

On January 23, 1979 the Secretary of State for External Affairs, Don Jamieson, presented to the Soviet Ambassador in Ottawa a claim for an amount slightly over \$6 million in respect of the damage caused to Canada by the crash of the satellite Cosmos 954 on Canadian territory. On March 15, 1979 the Canadian government submitted the last pieces of documentation in support of its claim.

The damage suffered by Canada resulted from the scattering on Canadian territory of dangerous radioactive debris from the satellite, and from the presence of such debris in the environment, rendering the affected part of the territory unusable. The Canadian claim is based on international agreements and the general principles of international law. Among the applicable international agreements, the *Convention on International Liability for Damage Caused by Space Objects*, adopted in 1972 under the aegis of the United Nations, is one of the most important. Under this Convention, the existence of damage of spatial origin automatically entails the liability of the launching state, which must pay appropriate compensation to the state which has suffered the damage. The Soviet Union indicated at the beginning of 1980 that it was prepared to begin negotiations on the claim submitted by Canada.

Following the crash of the Cosmos 954 satellite on Canadian territory, Canada has become an ardent promoter in the UN of the adoption of new standards governing the use of nuclear power sources in space. Within this framework, a working group has been formed and is actively studying the technical implications of the question. In parallel, a UN subcommittee has begun to conduct a review of the legal system in force in order to adopt new measures should this prove necessary. The purpose of this work is to ensure greater security in the face of a growing use of nuclear energy in space, and to better protect states which will have to deal in future with incidents similar to that which occurred in Canada.

### **International legal measures against terrorism**

At the United Nations in 1979, the examination of measures to deal with terrorism was continued in two special committees set up by the General Assembly: the Ad Hoc Committee on the Drafting of an International Convention on the Taking of Hostages and the Ad Hoc Committee on International Terrorism. Canada was a member of both committees.

At its third session in 1979, the Ad Hoc Committee on Hostage-Taking all but completed the text of a draft convention. At the thirty-fourth session of the General Assembly later that year, a working group was established by the Sixth (Legal) Committee to put the final touches on the text. It was subsequently adopted without a vote and opened for signature on December 18, 1979.

The main feature of the Convention is a provision requiring states to prosecute or extradite alleged hostage-takers within their jurisdictions. The instrument also defines

the offence from the international perspective and obliges states to ensure that it is "punishable by appropriate penalties which take into account the grave nature of those offences".

One of the most difficult aspects of the Convention was the provision relating to the Geneva Conventions of 1949 for the protection of victims of armed conflict and the 1977 Protocol to the Conventions. Since these instruments also made hostage-taking an offence (in a situation of armed conflict), it was agreed that the new convention would not apply to a particular act of hostage-taking in cases in which the Geneva Conventions applied.

Canada was from the beginning a strong supporter of the idea of a convention against hostage-taking and the Canadian delegation participated actively in the negotiation of the text in the three sessions of the Ad Hoc Committee as well as the thirty-fourth General Assembly. The necessary amendments to the Criminal Code are now being prepared so that Canada will be in a position to ratify the Convention.

The Terrorism Committee was unable to achieve any really substantial progress because of a lack of consensus on the dimensions of the problem. Although it had a mandate to consider both causes of and measures to deal with terrorism, there was a difference of view on which of these two issues should receive priority. The non-aligned (and to some extent the Socialist) delegations tended to emphasize causes while the Western group attached more importance to consideration of measures to combat terrorism.

At the conclusion of its third session in 1979, the Ad Hoc Committee adopted a text which was a mixture of the two elements described above. Canada, like most other Western countries, could not support the text adopted at the thirty-fourth Session of the General Assembly because of political references to certain types of "state" terrorism, the causes of terrorism and proposed action by the Security Council to consider the use of sanctions (under Chapter VII of the Charter) against regimes which by their policies foster terrorism. However, the resolution was not without positive elements, the most important being an "unequivocal" condemnation of terrorism, the strongest language against terrorism ever employed in a UN document.

As the item on terrorism was postponed to the thirty-sixth session of the General Assembly (1981) and with the completion at UNGA 34 of the hostage-taking convention, it is not expected that there will be any significant developments at the UN on this question in 1980.

### **Human rights**

In 1979, human rights became an increasingly important aspect of Canadian foreign policy. Canada continued to pursue a number of international initiatives in the field of human rights. During Canada's second consecutive term of membership on the UN Commission on Human Rights, the Canadian representative was elected chairman. The 1979