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Chairman: Mr. Radha Krishna RAMPHUL  
(Mauritius).

AGENDA ITEMS 28, 29 AND 37 (continued)

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (A/8720, A/C.1/L.606/Rev.1 and 608)

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Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting (A/8771, A/C.1/L.605 and 607)

1. Mr. GALINDO POHL (El Salvador) (*interpretation from Spanish*): Mr. Chairman, may I at the outset congratulate you most heartily on behalf of my Government and delegation on your unanimous election to preside over this Committee. You know full well, Sir, the great admiration I have for your outstanding diplomatic abilities and for your determined and effective contribution to the work of the United Nations. Furthermore, your human qualities are well known to and highly appreciated by all those who, like myself, have had the privilege of working with you in the past.

2. I also wish to congratulate Mr. Bishara, of Kuwait, and Mr. Datcu, of Romania, the Vice-Chairmen of the Committee, as well as the Rapporteur, Mr. Santiso-Gálvez, of Guatemala.

3. The first item on our agenda for this year concerns the problems of outer space. Sometimes when we speak of outer space it may appear that we are speaking of something very distant from the interests and concerns of the developing countries, since the spectacular aspect of

this subject touches on inter-planetary travel, which is the province of two great Powers only at present. However, outer space and primarily the technology derived from its exploration have an equal impact on the life of all peoples, including those in the under-developed nations; and some countries have undertaken scientific exploration, which implies a devotion to the improvement of human life.

4. Furthermore, it is in the general interest of the international community itself that activities in outer space be regulated to avoid situations which could give rise to acrimony and friction, which would weaken international co-operation and might even endanger peace and security.

5. The exploration of outer space has extremely important effects on such matters as communications, meteorology, and the remote sensing of natural resources. Since technology tends to become universalized, all countries of the world are deriving immediate benefit from the more rapid communications and more accurate weather forecasts made possible by the use of satellites.

6. Special mention must be made of the ERTS-1 satellite, launched from California on 23 July 1972, which will greatly increase the efficiency of agriculture, forestry, geology, hydrology, meteorology, ecology and oceanography. Even though that satellite is still in the experimental stage its objectives are fascinating and its influence on the life of man will be considerable. It is sufficient to see the superb photograph circulated by the delegation of the United States, which shows San Francisco Bay from a height of 915 kilometres, to understand the outstanding and complex technology embodied in that satellite.

7. The technical advances of the space era are rapidly extending to all parts of the world; but promising as this progress may be for peace, general welfare and international co-operation, it entails a number of risks which must be met with farsightedness and a degree of prudence. Space technology deals with activities on which all peoples of the world could easily agree, but it involves other activities which give rise to very different approaches, which are divergent or even antagonistic to one another, and these different approaches may at times pit the process of interdependence and the exchange of culture against the survival of national States and the ways of life and the historical and cultural identities of peoples. In fact, the new means of communication will very soon allow certain countries to penetrate with their messages directly into the lives of peoples of other countries either by means of radio or of television.

8. That is why we wonder today how the cultural identity and unique personality of each people can possibly be maintained in this era of continuous communication and

how far 2, 4 or 20 large stations for news communication, educational programmes, and so on, could penetrate the minds and thoughts of other peoples and shape them to a life-style different from that which was originally theirs.

9. This problem, however, is only one chapter of the broader one of antagonism between an international community in continuous development as far as the existence of unifying forces is concerned and, on the other hand, national States which are coping with the problems of preserving their identity.

10. The United Nations first started to deal with outer space at the very outset of the space age, in 1958. In 1963 the United Nations adopted the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space [*resolution 1962 (XVIII)*] and in 1967 the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [*resolution 2222 (XXI), annex*] which is the framework within which any future agreement would be fitted. The 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space [*resolution 2345 (XXII)*] and the 1971 Convention on International Responsibility for Damage caused by Space Objects [*resolution 2777 (XXVI), annex*] have enriched considerably the achievements of the United Nations on the subject.

11. At present the United Nations is studying a draft on the registration of space objects, a treaty concerning the Moon and a draft convention on direct television broadcasting by satellites.

12. With regard to the régime of the Moon, my delegation believes that we should take advantage of this opportunity to regulate not only activities on the Moon itself but activities on all celestial bodies. Furthermore, the resources of the Moon and all celestial bodies which man may reach must be declared a common heritage of mankind. We must also establish responsibility for damages that might be caused on the Moon or on other celestial bodies. The treaty on the Moon has met with a number of difficulties, and I believe that what I have just stated clearly defines the position of my delegation on them. We hope that the preamble and the 21 articles of the treaty [*see A/AC.105/101, para. 21*] will soon be merged into a single text, deleting the bracketed parts which represent divergent views.

13. With regard to the registration of space objects, it is pleasant to note that France and Canada have decided to combine their drafts [*ibid., annex II, sect. C*] and thus have opened the door to general agreement on the subject.

14. Perhaps the most controversial subject of the present session as far as outer space is concerned is and will be that of the draft of the Soviet Union on regulating direct television broadcast by satellites [*see A/8771*].

15. The exploration of outer space and particularly the applications of space technology, which are progressing rapidly, are not only of interest to the countries that are in the vanguard in this field, however laudable that may be,

but are of interest to all peoples, owing to the impact that space technology has and will have on the whole life of mankind. Both the developed and the developing nations will derive more benefits from space technology, and in fact we are already benefiting from communications and weather forecasting by means of satellites. All peoples are interested in the regulations, the achievements and the risks inherent in these explorations, and they also wish to contribute so that this new chapter of human inventiveness will be placed at the service of peace, welfare and co-operation and so that constructive scientific emulation will replace the old-style competition for prestige, glory and power.

16. Up to this time, on the basis of the Treaty governing outer space, a number of activities are at present being regulated by international instruments. In principle all space activities could be regulated, including those concerning information and exchange of ideas, and they can be regulated precisely in order to guarantee them, to avoid their distortion and to ensure general access to their benefits.

17. Information should be free, and in order to guarantee that freedom, which would be jeopardized by excesses and mystifications, it has to be regulated. Much work is being done on the drafting of principles governing direct radio broadcasting, and, for the same reason, if not better reasons, equal efforts could be made on principles governing direct television broadcasting. Otherwise each State would be the judge of what is or what is not convenient for it, and if there were no regulations, States could hamper broadcasts from other States, and might even go so far as to lead to the unilateral destruction of the stations from which these programmes are broadcast.

18. Therefore we have first of all to consider elementary order so that these broadcasts can be carried out without interference and so that they can be fully utilized. Of course, this regulation of the right must not become a denial of that right. If, under the pretext of regulation, law is made ineffectual, we shall be doing a disservice to the international community; but if regulation is a way of guaranteeing the enjoyment of freedom by all, we shall be serving the international community in a remarkably useful way.

19. Just as constitutional rights develop through legislation, in order to allow the orderly enjoyment of these rights, so the fundamental rights the international community enjoys can also be regulated through conventions. It is true that it is a delicate subject, but we should not avoid discussing it because it is delicate. The absence of regulation can cause as much damage as regulation which under the guise of regulation consumes the very substance of the rights themselves. For example, there is the right of assembly, and the law defines how that right is to be exercised so as to avoid a situation in which in the same place and at the same time two antagonistic groups assemble and might be involved in a clash. The rights of the members of the international community can and should be regulated, with two ends in mind: first, to ensure their orderly enjoyment and thus make them accessible to all; and, second, to overcome the material deficiencies of those who cannot in normal situations exercise such rights,

lacking legal and political facilities which would put them in a position of relative equality with more advanced and powerful nations.

20. The Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Jankowitsch of Austria—who, I may say, has earned our thanks and congratulations for the way in which he has presided over the work of that Committee—stated the following:

“As to the question of direct broadcast, it was implicit in the recommendations of the Working Group created to study the subject during 1969 and 1970 that the Group did not visualize a role for the United Nations in the organizational aspects, but thought it necessary that the United Nations should take action in the regulatory and legal aspects.” [See A/AC.105/PV.110.]

21. Therefore the United Nations is dealing with the problem of direct television broadcasting, and one of its Committee has recommended or at least suggested that it deal with the legal regulations. Furthermore, UNESCO has prepared a draft Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange [see A/AC.105/104].

22. Article IX of the UNESCO draft Declaration, which refers to direct radio broadcasting from satellites, recommends “that States, taking into account the principle of freedom of information, reach or promote prior agreements concerning direct satellite broadcasting to the population of countries other than the country of origin of the transmission”. If there is an international will to arrive at an agreement on direct radio broadcasting, then with all the more reason we could recommend an agreement on direct television broadcasting, since television will have far more impact and influence than radio.

23. The absence of agreed regulations might encourage unilateral action. Disorderly competition among a number of countries might embitter international relations. Those countries that might gain relative advantages when the techniques of direct transmission are discovered could soon lose them because technology tends to become universal. Therefore, we believe that an international agreement is necessary, but, among other things, it should be able to eliminate unilateral action. In fact, unilateral action is inadvisable, and to allow a State to be a judge and a party in complying with the agreed norms might complicate international relations as much or more than would the absence of norms. In principle it would appear appropriate to bar unilateral action and to set out that controversies should be resolved through established means set up by international law and enshrined in the United Nations Charter. Some of the studies in progress at the moment are silent on how to settle disputes, but this silence implies a tacit reference to Article 33 of the Charter; therefore, the absence of a provision cannot be understood as authorization for unilateral action nor for each State to be a judge of the agreed obligations and rights.

24. Article IX of the draft of the Soviet Union states that any State “may employ the means at its disposal to counteract illegal television broadcasting of which it is the

object, not only in its own territory but also in outer space and other areas beyond the limits of the national jurisdiction of any State”. We believe that that article should be thoroughly revised, because if it is allowed to stand, it might give rise to doubts regarding the possibility of unilateral action which could lead to the consequences I indicated earlier. Therefore, that is one of the articles we should like to see revised in the Soviet draft.

25. International agreement on direct television broadcasting should go beyond the mere regulation of broadcasting and indication of what is prohibited. Under the impact of these novel technical resources the under-developed nations might suffer a crisis of historical and cultural identity. Therefore, with the mere existence of four, five or ten stations broadcasting the views of the developed countries, they would be left with nothing of their own, even though they upheld different political ideologies. Thus, with regard to the very content of the broadcasts, there should be international agreement, so that the voices and thoughts of the under-developed countries would be respected and expressed, in such broadcasting. In other words, if the world of the future is to be a world of exchange of cultures, then that exchange must be multilateral and expressed in many directions.

26. All countries have a right to ensure that information disseminated regarding events in which they are involved be objective, complete and well balanced. But objectivity implies a grave problem—as much a philosophical one as a practical one—and much ink has been used in explaining this. However, objectivity is still the ultimate goal in questions of information.

27. Information should be well balanced and therefore each country should be presented in all its aspects and activities, and not only from the sensational point of view which stresses violence and historic weaknesses, that is, precisely those aspects which the country is trying to do away with. We have for example the notorious “coups d'état” which immediately became headline news in the information media, and the terrorist activities which have multiplied in recent years. When a hydroelectric plant is inaugurated, a port is built, educational laurels are won, contributions are made to the development of international law and so on—these events are filed away and are not considered news. In that way, an incomplete image of a specific country is projected internationally. Thus, there is much to study and much to be decided upon and to be defined in such complex questions. A final position in such matters cannot be adopted in general and abstract terms but rather in concrete terms. When the studies have progressed sufficiently to allow an over-all picture to be obtained regarding the use to which this aspect of intercommunication and exchange of cultures, which begins with space technology, is to be put, then we shall be ready to say where we stand.

28. It might be thought that broadcasting stations, therefore, might provide access to the under-developed countries, in the same way as launching pads for rockets are already being used for scientific satellites from other countries. The under-developed countries could even increase their dependency if these technical means remain entirely in the hands of national States, and if international



co-operation is avoided, because their survival as historic and cultural entities would be at stake. Surely the appropriate time to do all this is now. If we wait, it may be too late.

29. The idea that the countries receiving these broadcasts would give their consent is an interesting one, and we believe it should be retained and considered as one way of reconciling opposing interests. Of course, that consent should not be arbitrarily denied or refused purely out of an excess of zeal for segregation or isolation.

30. Regarding the granting of consent to receive direct radio or television broadcasts, the matter deserves careful consideration. The principle of prior consent is a correct one, but its application could give rise to a series of difficulties if that consent were expressed by States separately and individually. Thus, what would happen if a State refused that consent and a neighbouring State granted it? The consent should be a collective one and should be granted through appropriate international organs.

31. In some countries radio and television broadcasting and in general public spectacles are subject to a certain monitoring, which revives the very old Greek and Roman concept of protection of good standards. An effort is made to maintain ethics and aesthetics; artistic taste is encouraged; and, with an up-to-date and not a mediaeval approach, good habits are protected. It would be somewhat ludicrous for a country to organize the moral protection of its inhabitants and the encouragement of aesthetics within its frontiers, and yet at the same time be exposed willy-nilly to broadcasts which it would have no way of controlling and which might be far removed from the goals pursued internally. It is not by any means a question of trying to regiment art or to set up yardsticks—which would not work anyway—for the evolution of ideas, including the evolution of ideas on good standards; rather it is a question of taking care that there are no extreme cases; of avoiding bad taste, vulgarity, the commercial exploitation of sex and other excesses which characterize not liberty but licence. Therefore the legitimate interests of the countries receiving the broadcasts must be reconciled with the very laudable aim of communication of the countries sponsoring the broadcasts; and this can be achieved by carefully prepared conventions.

32. Direct broadcasting by satellites, whether by radio or television, should be given institutionalized treatment by the international community. It would be worthwhile to consider the establishment of suitable organs with well-defined powers to solve the many problems which will emerge daily with the use of space technology.

33. My delegation supports the principle of international regulation of all space activities, including direct radio or television broadcasting. However, at the moment we cannot endorse any specific draft treaty, because we believe that the study of this important question has only begun. The draft submitted by the delegation of the Soviet Union is very significant, but it must be balanced and complemented with other views and therefore it should remain as one of the elements of a synthesis that will be acceptable to the international community.

34. In particular, my delegation believes that the developing countries should very carefully consider this subject

and, in full knowledge of all the facts, contribute to an adequate treatment of the question. We have heard the points of view of countries planning broadcasting, but we lack sufficient evidence to judge on behalf of the developing nations, particularly as regards the details of the possible blueprints of agreements and regulations. We consider that it would be advisable for the developing nations to combine their contributions in order to safeguard their legitimate interests because there is something much more substantive than economic interests involved: that is, the survival of the historic and cultural identity of many peoples.

35. To sum up, my delegation is very gratified by the progress achieved in space techniques, but we hope that in due course the international community will discover and devise ways of avoiding the risks inherent in space techniques. We have to learn to live, and coexist, with the sacred monsters of scientific know-how. The use of technical resources in communication must be protected, and its abuse repressed.

36. Through space techniques the international community is discovering a new and fruitful chapter in its history of co-operation, exchange and dovetailing of cultures and the proliferation of relations of all kinds. But we must not allow technical monsters to take over man. Space technology deserves support, but in order to be lasting and to assist the development of the international community, it must be used in a rational way and that rationalization, although reached through techniques, is achieved by political agreements and on the basis of juridical norms.

37. Mr. ÖLCAY (Turkey): Mr. Chairman, since this is the first time I have taken the floor I should like to join those who have congratulated you—and I do most sincerely—on your election as Chairman of the First Committee. We feel sure that under your able guidance the work of our Committee will be crowned with success. My congratulations extend also to the two Vice-Chairmen and the Rapporteur.

38. Although the Committee on the Peaceful Uses of Outer Space was not able to present any concrete results at the twenty-seventh session of the General Assembly, we have nevertheless witnessed encouraging progress in the work of the Committee. The statements made by members of the Committee have also confirmed our observation that a great deal of what has been achieved this year is due to the wise and skilful chairmanship of Mr. Jankowitsch, the representative of Austria, who so ably carried on the work initiated by our present Secretary-General. We would like to extend our congratulations to Mr. Jankowitsch on the work he has done.

39. The Legal Sub-Committee has made considerable progress on the draft convention on the registration of objects launched into outer space and the draft treaty concerning the Moon. In the technical and scientific field, the United States of America has launched the first experimental satellite for earth resources survey and concurrently the Working Group on Remote Sensing of the Earth by Satellites has started its work. All those developments give us a sense of optimism about the future of international co-operation in the field of outer space,



because we observe that they all have as a common feature, an increasing willingness on the part of the space Powers to share their knowledge and to co-operate in the regulation of their activities in this technologically sophisticated field where very few nations possess adequate means to operate.

40. The exploration of the Moon has expanded not only the spatial boundaries of man but also his legal boundaries. We are pleased to note the progress achieved in the draft treaty concerning the Moon. We believe that draft treaty should be considered in a wider context and we see it, together with the outer space Treaty,<sup>1</sup> as an instrument which could lay the foundations of a new space law. Holding that view, we would prefer the scope of the treaty to be wide enough to be applied to activities not only on the Moon but also on other celestial bodies. We also share the view expressed by a great number of delegations that the resources of the Moon and other celestial bodies should form part of the common heritage of mankind.

41. My delegation welcomes the launching of the ERTS-1 satellite, which could be very useful in many fields, particularly in the exploration of the earth's resources. We also note with satisfaction the convening of the Working Group on Remote Sensing of the Earth by Satellites. In that connexion we must emphasize that in order to achieve successful results and avoid duplication it is highly important for the Working Group to maintain effective co-ordination with other United Nations organs dealing with the same subject, and particularly with the Committee on Natural Resources.

42. At present my country, through a newly created official body, is working on the possibilities of actively participating in the ERTS-1 projects. I should also mention that considerable work is being carried out in this field within the framework of regional collaboration between my country and its neighbours, Iran and Pakistan. In November 1971 a remote sensing seminar was held in Ankara and a remote sensing training programme was organized in Teheran last month. Both of those programmes produced satisfactory results.

43. I should like now to express briefly my delegation's views on the question of the use of artificial earth satellites for direct television broadcasting. The problem we are facing here is twofold. On the one hand, transmission of television programmes by means of satellites directly to home receivers is too closely related to the sovereignty of States to be operated without establishing international rules governing it. On the other hand, the potential benefits of direct broadcasting are too great to be needlessly hampered. The difficulty lies in striking a delicate balance between those two aspects of the question, which are complementary rather than contradictory since they are both related to protecting and promoting the interests of the international community.

44. Regarding the first aspect of the question, the concern we feel over unregulated direct broadcasting from satellites stems from our present experience about misuse of mass

media systems. In an age in which we praise the atmosphere of détente on every occasion, we still hear subversive radio broadcasts from abroad trying to impose their own social and political systems on other countries, or to discredit a Government in the eyes of its people, thus poisoning friendly relations among nations. This is an important problem which deserves the most careful attention of the international community.

45. One may then ask whether the urgency felt about an activity which will take place some time in the future is completely justified when an existing and much more real problem remains unsolved. We realize that when technological advances make possible the broadcasting of television programmes by means of satellites to home television receivers, that might create an unprecedented opportunity for subversive intentions to undermine the sovereignty of States and to interfere in their domestic affairs, thus creating an additional source of international conflict. What is even more dangerous is that the State which is exposed to such a broadcast would probably have no means whatsoever of taking any counter-measures against the broadcast, and would be a helpless victim of the broadcasting country. Furthermore, it would violate not only the basic rights and interests of States but also the basic rights and freedoms of individuals—the freedom not to be subjected to propaganda or to illicit, immoral or simply unintelligent broadcasts against one's will and the right to be protected by one's own authorities against such broadcasts. Having those concerns, we favour the initiatives taken with the aim of establishing international rules and procedures for such broadcasting.

46. On the other hand, the benefits to be derived from direct broadcasting by satellites have been described by many speakers who have preceded me. Direct television broadcasting, when it becomes a reality, will establish an entirely new dimension in international communications. It will enhance the free flow of information, expand cultural exchanges and promote the universal dissemination of knowledge, thus contributing to increased interdependence among nations. It will also play a significant role for developing countries by securing universal primary education and serving in campaigns against illiteracy. It is therefore highly important that while we are making efforts to regulate direct television broadcasting from satellites we should also pay due regard to the question of not hampering the benefits it can provide.

47. Following that line of thinking, we favour in principle the Soviet Union's proposal [see A/8771] and consider it a basis for discussion, together with the valuable work that has been carried out by UNESCO and the International Telecommunication Union in this field. We believe, for instance, that the adoption of the UNESCO draft Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange [A/AC.105/104], even though that draft may require some further refinement, would provide a useful guideline for more concrete future action that might be taken within the outer space Committee. In fact, satellite broadcasting combines disciplines of great divergence, such as space technology, broadcasting and radio communication, to cite only a few, so it is necessary to adopt a co-ordinated and cross-

<sup>1</sup> Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [resolution 2222 (XXI), annex].

disciplinary approach to the question. However, we do realize the complexities of the problem and the difficulties that will have to be overcome in order to establish an international code. One of the main difficulties to be tackled is the reconciling of régimes of press and broadcasting in different countries. Another is the divergence of moral and social values, which differ from one country to another.

48. Furthermore, there are technical difficulties due to the lack of precise control over satellite beams. For example, as was pointed out by the representative of Australia [*1863rd meeting*], there is the danger of these direct transmissions spilling over beyond the borders of the receiving country. There is also the possibility that through its refusal to give its consent for such a broadcast a State could deprive several other willing States of the benefit of a broadcast.

49. However, although the elimination of these difficulties requires arduous efforts, they do not seem to be insurmountable. Considering the rapid pace of advancement in technology and the slow pace in setting the legal norms regulating them, we believe it is appropriate, if not urgent, for the outer space Committee and its subsidiary organs to commence substantial work towards the establishment of an international code.

50. As to the draft convention proposed by the Soviet Union [*see A/8771*], we need further time for study in order to express our views on its specific provisions. However, as a preliminary comment, I can say that my delegation would be inclined to see the principles which should govern any international instrument—such as the principles of respect for sovereignty and non-interference in the domestic affairs of any State—stated explicitly in such a draft convention. It would also be appropriate to embody in any such draft convention the principle of freedom of information, since the objective of the draft, as stated by the representative of the Soviet Union [*1861st meeting*], is not to restrict but to regulate.

51. As things now stand, we are not yet in a position to state that the draft resolutions so far proposed and the amendments thereto are clear enough and sufficiently comprehensive in their present form to warrant our unqualified support.

52. In connexion with the structural changes of the outer space Committee, my delegation has listened with great interest to the views stated by the representative of Italy on this question [*1865th meeting*]. We believe two factors should be taken into account in considering future changes in the composition of the Committee. First of all, it is important to ensure the participation of all the space Powers in the work of the Committee. Without them, the Committee's work would inevitably lack the necessary degree of effectiveness. Secondly, in recent years the Committee's pattern of work has largely been changed, from work of a very technical nature requiring a certain degree of technical expertise for active participation, into work of a more general nature concerned with regulating space activities. We believe this development in the work of the Committee necessitates a parallel change in its composition so that many non-space Powers that are willing and able to contribute to the work of the Committee may do so.

53. Mr. DUGERSUREN (Mongolia) (*translation from Russian*): Mr. Chairman, I should first like to congratulate you upon your most deserved election to the high post of Chairman of this important political Committee of the General Assembly. I should also like to congratulate the Vice-Chairmen of this Committee, my colleagues Mr. Datcu and Mr. Bishara, and the Rapporteur, Mr. Santiso-Gálvez, on their election as officers of the Committee. I venture to express the hope that under the skilful guidance of such competent officers the work of our Committee will be carried out in a businesslike and constructive atmosphere and will thus make a valuable contribution to the solution of the problems confronting this Committee.

54. Since the last session of the General Assembly many important events have occurred which testify to the further progress of mankind in the field of the exploration of outer space. At the beginning of this year, as a result of the successful operation of the Soviet station Lunar-20, lunar soil samples were brought back to earth through automatic equipment. A soft landing was achieved by the landing craft of the interplanetary automatic station Venera-8 on the surface of Venus, and valuable scientific data were obtained, adding to our knowledge about the far-away planet. The spaceship Apollo-16 successfully concluded its lunar travels, proving that new possibilities exist for the activities of man in the lunar environment. Interplanetary stations were also launched towards Mars and Jupiter.

55. It can be seen that in recent years science and technology have achieved remarkable progress in the field of the exploration and use of outer space. The present pace of the development of space science and technology opens up very promising possibilities for the future, and in order to make this promise a reality it is necessary to set up large-scale and fruitful international co-operation on the basis of equality, respect for sovereign rights and the legitimate interests of each State.

56. In this connexion, the Government of the Mongolian People's Republic attaches great importance to the positive role played by the United Nations and its bodies, especially the Committee on the Peaceful Uses of Outer Space, in ensuring a situation in which the new achievements of science and technology in this field are used exclusively for peaceful purposes and for the development of co-operation among peoples.

57. It is no exaggeration to say that it has become traditional for the United Nations to concentrate its attention mainly on the legal aspect of the problem, on preparing principles guiding the behaviour of States in their activities in the field of the exploration and use of outer space as well as the preparation of principles of international co-operation in this field.

58. It is in that light that one must assess the importance of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, concluded in 1967 [*resolution 2222 (XXI), annex*]. After that basic agreement, very important instruments of international law were concluded, such as the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space [*resolution*

2345 (XXII), annex], as well as the recent Convention on International Liability for Damage Caused by Space Objects [resolution 2777 (XXVI), annex]. These agreements are the result of common efforts aimed at formulating legal principles and norms governing the activities of States in the exploration and use of outer space.

59. At present the outer space Committee is considering the drafts of several instruments of international law designed to regulate the space activities of States, among them the draft treaty concerning the Moon submitted by the Soviet Union.<sup>2</sup>

60. Facts speak for themselves. They show that the expansion of international activities in the exploration and use of outer space has gone hand in hand with the establishment of agreed principles and rules governing such activities. This is both natural and logical. It is dictated by a concern for peace and international security and a desire to avoid a state of affairs in which outer space would become a new arena for international disputes and conflicts. All necessary measures must be taken to guarantee that the earthly squabbles that so often bedevil our planet are not transferred to such new fields of human endeavour as outer space and the sea-bed and ocean floor.

61. In view of all these facts, the Government of the Mongolian People's Republic supports the proposal of the Government of the Soviet Union for the preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting [A/8771]. This new initiative of the Soviet Union is both timely and to the point, in the light of the rapid progress being made in the use of artificial satellites as an important medium for the transmission of information.

62. As the Committee knows, the Working Group on Direct Television Broadcasting of the outer space Committee reached the conclusion two or three years ago that direct television broadcasting by means of artificial satellites could be a reality as early as 1975. UNESCO has already submitted to the Committee on the Peaceful Uses of Outer Space a draft declaration on Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange [see A/AC.105/104]. These facts, among others, show that the time has come to pass on to the preparation of an adequate and mandatory legal instrument in this field.

63. There is no doubt that direct television broadcasting by satellite is opening up enormous vistas for the dissemination of information to the masses; this new medium, assuming its proper utilization, will most usefully serve the interests and well-being of all mankind; it will contribute to better understanding among peoples and to the exchange of cultural values, and will serve to raise the educational level of the populations of various countries, especially the developing countries. The peoples of various countries will enjoy the opportunity of learning of the achievements of other peoples in the fields of economy, culture, science, the arts and sport.

64. All this is indeed most attractive and pleasing. But unfortunately there is a large "but", since it is not only a matter of technology. Quite properly the question arises of how it can be guaranteed that this new medium of mass information will not be used in a manner prejudicial to the sovereign interests of States or to the cause of international co-operation. Past experience shows that there have been too many instances where some achievement of science or technology was used not in furtherance of mutual understanding and co-operation but rather for the purpose of inciting hostility and hatred, or infringing the sovereignty and interfering in the internal affairs of other States. It suffices to say that in the past the development of radio broadcasting was used for such unsound purposes, so that as a result the League of Nations was constrained to adopt a special resolution concerning the dangers of radio broadcasts running contrary to the spirit of co-operation,<sup>3</sup> after which the International Convention concerning the Use of Broadcasting in the cause of peace was signed.<sup>4</sup>

65. The question therefore arises: what should be done so that one of the most remarkable achievements of our time—television broadcasting from outer space—is used in the interests of the whole of mankind, that its benefits are enjoyed by all countries, no matter what their level of economic or technological development? We are of the view that our first duty is to start by working out generally recognized principles to govern such broadcasting. Such television broadcasting must be regulated by principles of international law, and in this connexion my delegation wishes to stress once again the timeliness of the Soviet initiative and the great juridical value of the draft convention it has submitted at this session [see A/8771].

66. The legal, political and practical significance of the draft convention was clearly demonstrated in the convincing statements of the representative of the Soviet Union, Mr. Malik, and many other representatives, who set forth in detail the main provisions of that document. I shall therefore not enter into any details.

67. I merely wish to note that the present draft serves the purposes of the United Nations Charter. It develops basic principles for international co-operation in the use of outer space and gives concrete expression to principles already existing in international instruments in this field.

68. Our delegation agrees with those representatives who believe the draft convention submitted by the Soviet delegation is deserving of serious study, serving as an excellent basis for the preparation of an instrument regulating the activities of States in the use of artificial satellites for direct television broadcasting. Our delegation, like those representatives, supports the draft resolution proposing that the draft convention be transmitted to the Committee on the Peaceful Uses of Outer Space for further elaboration.

69. There were, however, several representatives who held to different opinions. I must say that we were not convinced by the arguments of several representatives,

<sup>2</sup> Official Records of the General Assembly, Twenty-sixth Session, Annexes, agenda items 33 and 92, document A/C.1/L.568.

<sup>3</sup> League of Nations, *Official Journal*, Special Supplement No. 92, p. 37.

<sup>4</sup> League of Nations, *Treaty Series*, vol. CLXXXVI, No. 4319.



putting forward various pretexts in favour of postponing the preparation of a convention on the principles governing the use by States of artificial earth satellites for direct television broadcasting. On the contrary, their arguments only reinforced our belief in the urgent necessity to conclude an international agreement establishing the principles governing the activities of States in this field with a view to ensuring conditions in which this new achievement of science and technology would serve the higher interests of mankind instead of becoming the subject of abuse for selfish interests. I should like to recall the very pertinent remark of the representative of France that science and technology must not develop merely in the interest of a small number of people because of the absence of parallel legal principles governing outer space.

70. Among the sceptical voices, one clearly notices the negative tone of the statement of the representative of the United States about the draft convention proposed by the Soviet delegation. Yet, the agreement on co-operation in the field of the exploration and use of outer space for peaceful purposes concluded between the USSR and the United States in May of this year, together with important practical measures, provides that the parties will contribute to international efforts aiming at solving problems of international law raised by the exploration and use of outer space for peaceful purposes, in order to strengthen the rule of law in space and further the expansion of international space law, and will co-operate in that field. The Soviet initiative is directly consonant with these objectives. I hope I shall be well understood. I have not the slightest intention of casting doubt on the respect of the Government of the United States for its treaty obligations. I merely wish to say that, in the light of what I said, I was surprised by the great contrast between the provisions of the agreement I mentioned and the position of the delegation of the United States on this question.

71. Some representatives who opposed the timely conclusion of an international convention regulating direct television broadcasting tried to explain their negative position by saying that the Soviet draft allegedly restricts freedom of information. As a counter, several delegations very correctly pointed out that freedom of information does not signify freedom of propaganda for ideas of hostility, violence, racial hatred and others. Neither is it tantamount to sanctioning so-called pirate broadcasts whereby the stronger mercilessly infringe the economic interests of the less strong. Nor is freedom of information tantamount to legalizing pornography or other immoral phenomena undermining the moral foundations of society. The prohibition of such programmes is the aim of several provisions of the draft convention proposed by the Soviet delegation. It has also been pointed out, quite correctly, that regulated broadcasts from space in no way signify the limitation of freedom of information.

72. All these arguments show convincingly the need to organize and regulate direct television broadcasts through artificial satellites.

73. May I be permitted now to say a few words on the report of the Committee on the Peaceful Uses of Outer Space. Our delegation views favourably the expansion of the activities of the Committee and the faster pace of its

work. The Scientific and Technical Sub-Committee devotes ever more attention to problems relating to the practical application of space technology and international co-operation in this field. Our delegation approves of such activity.

74. Here I should like to add that the Mongolian People's Republic, like many other countries, attaches great importance to the efforts of the outer space Committee designed to guide the activity of the specialized agencies concerned towards an active search for ways and means of giving wider practical application to the achievements of space science and technology, including space meteorology and space communications.

75. Our delegation expresses its satisfaction at the work done by the Legal Sub-Committee this year. As is well known, the Sub-Committee has made significant progress in its work, reaching agreement on the preamble and the 21 articles of a treaty concerning the Moon. Such a beginning contains the promise of further success in the speedy preparation of what remains of that treaty. Of course, views are still very much at variance on matters relating to the scope of application of this treaty: the régime of lunar resources and prior notification of the launching of space ships towards the Moon. We think that the desire of all members successfully to conclude this important task will soon make it possible to find a reasonable compromise on matters still pending. We hope that the Legal Sub-Committee will also soon reach agreement on the text of a convention regarding the registration of space objects, on which significant results have already been achieved.

76. Mr. HARMON (Liberia): Immediately after your election as Chairman, Sir, I extended to you warm personal congratulations and pledged continued support and fullest co-operation. May I now, for the record, confirm that my delegation fully shares this feeling and wishes to assure you that in view of your great ability and dedication and your long association with the United Nations the work of this Committee during the twenty-seventh session of the General Assembly will go down in history as most outstanding.

77. I wish also to extend my delegation's felicitations to the Vice-Chairmen, Mr. Bishara, of Kuwait, and Mr. Datcu, of Romania, as well as to the Rapporteur, Mr. Santiso-Gálvez, of Guatemala, and the members of the Secretariat. Through the combined efforts of those distinguished diplomats and staff members the First Committee will without doubt continue to fill its traditional role with competence and efficiency.

78. Mr. Chairman, when after consultation you proposed to the Committee the schedule of work and it was decided to start our work with the consideration of the item on the agenda of the General Assembly concerning the peaceful uses of outer space, I was fully in accord with that decision because of the great importance which we all attach to this subject in relation to what we are now experiencing in the space age and to the applications of space technology, which already is beginning to bring about a change in man's environment. My delegation was therefore motivated by these factors and inscribed its name to speak briefly on this question so as to have recorded its words of satisfaction at and approval of the achievements thus far attained.

79. This is the sixth day we have spent listening with keen interest and stimulation to the statements which have been made by preceding speakers. We have also observed a few divergencies of opinion as to timing and procedure. But let us assess our achievements and take into consideration the outstanding work of the Committee on the Peaceful Uses of Outer Space.

80. The report [A/8720] gives us a realistic account of its activities, and we should reflect on the fact that it discloses that considerable progress has been made. We have also noted that 1972 has been a very productive year; and, guided by the principles of the Charter, let us assure posterity by our acts here that we are clearly motivated by the very useful and commendable work done by men—including representatives in UNESCO, the sea-bed Committee and the Legal Sub-Committee—whose devotion to duty and to the cause of the strengthening of peace and security, better understanding and international co-operation was recognized and so recorded.

81. Because of the inadequate technology possessed by the developing nations, of which my country is one, we have been excluded from taking part in outer space activities. This has not meant that we have been unaware of the economic and scientific benefits. The need, therefore, of listing each of the articles and commenting on them individually does not, in my opinion, seem necessary. We do fully endorse, however, the majority of the proposals and recommendations contained therein, and feel urged to call upon all countries to widen the tremendous possibilities which outer space technology can offer for the benefit of mankind.

82. From the many discussions which followed these debates during the past six days, it would appear that most of the countries of the third world are of the opinion that the time is not too distant when the space Powers should take into serious consideration the initiating of a space programme designed also to promote the welfare and progress of the developing countries. This new advanced technology must seek to benefit peoples of all lands and provide the basic needs of the world's suffering and deprived populations. It is therefore the cherished hope and aspiration of my delegation that in making this passing comment, future planning on the part of the space Powers will take this into account in a positive way.

83. We in Liberia, in particular, under the new leadership of President Tolbert, are committed to moving the nation towards greater heights and the total involvement of every man, woman, boy and girl in the technological development of the economic, human and natural resources of our nation. As a developing nation, therefore, our primary concern is that of whole-heartedly supporting technological advancement in all phases of our national life, and we have followed with great interest the possibility of introducing scientific methods into our development programmes.

84. Our people are becoming more and more receptive, and are determined to move forward as rapidly as possible within the limits of our resources. Space technology and the results which have been achieved in recent years are also becoming a matter of prime interest to all developing countries, and when we consider the immense benefits that

could be derived from space exploration we are prepared to lend every moral and other support, within our possibilities, to the nations which have undertaken this vast and expensive involvement.

85. A note, therefore, of deep appreciation must here be registered to the United States and the Soviet Union for their willingness to provide such information to encourage confidence in their leadership, thereby giving the international community the basis for better mutual understanding and reliance.

86. Having explained the reason behind our intervention, I wish to comment further as follows: having listened to the majority of my colleagues who have preceded me, I can safely say that there is general agreement that the debates have been stimulating and that most, if not all, of the views expressed are in general agreement on the basic need for expanding outer space technology. A few years ago the world wondered when the first attempt would be made to travel to the Moon. History teaches us that astronomers, philosophers and other ancient teachers tried to explain the mysteries of the universe, and philosophers wrote books and tried to convince their students about the total separation of outer space, the Moon, Venus, Mars, etc. Today, within such a short space of time, thanks to the great scientists of the United States and the Soviet Union, a great deal has been accomplished in space technology.

87. Each year, we have observed this all-important project for the exploration of the universe, heretofore regarded as utterly impossible, become a reality. The super-Powers, with their vast wealth and scientific know-how, have undertaken this great risk and responsibility and today they are being praised for it. More than that, in their massive discoveries and achievements, they have offered this tremendous potentiality to all Members of the United Nations. We should, one and all, offer them our highest congratulations and urge them, together with other nations now becoming involved in some phases of space or nuclear activities, to realize that man's greatest hope is for a peaceful survival. The United Nations, representing as it does the international community, must be the focal point of our planning so that developed and under-developed nations alike can feel free and confident to pursue a universal programme of peaceful and economic development for the benefit of mankind.

88. Finally, to summarize my delegation's brief observations on this important question, I wish to associate my delegation and myself with all of the deserved commendations extended the Committee on the Peaceful Uses of Outer Space, under the chairmanship of our esteemed Secretary-General, Mr. Kurt Waldheim, followed by his very able successor, Mr. Peter Jankowitsch, representative of Austria, whose most profound statement on behalf of his country at the 1866th meeting it was my very great pleasure to listen to.

89. My delegation has also taken note of the almost completed draft treaty, consisting of a preamble and 21 articles, relating to international co-operation with respect to the Moon [see A/AC.105/101, para. 21]. The Legal Sub-Committee deserves an expression of praise for its achievement.

90. To Professor Ricciardi of Argentina go our deep appreciation and thanks for having completed a worthy job in developing the programme of space applications and the many-faceted meaningful achievements which have left a high mark of gratitude in many countries. We anticipate a continued high level of success for his successor.

91. To the United States and the Soviet Union must also go a great deal of credit for their magnificent achievements in space technology; for without the will and farsightedness of the leaders of those great Powers the space programme would not have reached its present stage. To the United States in particular we also wish to record our thanks for having invited every Member of the United Nations to visit scientific installations in this country and to witness the launching of Apollo 17 in December at Cape Kennedy. Thanks should also be extended to the Governments of Brazil, France, Japan, India, Italy, the United Kingdom and the United States for the scholarships now available for study in different branches of space technology.

92. My delegation has read with deep interest the draft resolution introduced by the Foreign Minister of the Philippines [A/C.1/L.606/Rev.1] on the question of international action for the mitigation of the harmful effects of storms. My country is deeply interested in this and we consider this action timely and necessary. Therefore we are pleased to sponsor the draft resolution.

93. My delegation also wishes to compliment the Soviet Union on its initiative in introducing the draft resolution on the use by States of satellites for television broadcasting [A/C.1/L.605]. Some of the previous speakers have expressed some reservations about the timing, and so on. We must say that we do not share this opinion entirely. What we need to do is to plan ahead. We should urge the space Powers to continue their negotiations and prepare the groundwork on the principles and norms covering the conduct of outer space matters among nations. In view of the juridical norms and other safeguards that will be included in the draft treaty, my delegation regards this as being of some urgency, and we recommend this draft as being worthy of the most careful consideration by this Committee.

94. My delegation, in closing, wishes to reaffirm its faith in the United Nations and all its related agencies and pledges its fullest support and its preparedness to participate, within the limits of its capability, in any constructive and realistic programme that will improve man's condition and make our one world a happier and more secure place to live in. May all the efforts of the United Nations to strengthen international peace and security be crowned with abundant success, thereby making the United Nations a real and lasting institution for world peace and genuine brotherhood.

95. The CHAIRMAN: I thank the representative of Liberia for his kind words about the officers of the Committee.

96. Mr. KOMATINA (Yugoslavia): Mr. Chairman, I congratulate you and the other officers of the Committee most heartily on your election and wish to express the conviction that under your competent and experienced guidance our Committee will be able to complete its work successfully.

97. There is no doubt at all that regulation of the peaceful uses and exploration of outer space is in the common interest of an ever greater number of States and, I might add, of the international community as a whole. The growth of interest is, of course, in proportion to the attainment of practical results in the field of the exploration and uses of outer space, whose direct impact on international relations is felt to an ever increasing degree. The rapid progress achieved in the spheres of science and space technology has already provided undreamt-of possibilities with regard to the concrete solution of a series of problems which have been contained until recently within the domain of theoretical speculation, and has thus opened broad prospects for the establishment of fruitful international co-operation.

98. It is generally accepted that international co-operation in this field should be founded on the following principles. First, outer space should be removed from the zone of conflicts. Although much has already been done in this respect and international instruments have been concluded, we should not lose sight of the fact that in outer space some Powers are engaged in various activities which not only are in contradiction of the spirit of the treaties that have been concluded but also jeopardize the sovereign rights and security of States and peoples. Secondly, the results of space exploration should be made accessible to all countries, regardless of their level of development or scientific contribution to exploration, and primarily to the developing countries, because the gap showing what the developed countries can do and what the developing countries cannot do is most visible in this domain. Thirdly, actions concerned with the regulation of the exploration and uses of outer space should be co-ordinated through the United Nations; the world Organization should be the centre of such activities. Our Organization will obtain thereby the place that belongs to it in initiating and orienting co-operation in a sphere which is assuming increasing importance for the future of international relations.

99. The report of the Committee on the Peaceful Uses of Outer Space [A/8720] shows that one of the initial stages of the legal regulation of outer space has been completed with relative success, for which we are greatly indebted to the former and present Chairmen of the Committee—Mr. Waldheim, the present Secretary-General of our Organization, and Mr. Jankowitsch, the Permanent Representative of Austria to the United Nations. I avail myself of this opportunity to convey to them my delegation's thanks.

100. If the first phase was characterized by the activities of developed countries, and primarily the space Powers, it is necessary to ensure in the current and forthcoming phases the presence of a wider group of countries, including of course the developing countries. As I stated at the outset, the problem of outer space in its ever more practical aspects—such as meteorology, communications, applications of space technology, remote sensing of the earth by satellites, monitoring of environmental satellites, action for the mitigation of the harmful effects of storms, and so on—is of interest to the largest number of countries. My delegation attaches great importance to the solving of the remaining questions and to the measures already taken for the regulation of this complex activity—and of course to



the taking of new action which either is imposed by new developments or can possibly be anticipated.

101. As regards the preparation of an international treaty concerning the Moon, we feel that all controversial issues could be settled in a satisfactory manner. The progress achieved so far testifies to the existence of the will to achieve success. Whether this treaty will apply only to the Moon or to other celestial bodies as well is more an academic than a practical question. In this case there already exists a basis for compromise and there will probably be no problem in finding and adopting a solution. With reference to the régime of natural resources, my delegation wishes to underline its firm attachment to the principle of common heritage; any other solution would be a step backward in relation to what has already been adopted in other circumstances, and would be tantamount to sanctioning one more in a series of inequalities which are already dangerously burdening international relations.

102. One of the important questions is that of the adoption of a convention on the registration of objects launched into outer space. Its significance was stressed specifically during the work on the Convention on International Liability for Damage Caused by Space Objects [*resolution 2777 (XXVI), annex*]. In order to implement effectively the provisions of this Convention, as well as other international agreements, it is indispensable to know exactly whose object has caused the damage and what are the basic characteristics of the object in question. The need to regulate the question of the registration of objects launched into outer space is becoming ever more urgent in view of the increased number of space objects and expansion of the "space club" to include an ever larger number of countries. Registration, accompanied by the submission of detailed data, would enable the international community to have a better insight into the uses of space objects.

103. We also believe that advance notification of the intention to launch space objects would greatly contribute to the solving of this complex matter.

104. As regards the practical results achieved with respect to the application of space technology, it is certain that the most spectacular progress has been achieved in the field of telecommunications. At the same time, this has brought to the forefront certain questions involving international law, questions to which replies have to be found, even more so as the development of telecommunications has "cut into" some classical postulates of international law, which were concerned with earth telecommunications.

105. Although still relatively far from practical application, the use of artificial earth satellites for direct radio and television broadcasting is attracting, at present, the greatest attention. Such a possibility raises a whole complex of legal, political and other problems—in short, it raises the issue of acceptable rules of behaviour that are still to be laid down. Here we think that the Soviet proposal [*A/8771*] is relevant and that it addresses itself to the very heart of the problem, namely, the questions of sovereignty, of the necessity to protect national culture and economy and to contribute to the general education of the population, on the one hand, and the intensification of international exchanges and the need for ensuring the free flow of objective information, on the other. The use of artificial earth satellites for the direct television broadcasting of educational programmes is of particular importance to developing countries, which are not in a position to develop

their own television networks, particularly in sparsely populated areas. Mention should be made also of the use of artificial earth satellites by the various specialized agencies of the United Nations, such as UNESCO and others. Primarily interested in this matter are the small and very small countries, the potential recipients of such broadcasts, which cannot remain indifferent to the nature of the broadcasts addressed to their populations, particularly broadcasts received on television sets in private homes. Therefore, it is necessary, in our view, to elaborate a convention proceeding from the need for international co-operation and the role of the free flow of objective information within the framework of such co-operation, but also from the need to protect national culture and education from distorted views of the world and from interference in the internal affairs of other countries. My country will, of course, adopt its position vis-à-vis such a convention when it is elaborated, depending on the rules of behaviour it will embody.

106. My delegation attaches particular importance to the problem of the application of space technology. Without neglecting questions of principle, we deem it necessary that the Committee should direct its future work primarily towards practical questions of "this world". These are, for instance, the use of artificial earth satellites for meteorological, geological and other research. All these questions are closely linked with the development of the developing countries. Without excluding, of course, co-operation of a bilateral or regional character, we think that it is of the greatest importance to the international community as a whole, and in particular to countries lacking the necessary technology and experts, that the activities regarding these questions should be channelled through the United Nations and should be linked with kindred problems, such as the protection of the human environment and problems relating to the development of the under-developed part of the world. It is indispensable, above all, to extend appropriate assistance to the developing countries, so as to enable them to make use of the achievements of science. In this respect, the development of techniques for the remote sensing of the earth by satellites is of great importance; it will make it possible to follow developments not only in the atmosphere, but also on and below the surface of the earth, and to follow such natural phenomena as the ecological equilibrium, and so forth. The benefits to be derived from such development by the developing countries are obvious. In this connexion, it is, of course, necessary to protect the sovereign rights of States and to prevent the abusive use of the data obtained, that is, it is necessary to respect the norms of international law and to organize co-operation in a way that will prove beneficial both to the international community and to the developing countries themselves.

107. The great achievements of science in outer space will promote the creation of new relations in the world only to the extent to which they will facilitate the solution of one of the burning problems of the world—the problem of development—that is, if they contribute towards narrowing the gap between the developed and the developing countries. Therefore, may we repeat an idea that we have already mentioned on several occasions, namely, that it is necessary to consider the question of including a larger number of developing countries in the work of the Committee on the Peaceful Uses of Outer Space. Such expansion would be, no doubt, both in interest of the work of the Committee itself and in that of the developing countries.

108. Mr. PANYARACHUN (Thailand): Mr. Chairman, this being the first time that the delegation of Thailand has taken the floor, may I take this opportunity to congratulate you on your election. We have already seen how you, in a quiet and yet effective manner, have guided our deliberations in the past week or so. We are confident that you will lead the work of the First Committee to a successful conclusion. My delegation wishes also to congratulate your colleagues, the Vice-Chairmen and the Rapporteur.

109. We listened with great interest to the statements which have been made by the representatives on this important question. To begin with we had the pleasure of listening to the representative of Austria in his capacity as Chairman of the Committee on the Peaceful Uses of Outer Space [1861st meeting], and I want to thank him both for the report and for the efforts that he, following the fine tradition of his compatriots and his colleagues in the Committee, made in the course of last year. Judging by its record the outer space Committee has indeed achieved remarkable progress in an area of potential rivalry and conflict in international politics. It is one of the few United Nations bodies which make a real and serious attempt to create conditions and lay down regulations for international co-operation before conflicts begin to erupt. It is a body dealing with preventive measures as well as practical applications of space technology in the area of communications, meteorology and remote sensing of earth resources.

110. The 1967 outer space Treaty,<sup>5</sup> the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space [resolution 2345 (XXII), annex], and the 1972 Convention on International Liability for Damage Caused by Space Objects [resolution 2777 (XXVI), annex] are the primary elements which would form the nucleus of international law of outer space.

111. The Legal Sub-Committee, with its past achievements, continues to pursue its current tasks with the same seriousness of purpose and objectivity. Considerable progress has been made in its consideration of the draft treaty concerning the Moon. While there are still a few issues to be resolved, my delegation has no doubt that the differences will be reconciled, thus paving the way for the adoption of the agreed text in the outer space Committee and for its submission at the twenty-ninth session of the General Assembly. In this connexion, the Thai delegation would like to express its view that the treaty should provide that the natural resources of the Moon and other celestial bodies form part of the common heritage of mankind.

112. We are also gratified that the Legal Sub-Committee has made similar progress in regard to the draft convention on the registration of objects launched into outer space. My delegation agrees with the recommendation that at its future session the Legal Sub-Committee pursue the work on the two draft treaties as a matter of priority.

113. The Scientific and Technical Sub-Committee deals with problems which are of more immediate concern to the

people on earth. Its work on practical applications of space technology has great promise for the future. We share the view of many delegations in the Committee that while scientific matters are an important part of the Sub-Committee's work, the Sub-Committee should, however, be increasingly concerned with space applications, particularly as they apply to the national development of the developing countries.

114. The outstanding work done by the Expert on Space Applications, Professor Humberto J. Ricciardi, of Argentina, in developing the United Nations programme for promoting international co-operation in this field, deserves admiration and praise from all of us. It is this field of endeavour which with the co-operation of Governments of Member States, will have the greatest influence on mankind. My delegation hopes that his successor will successfully carry on the work and develop further programmes of practical applications in accordance with the guidelines set by the Committee and the General Assembly.

115. Thailand has only a modest space programme and we have much to learn from other Member States with their sophisticated technology and experience. We therefore welcome the United Nations programme for exchange of information, education and training. We are also interested in the potential of satellites and other space platforms for monitoring the human environment with a view to achieving the objectives set by the United Nations Conference on the Human Environment.

116. I should now like to turn to the proposal of the Union of Soviet Socialist Republics regarding the need for an international convention on principles governing direct satellite broadcasting [see A/8771]. The Soviet Union's initiative has evoked great interest and diverse comments from representatives in this Committee. It is not the intention of my delegation to make any judgement on the arguments and counter-arguments, and perhaps too much has been read into the motives of the Soviet delegation. I am prepared to give it the benefit of the doubt. The essential thing, however, is that its apprehension is a real one and there is some justification for such an attitude. It therefore follows that its action in this matter is neither premature nor hasty, and my delegation has considerable sympathy for its viewpoint.

117. Freedom of information is of cardinal importance and it is a principle which we all strive to maintain. However, it is not merely a right, but also imposes upon those who exercise it a degree of responsibility. The principle itself can be easily abused and often has been, by one side or the other. We do not have to be reminded by what we read, hear and see every day to know that many activities of Governments and mass media are carried out in the name of freedom of information. On the other hand, if direct television broadcasting by satellites—which, as the United States representative pointed out, is still a long, long way from becoming a reality—is to proceed in an orderly and peaceful manner in the interests of all nations and the peoples of the world, such activity must, in the words of the Soviet representative “aim not at increasing tensions among States but at decreasing them; at increasing understanding among peoples, expanding international co-operation and protecting the sovereignty of States from any

<sup>5</sup> Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [resolution 2222 (XXI), annex].

outside interference" [1861st meeting, para. 75]. The two viewpoints are not entirely incompatible and, given the spirit of goodwill and compromise, a middle ground which takes care of both schools of thought can surely be found.

118. It is clear that the matter should be referred to the outer space Committee. We should not, however, spend too much time discussing and deciding here and now whether it should be considered by the Legal Sub-Committee or by the Working Group on Direct Broadcast Satellites. Not being a member of the outer space Committee and its subsidiary bodies, I find it difficult to make any definitive pronouncement on the question. Some general comments are perhaps not out of order, however.

119. First, the outer space Committee is the parent body and the master of its own procedure in regard to the organization of its work programme, including determining the order of priority. Is it therefore right for us to tell the parent body how it should organize its own work? Our preference, therefore, is to refer the matter to the outer space Committee.

120. Secondly, the Legal Sub-Committee already has a heavy workload for its future session and has already made recommendations about its future work programme. It will no doubt at some stage have to involve itself in the preparation of the draft convention proposed by the Soviet Union.

121. Thirdly, the Committee, in paragraph 56 of its report, recommends that its Working Group, in view of its interdisciplinary character and its co-ordination functions, should be reconvened to study the new substantive material concerning direct broadcast satellites. The representative of Sweden has already pointed out that the Working Group "is eminently placed to highlight these aspects of ITU's and UNESCO's decisions, which are particularly relevant for a legal discussion and could also provide comments on the Soviet draft" [1867th meeting, para. 35]. In our view, the Working Group, which is competent to consider the technical, economic, legal and social aspects of broadcasting by satellites, should be reconvened accordingly.

122. My delegation also shares the view of the Committee that as a principal United Nations organ on outer space, providing a focal point for international co-operation in the peaceful uses and exploration of outer space, the Committee should have the opportunity to comment on the UNESCO draft Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange [see A/C.105/104]. Such comments should of course be taken fully into account by the General Conference of UNESCO before its adoption of the final text of the draft Declaration.

123. The delegation of Thailand is happy to be associated with those of Australia, Iceland, Indonesia, Japan, Kenya, Madagascar, Malaysia, Mauritius, New Zealand, the Philippines and the United States of America in sponsoring draft resolution A/C.1/L.606/Rev.1, on international action for the mitigation of the harmful effects of storms. Mr. Carlos Romulo, Foreign Minister of the Philippines, who introduced the draft resolution at the 1863rd meeting, has

already given a clear explanation of the draft. Since then suggestions from other delegations which wished to sponsor it have been considered, accepted and included in the revised draft, particularly on the question of co-ordination between various interested bodies and on the importance of pre-disaster planning. We are pleased that the draft resolution has brought a positive response from many delegations as well as from the representative of the World Meteorological Organization.

124. The Thai delegation commends the draft resolution to the favourable consideration of the Committee.

125. Mr. LOPEZ-SCHÜMMER (Spain) (*interpretation from Spanish*): Mr. Chairman, I am very happy in this first statement on behalf of the Spanish delegation in the First Committee to congratulate you on your election to preside over the work of this Committee. It is not possible for a debate to be held peacefully and to be effective in attaining its objectives unless led with wisdom, calmness and vigour which, in this case, are the best guarantees of success in our work. We know that the Vice-Chairmen and the Rapporteur will contribute to this and I am pleased to congratulate them too.

126. A simple retrospective glance at the scientific and technical picture of the last years suffices to convince us that it is in the field of space technology where the most spectacular achievements and boldest conquests of man's mind and effort are to be seen. Man has enthusiastically given himself to discovering the mysteries of that new frontier represented by outer space and the celestial bodies.

127. Mr. Jankowitsch, who so wisely presided over the work of the Committee on the Peaceful Uses of Outer Space, gave us an impressive statement at the 110th meeting of that Committee detailing the space achievements of the last few months. Those spectacular achievements force us to look back to the time when we adopted General Assembly resolution 1962 (XVIII) which contained the Declaration of Legal Principles Governing the Activities of States in the Exploration of Outer Space, whose fundamental objective was to organize those activities and place them at the service of peace and the well-being of all men. That resolution laid the groundwork for ensuring that progress in the conquest of outer space, far from becoming a new field for confrontation or threat, would benefit all mankind.

128. Today the new technical progress can and should contribute to the achievement of those objectives of peace and development, primarily in three fields.

129. The first is by creating better conditions for research and the utilization of the natural resources for the benefit of all mankind and also by contributing to a more thorough understanding and more effective protection of the environment, which is increasingly threatened as time goes on.

130. The second is that of fighting with better weapons to prevent natural disasters, particularly tropical cyclones which so often batter certain countries, sowing destruction and death. My delegation listened with deep feeling to the statement made by the Foreign Minister of the Philippines, Mr. Carlos Romulo [1863rd meeting], when he described



the tragic situation created in the beloved Philippine land by one of those cyclones and my delegation can pledge its enthusiastic support to any initiative that will mitigate such grave calamities.

131. The third field is by establishing channels of co-operation that will lead to rapprochement and wider understanding among peoples, over and above their political or social differences. Thus the Secretary-General has very justifiably stated:

“The progress achieved has also provided the international community with eloquent testimony of a historical process through which, given the political will, an area of potential rivalry and conflict in international politics can be turned into a fruitful co-operative endeavour for the benefit of mankind.” [See A/8720, annex I.]

132. The report before us is good proof that the outer space Committee has not lost sight of those objectives, and my delegation wishes to congratulate the members of the Committee on the sincere effort made in the study of technical factors and in the preparation of new legal instruments to complete the work done thus far.

133. With regard to the latter point, my delegation wishes to support the views of those delegations which advocate the rapid conclusion of a convention on the registration of objects launched into outer space on the basis of the draft jointly presented by France and Canada [see A/AC.105/101, annex II, sect. C]. My delegation considers that in the process of codification and progressive development of norms governing activities related to outer space, a convention on the registration of objects launched into outer space would fill a legal vacuum existing today: the need to establish a clear-cut legal link between the launching State and the object launched into outer space. That legal relationship is necessary for the precise identification of objects in outer space, both for the adequate fulfilment of the obligations deriving from the Convention on International Liability for Damage Caused by Space Objects [resolution 2777 (XXVI), annex] and also for the purposes of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space [resolution 2345 (XXII), annex]. The technical difficulties inherent in the problem of identifying and tracking objects do not seem insuperable and my delegation trusts that an agreement will shortly be reached on the matter without too much delay.

134. The discovery of America, the anniversary of which was celebrated on the very day we began this debate, was a challenge to Spain—a challenge to its will, to its imagination, to its legal and moral awareness. The response to that legal and moral awareness was creative; it was called international law. Confronted by a new world, Spain reacted by creating a new body of law. That new body of law rested on a key concept: the *jus communicationis*—the right of man to communicate with his fellow-men, to establish relations with them beyond frontiers. The closer the weaving of human relations of all kinds, the richer the life of man will become.

135. The conquest of outer space today constitutes a new challenge to our creative capacity. As in the sixteenth

century, we have again to respond to the discovery of a new reality by creating a new body of law. We can no longer apply the convictions and norms of 200 years ago when man believed, with an optimism that was shaken by many tragedies, that freedom existed spontaneously and that it was sufficient not to curtail it for it to continue to flow. Liberty, like the fruit of paradise, was right there within our grasp, without further ado; but we know, and our knowledge has been coloured by much human blood, that what lies there within our grasp is chaos and tyranny. Freedom is not a fact: it is an achievement; it is a continuing creative effort. One is always free in a certain environment, and that environment must be protected in order to ensure independence. There is no freedom without independence. The right of man to communicate—and information is one of the basic and essential aspects of communication—must rest on independent positions. To establish relationships between different levels of freedom of information is not to encourage freedom of information but rather to encourage monopoly over information of the strong, and I do not believe anyone would consider a monopoly to be a guarantee of freedom.

136. New techniques place within the reach of mankind means of mass information unsuspected thus far. This is not the time to analyse the articles of the Soviet draft, but it is the appropriate time to state that that draft has presented the problem in all its scope, and called for relevant solutions. Perhaps direct television broadcasting by artificial satellites is not a promise for tomorrow, or for the day after tomorrow, but before that promise is fulfilled we must start from a certainty, and that is that when the day comes our duty must be to ensure freedom of information. Therefore freedom of information must be regulated so that the spheres of independence of the small and medium-sized nations or groups of nations or States will be protected, since under the supposed banner of freedom other nations, with their financial and technical power, try to impose upon them a mode of life which often rather than collapsing before more acute sensibility and criticism, appears to them as the archetype of civilization, but their own ideas and what is worse their own interests would be in jeopardy.

137. When speaking of freedom, John Stuart Mill was quoted in this room. As a Spaniard and a European, may I be allowed to quote that great Spaniard and great European, Ortega y Gasset. He said: “Life like freedom, in the political sense, is what man lives within the framework of his chosen institutions.” That same idea is now a tenet of international law, proclaimed by our Organization: namely, the principle of non-interference in the domestic affairs of others.

138. It is the balance between that principle and freedom of information which must be achieved despite many temptations and dangers.

139. When the great Powers speak of the freedom of the seas, of freedom of trade or freedom of information, sometimes, out of hypocrisy or self-deception, they are thinking in terms of hegemony. But in view of the new reality which the conquest of space denotes, conventional and detailed regulations should prevent this form of hegemony, designed as it is to introduce self-seeking

merchandise masquerading under the banner of freedom. This, at least, is the view held by Spain, a country which for centuries suffered the misfortune of being exposed to the black legend of a discriminatory information monopoly.

140. Mr. ALI (Pakistan): Mr. Chairman, the manner in which the affairs of this Committee have been organized and conducted more than justifies the hopes and expectations the members of the Committee placed in your wise leadership when they unanimously elected you to the office of Chairman. The First Committee is equally fortunate in having obtained the collaboration of Mr. Bishara of Kuwait and Mr. Datcu of Romania as Vice-Chairmen and of Mr. Santiso-Gálvez of Guatemala as Rapporteur.

141. My delegation has read with keen interest the report of the Committee on the Peaceful Uses of Outer Space [A/8720], the contents of which bear eloquent testimony to the ability and diplomatic skill brought to the chairmanship of that important Committee by Mr. Jankowitsch. Much as we would have liked to have had the opportunity of considering at this session the draft treaty concerning the Moon, we commend the progress so far achieved in its formulation and look forward to the resolution of outstanding issues, particularly those pertaining to the scope of the treaty and the legal régime governing the natural resources of the Moon and their disposal.

142. It is the opinion of my delegation that pending the elaboration of specific treaties to be made applicable to particular celestial bodies, the general principles formulated in the treaty concerning the Moon should apply also to all such bodies. We would wish to see the principle of non-appropriation by any one nation or group of nations extended to the Moon and other celestial bodies. We look forward to the time when we shall be able to agree to the establishment of a régime for outer space and other celestial bodies and operational arrangements for exploiting their natural resources for the benefit of mankind as a whole, taking into account the interests and needs of the developing countries.

143. At this point my delegation would suggest that the draft treaty, when completed, be circulated to Member States for examination and comment. This would afford an opportunity to those States not members of the Committee on the Peaceful Uses of Outer Space to make their contribution if they so desire.

144. While taking account of the progress achieved, my delegation would like in particular to welcome the fact that the Convention on International Liability for Damage caused by Space Objects [resolution 2777 (XXVI), annex] came into effect on 1 September 1972.

145. In the area of technical and scientific activities in the peaceful exploration of outer space, my delegation wholeheartedly endorses the view that space technology should find particular relevance in its application to the economic development of developing countries. In our opinion the dramatic progress achieved by technologically advanced countries should not become yet another manifestation of the gap—cultural and material—that separates the rich half of the whole from the poor half. Progress in the field of outer space can and must be used as a bridge in the larger

interests of the international community. We welcome the spirit of President Nixon's promise to share with other countries the adventures and benefits of space, and look forward to concrete measures to give it effect.

146. The scientific and technical ingenuity involved in the launching of earth resources technology satellites (ERTS) by the United States of America has rightly evoked admiration the world over. We commend the willingness of the United States of America to allow international participation in the ERTS programme and to share the satellite imagery, experiments and reports with the international community. In the same vein we should like to take note of the invitation extended by the United States National Aeronautics and Space Administration (NASA) to Members of the United Nations and the specialized agencies to send visitors to various scientific facilities in the United States and to attend the launching of Apollo 17 at Cape Kennedy on 7 December.

147. We hope that the decision of the United States to make available to all nations of the world the launch services developed by NASA will be an example of co-operation and sharing of technology worthy of being generally adopted in the field of the peaceful uses of outer space.

148. The ever-increasing participation in and response to programmes designed to promote practical application of space technology by the developing countries is a significant indication of their desire to play a role in this scientific endeavour and to use the most modern discoveries in the technological field for the purpose of raising the living standards of their people. Pakistan's role in this field is as yet a modest one. Pakistan is an active member of the Committee on Space Research (COSPAR) of the International Council of Scientific Unions, and has so far launched 70 meteorological rockets and 30 two-stage sounding rockets for the exploration of the upper atmosphere. The first Pakistan-built Centaur rocket was launched on 31 March 1969, and the first Dragon rocket was launched on 28 April 1972. Both rockets carried sodium payloads to study the structure and windfield in the upper atmosphere. This programme is insignificant compared to those of the more advanced countries. My purpose in mentioning it is to underscore the existence of the vast technological gap between the developing and the developed countries, and the efforts that need to be made to bridge it.

149. One step we could all usefully take is to allow a greater share of participation to developing countries, especially those that have developed a programme of space and upper atmospheric research, in the deliberations of the Committee on the Peaceful Uses of Outer Space. In this context, we have noted with interest the suggestion made by the representative of Italy, Mr. Vinci at the 1865th meeting. While we favour the idea of providing permanent seats to those nations engaged in space activities we would like to suggest that the number of rotating seats on the Committee should be increased so as to provide adequate representation to other States which have shown interest in activities related to outer space.

150. Other steps could include international collaboration in space research; publication of scientific and technical manuals under United Nations sponsorship on peaceful uses

of outer space for practical benefits in the field of meteorology, geodesy, navigation, and so on; enhancing the role of COSPAR as a non-governmental agency for the promotion of scientific programmes and for channelling scientific information. Information on space activities from all Members of the United Nations may continue to be collected and disseminated by the United Nations Secretariat. And another step could be assistance in education and training. In this context, Pakistan wishes to place on record its appreciation of the fellowship scheme for earth resources technology, initiated under United Nations sponsorship. I would like to emphasize that developing countries which have shown an aptitude for space research should be assisted in all possible ways to implement earth resources programmes by the United Nations.

151. Before I leave this aspect of our discussion, may I be permitted to commend the Philippine initiative that is now embodied in document A/C.1/L.606/Rev.1, sponsored also by several other delegations. To us it is a manifestation of the desire to which I referred earlier, namely that of alleviating human suffering through intelligent and humane use of technological progress. Not too long ago what was once the province of East Pakistan became a victim of the worst cyclone in human history. The memory of the havoc and misery caused by that natural calamity is still fresh with us. My delegation will, therefore, be happy to join those who have sponsored draft resolution A/C.1/L.606/Rev.1, which seeks international action for the mitigation of the harmful effects of storms.

152. I turn now briefly to the proposal for a draft convention on principles to govern the use by States of artificial earth satellites for direct television broadcasting [see A/8771].

153. The keen reaction generated by this question bears testimony to its relevance, even though the actual inauguration of direct broadcasting to home viewers lies many years in the future.

154. International communication through wireless is as old as the harnessing of its waves by Marconi more than half a century ago. Today many countries possess powerful wireless transmitters and their broadcasts have a world-wide coverage. This has not so far been the case with television broadcasts, which are received across national borders only of neighbouring countries except where special arrangements exist, as for the Eurovision programmes or, for instance, for covering the Tokyo and Munich Olympics. The technique of satellite broadcasting, when it is perfected and put to use, will give television broadcasts the same world-wide coverage as is enjoyed today by the British Broadcasting Corporation, the Voice of America or Radio Moscow. In principle, we must applaud this new example of man's advancing skill and technical ingenuity, and be prepared to use this new technique of world-wide communication to create better understanding among all peoples of the earth and enrich their cultural life.

155. However, the vividness and immediacy of television sets it apart from other information media in terms of its impact and influence over the minds of the recipients. The experiments performed some years ago in the field of

subliminal suggestion indicate the possibilities for abuse or misuse to which a strong medium of communication like television can be put.

156. From the debate it is clear that misgivings exist not only with regard to freedom of dissemination but also with regard to its quality and extent. We would not wish to adopt a negative attitude toward this new exciting field of international communication, which we believe can be used effectively as a means of creating greater understanding and bridging human frontiers; nor should one prejudge at this stage the manner in which this new medium will be used. Many of the apprehensions could be assuaged, we feel, if the technologically capable countries undertook an ordinance of self-denial, as it were, to ensure that freedom to disseminate does not become licence. It is important to ensure that direct telecasting will not carry programmes which might inflame religious, political, ideological or ethnic differences. As a developing country, we would certainly desire to see this scientific achievement applied toward the development of the poorer countries.

157. There is another important aspect, besides its impact and coverage, which sets direct television broadcasting in a class different from that of the other information media. Unlike wireless broadcasting, satellite telecasting will be, and is likely to remain, the preserve of only a handful of technologically advanced and economically affluent countries. It may, therefore, accentuate the cultural and intellectual gulf which is already beginning to widen between the developed and the less developed parts of our globe. We would suggest, therefore, that ways should be examined of enabling the developing countries to share in the use of television satellites. In this context, the Working Group on Direct Broadcast Satellites could perhaps have another look at its earlier recommendation that Member States and regional and international organizations should promote and encourage regional arrangements, at the governmental as well as at the non-governmental level, to increase international co-operation in the use of direct broadcast satellite systems. Pakistan would favour the adoption of such a recommendation.

158. These and other allied matters can, we feel, usefully be taken up by the Working Group on Direct Broadcast Satellites, which now ought to take up its task in earnest. At the same time, the Committee on the Peaceful Uses of Outer Space, as a focal point for matters relating to outer space, will, we hope, examine the UNESCO draft Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange [see A/AC.105/104].

159. The CHAIRMAN: I thank the representative of Pakistan for the generous words he addressed to the Chair.

160. Before adjourning the meeting, I wish to point out that the Chair has been requested to announce that Lebanon has become a sponsor of draft resolution A/C.1/L.608; and also that the Khmer Republic has become a sponsor of draft resolution A/C.1/L.606/Rev.1.

*The meeting rose at 1.30 p.m.*