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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 61: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE  
(continued)

- (a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/36/20;  
A/SPC/36/L.4)
- (b) REPORT OF THE PREPARATORY COMMITTEE FOR THE SECOND UNITED NATIONS CONFERENCE  
ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE (A/36/46; A/SPC/36/L.5)

AGENDA ITEM 62: PREPARATIONS OF AN INTERNATIONAL CONVENTION ON PRINCIPLES  
GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION  
BOARDCASTING: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE  
(continued) (A/36/20)

1. Mr. STEPHANOU (Greece) said that it was clear from the report of the Committee on the Peaceful Uses of Outer Space on its twenty-fourth session that the absence of a consensus on the question of direct television broadcasting must be overcome in the Committee itself, and not in any other forum. His delegation understood that the adjustment of law to technological progress was not an easy task; law by definition was conservative, science was progressive. Additional obstacles were created by fundamental differences in attitudes towards basic principles between the members of the international community. As to remote sensing by satellite, his delegation subscribed to all the provisions of the draft principles, which affirmed the idea that remote sensing was an international activity that must be carried on in accordance with international law and in the interest of all peoples. Greece believed that prior consent by the sensed State was desirable, since that fully safeguarded the State's interests; however, it was prepared to consider the possibility of the principle of compulsory prior notification replacing that of prior consent.

2. Any legal framework for international remote sensing activities should be based on two fundamental principles of international law; the principle of good faith and the principle of the prohibition of abuse. If those principles were reflected in an international instrument on remote sensing, many thorny issues, such as the form and extent of data dissemination, could be resolved. Remote sensing should remain on the agenda of the Committee on the Peaceful Uses of Outer Space with a view to reaching a consensus on the respective draft principles.

3. Turning to international direct television broadcasting, he said that Greece had participated with great interest in the intense informal consultations, which had led to a narrowing of the gap between the different points of view. Moreover, there had been a consensus on practically all the major items except the controversial principle of "consultation and agreements between States". In view of that fact, the item must not be taken off the Committee's agenda; rather, since there were so few points of disagreement, new efforts should be undertaken by the Committee itself and not by any other organ of the United

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(Mr. Stephanou, Greece)

Nations system. The Committee already had the necessary "institutional memory" to deal with the problem; the delegations on the Committee were usually armed with expert knowledge, which was indispensable for that kind of international effort, combining as it did technical, legal and political considerations; and the institutional framework of the Committee allowed for the necessary time and concentration.

4. At the twenty-fourth session of the Committee on the Peaceful Uses of Outer Space a draft declaration of principles on direct television broadcasting by satellite had been elaborated, the genuine product of a difficult compromise which adequately safeguarded almost all the conflicting interests. His delegation proposed that the item on direct television broadcasting should be kept on the Committee's agenda and concluded as soon as possible, due respect being given to the principle of the sovereignty of States.

5. Greece fully supported the principle of the free flow of information, and especially the right of everyone to freedom of expression, including the right to seek, receive and impart information and ideas regardless of frontiers. However, it could not lose sight of the fact that if the right to freedom of information was abused, the information might turn into political propaganda conducive of mistrust and disputes between States.

6. The Preparatory Committee for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space was carrying on its work efficiently. His delegation hoped that the Conference would stimulate international co-operation in the field of the peaceful uses of outer space for all States, developed and developing alike. He commended the activities suggested by the Preparatory Committee to increase the awareness of the general public with respect to the importance of the peaceful use of outer space and to ensure maximum participation in the Conference.

7. Mr. RODRIGUEZ (Colombia) said that when mankind had succeeded in its conquest of outer space, the international community had known that international norms for its exploration and use would have to be elaborated so as to prevent abuses and protect the legitimate rights of the great majority of States.

8. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, had been adopted in 1967. Something which, in principle, was a constructive idea - the application of the principle of freedom in outer space - had become an instrument to protect the interests of the developed countries. Examples of abuse of that principle could be found in three different areas: the use of satellites for direct television broadcasting, remote sensing, and the definition and delimitation of outer space and the synchronous geostationary orbit. The 1967 Treaty had only served the interests of the developed countries, which held the mistaken idea that their enormous technological development would suffer if equitable legal norms were established.

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(Mr. Rodriguez, Colombia)

9. Colombia and 15 other countries had elaborated a set of draft principles; but it had not been possible to reach agreement on them because of the opposition of powerful countries that did not wish the States themselves to be left to decide whether or not they would receive broadcasts by satellite. To defend their position, the powerful countries claimed that such legitimate national decisions would be contrary to the free flow of information. The argument that any effort to protect the States concerned from the monopoly, the propaganda and the advertising of the transnational corporations would be contrary to the principle of freedom of information was not convincing. The attempt to turn outer space into a huge market for economic interests was more of an outrage than even the arms race in space.

10. His delegation wished to remind the Committee that freedom of information implicitly included not only the freedom to send but also the freedom to receive and select communications. What was at stake was not only the responsibility of those who broadcast programmes but the dignity and privacy of those who received them. He wondered who were really infringing that freedom, the countries that were trying to protect their sovereign right to self-determination, or the big monopolies which used their technology to impose programmes for their own advantage.

11. A similar problem arose in connexion with remote sensing; the sensed countries were rightly insisting that the information should not be used without their prior consent and should not be exploited by third parties. There again, the argument was that freedom was sacred; and similar problems arose with respect to the definition and delimitation of outer space and to the geostationary orbit.

12. Colombia and the other equatorial countries had raised a world-wide protest when the leading countries in space technology had begun to occupy the geostationary orbit by stealth. That had been the signal for a huge debate on the danger of saturation of a limited natural resource which had revealed the serious gaps in the 1967 Treaty. The peoples of the third world had become alarmed at the fact that one of the most vital factors for civilization and progress, communications by satellite, had been and still was being rapidly monopolized, and was introducing a new and serious source of inequality between States.

13. The needs of all developing countries, and the needs of equatorial developing countries, were identical and complementary. The geostationary orbit was a limited natural resource, as had been expressly recognized by the International Telecommunication Union itself in article 33 of its Convention. However, since the geostationary orbit was an ideal place for positioning satellites and fixed telecommunication stations, it was now becoming the object of de facto appropriation which was facilitated by the unequal development of technology and by the much-vaunted freedom of action in space.

(Mr. Rodriguez, Colombia)

14. In the nineteenth century, the great Powers had abruptly stifled the incipient agricultural, industrial and commercial economies of the weaker countries, in the name of a so-called freedom of the seas and a so-called freedom of international trade. In the twentieth century, too, the development aspirations of the developing countries might be frustrated once again, in the name of a so-called freedom in outer space. The little that could be saved on earth would now be lost in space.

15. Owing to the limitations imposed on the positioning of satellites, they were not evenly distributed on the geostationary orbit, and it was unlikely that they would be evenly distributed in future. Some parts of the orbit, serving major areas with a dense communication traffic, would become congested long before the orbit as a whole was saturated. There were now 126 space objects placed in orbit, 96 of them telecommunications satellites and 17 reconnaissance satellites. There was no doubt that use of the orbit would be greatly intensified during the coming decade. The launching of the Columbia space shuttle was indeed an extraordinary scientific achievement, but it did at the same time give rise to some concern regarding the geostationary orbit. It was calculated that the present space shuttle, and future shuttle vehicles of the Orbiter generation, would reduce the cost of space transport by 50 per cent, would enable countries to repair satellites in orbit and would increase the exploitation of satellites for commercial, scientific and defence purposes. Space shuttles would be able to make about 100 flights a year, with useful loads which would soon be as much as 29,500 kilograms and would later reach 46,000 kilograms. It had been forecast that, during the present decade, the space shuttle system would make it possible to triple the number of geostationary satellites and to place in orbit large geostationary platforms of greater capacity, weight and power. The tendency to use increasingly heavy satellites, together with computers, for the purposes of maritime surveillance and cable television, would undoubtedly aggravate the situation to highly critical levels.

16. Colombia believed that the forthcoming United Nations Conference on the Exploration and Peaceful Uses of Outer Space should not confine itself to the consideration of the scientific and commercial aspects, but should also study the urgent legal problems created by technical advances in the use of space. That was the only way in which the very rudimentary and deficient legal rules of the 1967 Treaty could be brought up to date. The Conference could take a first decisive step in the elaboration of genuine space law, which would be consistent, equitable and harmonious. His country supported the idea of drafting an additional Protocol to the 1967 Treaty to make good its omissions, particularly with respect to the definition and/or delimitation of the concept of outer space and of the synchronous geostationary orbit.

17. If the recommended legal measures and reforms were not adopted, the third world countries would in 20 or 30 years' time be obliged to struggle in highly disadvantageous conditions, and against major faits accomplis, to emancipate themselves from a situation of dependency and from the inequalities created in outer space, as they were now struggling to free themselves from the inequalities

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(Mr. Rodriguez, Colombia)

created in the international economic order. By that time, it would not be easy to struggle for a new legal order in space, as it was not easy now to establish a new international economic order by opposing the powerful interests that had come into being over centuries of acquiescence and indifference.

18. For the above-mentioned reasons, Colombia believed that the developing countries should strive for an international legal order which would take into account the legitimate interests of equatorial countries and the needs of the developing world, and which would regulate appropriately the use of the geostationary orbit for the benefit of all mankind. He hoped that the forthcoming Conference would provide an opportunity for all countries to combine their efforts to initiate effective, disinterested and sincere international co-operation. If not, the Conference would be a mere technological spectacle, in which a few privileged countries would make an exhibitionist display to promote objectives which were unattainable by the rest of the world.

19. Mr. STARČEVIĆ (Yugoslavia) said that, by using modern space technology, developing countries could significantly accelerate their process of development. Hence, international co-operation in that field was highly important and should be further intensified. One of the objectives of that co-operation was the free access to, and use of, the results of scientific and technical research on outer space by all countries. The prerequisite for the realization of that objective was the designation of outer space as a common heritage of mankind, and the avoidance of the transfer of existing world divisions and conflicts into outer space. Only in such a way could co-operation in the peaceful uses of outer space become an example of universal peaceful co-operation among all States and peoples, and point to new directions for the development of the international community.

20. His delegation wished to reiterate its concern at the growing dangers of the militarization of outer space, and to add its voice to those of all countries which were demanding the adoption of urgent decisions for preventing an arms race there. For that purpose, it was necessary to strengthen even further the role of the United Nations as the centre of international co-operation in the peaceful uses of outer space. His country therefore viewed with particular satisfaction the increasing success of the United Nations and its Committee on the Peaceful Uses of Outer Space, particularly with regard to the practical applications of space science and technology in developing countries. Through its space applications programme, the United Nations was ensuring the increasing participation of a number of countries in space-related activities, as well as increased benefits for them. The Committee was also performing an important role in the elaboration of the basic legal principles governing outer space activities.

21. Yugoslavia had so far ratified three multilateral conventions relating to peaceful uses of outer space: the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space; the 1972 Convention on International Liability for Damage Caused by Space Objects;

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(Mr. Starčević, Yugoslavia)

and the 1976 Convention on the Registration of Objects Launched into Outer Space.

22. His country was also participating actively in space communication activities. In 1970 it had become a member of INTELSAT; and in 1974 the first Yugoslav ground station for operation in the Atlantic Ocean region of the INTELSAT system had come into service. In 1983, the second ground station, covering the region of the Indian Ocean, was to become operational. Yugoslavia also planned to construct and put into operation a European communications satellite (ECS) which would facilitate direct access to distant European countries. Since 1974, Yugoslavia had been using satellite data in meteorology and hydrology. The wide use of aerial photography in geology had started in 1952, and in 1974 the wide application of LANDSAT images had begun. In 1975 a Yugoslav remote sensing centre had been established.

23. Yugoslavia attached great importance to the promotion of co-operation between developing countries in the field of peaceful uses of outer space. In pursuance of that objective, Yugoslav geologists, under international agreements, had carried out geological explorations in a number of developing countries, utilizing remote sensing methods. His delegation had participated in the sessions of the Committee on the Peaceful Uses of Outer Space and its Sub-Committees during the past year. Unfortunately, the existing differences, politically motivated, were still present, hampering progress on the issues under consideration. The genuine political will to resolve the outstanding issues must prevail if results were to be achieved.

24. The present problems in respect of remote sensing of the earth by satellites should be resolved as soon as possible, thus paving the way for needed international co-operation in that field. It remained the view of Yugoslavia that the principle of the free dissemination of information must be regarded in conjunction with the principle of safeguarding the sovereignty and legitimate interests of States, especially in respect of natural resources. The sensed State should have primary access to data pertaining to its territory, as well as authority to decide about data that should not be distributed.

25. As long as remote sensing activities remained a privilege of a small number of countries, mistrust and difficulties would continue. In the view of Yugoslavia, the first step should be the establishment of new regional remote sensing centres and the strengthening of existing ones. At a future date, an effective international system should be established within the United Nations for remote sensing analysis and dissemination of information.

26. In view of the importance for developing countries of the United Nations programme on space applications, his delegation was of the view that the scope of the programme should be extended. The programme would certainly benefit from the results to be achieved at the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space. The Conference was an event of historic significance and would contribute to the promotion of understanding and over-all co-operation in the world. Its results should be such as to enable the

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(Mr. Starčević, Yugoslavia)

developing countries to utilize the achievements of space exploration for their development in greater measure. The Conference would be successful if the developed countries showed the political will to co-operate with the developing countries in that field. Co-operation was necessary in all other fields of human endeavour, since future progress depended on it. Although the preparations for the Conference were proceeding well, the appointments to its secretariat should be made as soon as possible, since that problem detracted from the constructive atmosphere in which the preparations for the Conference were evolving.

27. Mr. MAHNOOD (Pakistan) said that the progress achieved in outer space technology had opened up new vistas for the exploration of outer space and had brought great benefits to mankind. The involvement of the United Nations ensured that the uses of outer space remained peaceful and that the applications of space technology were accessible to all countries, irrespective of the state of their technological progress. In that connexion, the Committee on the Peaceful Uses of Outer Space had been performing an invaluable task, especially in relation to several important legal instruments - the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space and the Convention on International Liability for Damage Caused by Space Objects. If of late the progress in the Committee's work had not measured up to the expectations of the international community, that was to be ascribed mainly to the intricacies of the scientific, technical and legal issues involved and the divergences in the philosophical approaches of States. In regard to the item on remote sensing of the earth by satellites, the only achievement had been the compilation of a comprehensive remote sensing catalogue. He stressed the need for an early resolution of the difficulties impeding the establishment of an international régime for the dissemination of satellite remote sensing data. The sensed States should participate in the remote sensing activities pertaining to their territories and should have full access to the data so collected.

28. It was regrettable that agreement on principles governing the use by States of artificial earth satellites for direct television broadcasting had eluded the Committee. The item should therefore be retained on the agenda of the Legal Sub-Committee for priority consideration. With regard to the substance of the matter, Pakistan shared the view that the future convention should contain clauses to ensure consultations and agreement between States operating such satellites and States receiving signals from them.

29. The United Nations programme on space applications was making a useful contribution in promoting awareness of the practical applications of space technology among developing countries and enabling them to derive benefits therefrom. However, the scope and content of the programme were very limited and there was a need to broaden the programme and to strengthen it through enhanced financial resources in order to respond better to the needs of the developing countries. The Scientific and Technical Sub-Committee should

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(Mr. Mahmood, Pakistan)

continue its examination of the important question of the use of nuclear power sources in outer space. The geostationary orbit was a limited natural resource and the concern, particularly among the developing countries, about the saturation of the orbit was genuine. It was therefore necessary to ensure that all countries of the world had equitable access to the orbit.

30. The saga of the conquest of space was in danger of being sullied by militarization. Space transportation systems could easily lend themselves to military uses. In that connexion, the consideration by the First Committee of the question of the prohibition of the stationing of weapons of any kind in outer space should be followed with interest. The present range of space activities clearly called for the establishment of a co-ordinating agency at the international level. Pakistan reiterated its proposal that an International Space Agency should be established to regulate activities in outer space and to ensure that Member States used outer space exclusively for peaceful purposes.

31. The year 1982 would witness the convening of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, which would provide an opportunity to assess the present state of space technology and adopt measures to ensure that the benefits therefrom were made accessible to all nations. Although the preparations for the Conference were proceeding satisfactorily, it was a matter of concern that all the officers necessary for the Conference had not yet been appointed.

32. Mr. FUENTES (Spain) said that Spain, as a member of the Committee on the Peaceful Uses of Outer Space and also of the European Space Agency, took a very keen interest in the item under discussion. Spain had an expanding infrastructure for outer space matters which had enabled it to co-operate in such major operations as the Columbia space shuttle. It was to be hoped that such achievements would contribute to the acquisition and use of the resources of outer space so that peoples might live together on earth in greater peace.

33. Spain hoped that the topics dealt with by the Committee on the Peaceful Uses of Outer Space and its two Sub-Committees were reflected in a balanced manner in the draft resolution (A/SPC/36/L.4) which it had co-sponsored, and that the draft resolution would be adopted by consensus. With specific reference to the work of the Legal Sub-Committee, he said that the drafting of principles governing the use by States of artificial earth satellites for direct television broadcasting had progressed to a stage where they could be applied to the various specific cases. There was an interface between freedom of information, a principle to which Spain attached the greatest importance, and the equally elementary principle of the right to preserve the informational identity of every country. The efforts to achieve a consensus must continue, in the realization that the subject was an important and urgent one. He hoped that the General Assembly would reach a consensus on the principles at its next session.

34. Spain was looking forward with great interest to participating in the Second United Nations Conference on the Exploration and Peaceful Uses of Outer

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(Mr. Fuentes, Spain)

Space, to be held in Vienna in 1982. There was no doubt that draft resolution A/SPC/36/L.5, of which Spain was also a sponsor, would be approved by consensus. The necessary appointments should be made so as to ensure that the Conference was properly prepared, and the world-wide public information campaign already begun should be continued. It must be remembered that space belonged to the entire international community. The long process of political and legal reflection which had made an inhabitable earth possible and had culminated in the United Nations Charter and other world-wide or regional instruments had enabled the international community to accumulate experience which it could use in the equally important sphere of outer space. It would thus be possible to avoid the errors of the past and ensure that the incorporation of outer space in daily reality would increase stability rather than reducing it.

35. Mr. ADHAMI (Syrian Arab Republic) said an effort must be made to reach agreement on principles governing remote sensing of the earth by satellite and, in particular, the legal implications of remote sensing, an agreement which would take into account respect for the security of the State observed and its sovereignty over its natural resources, the need to obtain its consent before remote sensing activities were undertaken and before the information was transmitted to third parties, and its right to the data obtained. Similarly, an effort must be made to reach agreement on the elaboration of draft principles governing the use by States of artificial satellites for direct television broadcasting. If all concerned collaborated and demonstrated the necessary political will, it would be possible to prevent direct television broadcasting from becoming a means of intervening in the affairs of other States.

36. With regard to disarmament, his delegation supported the measures aimed at ensuring that outer space was used for peaceful purposes only. There was still an opportunity to reach an international agreement designed to prevent any future confrontation in outer space. In that regard, it was of the utmost importance to consider jointly matters relating to the definition and/or delimitation of outer space and outer space activities and questions relating to the geostationary orbit. It was necessary to prevent a minority of States from monopolizing activities in the geostationary orbit. Syria also hoped that the fruitful work of the Working Group on the Use of Nuclear Power Sources in Outer Space would continue.

37. Referring to the disparity between developed and developing countries with regard to space technology, he observed that there was a tendency for a minority of countries to monopolize space activities. Outer space was the common heritage of all mankind and the United Nations, through the Committee on the Peaceful Uses of Outer Space, should play a decisive role with regard to the transfer of the relevant technology and knowledge to the developing countries.

38. The Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space would be an important element in the promotion of international co-operation and would therefore be supported by his country, which had joined the group of interested countries. In 1979 Syria had hosted the United Nations

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(Mr. Adhami, Syrian Arab Republic)

seminar on remote sensing training for the region falling within the jurisdiction of the Economic Commission for Western Asia. Syria had also established the National Remote Sensing Centre to process data and an earth station which it used for meteorological and communications purposes.

39. Mrs. MAKELAINEN (Finland) said that the conquest of space, one of the most spectacular technological achievements, would have been impossible without the accumulation of scientific knowledge in all parts of the world. Space technology was the common heritage of man and constituted both a promise and a threat. Her Government considered that it was in the common interest that progress be made in the use of outer space for peaceful purposes for the economic, social and cultural benefit of mankind. Second, there was a great need for multilateral co-operation and internationally acceptable principles and guidelines were vitally important. As an example of the bilateral and regional co-operation required, she cited the case of Finland and two other Nordic countries, Norway and Sweden, which were collaborating in the definition phase for a telecommunications satellite project that would involve experiments in data transmission, direct television and wave propagation.

40. Space technology was highly sophisticated and costly, and many countries, particularly the developing ones, lacked the necessary resources to share in its benefits without continued and increased international co-operation. Consequently, the Committee on the Peaceful Uses of Outer Space played a very important role. The Committee's report showed that progress had been made with regard to some of the most difficult questions, particularly the elaboration of principles governing the use of artificial earth satellites for direct television broadcasting.

41. Her Government considered that the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space should bear in mind that all current and future space activities should aim at the economic, social and cultural development of mankind, in accordance with the relevant decisions of the United Nations and other international instruments. In that context she referred to the possible use of satellites for verification of the fulfilment of obligations created by disarmament and arms control agreements. The Conference could be seen as part of the North-South dialogue and a parallel could be drawn between the Conference and the United Nations Conference on Science and Technology for Development, held in Vienna in 1979. It was to be hoped that the 1982 Conference would provide a stimulus for continuing efforts to give all countries, including the developing countries, access to the results of scientific research and an opportunity to apply space technology to their specific development needs.

42. In Finland, space science and technology were applied to meteorology, remote sensing of earth resources and the environment, telecommunications, navigation and marine research. Research had been carried out mainly in the field of ionospheric and magnetospheric research and satellite geodesy. Three proposals had been formulated in the national paper prepared by Finland for the Conference. First, it was proposed that consideration should be given to the possibility of

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(Mrs. Makelainen, Finland)

establishing an international co-ordination system for satellite-related activities in the field of meteorology. Second, Finland proposed that international efforts should be made to eliminate dangers related to possible local changes in parts of the upper atmosphere which might be caused by certain future applications of space technology, notably solar power satellites. Since satellite launches caused changes in electron density, such launches should be co-ordinated with ground-based activities, for example, radio-astronomical measurements. Lastly, Finland's experience showed that space probes could not completely replace ground-based measurements. Finland was elongated in latitude and situated in the auroral and sub-auroral zones. Many phenomena taking place in the magnetosphere were therefore projected along geomagnetic field lines and could be studied simultaneously from the ground and from satellites in polar or near-polar orbits. Many equatorial countries, situated below a belt of many interesting ionospheric phenomena and below geostationary satellites, had similar advantages. Consequently, it would be desirable to establish through international co-operation a network of ground-based measuring instruments that could support space activities.

43. Mr. de la SABLIERE (France), referring to the success of space programmes in the past year, drew particular attention to the fact that more countries possessed advanced space technology. France attached great importance to that development, which was due in large measure to increased international co-operation and would give developing countries access to outer space technology and its applications. France was carrying out joint activities with countries of Africa, Latin America and Asia and provided experts for seminars organized by the United Nations. In that connexion, he mentioned the United Nations international seminar on remote sensing applications and satellite communications for education and development, held in Toulouse in 1980.

44. His delegation believed that any régime for the dissemination of information obtained through remote sensing should satisfy three indispensable requirements. Firstly, it must be based on existing technical advances or those anticipated in the short term. It must also include a very extensive dissemination of the data obtained by remote sensing, which was the only way to place the new technology at the service of the developing countries. Accordingly, the observed State must have access to all the data on its territory, such data must not be disseminated in an uncontrolled manner to third parties, and the prior consent of the State must be obtained for the communication of certain "sensitive" data.

45. With regard to the elaboration of the principles which should govern the use of artificial satellites for direct television broadcasting, France hoped that a régime would be found that would be sufficiently flexible and take into consideration at the same time the concerns of the receiving countries. His delegation believed that, at the next session of the Committee on the Peaceful Uses of Outer Space, it would be possible to complete the elaboration of the principles.

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(Mr. de la Sabliere, France)

46. Referring to the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, he welcomed the progress made with regard to the distribution of the tasks of the Bureau and questions of procedure for the adoption of decisions. Nevertheless, he regretted that the deadlines set by the General Assembly at its last session for the designation of the members of the Secretariat had not been met.

47. France congratulated the delegation of Austria on the decisive role which it had played in the preparation of draft resolutions A/SPC/36/L.4 and A/SPC/36/L.5, which it was pleased to cosponsor.

48. Mr. BLANCO (Cuba) said that the free exploration and utilization of the cosmos for peaceful purposes had made it possible for space science and technology to develop even further. In order for all States to benefit from those activities, it would be necessary to create adequate forms of regional and world co-operation. His delegation accorded great importance to the role played by the Committee on the Peaceful Uses of Outer Space as a centre for international co-operation in that field, particularly since the achievements being made in the exploration of outer space for peaceful purposes would contribute to the solution of various social and economic problems of countries, particularly the developing countries.

49. Cuba had contributed to international co-operation in outer space through the INTERCOSMOS programme, a Soviet-Cuban space research programme in which the first Cuban cosmonaut had participated.

50. With regard to the problem of the militarization of the cosmos, the creation of military satellites had been preceded by studies on the use of outer space for purposes of war, which was a violation of the 1967 Treaty on Outer Space.

51. With regard to remote sensing, he believed that the adoption of principles on the subject should be effected in accordance with international law, the Charter of the United Nations, the 1967 Treaty on Outer Space and the relevant instruments of the International Telecommunication Union.

52. In his opinion, the dissemination of data obtained through remote sensing and relating to another State should be subject to the prior authorization of the observed State, and data obtained that did not relate to any State in particular should be disseminated promptly among all States, although priority should be given to those which might be affected. The purpose of such measures was to eliminate the restrictions impeding the access of developing countries to data obtained through remote sensing.

53. With regard to the use of nuclear power sources in outer space, his delegation believed that any regional or international document elaborated on that question should establish as a priority principle the use of such sources for peaceful purposes.

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(Mr. Blanco, Cuba)

54. Cuba accorded great importance to the holding of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space. In order that the developing countries might receive the necessary technical training to participate actively in it, his delegation hoped that the developed countries would increase the number of scholarships and organize seminars on the various aspects of space activity. Cuba had undertaken some national preparatory activities for the Conference.

55. In Cuba, co-operation in remote sensing and communications was effected through the international programmes INTERSPUTNIK and INTELSAT. The satellite broadcasting services made it possible to improve the living, education and health conditions of human beings. Nevertheless, the need arose in that activity to establish norms through a plan established by a world or regional conference on radio communications to which all States were invited. Natural resources (orbit and spectrum) were limited, and the developing countries must have greater access to that advanced technology.

56. It was necessary also to consider the legal aspects of the principles setting forth the measures which the transmitting States were to adopt when transmitting to a specific country, so that other States should not be subjected to signal overspill beyond the permitted levels. Provisions should also be established to ensure that transmissions of satellite television signals directed at a foreign State should be broadcast only with the express consent of that State. The international responsibility of a State which violated the principle of consent should also be laid down.

57. He hoped that in the near future, the Committee would succeed in elaborating an international legal instrument regulating the activity of States in direct television broadcasting via satellite.

58. Mr. NISIBORI (Japan) expressed his admiration for the advances made by the European Space Agency, the United States, the Soviet Union, India and China in space activity. Japan, for its part, had successfully launched and placed into geostationary orbit the HIMAWARI II, the second geostationary satellite successfully launched by Japan.

59. In the sphere of international co-operation for space development, Japan had organized annual training courses for remote sensing experts and planned to send two experts to the regional seminar on remote sensing applications to be held in November 1981 in Indonesia.

60. With regard to preparations for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, he paid a tribute to the Secretary-General of the Conference and to the Government of Austria for its co-operation. The Preparatory Committee had made considerable progress at its last session; his delegation hoped that it could advance even further in the future and offered its co-operation for that purpose. To that end, he appealed to the Secretary-General of the United Nations to resolve promptly the problem concerning the Secretariat of the Conference.

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(Mr. Nisibori, Japan)

61. At the last session of the Committee, a working group had been established to elaborate draft principles covering the use by States of artificial earth satellites for direct television broadcasting. His delegation hoped that the Committee on the Peaceful Uses of Outer Space and the Legal Sub-Committee would be able to reach a consensus on those draft principles.

62. The draft principles should take into account certain aspects such as freedom of information, which was one of the fundamental rights of the Japanese people. Accordingly, such draft principles should be applicable only to direct television broadcasting to foreign countries. The problem of spillover could and should be solved technically. His delegation also felt that there was no need to have an agreement between broadcasting and receiving States on programme content, which would be governed by the relevant information of the International Telecommunication Union.

63. With regard to remote sensing, a new approach had been suggested in which data obtained through remote sensing would be classified according to the degree of their resolution. His delegation felt that the criteria for classification were not clear and that classification was not necessary.

64. He expressed the hope that the Sub-Committees would continue their deliberations on the question of the use of nuclear power sources in outer space in order to reduce the risk to human life and the environment caused by space activities.

65. At the last session of the Legal Sub-Committee, the view had been expressed that the matters relating to the definition and/or delimitation of outer space activities and to the geostationary orbit should receive priority consideration and should be divided into two separate items. His delegation, however, considered that it would be more appropriate for the Sub-Committee to devote its attention to the existing priority item.

66. Lastly, he stressed the importance of maintaining the tradition of decision-making by consensus so that the work of the Committee would be harmonious and could achieve the desired success.

67. Mr. GEENS (Belgium), referring to the draft resolutions sponsored by his country, said that paragraphs 6, 7 and 8 of draft resolution A/SPC/C.6/L.4 represented a reasonable balance between the different views of the members of the Committee. His delegation hoped, therefore, that the provisions of the draft would be accepted in good faith and in a constructive spirit in order to achieve a real consensus. In that regard, his delegation was prepared to co-operate in the elaboration of draft principles governing the use by States of artificial earth satellites for direct television broadcasting.

68. The principles of freedom of information and free dissemination of ideas should be the cornerstone of the draft principles. In the last analysis, the draft principles for direct television broadcasting by satellite must be firmly linked to article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights.

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(Mr. Geens, Belgium)

69. The question of prior consultation, which was necessary in order to establish an international direct television broadcasting service by satellite, should be resolved in accordance with the guiding principles of the relevant instruments of ITU.

70. His country expressed the hope that all the necessary appointments would be made in order to prepare for the Second United Nations Conference on the Peaceful Uses of Outer Space. In that regard, he expressed gratitude to the Secretary-General of the Conference for his dedication and perseverance. Belgium was planning to make a contribution to the Conference so that it would serve as a forum for strengthening international co-operation in outer space and for the applications of space technology.

71. With regard to the question raised the previous day concerning the appointment of the Director of the Outer Space Affairs Division of the Secretariat, he felt that that appointment should be made in strict accordance with Articles 100 and 101 of the Charter.

72. His delegation shared the concern of other delegations at the intensification of the arms race in outer space and would express its views on that subject when the item was considered by the First Committee. Lastly, he expressed gratitude to Mrs. Nowotny for her collaboration in the delicate negotiations on the draft resolutions and to the Chairman of the Committee and the Chairmen of the Sub-Committee.

73. Mr. KAWALEWALE (Malawi) said that all Governments must be able to identify and exploit their own resources, and conserve and manage them in order to achieve lasting progress. Because of lack of equipment and technical know-how, his country had not been able to identify all its resources. Remote sensing promised to be an effective method of identifying resources and assisting in their management, for which reason his country expressed the hope that remote sensing would be applied fully in its territory, and invited other delegations to provide it with assistance in order to overcome its lack of equipment and technical know-how.

74. The development of resources must be steady and lasting. His delegation, therefore, would prefer to participate in multilateral co-operation projects within the United Nations system rather than in bilateral projects, the duration of which was unpredictable, although it was prepared to consider bilateral co-operation also. Bilateral co-operation should perhaps concentrate on providing adequate training of experts, while multilateral co-operation should concentrate on other areas, such as infrastructure.

75. While Governments must endeavour to satisfy the needs of their citizens, the international community must protect all mankind. In that regard, his delegation would welcome constructive consideration of safety measures and principles of conduct with regard to space travel, the use of satellites for direct television broadcasting, the use of nuclear power sources in outer space, the geostationary orbit and remote sensing.

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76. Mr. KONE (Mali) said that the usefulness of the peaceful applications of space technology in the developing world, particularly in Africa, did not need to be demonstrated. In that regard he expressed satisfaction at the work of the Organization in view of the numerous information and training activities which it was carrying out on all the continents. One of the results of those efforts was the establishment in Africa of the African Remote Sensing Council, which had been set up in accordance with a resolution of the Council of Ministers of the Economic Commission for Africa. In August 1980 the African Remote Sensing Council had appointed Mali to preside over its Bureau and had selected Bamako as its headquarters.

77. The application of outer space technology opened up shining opportunities for the countries of the third world, which required speedy but human solutions to the acute problems of under-development. Remote sensing was an indispensable tool for the planners and leaders of the developing world; it was indispensable for the rapid and economical gathering of data in such diverse fields as geological exploration and mining, locust control or the surveillance of zones subject to drought and desertification, and the study of land-use, vegetation and forestry.

78. Direct television broadcasting by satellite, when conducted with strict respect for the sovereignty of the receiving States, could revolutionize the dissemination of information.

79. While mankind's space adventure was full of promise, the competition between the nuclear Powers in that sphere gave reason for profound fears and painful questions of a legal, political, ecological and moral nature. Outer space was the common heritage of all mankind. Activities in outer space affected the existence of everyone, and indeed the survival of the planet. Mankind had the right to be informed of everything happening there and to demand that space activities should be aimed exclusively at peaceful goals. The heritage of mankind should be governed by international law.

80. Any military use of outer space should be regarded as a crime against humanity. When man had already contaminated the water and the air and had endangered the ecological balance of earth, he should not be allowed to do the same in the new space environment, from which so much was hoped for.

81. His delegation was convinced that the United Nations could once again prepare, and ensure respect for, an international convention to govern the utilization of outer space. The United Nations, on which the hopes of the hungry, the weak and the dispossessed were centred, would know how to make use of the bait without being caught by the hook.

82. Mr. CHOWDHURY (Bangladesh) said that the two agenda items before the Committee were being considered against the background of important events taking place in outer space and within the process of preparation for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, which would be of great importance to the entire world community.

(Mr. Chowdhury, Bangladesh)

83. The Committee on the Peaceful Uses of Outer Space was the focal point of international co-operation in that sphere; it had adopted important measures for the application of space science and technology for the benefit of all, for which it deserved his country's praise.

84. Bangladesh had given priority to development programmes in space science and remote-sensing technology, which had played an important role in the exploration and exploitation of unknown resources, the monitoring of the natural environment, and the maintenance of an effective communications system needed for national development.

85. As a developing country, Bangladesh attached particular importance to international co-operation in the peaceful uses of outer space and felt that the United Nations should play a leadership role in efforts to increase such co-operation.

86. The developing countries felt concern at the fact that rapid technological progress had outstripped the ability to establish a set of principles to govern activities in outer space. That situation not only threatened the sovereignty of the developing countries but also made more difficult their equitable sharing in the benefits of those activities. Space and remote-sensing technology, in their applied aspects, had certain limitations, such as the unavailability of trained human resources and appropriate equipment, the low resolution of satellite images, the delays in the real-time reception of information, and the cloud cover. Bangladesh had faced all those difficulties in its space-research and remote-sensing activities; overcoming them on a global scale would require international co-operation in such spheres as the introduction of satellite systems which produced high-resolution images and the standardization of remote-sensing teams, the parameters for earth stations, and computer hardware and software, so that compatibility would be maintained between satellite systems and ground segments. That was particularly important to the developing countries, in which the investments in ground segments were spreading but were extremely burdensome and could not be repeated each time a change was made in the space segments.

87. With regard to training in space and remote-sensing activities, there must be a restructuring in the present system of training programmes organized by the United Nations. He hoped that, in order to meet the growing need of continuing research and development efforts in the field of remote-sensing technology in developing countries, the United Nations system would adopt a concept of long-term training and organize long-term academic programmes in addition to the present short-term training activities. That was the most practical method for the transfer of remote-sensing technology to developing countries. Since remote sensing was a global technology, regional and international collaboration was highly desirable for the mutual benefit of both developed and developing countries.

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(Mr. Chowdhury, Bangladesh)

88. Space science and remote-sensing technology were instruments that could be used for the benefit of all mankind. It was therefore to be hoped that the United Nations Conference on the Exploration and Peaceful Uses of Outer Space would plan future programmes in that sphere with a view to achieving the goal of the common study of the planet by all nations for the benefit of all. Bangladesh believed that in order to enable developing countries to get the full benefit of that new science, it was necessary to set up an international space agency which would launch international efforts for the peaceful application of space science and technology, help the transfer of technology from developed to developing countries, resolve problems between individual nations in the exploration and exploitation of space, and keep space free from conflicts. In conclusion, he said that Bangladesh had joined the sponsors of the two draft resolutions on the item (A/SPC/36/L.4 and L.5).

89. The CHAIRMAN said that the Sudan had joined the sponsors of draft resolutions A/SPC/36/L.4 and L.5.

90. Mr. THAMAE (Lesotho) said that his delegation wished to join the sponsors of the draft resolutions under consideration.

91. The CHAIRMAN said that the debate on agenda items 61 and 62 was now concluded. He informed the Committee that those draft resolutions (A/SPC/26/L.4 and L.5) had no administrative or budgetary implications and proposed that the Committee should take a decision on them. A number of speakers had suggested that the Committee should adopt both draft resolutions without a vote. If there was no objection, he would propose that the Committee should follow that procedure, taking up each draft resolution separately.

92. It was so decided.

Draft resolution A/SPC/36/L.4

93. The CHAIRMAN said that if there was no objection, he would take it that the Committee wished to adopt draft resolution A/SPC/36/L.4 without a vote.

94. It was so decided.

95. Mr. KOLOSSOV (Union of Soviet Socialist Republics) said that his delegation was not opposed to adoption of draft resolution A/SPC/36/SR.20. However, it did not agree with paragraph 6 of the draft resolution, in which it was decided that the twenty-first session of the Legal Sub-Committee would last three weeks, with a possible extension for one more week. Until now, the sessions of the Sub-Committee had lasted four weeks. The new method constituted an attempt to reduce the effectiveness of one of the most productive bodies in the United Nations and retard the development of international law and the creation of new instruments, a process which required a great deal of time. The proposal to limit the session had been based on considerations of economy of time, which seemed highly dangerous. The questions remaining undecided were

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(Mr. Kolossov, Union of Soviet Socialist Republics)

extremely complicated and required study in depth, with more rather than less time devoted to them. Moreover, there was a danger of giving too much attention during the session to the decision whether or not the fourth week provided for was to be used. His delegation would not oppose the adoption of the draft resolution, hoping that good use could be made of all the necessary time for the work of the Sub-Committee.

Draft resolution A/SPC/36/L.5

96. The CHAIRMAN said that if there was no objection, he would take it that the Committee wished to adopt draft resolution A/SPC/36/L.5 without a vote.

97. It was so decided.

The meeting rose at 6 p.m.