

INTERNATIONAL CLAIMS

The continuing work of the Legal Bureau during the last year in the field on international claims resulted in the signature by Canada of three important claims agreements.

On November 7, 1980, the Government of Canada and the Government of the Republic of Cuba signed an agreement that provided for payment of \$850,000 by Cuba to Canada, as compensation for the expropriation of assets of Canadian citizens. The property concerned was nationalized by Cuba following the revolution of January 1, 1959, and the settlement was achieved after a number of rounds of negotiations that commenced in 1974. The Agreement of November 7, 1980, was subsequently ratified by both Governments and Instruments of Ratification were exchanged and the Agreement entered into force on June 26, 1981. In accordance with the usual practice of the Government of Canada in respect of international claims settlements the settlement funds will be deposited in the Foreign Claims Fund. Individual claimants will receive an amount, or a pro rata share of the fund, that is approved by the Secretary of State for External Affairs and the Minister of Finance on the recommendation of the Foreign Claims Commission. The Foreign Claims (Cuba) Settlement Regulations P.C. 1981-127 of 22 January 1981 embody the terms of reference that guide the Commission's consideration of the individual claims.

On November 21, 1980, representatives of the Governments of Canada and the U.S.S.R. initialled a Protocol ad referendum that provided for the payment of \$3 million to Canada by the USSR, as compensation for the costs incurred in retrieving the debris of the Soviet satellite, Cosmos 954. It will be recalled that the Soviet satellite disintegrated over Canadian territory on January 24, 1978, and that the Government of Canada presented a formal claim to the USSR requesting compensation of slightly over \$6 million. Canada's claim was based primarily on the 1972 Convention on International Liability for Damage caused by Space Objects. Three rounds of negotiations were held in 1980: in Ottawa in February and early March; in Moscow in June and again in Ottawa in November. Representatives of the two Governments signed the formal Protocol in Moscow on April 2, 1981, and the settlement funds were received by the Government of Canada shortly thereafter.

A third important claims agreement was concluded and entered into force on August 20, 1981, upon its signature in Beijing by the Secretary of State for External Affairs and the Foreign Minister of the People's Republic of China. The