

THE CANADIAN CLAIM FOR DAMAGE CAUSED
BY THE COSMOS 954 SATELLITE

Canada's claim for damage caused by the Soviet Cosmos 954 satellite was presented to the Ambassador of the USSR by the Secretary of State for External Affairs on January 23, 1979.

Among the various documents which comprise the claim, the "statement of claim" sets out Canada's allegations as to the facts and its position on the legal issues raised by the incident. The first part of this document is a chronological report of the events giving rise to the claim. It recalls the diplomatic communications on the matter between the Department of External Affairs and the Soviet Embassy in Ottawa and outlines why the search, recovery and clean-up operations were necessary. The second part of the statement of claim sets forth the legal basis for Canada's claim and establishes the responsibility of the USSR to pay compensation under international law. The Convention on International liability for Damage caused by Space Objects, adopted in 1972 and to which both Canada and the USSR are parties, is referred to in the statement of claim as supporting Canada's position that in such circumstances the USSR, as the launching state, is obliged to provide Canada, the victim state, with "a full and equitable measure of compensation".

Canada's claim is for an amount slightly in excess of \$6 million, which represents the "incremental costs" incurred, i.e., those costs that would not have been incurred by Canada in the absence of the incident. No significant developments on the claim have occurred since March 1979 when the submission of Canada's documentation was completed.