отава, 30 юни 1966 г.

EXCHANGE OF LETTERS

I

The Secretary of State for External Affairs

Ottawa, June 30, 1966

Excellency,

I have the honour to refer to the recent discussions which have taken place in Ottawa between representatives of our Governments on the subject of the establishment of diplomatic relations and of diplomatic and trade representation between our two countries.

In those discussions an understanding was reached that diplomatic relations would be established immediately between Canada and the People's Republic of Bulgaria. The Canadian Government intends initially to accredit to Bulgaria a non-resident Ambassador from a nearby country. I understand that the Bulgarian Government intends initially to establish a resident Embassy in Ottawa under a *chargé d'affaires a.i.* and with a non-resident Ambassador.

It was understood also that the People's Republic of Bulgaria would be entitled to establish a Trade Commissioner's office in the city of Montreal, staffed by government trade officials who would have the equivalent privileges and immunities (but not the functions) of the head and members of the staff of a consulate; and that Canada, would reciprocally be entitled to establish trade representation in Bulgaria.

I have the honour to confirm the acceptance of these arrangements by the Government of Canada and to request in return your confirmation of their acceptance by the Government of the People's Republic of Bulgaria.

Accept, Excellency, the assurance of my highest consideration.

PAUL MARTIN

His Excellency, Gero Grozev
First Deputy Minister for Foreign Affairs
Head of the Bulgarian Delegation
Ottawa

II

The Head of the Delegation of the People's Republic of Bulgaria

Ottawa, June 30, 1966

Sir,

I have the honour to acknowledge receipt of your letter of this date which reads as follows :

[See letter I]

I have the honour to confirm to you the acceptance of these arrangements by the Government of the People's Republic of Bulgaria.

Accept, Sir, the assurances of my highest consideration.

GERO GROZEV

The Honourable Paul Martin
Secretary of State for External Affairs
Ottawa, Canada

EXCHANGE OF NOTES

I

The Head of the Delegation of the People's Republic of Bulgaria

June 30, 1966

Sir,

Referring to the discussions between the representatives of the Government of the People's Republic of Bulgaria and the Government of Canada on consular matters, I have the honour to confirm the agreement reached on the following points :

1. The Bulgarian and Canadian authorities will give benevolent consideration on humanitarian grounds to applications by persons admissible respectively to Canada or Bulgaria who wish to emigrate in order to join members of their families in the other country.

2. The Bulgarian authorities, when considering in accordance with their laws an application for release from Bulgarian citizenship of a person who has acquired Canadian citizenship by naturalization, will take into account as a circumstance worthy of special consideration the fact that the applicant is a dual national normally resident in Canada. The Canadian authorities will accord complete reciprocity in corresponding cases.

3. A dual national (whether by birth or naturalization) of Bulgarian and Canada who visits Bulgaria on a Canadian passport furnished with a Bulgarian visa or who visits Canada on a Bulgarian passport furnished with a Canadian visa will not be denied permission to leave Bulgaria or Canada, respectively, on the ground that he possesses the citizenship of the country visited.

4. The Bulgarian and Canadian authorities will give sympathetic consideration to requests for permission to depart from Bulgaria or Canada respectively received from dual nationals of Bulgaria and Canada (either born in Canada or naturalized in Canada) who have previously been residing permanently in either country and wish to transfer residence to the other.

5. The authorities of Bulgaria and Canada, in accordance with their respective laws, will give sympathetic consideration to any request by the authorized

representative of the other for consular access to any citizen of Canada or Bulgaria who is detained or arrested in the other country.

6. The Bulgarian authorities will return to the Canadian authorities all Canadian passports held by or surrendered to the Bulgarian authorities. In like manner the Canadian authorities will return to the Bulgarian authorities all Bulgarian passports held by or surrendered to the Canadian authorities.

Accept, Sir, the assurances of my highest consideration.

GERO GROZEV

The Honourable Paul Martin
Secretary of State for External Affairs
Ottawa

II

The Secretary of State for External Affairs

June 30, 1966

Your Excellency,

I have the honour to thank you for your note of June 30, referring to the discussions between the representatives of the Government of the People's Republic of Bulgaria and the Government of Canada on consular matters and to confirm the agreement reached on the following points :

[See note I]

Accept, Excellency, the assurance of my highest consideration.

PAUL MARTIN

His Excellency Mr. Gero Grozev
Head of the Bulgarian Delegation
Ottawa