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PROVISIONAL VERBATIM RECORD OF THE NINETEEN HUNDRED AND NINETY-FIRST MEETING

Held at Headquarters, New York,
on Tuesday, 15 October 1974, at 3 p.m.

Chairman: Mr. ORTIZ de ROZAS (Argentina)
Rapporteur: Mr. COSTA LOBO (Portugal)

International co-operation in the peaceful uses of outer space:
report of the Committee on the Peaceful Uses of Outer Space /32/ (continued)

Preparation of an international convention on principles governing
the use by States of artificial earth satellites for direct television
broadcasting: report of the Committee on the Peaceful Uses of Outer
Space /33/ (continued)

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AGENDA ITEMS 32 AND 33 (continued)

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

PREPARATION OF AN INTERNATIONAL CONVENTION ON PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/9620)

Mr. DATCU (Romania) (interpretation from French): We have followed with particular attention the introduction of the report of the United Nations Committee on the Peaceful Uses of Outer Space made so clearly and competently, as is his wont, by the representative of Austria Ambassador Jankowitsch, and also the other statements made on this report up to now. In the view of our delegation, the present debate confirms the growing interest of most States and peoples in the peaceful exploration and exploitation of outer space. This interest in our view is due to the fact that the development and implementation of space techniques represents one way of contributing to a large extent to the process of development by the dissemination and making available to developing countries technologies of proven practical application. At the same time, the process of establishing principles to regulate co-operation among States in this respect has made it possible for progressive tendencies towards the consideration of a new economic order to be incorporated ab initio in the legal instruments adopted in this field.

It should be stressed that the extension of international co-operation between States to the field of outer space cannot be achieved by the mere assimilation of existing standards and principles but only by their adaptation, under the influence of the process of the democratization of international relations, an objective process that is now in full swing.

(Mr. Datcu; Romania)

It is very gratifying to note that by the expansion of the membership of the United Nations Committee on the Peaceful Uses of Outer Space, an important step has been taken towards the recognition of the need for participation by all States in the working out of new legal standards. This remains the only way of ensuring that lasting solutions are devised and is in itself a guarantee of the effectiveness of such measures.

The developments I have just referred to have not occurred outside the United Nations -- and this is welcome. Its specialized organ, the Outer Space Committee has made a praiseworthy contribution towards the establishment of legal standards for the conduct of States in this field, and in encouraging international co-operation.

Permit me to present now some views of the Romanian delegation on the two qualitative aspects of the subject which are of particular interest to us, namely, the codification and the progressive development of principles to govern the conduct of States in this field.

Any reference to the activities of the Legal Sub-Committee of the Outer Space Committee must begin by stressing its success in completing the convention on the registration of objects launched into outer space, a convention that, as is well known, was adopted on the basis of a consensus of member States. This emerged quite clearly from the well-documented and highly competent statement of the Chairman of that body, Ambassador Eugeniusz Wyzne. That convention which supplements the stipulations of the Convention on the responsibility of States for objects launched into space, is an important step forward towards the establishment of a general legal framework for inter-State co-operation in space. We do hope that, if the implementation of this convention does not turn out to be a valid means for identifying space objects, the review conference provided for in article X will be able to accept the principle of compulsory marking.

The Romanian delegation considers that in the successfully completed draft of the convention on the registration of objects launched into outer space, we already have the basic legal instruments for the regulation of the principles of inter-State co-operation in this field.

(Mr. Datcu, Romania)

This convention will soon become part of the framework at present constituted by a series of other highly important documents -- the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage Caused by Objects Launched into Outer Space. What I want to stress is that the successful termination of this process, in our view, requires concentrating our attention more on specific fields of use, the regulation of which can provide momentum for the implementation of space techniques, particularly for the benefit of the developing countries.

It is in this spirit that we approach the problems of completing the Treaty on the moon and the preparation of principles governing remote sensing of the earth and direct broadcast satellites. We consider that the results achieved this year in these fields are encouraging and constitute a basis for completing the work satisfactorily at the next session of the Legal Sub-Committee.

This morning we noted with great interest the statements made here by the representatives of Brazil and Argentina on the preparation of a joint draft treaty on remote sensing of natural resources by means of space technology. We must state that we shall study that draft with the greatest possible attention in the light of the very good relations existing between our country and the co-sponsors and in the light of the close co-operation that has been established in this field among our delegations at previous sessions of the Committee and its organs.

In concluding these very brief comments on the development of international space law, I should like to assure members of our sincere desire in the future to make an active contribution to the activities of the Legal Sub-Committee.

The preparation of legal rules applicable to space is not an end in itself. No matter how perfect the regulations we produce may be, their value in the final analysis will be measured only by the extent to which they succeed in stimulating international co-operation in this area and by their contribution

(Mr. Datcu, Romania)

to the implementation of peaceful applications of space technology, particularly for the benefit of developing countries.

Romania understands that the applications of space technology should be something which is capable of stimulating the process of development, an instrument that can reduce the gaps between developing and developed countries. The good results of the work of the Committee on the Peaceful Uses of Outer Space in this direction, that is to say, the work done in the Scientific and Technical Sub-Committee and its Working Group, and the sensitivity shown by States towards the initiatives taken, the exchange of information and the holding of symposia, seminars and so on, demonstrate the special interest in space applications. All this has made it possible to make the initial assessments which will provide the basis on which we shall be able to develop very close co-operation in this field in the future.

OUR DELEGATION is firmly convinced that the proper conditions exist for our Committee to get down practically and systematically to the whole complex of space problems. Within the framework of this process one of the primary objectives should be, as stressed in the report of the Committee on the Peaceful Uses of Outer Space (A/9620, paragraph 43), the preparation of a United Nations programme on space application. We believe this programme should cover fields of interest, high priority fields and also the specific types of assistance which Member States, particularly the developing countries, need and wish to benefit from, with a view to the space application for development.

In the view of the Romanian delegation, this United Nations programme must give proper importance to remote sensing by satellites and to establishing, to this end, an international centre under the auspices of the United Nations, as well as regional centres.

Of course, at this stage one of the major tasks of our Committee should be to try to train personnel -- the training of cadres in countries which need them and which are attempting to bring about their own economic

development. Obviously this task is the very basis of the subsequent development of broad and fruitful international co-operation.

The stress we have placed on the orientations in the work of the Committee on the Peaceful Uses of Outer Space is due to the fact -- and we must confess it -- that the existing programmes in this field have remained largely symbolic. At the same time, what we have said is dictated by the conviction that this is the time to redouble our efforts to strengthen the role of the United Nations in the promotion of international co-operation so that we can put into practical effect the objectives laid down in article 1 of the Treaty on principles of 1967, whereby the use of space should be for the benefit and in the interest of all countries whatever the level of their economic or scientific development.

Mr. ELIAS (Spain) (interpretation from Spanish): My delegation wishes at the outset to extend its warmest congratulations to you, Mr. Chairman, and to the Vice-Chairmen and the Rapporteur of the Committee on your well-deserved unanimous election. Your competence and well-known authority, Sir, guarantee a successful and inspired leadership of the Committee as it carries out the very important tasks assigned to it. My delegation will give you its unconditional support and unstinting co-operation.

A careful reading of the report of the Committee on the Peaceful Uses of Outer Space confirms our conviction that the subject of outer space is one of the most important for the future of mankind. I trust that the Committee will forgive me if I again raise some points which are perhaps all too well known since they have been brought up ever since the United Nations started dealing with the questions of outer space; I do so because of the need for this Organization to keep its attention focused on the more general aspect of the problems, while at the same time diligently dealing with the specific aspects of more immediate interest.

The first, instinctive reaction of man upon discovering a new world is a determination not to make the same mistakes as the old world made. The myth of Paradise, stemming from the never-ending yearning of mankind, was forcefully reborn with that marvelous expansion of the biosphere that opened up outer space to human activities. That inspiration was given concrete legal form, barely 10 years after the launching of the first artificial satellite, in the Treaty adopted by the General Assembly in its resolution 2222 (XXI), laying down the principles governing the activities of States in the exploration and use of outer space. Those broad principles -- universality, peaceful co-operation, demilitarization -- must always be borne in mind and strictly observed in the work of the organs entrusted by the United Nations with carrying out activities in this field.

The principle of universality was reaffirmed by the Assembly at the twenty-eighth session in resolution 3182 (XXVIII). The fourth paragraph of the preamble to that resolution reads as follows:

"Reaffirming the common interest of mankind in furthering the exploration and use of outer space for peaceful purposes".

The seventh paragraph of the preamble reads:

(Mr. Elias, Spain)

"Convinced of the need for increased international efforts ... and believing that wider participation by Member States in the activities of the United Nations relating to space matters may contribute to the objective of such increased international efforts."

It was undoubtedly that very principle of common interest that the General Assembly had in mind when it decided, by paragraph 28 of the operative part of the same resolution, to enlarge the membership of the Committee on the Peaceful Uses of Outer Space from 28 to 37; such an increase was dictated, as the eighth paragraph of the preamble made clear, by the corresponding increase in the membership of the United Nations.

If we bear all that in mind, we can understand why, when the Assembly at its twenty-eighth session adopted resolution 3182 (XXVIII), some delegations expressed dissatisfaction with the haste with which the increase in the membership of the Outer Space Committee had been carried out. The delegation of Spain continues to believe that the composition of that important Committee deserves constant and careful study in order that the Committee and its subsidiary bodies may have the best possible conditions in which to accomplish their delicate and complex tasks expeditiously. If there is a question that by definition affects all mankind equally, it is the proper ordering of outer space, surrounding the planet on which we all live. In that context it is somewhat anomalous that the very Committee entrusted with that ordering of outer space is limited by the application of the criterion of numerus clausus. Indeed, the Chairman of the Committee himself said in his opening statement in 1972, and repeated in his opening statement in 1974, that the Committee is the "policy-oriented focal point". That means that it is not merely a technical Committee but a truly political body that must faithfully reflect the composition of the General Assembly itself. For the time being, I shall go no further than that general observation, since this is not the appropriate time to enlarge upon my opinion. My delegation would like to state here that we should like to have, at the appropriate time, a discussion of the possibility of establishing a system of rotation under which some of the members of the Committee would be changed from time to time.

Having said that, my delegation would like to congratulate the Chairman and the present members of the Outer Space Committee on the work they have done. Both the plenary Committee and the Sub-Committees and Working Groups have laboured diligently and constructively to overcome the difficulties of all kinds impeding speedy progress in this field. Much remains to be done, but what has already been achieved, as well as the fact that the road has been opened to future achievements, is indeed important and shows that the Assembly has quite rightly placed its confidence in the Committee and encouraged it.

(Mr. Elias, Spain)

Of the three fundamental principles enshrined in the treaty, the Committee has devoted most of its efforts to dealing with the principle of peaceful co-operation, the utilization of the means offered by space technology for the development of mass communication media, and the utilization of the vast field offered by remote sensing of the earth by satellite for a more complete and rational exploration of the economic resources to the benefit of all nations and for advances relating to meteorology, the environment, the prevention of natural disasters, and other activities of interest to all. My delegation has noted with interest the suggestion mentioned in paragraph 44 of the report, regarding the convening of a United Nations conference to be held on the occasion of the twentieth anniversary of the beginning of space activities, an idea which the Scientific and Technical Sub-Committee would consider at its next session in the light of the views that Member States would submit to it at the request of the Secretary-General.

We have also noted with interest, as one of the characteristics of the work of the Committee and its subsidiary bodies, the whole interrelationship that exists between the technical and the legal aspects of questions of outer space, as it clearly emerges from the views expressed in the Scientific and Technical Sub-Committee on the need to create a legal framework for remote sensing of the earth by satellite as a basis for international co-operation in this field, before dealing with any organizational arrangements.

We have also been interested by the idea, mentioned in paragraph 58 of the report, that the Committee should study a draft resolution on international co-operation in the peaceful uses of outer space, to be submitted to the General Assembly, and we note that there is an unofficial draft in the hands of the members of the Committee, which will perhaps be discussed at the next session.

The most substantive part of the report is annex III, which contains a draft convention on the registration of objects launched into outer space. This draft has been discussed and prepared with great care and, in our opinion, it contains all the necessary elements for achieving the desired aim. Without making a detailed comment on its contents, the delegation of Spain, a country which has tracking facilities established on the basis of international

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co-operation, and which has developed space programmes on which it has submitted relevant reports, contained in document A/AC.105/123/Add.1, Spain welcomes this draft, which we shall support by voting for the draft resolution concerned.

Before concluding, the delegation of Spain would like to refer to the third important principle established by the treaty, namely, the demilitarization of outer space. This particular aspect of the space problem links this item with the whole series of questions concerning disarmament. The 1974 yearbook of an institution of high repute, namely, the Stockholm Institute for Peace Research, includes among the multilateral agreements on disarmament the treaty on principles governing the activities of States in the exploration and use of outer space. However, in the First Committee's programme the item on space appears as if removed from questions of disarmament, and the contents of the Committee's report also give the impression that this aspect has been relegated to second place, and has been obscured by the multiplicity of questions and initiatives dealing with technology.

No degree of vigilance can be enough, no effort can be sufficient, if we truly want to ensure that outer space remains a peaceful area, because the alternative would not be a mere repetition on a huge scale of the errors that have converted this earth into a dangerous and insecure home for mankind. It needs no prophetic gift to see that the militarization of space would mean the death sentence of our planet. We speak of remote sensing of the earth by satellite as though this were merely a technical problem, but let us not forget that the same technology enables us to locate the positions and movements of the offensive and defensive military equipment on which hinge the very precarious balance and the narrow margin of security underlying mankind's existence at this time. We might wonder what practical consequence may be derived from this premise. I really do not know, and I should be very wary of claiming that there are easy solutions for this situation. However, I most earnestly believe that this Committee should be awake to the dangers inherent in a space race, and to the need to keep alive the awareness that inspired the treaty of 27 January 1967, in particular the

(Mr. Elias, Spain)

clauses which prohibit the establishment of any military installations in space or on celestial bodies. The difficulty of distinguishing between the military aspects and the technological and peaceful aspects of the question, is yet another reason for us to try to shed more light on this crucial situation.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Spain for the kind words he has addressed to the officers of the Committee and to myself.

Mr. RYDBECK (Sweden): My delegation's record as regards the observance of the rules of procedure of the General Assembly is, on the whole, so good, I think, that I can allow myself to break them at this moment because my delegation -- and certainly not I, personally -- would not take the floor for the first time during this session without telling you, Mr. Chairman, how genuinely happy we are to see you in the chair, and how safe and well-guided we feel under your leadership. We promise all our co-operation to you and to the other members of the Bureau, and we also warmly congratulate you.

The world's problems of food and energy, as well as the problems of economic and social development, in a more general sense, loom ominously over the present session of the General Assembly. More than ever before, we are becoming aware of the interdependence of nations. The need for real international co-operation has never been so great. Daily reminders of this come to us from every field of human endeavour.

Peaceful applications of space technology are providing significant benefits to the world. Rapid and sometimes quite sensational achievements in mastering and developing various space-related techniques hold even greater promise for mankind in the future. For this promise to become a reality, however, these activities must take place within the scope of international co-operation. A climate of confidence -- not of apprehension -- should surround them.

There is still much to be done for the promotion of the peaceful uses of space technology, especially for the benefit of developing countries. At the same time, our endeavour should be to anticipate and to try to eliminate in a realistic manner any elements in the outer space field which may give rise to conflicts between States. International co-operative efforts must be stimulated. Wherever necessary, international legal regulations should be agreed upon. These are challenging tasks, indeed. The role of the United Nations is vital both in order to promote the benefits and to minimize the problems. My country takes an active interest in this work.

The consideration of outer space-related issues in the General Assembly tends to focus mainly on matters of procedure. Their importance should, however, in no way be under-estimated. Without enough time for careful and diligent study in competent bodies, the important and highly complex issues with which we are dealing will not be resolved in a satisfactory fashion. A spirit of

(Mr. Rydbeck, Sweden)

compromise and flexibility must prevail for decisions both of procedure and of substance. It is our sincere hope that the decisions that we will take in this regard during this session of the General Assembly will reflect a genuine willingness on the part of all concerned to reach common understanding.

We note with great satisfaction that the Outer Space Committee this year presents us with concrete results in the form of a draft convention on registration of objects launched into outer space. The text before us has required many years of preparatory efforts in the Legal Sub-Committee. It marks a new milestone in the achievements of the United Nations in the outer space field. There are certain elements of the draft which might not be in full conformity with some specific views held by a number of delegations, including my own. The necessary give-and-take of true negotiation has, however, prevailed, and we now sincerely hope that the convention can be finally adopted by this session of the General Assembly. We see the convention on registration as a valuable complement to the Convention on International Liability for Damage Caused by Space Objects. With the adoption of the convention on registration there might well be better chances also for additional ratifications to the Liability Convention and to the other United Nations instruments adopted in the outer space field.

In our view, the consideration within the United Nations of matters related to remote sensing of the earth from satellites takes on a particular urgency. Among the main reasons for this is the direct relevance of this space application to the pressing problems of economy and environment. There is ample proof of the great usefulness of remote sensing in these vital fields. Our awareness of the benefits is largely based on the continuing success of the United States experimental programme. We are convinced that much remains to be done in order to increase further the usefulness to the world of this technology. I am thinking particularly of the developing countries. The United Nations space applications programme has a highly important role to play in this regard.

As we have seen, remote sensing is already at a very advanced stage of technological perfection. It is a space application which by definition has far-reaching international implications. This is another reason why it is urgent for us here in the United Nations to arrive at internationally agreed patterns for any operational remote sensing system or systems. These efforts must be

successfully completed before they are overtaken by events in the practical field. In defining its own approach, the Swedish Government has sought a balanced position which aims at maximizing the benefits of remote sensing and at minimizing political or legal problems.

In the Outer Space Committee the Swedish delegation has stated over and over again that it would hardly be fruitful to seek solutions exclusively by means of a regulatory legal approach. In case this were pursued, the optimum international use of remote sensing technology would risk being severely hampered.

The complexity of the issue, including a number of technical constraints, can in our view duly be taken into account only if organizational solutions are sought. An operational remote sensing system designed on the premise of international co-operation for the various phases of the activity, such as acquisition, reception and distribution of remotely sensed data, would go a long way in taking care of any apprehensions with regard to political, economic or legal effects of remote sensing.

In more specific terms, an organizational approach, as we have envisaged it, would lead to an operational remote sensing system for global or near-global needs consisting of the following main elements. First, an internationally owned and operated space segment, possibly within the United Nations, with rules of participation, financing and management to be agreed upon. The aspect of State sovereignty would be taken into account, inter alia, by agreed limits for the use of data-recording devices in the satellite or satellites involved. Secondly, regional -- or for large States, national -- facilities for data reception and distribution, that is, the ground segment would be managed and controlled by the States directly covered by the data.

This is the outline of a system which in our view could go a long way towards allaying fears of unilateral abuse of the remote sensing technology. For any apprehension that may remain after the possibilities of such an organizational approach have been exhausted, international legislation could provide the complementary safeguards.

(Mr. ~~Ryan~~)

It is against the background of the urgency and because of the complexity of the matter, which requires an inter-disciplinary approach, that ~~is~~ the unusually intense work that has been carried out on remote sensing during this year. The third session of the Working Group on Remote Sensing was particularly useful. The valuable work that was carried out there ~~was~~ brought somewhat further in the Scientific and Technical Sub-Committee. ~~For the~~ the first time last year, the remote sensing item was taken up by the ~~Legal~~ Sub-Committee. In our view, the brief debate which was held there ~~was~~ useful, primarily in that the difficulties of an exclusively legal approach now appear to be more evident than before.

(Mr. Rydbeck, Sweden)

From what I have said about work in the past, it will be obvious that we consider it essential that sufficient further efforts be devoted by the Outer Space Committee and its subsidiary bodies to the issue of remote sensing. No time should be lost in seeking appropriate international solutions. The fact that the Working Group on Remote Sensing is not scheduled to meet in 1975 increases the importance of next year's session of the Scientific and Technical Sub-Committee. It is also in view of this that agreement was reached that remote sensing would have first priority and that most of the time should be devoted to it at that session. This forms an integral part of a very carefully balanced package agreement, according to which the work on organizational aspects of remote sensing should proceed in parallel with the consideration of the legal implications of the activity. In order that sufficient progress may be achieved in the study of the financial and organizational aspects of remote sensing, and of the other important items with which it is dealing, the Scientific and Technical Sub-Committee will most certainly have to avail itself of the possibility mentioned in paragraph 61 of the report of the Committee, namely, that of having its next session extend into a third week.

The studies on various alternatives for operational systems for the reception and distribution of remote-sensing data, that is, the ground segment, will be vital for the further work of assessing the pros and cons of international co-operative systems to be recommended for implementation. It is our hope that these studies, which are being prepared by the Secretary-General, will be ready well in advance of the next session of the Scientific and Technical Sub-Committee.

The United Nations programme on space applications has a vital role to play in promoting the peaceful uses of outer space. I have already mentioned the field of remote sensing as one concrete example of this. A greater awareness of the potential of promising space applications is of particular importance for the developing countries. It might be found desirable increasingly to bring the utilization of space technology into national or international development planning. An expanding United Nations space applications programme is necessary to make this a reality. With strict financial limitations, however, the effectiveness of the programme can hardly be what a vast majority of

Member States wishes it to be. The Swedish delegation would be prepared to support an increased allocation in order that the programme approved for 1975 might be able to operate with a budget tailored to its scope as proposed by the United Nations Expert on Space Applications.

The past year has been marked by arduous efforts to arrive at generally agreed principles to govern direct television broadcasting from satellites. Some progress can be noted. - Virtually for the first time in the almost seven years that have passed since this item was first brought before the Outer Space Committee through a joint Canadian-Swedish proposal, there have been serious attempts to merge different positions into a generally acceptable whole. This beginning took place in the Legal Sub-Committee. The analysis of points of agreement and disagreement on the different relevant issues contained in the report of the Working Group on Direct Broadcast Satellites concerning its fifth session held in Geneva last May proved very useful for the work of amalgamating proposals in the Legal Sub-Committee.

This is not the moment to enter into the substance of the matter. I should like only to register my delegation's satisfaction at the support and understanding that have been accorded the joint Canadian-Swedish draft principles presented to the Outer Space Committee in 1973. The proposal of these principles attempts to heed the desire held by a great majority of Member States for some kind of regulation. It also deliberately seeks to place itself between the somewhat extreme views on either side, that is, on the one hand, those who abhor the idea of regulation altogether where direct broadcasting is concerned, and on the other, those who would like to regulate this activity in minute detail.

It is our hope that those who hold these views will gradually find it acceptable to move towards the majority who wish to follow the middle road which our Canadian friends and we ourselves have jointly tried to establish.

Five relatively uncontroversial subjects were considered by the Legal Sub-Committee at its last session. Although there was thorough discussion, full agreement could not be reached on any of them. This does not discourage us too much, however, as it would seem that these subjects are clear corollaries to some of the crucial and much more difficult problems that remain unresolved. On these, such as participation, prior consent and the technical problem of spill-over, there is not yet enough common understanding, even of the concepts involved.

(Mr. Rydbeck, Sweden)

We agree that the responsibility for the actual drafting of articles should be vested in the Legal Sub-Committee. A great amount of explanation and discussion is, however, still needed before we can hope to be successful in finding the solutions that we are seeking. It would therefore be advisable to reconvene the Working Group on Direct Broadcast Satellites.

Our purely factual interest in this, which is shared by others, is based on the conviction that further interdisciplinary analysis of the unresolved concepts would contribute considerably to the difficult work that lies ahead for the Legal Sub-Committee. It would be extremely useful if another session of the Working Group could be held before the next session of the Legal Sub-Committee. It is clear, however, that at the present stage there is no unanimity on the best procedure to achieve progress in this field, and it seems that a positive decision for the reconvening of the Working Group will not be taken at this session of the General Assembly. On the other hand, most, if not all, delegations would certainly share the view that an agreed declaration of principles to govern direct television broadcasting by means of satellites would be in the interest of all States. Under such circumstances, a careful consideration of the important question of the Working Group will be appropriate at next year's session of the Outer Space Committee.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Sweden for the kind words he addressed to the Chair.

Mr. M. HASSAN (Sudan) (interpretation from Arabic): Allow me, Mr. Chairman, to relax the rules for half a minute and to offer our congratulations to you on your assumption of the chairmanship of this Committee. Many of us have listened to you through the years, in this Committee and in other forums, and we can testify that we have listened to an experienced diplomat whose voice on many occasions has been one of wisdom. We also offer our congratulations to the other officers of the Committee.

The decision of the General Assembly at its last session which called for the enlargement of the Committee on the Peaceful Uses of Outer Space was a welcome step and one in the right direction, since it achieved a wider

(Mr. M. Hassan, Sudan)

geographical representation. We have been gratified to join the Committee and attend its sessions and the meetings of its subsidiary organs. Our membership in the Committee has aroused enthusiasm and eagerness among those of our nationals who are directly dealing with matters relating to the work of the Committee and the United Nations programme on space applications. As a result of our membership, scientists from different specializations have met in the National Council for Research, the national institution responsible for the co-ordination and direction of all research in the Sudan, to study the activities of the United Nations system in outer space, and the idea of establishing a national commission for outer space is being actively studied.

We admit that the situation in our country as regards contact with the different organs of the United Nations concerned with outer space does not allow for an over-all approach; but when the commission referred to is established, we hope that such an approach can be achieved in relation to the activities of the United Nations. We are sure that all developing nations attach great importance to the work of the United Nations in outer space, particularly the applications of space technology to economic and social development. The new technology holds great opportunities for development for the developing countries, especially those in the African continent; and as we know, it is that continent which comprises the majority of the world's least developed countries.

(Mr. M. Hassan, Sudan)

The continent is rich in potentialities which could really contribute significantly to the economies of the world, but it is lagging more than any other area of the world in know-how on space technology. In Africa, where the application of space technology is most needed, we find that the space sciences and their potential benefits are less developed than in any other continent. The United Nations system should attach greater importance to outer space and should devote more attention to helping our continent.

The Committee on Outer Space has done admirable work; it has made constructive efforts since the last session of the General Assembly. There is no doubt that the proposed convention on the registration of objects launched into outer space represents a laudable step. We are grateful for the efforts exerted by the Legal Sub-Committee, and we thank its Chairman for his admirable efforts. Our delegation thinks that convention would aid the development of the convention concerning outer-space activities. We remain confident that the Legal Sub-Committee will reach a treaty on the moon when circumstances allow.

My delegation is also gratified to see that one of the working groups of the Legal Sub-Committee was able to draft five principles relative to the regulation of the use by States of artificial earth satellites for direct television broadcasting, and the Sub-Committee is following the proper path by implementing what was entrusted to it by the General Assembly at its two previous sessions. This concerns the drafting of conventions on direct broadcast satellites. Reaching such agreements has become a necessity and we know that arrangements are being made in some industrial and developing countries to undertake experiments in this field. On our side, we are awaiting the outcome of those experiments as they would augur well for the future of space communications.

Despite agreement on some principles, which was not complete, the working group, the Legal Sub-Committee, the Scientific and Technical Committee and the Main Committee have a difficult task to perform. The problem is a complex one, and questions such as State responsibility, prior

(Mr. M. Hassan, Sudan)

consent of States, the right of consultations, settlement of disputes, spill-over, interference and notification of the United Nations Secretariat - all need real political will to create a spirit of compromise. The principle of the free flow of information might not be in conflict with the principle of State sovereignty and freedom of information, yet it needs the goodwill of all parties to find the right formula to merge the two concepts.

We are confident that a technological break-through in the new science or a better international climate will enable us to reach the desired agreement or agreements on the subject. The Working Group on Direct Broadcast Satellites has done well in identifying areas of agreement and areas which need intensification of effort in order that agreement may be reached. Whatever the agreement or agreements desired, important principles advocated by the General Assembly must be taken into consideration -- that is, ensuring the free flow of information on a basis of strict respect for the sovereign rights of States.

Concerning direct broadcast satellites, we attach great importance to the help rendered by the United Nations Programme to assist those countries that are ready to participate in international co-operation relative to satellite broadcasts. We should like to inform the Committee that in the Sudan, with the help of some countries, work has been nearly completed on the first satellite earth station, and we are looking forward to using it when satellite broadcasting reaches the practical stage. It goes without saying that the contribution of direct broadcast satellites to the social and economic development of our world will be great. The efforts of UNESCO and ITU to make the benefits of the new technology available to humanity is great and commendable.

The technology of remote sensing has developed a great deal in recent years and is increasingly influencing man's exploitation of the natural resources of the earth. That has made it possible to bring about the broader application of that technology for the benefit of man. The United Nations system has contributed greatly to the development and dissemination of the new technology. In this connexion, we must pay a tribute

(Mr. M. Hassan, Sudan)

to the work of the Food and Agriculture Organization and its programmes in the adaptation of the new technology in the fields of agriculture, fisheries and forestry in many developing countries. Our collaboration with the Food and Agriculture Organization in those fields has been impressive. We are executing the savanna development project, part of ERTS-I. The results of this first stage within the ERTS-I will be utilized in a wider area through ERTS-B. We have also benefited from expert advice from the Food and Agriculture Organization last year, and one of its consultants visited our country last March to help us in drawing up a project entitled, "Survey of Natural Resources in the Sudan using Remote Sensing".

If we have spoken of the contribution of the Food and Agriculture Organization it is because we depend on agricultural production, as do the majority of the countries of our continent. The new technology could really play a role in overcoming the many limiting factors in our agricultural development, such as pesticides and so on.

As regards African countries, they cannot fully benefit from this new science without having the necessary trained cadres. We would therefore remind the Committee of the need for training.

We endorse the conclusion of the Outer Space Committee that the deliberations of the Working Group on Remote Sensing and the Scientific and Technical Sub-Committee have helped to offer us a good assessment of the current stage of remote sensing of the earth from space and have thus helped to emphasize the benefits the new technology holds for humanity.

(Mr. M. Hassan, Sudan)

Efforts in the Outer Space Committee should be exerted to pay attention to both the organizational and the legal aspects of international co-operation in remote sensing. In the meantime, we agree to the recommendation concerning the proposed studies by the Secretary-General, included in paragraph 30 of the Committee's report (A/9620).

The United Nations programme on space applications for the year 1973/74 is praiseworthy. The United Nations Expert deserves our appreciation for carrying out his mandate with limited funds. The programme, however, needs to be augmented and expanded, both in content and scope. It needs also to be revised periodically in order to keep pace with the developments in space technology. The United Nations Expert, as well as the agencies within the United Nations system responsible for United Nations programme on space applications, have to create a closer contact with government officials in developing countries, through the programmes of co-operation carried out by the United Nations. These are intended to acquaint officials with the possibilities offered by the application of space technology to development. This is very essential in the least developed among the developing countries.

The aforementioned observations should not be construed as a criticism of the United Nations programme; our aim is quite the contrary. In fact, we in the Sudan, have benefited a great deal from the United Nations programme on space applications. Our scientists have participated in many symposia and conferences, both international and regional, relating to remote sensing and space telecommunications. We thank the Governments that have offered fellowships in the context of the United Nations programme and those that held seminars in their respective territories. We would request States to offer more assistance and to consider these programmes more carefully.

The Sudanese delegation attaches great importance to the efforts of the United Nations system aimed at the training of specialists and cadres in developing countries in the application of space technology, and we advocate the establishment of permanent institutions for such training, whether at the international or the regional level.

The development of activities in outer space and the increasing application of space technology in the service of humanity compel us to ponder and give serious consideration to the idea of convening a global United Nations conference on outer space.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Sudan for his cordial words addressed to the officers of the Committee.

Mr. HUERTA (Chile) (interpretation from Spanish): It is a great honor for me to speak in the discussions of this First Committee working under the enlightened chairmanship of Ambassador Ortiz de Rozas, to whom we extend our most cordial congratulations and best wishes for success in his difficult task of carrying these deliberations to a happy conclusion and achieving positive results.

The delegation of Chile has received with great satisfaction the report of the Committee on the Peaceful Uses of Outer Space, as well as the corresponding reports of the Legal Sub-Committee, and of the Working Groups on Direct Broadcast Satellites and on Remote Sensing of the Earth by Satellites. The body of studies and observations contained in those reports fully reflects the serious efforts that have been made to work out legal principles to govern outer space and to establish the appropriate bases for international co-operation in this field. For that reason, I should like to add the voice of Chile to the well-deserved congratulations extended to the Chairman of the Outer Space Committee, Mr. Peter Jankowitsch, and the other officers of the Committee, Sub-Committees and Working Groups.

As a result of those efforts we now have before the Assembly the draft convention on the registration of objects launched into outer space, which will be added to the corpus juris constituted earlier by the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, and by the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage Caused by Space Objects.

My delegation wishes not only to express its support for that draft Convention on Registration, but to express the hope that it will be adopted by the General Assembly without any difficulty. We would have preferred that mandatory clauses on the marking of objects be incorporated in the text, but we understand the difficulties encountered during the discussion of this matter. The compromise indicated in article V of the draft, in the view of my delegation, is appropriate and satisfactory. Furthermore, the machinery for co-operation

(Mr. Huerta, Chile)

for identification purposes as envisaged in article VI offers reasonable guarantees in this regard. The Government of Chile wishes to offer its co-operation in these efforts right here and now, as our country has space sensing and tracking stations.

We would likewise have preferred to see the inclusion of more stringent standards with regard to the information to be transmitted by the State of registry to the United Nations Secretary-General, rather than see it left, to a large extent, to the discretion of the State of registry. Nevertheless, we trust that the machinery envisaged in article X for the purposes of revision will in future enable us to improve the entire system, in the light of the experience to be derived from the implementation of the Convention, and particularly in the light of new developments in space technology which are taking place daily at a breath-taking rate. Despite the limitations of this text, we fully agree with the statement made in this room last Friday by the Chairman of the Outer Space Committee, to the effect that this draft shows an optimum level of compromise between the different points of view. It is on this basis that we reiterate our support for the text before us.

As for the draft treaty relating to the moon, the Chilean delegation regrets the fact that, despite the efforts made, there still seems to be a deadlock on this matter. We believe that in order to lay the foundation for solid international co-operation in the sphere of space, it is most important to ensure that the scope of this draft is not confined to the moon, but rather includes the other celestial bodies, which are becoming more accessible to man every day. We particularly support the idea that the resources of the moon and other celestial bodies should be declared the "common heritage of mankind", a concept which is clearly specified in contemporary international law, and which of course involves the establishment of special legislation and international machinery to regulate the exploration and exploitation of outer space resources, as well as the equitable distribution of the benefits derived therefrom. We trust that by the next session of the General Assembly considerable progress will have been achieved in this connexion.

(Mr. Huerta, Chile)

My delegation is keenly interested in the progress made in the drafting of principles to govern the use of direct radio and television broadcast satellites by States. The texts prepared by Working Group III of the Legal Sub-Committee, despite their many discrepancies, constitute a good starting point for clarifying this problem. We also support the list of international instruments to be borne in mind, as set forth in the proposal by the Federal Republic of Germany, Argentina, Austria, Belgium, Indonesia and Italy.

As the representative of Brazil said during the discussions on this subject at the last session of the General Assembly, agreements regarding direct broadcast satellites must promote a free flow of information, but must respect the sovereign right of States to protect their own political, cultural, social and economic values. This balance must be achieved in the drafting of the relevant international principles and agreements.

We should like to ensure that respect for the sovereign rights of States be safeguarded not only in connexion with radio broadcasting by satellite, but also in broadcasting by traditional means. Many countries that appear here as the jealous defenders of national sovereignty with regard to the use of satellites do not hesitate to use their broadcasting systems every day to attack the position of other countries and to interfere unlawfully in their internal affairs. Perhaps the International Telecommunication Union should take the same principles that will be adopted here concerning direct radio and television broadcast satellites, and make them applicable to traditional radio broadcasting, and require their observance in that field.

The delegation of Chile attaches great importance to the principles which should govern remote sensing of the earth by satellite, and we hope that an international régime will soon be established. In this field of technological development also there must be compatibility with the elementary requirements of national sovereignty. The most important aspect of any rules and regulations is access to the information and data which satellites can provide. This becomes particularly necessary in the light of the technological

(Mr. Huerta, Chile)

advances which in a few years will enable those countries that have space technology to obtain information from any part of the world without having stations on foreign soil. Thus a monopoly of technology and information will become a factor which might well jeopardize the peaceful and orderly development of international co-operation and international relations, particularly at a time in history when raw materials and other resources have become an essential element of international policy. Hence any régime to be established must effectively ensure dissemination of and access to the information provided by remote earth sensing.

The creation of national, regional and international data centres suggested by several of the drafts submitted to the Legal Sub-Committee, is an important measure, and its implementation should be given priority in the immediate future.

Lastly, my delegation would like to stress the importance of the United Nations programme on space applications, which is of great interest to the developing countries and which should be transformed into an effective tool to overcome the technological gap which exists in the world today.

The delegation of Chile is optimistic about the future work of the United Nations on the peaceful uses of outer space. We trust that these discussions will help to achieve constructive co-operation, and to eliminate technological domination which would only increase the dangers and tensions of contemporary international society. As a member of the Committee on Outer Space, Chile intends to co-operate fully in this effort.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Chile, Ambassador Huerta, for the kind words which he has expressed to us.

Mr. TODOROV (Bulgaria) (interpretation from Russian): Mr. Chairman, permit me first of all to congratulate you and the other officers of our Committee, and express my conviction that under your skilful and experienced guidance the Committee will succeed in achieving great success at this session. I can assure you of the readiness of the Bulgarian delegation to co-operate to this end.

(Mr. Todorov, Bulgaria)

With every passing year the development of the scientific and technological revolution is creating new conditions for further development and expansion of national and international space activities for peaceful purposes. Over the last year this trend has been confirmed by considerable scientific successes which have been achieved in the implementation of the Luna 22, Salyut 3, Intercosmos 11, ERTS 1, ATS-F and other programmes. A considerable amount of preparatory work has also been done in the implementation of the joint Soviet-American space flight "Apollo Soyuz". There is every ground for stating that bilateral and multilateral space activities for peaceful purposes have been promoting the easing of international tension and a strengthening of trust, and have been encouraging the development of international links in all fields. The strengthening of international détente, for its part, has been having a beneficial effect on the development and intensification of comprehensive international co-operation in the field of space activities for the purpose of successfully resolving old and new political, economic, legal, technical and organizational problems.

In the course of the past year the Committee on the Peaceful Uses of Outer Space has continued its efforts to resolve a number of questions on its agenda. I should like here to thank Mr. Jankowitsch, the Chairman of that Committee, for his competent and thorough presentation of the Committee's report. The results achieved in the Committee's work show that the Committee is successfully playing the rôle of a centre of international co-operation in the field of the peaceful use of space.

The Bulgarian delegation would like to note with satisfaction that the Legal Sub-Committee, under the competent and skilful leadership of its Chairman, Comrade Wyzner, has succeeded in implementation of resolution 3882 (XXVII), in bringing about agreement on, and adopting, a draft convention on the registration of objects launched into outer space.

(Mr. Todorov, Bulgaria)

In the spirit of mutual co-operation a compromise was found on the two problems which had been holding up the approval of this important document, that is to say, the question of the marking of space objects and the question of the review of the convention. The Bulgarian representative in the Legal Sub-Committee supported article V of the draft convention. In our view, the agreed text is a compromise between the views of those delegations that favoured the compulsory marking of space objects and those that held the view that compulsory marking was both economically unjustified and technically not always possible. In essence, this provision of the convention obliges space States to inform the Secretary-General of the identification or registration number of space objects, whenever such an identifying marking or registration number exists.

Our representative also supported article X of the draft, which provides that the request of one third of the States parties to the convention, and with the concurrence of the majority of the States parties, a conference shall be convened for the purpose of reviewing the convention at any time after the convention has been in force for five years. Article X states that such a review shall in particular take into account any relevant technological developments, including those relating to the identification of space objects.

The achievement of an agreement in the Legal Sub-Committee on sober and well-balanced formulations has once again confirmed the reputation of that body as an organ that is making an important contribution to the development and codification of international space law. The work of the Legal Sub-Committee includes all international space agreements, that is to say, the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, the Agreement on the Rescue of Astronauts, Return of Astronauts and the Return of Objects Launched into Outer Space; and the Convention on International Liability for Damage Caused by Space Objects.

The Bulgarian delegation would like to express its conviction that the General Assembly will unanimously approve the convention on the registration of objects launched into outer space. That will open the way to its early signing, ratification and entry into force. There is no doubt that in

(Mr. Todorov, Bulgaria)

practice the new convention will be a useful supplement to the Convention on International Liability for Damage Caused by Space Objects.

Against the background of these achievements, we have to note with regret that the Legal Sub-Committee did not find itself able to conclude work on the draft treaty relating to the moon. Three problems remain outstanding: the scope of the treaty, information on the natural resources of the moon and the status of those resources. We have to acknowledge, however, in all candour, that the question of the status of the natural resources of the moon is the principal stumbling block. The correct solution for this question or the temporary postponement of a decision on it would, without any doubt, open the way to the achievement of final success.

In an attempt to assist the work of the Legal Sub-Committee, the Bulgarian delegation submitted working document A/AC.105/C.2/L.93, containing draft articles of a treaty relating to the moon. In our view, the draft articles submitted by the Bulgarian delegation take into account the fundamentally divergent views on outstanding problems and are an acceptable basis for achieving a sensible compromise.

We should like to take this opportunity to express our sincere gratitude to all delegations that took the Bulgarian draft as the basis for the possible elimination of difficulties and the final adoption by the Committee of a draft treaty relating to the moon.

Our delegation considers it necessary to stress that it whole-heartedly supports the recommendation of the Committee on the Peaceful Uses of Outer Space that the Legal Sub-Committee continue its work on the draft treaty relating to the moon as an item of high priority on its agenda.

Resolution 3182 (XXVIII) entrusted the Committee with the task of producing principles to govern the use by States of artificial satellites for direct television broadcasting for the purpose of concluding an international agreement or agreements in this field. The Bulgarian delegation would like to

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express its satisfaction at the fact that the Committee succeeded in making some progress in its work on this extremely complex-but important task.

It should first and foremost be stressed that the Working Group on Direct Broadcast Satellites, which worked under the vigorous and effective leadership of Ambassador Rydbeck, discharged its mandate and concluded its work. The preparatory work done has created the conditions for further constructive work and agreement on principles to govern the use by States of artificial earth satellites for direct television broadcasting.

The Legal Sub-Committee focused its efforts on work to bring about agreement on the following five principles: the applicability of international law, the rights and benefits of States, international co-operation, the responsibility of States and the peaceful settlement of disputes.

Of course, we must express our regret that the result of the work of the Legal Sub-Committee on these five principles is a text which contains so many square brackets. However, it is much more important to point out that a start has been made and that the first steps have been taken towards the development of universally acceptable principles governing the use by States of artificial earth satellites for direct television broadcasting.

In our view, the Legal Sub-Committee should maintain the same speed in the course of its future work. After all, the purpose is the extremely noble one of producing universally acceptable principles whose application would harness direct television broadcasting to the service of peace, security, co-operation and the strengthening of trust among peoples.

(Mr. Todorov, Bulgaria)

At the same time, we should not minimize the danger, since any delay entails the risk of converting one of the most important scientific and technological achievements of mankind into a source of conflict, friction and dispute.

That is why the Bulgarian delegation supports the Committee's recommendation that the Legal Sub-Committee continue its work on the principles governing the use by States of artificial earth satellites for direct television broadcasting as a high-priority item on the agenda of its forthcoming, fourteenth, session.

Some progress has been achieved too in the consideration of the question of remote sensing of the earth by satellites. Under the energetic leadership of Mr. Franco Florio, the Working Group succeeded in analysing the most important technical and international legal aspects of that space activity. By discharging its mandate, the Working Group has created conditions for a further constructive debate both in the Scientific and Technical Sub-Committee and in the Legal Sub-Committee.

We note with satisfaction that the Legal Sub-Committee has undertaken work on the principles governing the activities of States in the remote sensing of the earth by satellites. Four drafts have already been submitted. We have been informed today of a draft treaty on this subject by the delegations of Brazil and Argentina. In our view we should pay particular attention to the joint Soviet-French draft, which meets all the requirements for a working basis for the production of a universally acceptable document.

The future work of the Outer Space Committee on the question of remote sensing of the earth by satellites should be organized as effectively as possible. In our view the Working Group has successfully concluded its task. It would therefore be only logical for the Scientific and Technical Sub-Committee to continue its consideration of the scientific and technical and organizational aspects, while the Legal Sub-Committee should accelerate its work on the international legal aspects of remote sensing of the earth by satellites.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Bulgaria for his kind words about me.

The meeting rose at 5.05 p.m.