

ment, but it does not make allowance for the possibility of exercising municipal jurisdiction in certain occasional cases of damage of international character, in which the responsible State tenders or undertakes by itself to make reparation. This deficiency should be corrected.

Said formula is as follows:

“No claim for indemnity may be instituted through diplomatic channels, while the injured person still has at his disposal efficient and sufficient means for the proper handling of the claim.

“No claim for reparation for the damage sustained by persons may be instituted either, if the State responsible places at the disposal of the injured persons efficient means to secure redress.”

Moreover, it would also be advisable to supplement the foregoing formula, as a basis for its provisions, with that of the Harvard Law School Research Committee, which establishes the duty of every State to afford aliens efficient means of redress for the damage they may have sustained by reason of the acts of public officers or agents, or of private persons.¹ Thus corrected and supplemented, the resolution of the Institute of International Law appears to cover all the requirements of this interesting problem.

¹“Article 5.—A state has a duty to afford to an alien means of redress for injuries which are not less adequate than the means of redress afforded to its nationals.” (Research in International Law—Harvard Law School—p. 133.)