

Peaceful Uses of Outer Space

The Twenty-Eighth Legal Sub-committee of the United Nations General Assembly Committee on the Peaceful Uses of Outer Space, with Canada as a member, held its fourth session in New York from September 20 through October 1, 1965.

For this session, the Legal Sub-committee continued with the task assigned to it by the United Nations General Assembly of preparing draft international agreements on liability for damage caused by objects launched into outer space and on assistance to and return of astronauts and space vehicles. Although good progress was made, with the Committee's efforts being particularly focused on the draft agreement on liability, considerable additional work remains to be done and the Legal Sub-committee will resume work on the two conventions at its next session.

Gut Dam Tribunal

(Proposed new name: Great Lakes Claims Tribunal)

On March 25, 1965, the Secretary of State for External Affairs, the Honourable Paul Martin, and the United States Ambassador to Canada, His Excellency W. Walton Butterworth, signed an agreement between the Government of Canada and the Government of the United States of America concerning the establishment of an international arbitral tribunal to dispose of United States claims relating to Gut Dam.

A three-man international arbitral tribunal is to be established, in accordance with the terms of this agreement, to deal with claims for damage to property owned by United States citizens on the United States side of Lake Ontario, allegedly attributable, in whole or in part, to the construction by the Government of Canada of a small navigation improvement in the international section of the St. Lawrence River known as Gut Dam.

The construction of Gut Dam was carried out at the beginning of the century pursuant to arrangements entered into between the Canadian and United States Governments of the day. Gut Dam itself was removed in 1953 as part of the St. Lawrence Seaway construction programme. It is expected that the tribunal will be duly constituted during the early part of 1966 and that its hearings will commence shortly thereafter.

The position which the Government of Canada has continued to maintain is that there is no basis, either in law or in fact, for these claims. However, it was realized that a suitable forum had to be provided in which to have claims dealt with on their merits, and the Governments of the United States and Canada reached the decision that the most expeditious way to achieve this result would be by means of an international arbitral tribunal.

Claims Against Eastern European Countries

Further efforts were made during the year to achieve some progress towards an equitable settlement of claims against Eastern European countries by Canadian citizens whose property had been nationalized or confiscated without compensation in the post-war period.