

33. If any party fail to appear the case may be proceeded with in his absence, but the Agent of the Government of such party may intervene and himself take up the case, and the Tribunal may, on the application of such Agent or on its own motion, adjourn the case.

34. It shall be permissible for either Government to conduct the case of its national through its Agent, and such Agent may appear either in person or by counsel or other recognized advocate. Either Agent may also appear independently of the parties, by himself or by counsel or other recognized advocate, and may intervene in the proceedings in such manner and at such time as the Tribunal may direct.

35. (a.) If the Government Agent of the Respondent, after making all reasonable efforts, shall be unable to cause the memorial to be served upon the Respondent as provided by Rule 7 at the expiration of twenty-one days from the receipt of the memorial by such Agent, he shall forthwith report such failure to the Secretariat, giving the reasons for such failure and stating the steps he has taken to effect service, and the Secretariat shall inform the Claimant that the Respondent has not been served.

(b.) On the application of the Claimant the Tribunal may thereupon, if it thinks fit, allow the claim to be proceeded with, or may make such other order in the matter as it thinks fit. The Government Agent of the Respondent shall be entitled to intervene on such application being made, and the Claimant shall give ten days' notice to such Agent of such application.

36. If at any stage of the proceedings a party requires to prove any specific fact it shall be open to the party to give a notice to the other party to admit or dispute such fact. If the party to whom notice is so given disputes the fact, and such fact is subsequently established, the Tribunal may in its discretion order the party who has disputed such fact to pay the costs of proof and any other costs occasioned thereby, whatever may be the result of the case, provided always that any such admission shall only be binding upon the parties.

37. Where a claim is made against either Government, and such claim is admitted by the Government in question, it shall be competent to the parties to agree upon a form of decision setting out with sufficient detail the claim which is admitted and the payment and restitution or other remedy or relief agreed upon, and to submit the same to the Tribunal, who, if it thinks fit, and if the Government Agent of the national claiming has not objected, will register the same as a decision; and the same shall, when registered, be deemed for all purposes to be a decision of the Tribunal: Provided that the Tribunal will not register any such decision unless the Government prove that he has submitted a true copy of the same to his Government Agent at least ten days previously. The same procedure, with any necessary modification, may be adopted where the claim is made against a national of either Government: Provided that in such a case the Agent of neither Government has objected, and it is proved to the satisfaction of the Tribunal that the respective Government Agents have had true copies of the form of decision submitted to them at least ten days previously.

38. If in any case the parties agree upon the facts, and desire the determination of the Tribunal on those facts, they shall submit an agreed statement of facts to the Tribunal, and it shall be competent to the Tribunal, with or without argument, according to the desire of the parties, to determine the questions at issue: Provided that the Tribunal may in any case require arguments to be presented to them: Provided also that in all cases the assent of the Government Agents, in writing, to the correctness of the facts as stated shall be obtained, except where the claim is against a Government.

#### DECISION.

39. The decision of the Tribunal will in all cases be drawn up in writing and registered, and copies thereof will be sent by the Secretariat to the parties and Government Agents. The decision will also deal with costs and expenses.

40. The Tribunal reserves to itself the power to correct an error in any decision or other order arising from a slip or accidental omission, or to explain any ambiguity or other doubtful expression appearing in the decision. It shall be open to the parties or to the Government Agents to give notice of application to the Tribunal for any such correction or for any such explanation within thirty days of the publication of the decision. No such application will be heard after the expiration of that period.

41. The Tribunal reserves the right to stay execution on its decisions in any case where it appears proper to do so.

42. (a.) The Tribunal may require to be satisfied that all notices and communications prescribed by these Rules have been duly received. The