

CANADA

**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF CANADA AND THE
GOVERNMENT OF THE UNITED STATES OF AMERICA CONSTITUTING AN
AGREEMENT FOR CO-OPERATION IN AN EXPERIMENTAL COMMUNICA-
TIONS TECHNOLOGY SATELLITE PROJECT (WITH A MEMORANDUM OF
UNDERSTANDING)**

I

The Ambassador of Canada to the Secretary of State of the United States of America

Washington, D.C., April 21, 1971.

No 96

DEAR MR. SECRETARY,

I have the honour to refer to discussions between representatives of the Department of Communications of Canada and the National Aeronautics and Space Administration of the United States of America regarding a space applications project to follow the successful collaboration established in the Alouette and International Satellites for Ionospheric Studies (ISIS) programs. In place of the third joint satellite originally planned in the ISIS series, it is proposed to introduce a project for a Communications Technology Satellite (CTS) and it is further proposed that this project supercede the arrangements for the third joint satellite set forth in the agreement, effected by the exchange of notes of May 6, 1964,⁽¹⁾ as amended by the exchange of notes of May 11, 1970⁽²⁾. The objective of the CTS project is to advance the state of the art in spacecraft and related ground-based technology relevant to future communications and other satellite applications systems.

A description of the CTS project and the details for its implementation have been incorporated in the Memorandum of Understanding attached to this note. It is understood that implementation and direction of Canadian participation in the project shall be the responsibility of the Canadian Department of Communications, and that implementation and direction of the United States participation shall be the responsibility of the United States National Aeronautics and Space Administration.

I have the honour to inform you that the Canadian Government approves the project.

I propose that each Government shall, in accordance with its domestic laws, bear responsibility for any damage caused to its nationals arising from activities conducted directly pursuant to this project. In the event of damage to persons not nationals of Canada or the United States for which there is liability under international law or the principles of the Treaty Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, the two Governments agree to consult promptly on an equitable sharing of payments for such settlement.

If an agreement is not reached within 180 days, the two Governments will act promptly to arrange for early arbitration to settle the sharing of such

⁽¹⁾ Treaty Series 1964 No. 6

⁽²⁾ Treaty Series 1970 No. 8