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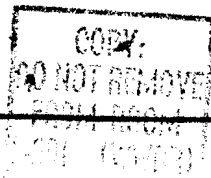
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at 3 p.m.
New York



SUMMARY RECORD OF THE 15th MEETING

Chairman: Mr. MUBAREZ (Yemen)

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 33: POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA: REQUESTS FOR HEARINGS (A/SPC/37/L.4 and Add.1 to 21)

1. The CHAIRMAN said that the Committee would consider requests for hearings in connection with agenda item 33, entitled "Policies of apartheid of the Government of South Africa", in accordance with the decision taken at its 11th meeting. It would be recalled that the General Assembly had decided that organizations and individuals having a special interest in the subject could be heard by the Committee. All the requests received had been circulated as documents of the Committee and appeared in documents A/SPC/37/L.4 and Add.1-21. If there was no objection, he would take it that the Committee decided to grant the requests for hearings.

2. It was so decided.

3. The CHAIRMAN informed the Committee that he had received a further request for a hearing from the Patrice Lumumba Coalition. Since that communication was dated 29 October, the deadline set by the Committee for the receipt of requests, he suggested that, with the consent of the Committee, the communication should be circulated as document A/SPC/37/L.4/Add.22, and that the Committee take a decision on the subject at its next meeting.

4. It was so decided.

AGENDA ITEM 62: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

(a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/37/20)

(b) SECOND UNITED NATIONS CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE:

(i) REPORT OF THE PREPARATORY COMMITTEE FOR THE CONFERENCE (A/37/46)

(ii) REPORT OF THE CONFERENCE (A/CONF.101/10 and Corr.1 and A/CONF.101/11)

AGENDA ITEM 63: 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/37/20, A/SPC/37/L.5)

AGENDA ITEM 131: QUESTION OF THE REVIEW OF THE CONVENTION ON INTERNATIONAL LIABILITY FOR DAMAGE CAUSED BY SPACE OBJECTS (A/37/141)

5. The CHAIRMAN suggested that, in taking up the consideration

7. The CHAIRMAN, recalling the scientific and technical accomplishments which the international community had witnessed over the past 25 years and some of the practical applications of space technology which had come to be considered as routine, said that in the United Nations the Committee on the Peaceful Uses of Outer Space, as the focal point for international co-operation in the field, had taken the lead in ensuring that space science and technology would benefit all mankind. To that end, it had added to the growing number of instruments of international law in that field and had continued its efforts to encourage the utilization of space science and technology to alleviate some of the economic and social problems affecting the inhabitants of the world. He noted that the list of speakers on items 62, 63 and 131 would be closed on 2 November 1982 at the end of the Committee's afternoon meeting.

8. Mr. YANKOWITSCH (Austria), speaking in his capacity as Chairman of the Committee on the Peaceful Uses of Outer Space, which had also acted as the Preparatory Committee for the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, and introducing the reports of the Committee, said that the Committee had spared no effort to carry out the mandates entrusted to it by the General Assembly.

9. At its twenty-fifth session, in accordance with General Assembly resolution 36/35, the Committee on the Peaceful Uses of Outer Space had once again directed priority consideration to the question of remote sensing of the earth by satellites. In the Scientific and Technical Sub-Committee, the consideration of the item had not gone beyond the reiteration of relatively well-established views. However, there had been a prompt and positive response to the Sub-Committee's call for co-operation in its efforts to improve the compilation of the list of remote sensing applications for the benefit of Member States.

10. In another area of its work, the Scientific and Technical Sub-Committee, after reviewing the past, current and proposed future activities of the United Nations Programme on Space Applications, had approved the programme for 1983 on the understanding that it would take into account the results of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space. Indeed, after taking into account the proposals for future activities made by the United Nations Expert on Space Applications, the Conference had submitted to the General Assembly at its current session key recommendations for future activities to be carried out under the Programme on Space Applications. In that connection, the Committee on the Peaceful Uses of Outer Space had expressed appreciation to the Governments of Argentina, Bulgaria, France, Indonesia and Italy and the specialized agencies which had continued to extend assistance to the programme in 1981 by sponsoring or hosting seminars and other training activities. At the same time, it had noted with appreciation that the Governments of Canada, Ecuador and Italy had agreed to host seminars in the 1982/1983 period. It had expressed gratitude to the Governments of the Netherlands and Sweden for their financial help in support of United Nations regional seminars organized in connection with UNISPACE-82. It had also expressed appreciation to the Governments of Austria and Italy for having

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offered fellowships through the United Nations Programme on Space Applications and welcomed the offer of the Government of Australia to consider the question of providing scholarships to the programme. Among other items which had been considered by the Sub-Committee were space transportation systems, co-ordination of outer space activities within the United Nations system and examination of the physical nature and technical attributes of the geostationary orbit.

11. The Legal Sub-Committee had continued its priority consideration of the question of remote sensing and, through its Working Group on remote sensing, had carried out a principle-by-principle reading of the draft principles appearing in annex 1 of the Sub-Committee's report. In that connection, UNISPACE 82 had recommended that the current deliberations be expeditiously concluded. The Sub-Committee, through a special working group, had also continued its consideration of the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space. In that connection, general agreement had been reached on at least one important question, namely that "apart from the special responsibilities of the launching State and in the context of international humanitarianism, all States should be prepared to offer assistance to the affected State to the extent of their capabilities".

12. The Sub-Committee had also considered the question of the definition and/or delimitation of outer space and outer space activities, bearing in mind questions relating to the geostationary orbit. However, a wide range of differing views had been reiterated in the Sub-Committee, indicating that more time would be necessary before general agreement could be reached.

13. In accordance with General Assembly resolution 36/35, the Committee on the Peaceful Uses of Outer Space had attempted to complete the elaboration of a draft set of principles governing the use by States of artificial earth satellites for direct television broadcasting. No agreement had been reached in that respect. It was to be hoped that that difficult and complex question, which at the same time was a highly political issue involving complex technological aspects, would be given careful consideration. It was mainly those aspects, and the emotions and preoccupations released, rather than any lack of political will, which had made it impossible to reach agreement. Yet no effort should be spared to reach an agreement worthy of the spirit which had so long characterized the work of the United Nations in relation to outer space.

14. Looking back in general terms upon the work of the parent Committee and its two Sub-Committees, one could not escape the impression that, after some notable progress in the past, including the preparation of five international instruments relating to outer space, the pace of work had diminished in recent years. Progress by the Committee seemed all the more essential since it was not operating in a vacuum or in a stable environment. While for some of the early years of its involvement in outer space the United Nations had seemed able to keep pace with technological progress, there was now the real danger of its being left behind in that field. By failing to create at the appropriate moment the international framework for a peaceful and uncontroversial development of new technologies, the

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United Nations was failing in a basic duty: to stamp out potential sources of conflict and to create the harmonious atmosphere in which conflict could not develop. The United Nations was in the business of peace. But peace between nations was impossible in an atmosphere of chaos and contradiction, in an environment in which countries refused to give the United Nations the indispensable role of creating conditions for peace. A new beginning was therefore needed in the matter of United Nations activities in outer space. There had been expressions of concern over military uses of outer space. In that connection, the Conference had recommended that the competent organs of the United Nations should give attention and priority to the concern over the possibility that the arms race might be extended into outer space. The necessary steps had to be taken before it was too late to safeguard outer space as an exclusively peaceful environment from which all mankind could derive ever-increasing benefits.

15. The report contained in document A/37/46 reflected the work done over the last four years by the Preparatory Committee for the UNISPACE 82 Conference. The Committee had the report of the Conference before it in document A/CONF.101/10 and Corr.1. It was gratifying to note that the latter report stated that the decision to convene the Conference clearly demonstrated that space science and technology were an area of increasing importance at the international level and should thus be given adequate priority within the United Nations. The report of the Conference having been adopted by consensus and together with the recommendations it contained submitted to the General Assembly, a collective responsibility had been assumed to ensure that those recommendations would be faithfully implemented to the greatest extent possible.

16. He spoke on behalf of the Austrian Government in saying that it had been a privilege for Austria to host that important Conference. UNISPACE 82 was a watershed in United Nations involvement in outer space and it would be difficult to revert to old practices and ignore the vast new body of knowledge. It was to be hoped that in giving the Committee on the Peaceful Uses of Outer Space a new mandate, the Committee would be aware of that historical challenge.

17. Mr. YASH PAL (Secretary-General of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space) expressed pleasure over the fact that the report contained in document A/CONF.101/10 had been adopted by consensus at a conference devoted to such complex issues. It boded well for international activities and co-operation in the space field, an adventure by man not only into outer space but also in relation to social, economic and development problems on earth.

18. Explaining how the report had been organized, he pointed out that the annex to document A/CONF.101/11 was not an independent document but should be read in conjunction with the report itself.

19. The first Conference on the Exploration and Peaceful Uses of Outer Space had been held in 1968, and as early as 1974 the question of convening a second conference had been discussed in the Committee on the Peaceful Uses of Outer

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Space. In 1978 the General Assembly had approved the decision to hold the Conference in 1982. All of which served to show that much study, deliberation and intensive preparation had gone into the Conference. The time had now come to consider its results and what needed to be done to ensure that the Conference would be followed up by a programme of action and a concrete set of achievements.

20. The report of the Conference was perhaps the best existing material on the current status, social implications and future agenda of space activities, keeping in mind the diversity of the current social and techno-economic situation on the planet. That was a rather unusual assessment of a document produced by an international conference, where so many points of view had to be accommodated. The analysis of issues was followed by specific recommendations and suggestions addressed to countries, specialized agencies, international organizations and the United Nations itself.

21. The report stressed the need and advantages of greater international co-operation, and at the same time emphasized the importance of stimulating the development of an autonomous technological base in the developing countries. While assessing the state of space science and technology and stressing their importance even in the developing countries, the report rightly gave more attention to the earth-bound applications of space technology. Considerable attention was devoted to the actual means and mechanisms through which the full benefits of space technology could be shared more widely and equitably, which was particularly important if space technology was not to become one more cause of the disparities in the world.

22. The report of the Conference suggested and recommended various types of studies, and that was obviously due to the fact that ways had to be found of converting that most modern of technologies into an appropriate means for enhancing the human condition in different parts of the world. The introduction of space technology should not lead to an increase in dependence; it should become a link between people and give a voice to all population groups, including those that were far from the centres of influence. Furthermore, after they became accustomed to using space technology in areas like meteorology, remote sensing and navigation, countries should have some assurance that such services would be available on a continuing basis. Feasibility studies were needed and if such studies resulted in the establishment of operational international systems, that would be an important achievement of UNISPACE 82.

23. The recommendation to set up an international space information system was relatively easy to implement in terms of mechanics. However, it would be necessary, in order to categorize the relevant data, to learn to assess information needs from the point of view of the end user and not of the supplier of the most sophisticated hardware. Such a determination could be made by working with real-life problems which might have a space-related component and there the United Nations could play a very important catalytic role in the development of true international co-operation.

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24. The report referred to the need for regional co-operation and, although to a large extent it already existed, there was still much scope for it, particularly among the developing countries, where it would perhaps have to go beyond merely technical and financial co-operation. But even that type of co-operation would build self-confidence in parts of the world where it did not exist and it was to be hoped that the recommendations in that regard would be pursued at the national and international levels.

25. Human development was also important for developing national decision-making capability, and therefore the report recommended a programme of fellowships, seminars and training classes. The Conference had also recommended an expansion of the activities of the Outer Space Affairs Division of the Secretariat, and, whether it retained that name or was renamed as the Centre for Outer Space, the range of activities and financial implications would be the same, except for a small difference in personnel costs.

26. It was natural that the attention of the participants in the Conference had been drawn to the question of the non-peaceful uses of outer space, and the Conference had consequently recommended that the competent organs of the United Nations should give appropriate attention and high priority to that serious issue.

27. Unlike many world conferences, the Conference had not recommended the creation of a new fund or institution, a recommendation that often served to hide lack of agreement or an absence of will to do what would really make a difference. The Conference recommended that the additional resources required should come mainly from voluntary contributions by States, and it was important to decide during the current session on mechanisms for obtaining such contributions. Only \$3 million per year was required, and some of that amount could be provided in kind. The General Assembly might also rearrange priorities within the United Nations regular budget so as to absorb the modest increase in personnel costs.

28. There were many in the world who looked on such conferences as a waste of money in relation to the meagre results achieved. There was a need to demonstrate the effectiveness of such world events, to prepare for them conscientiously and thereby to renew faith in international co-operation and in the United Nations, which symbolized such co-operation. In his view, UNISPACE 82 represented a small but positive step in that direction: the achievements of the Conference had included a report adopted by consensus and a significant agenda for the future for which the means required were modest. It was now necessary follow up that auspicious start.

29. He agreed with the report's conclusion that outer space had given mankind a new perspective on life on the earth and it was to be hoped that it would also give a new perspective on mankind.

30. Mr. ONYIGE (Nigeria) said that the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, held in Vienna, had underscored the need for continuing efforts by Member States and the appropriate organs of the

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United Nations system to devote proper importance to outer space in the context of the socio-economic development aspirations of all countries, particularly the developing countries. In the view of his delegation, space technology must be seen as an area of co-operation rather than of confrontation. In such collaboration, a mutuality of interests should provide the basic motivation for space research, exploitation and use, consistent with the provisions of article 1 of the 1967 Outer Space Treaty which stipulated that the exploration and use of outer space should be carried out for the benefit and in the interest of all countries irrespective of their degree of economic or scientific development. His delegation welcomed the progress made in space exploration, operational networks for world-wide communications, systematic observation of the earth's weather, oceans and natural resources, but noted with concern that advances in legal norms and principles regulating the conduct of States in the exploration and exploitation of outer space had not kept pace with the momentum and rate of development of space technology. It would therefore be desirable for the Committee on the Peaceful Uses of Outer Space, through its Legal Sub-Committee, to redouble its efforts in order to elaborate and conclude the enabling principles within the shortest possible time.

31. Nigeria's own experience had been totally oriented towards the peaceful use of space technology in satellite communications, weather predictions and land use determinations through remote sensing techniques. The conclusion of principles on direct television broadcasting through artificial earth satellites as well as on remote sensing of the earth's resources were therefore matters of urgency. In that connection, the General Assembly, in its resolution 36/35, had requested that further attempts should be made to complete the elaboration of a draft set of principles governing the use by States of artificial earth satellites for direct television broadcasting for adoption by the General Assembly at its thirty-seventh session. The Special Political Committee would be abandoning its responsibility to Governments, peoples and the international community if it failed to adopt such principles during the current session. The effort to elaborate such draft principles did not represent a constraint on the development of the technology of direct television broadcasting through artificial earth satellites but merely sought to establish order and rationality in its use.

32. In that connection, his delegation subscribed fully to the principles enunciated in annex II to the 1981 report of the Committee on the Peaceful Uses of Outer Space, as those principles took into account the legitimate aspirations of the third-world countries which had sought assurance that they would not be victims of the misuse of artificial earth satellites as a technology for information-gathering, with the attendant political, economic, social and cultural implications. A situation in which it was possible for one or two countries to impose a fait accompli on the majority of States in relation to the use of artificial earth satellites for direct television broadcasting not only was unacceptable but ran counter to the spirit of equity and justice in international relations. It was therefore a matter of concern that a number of direct broadcasting satellite systems had already become operational in some countries and would soon be commercialized. That was an added reason why the General Assembly must adopt as soon as possible a set of principles which would embody the

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broadcasting State's responsibility, prior consultation and agreement between broadcasting and receiving States, and the relevant radio regulations of the International Telecommunication Union (ITU).

33. Nigeria believed that, while no constraints should be place on the development of remote sensing of the earth from space as an aid to development, activities must be carried out with full respect for the sovereign rights of States. In other words, remotely-sensed States should have timely and unhindered access to all data and information obtained over their territories and dissemination of such data to a third party should be carried out only with the prior consent of the sensed State.

34. The definition or delimitation of outer space should clearly establish where State sovereignty began and ended in relation to free space, so that any infringement of State sovereignty could be pursued by due process of international law, as well as by the means provided for in the United Nations Charter. Such definition should take into account the geostationary orbit, which was a scarce and limited resource the management and utilization of which should be equitable and rational and in the interest of all countries, particularly the developing countries.

35. Nigeria continued to believe that the United Nations Space Applications Programme responded in concrete terms to an immediate need, of developing countries in particular. In that connection, it had noted with satisfaction the proposed activities of the programme for 1983, which would further assist Member States to share in the benefits of space technology, as outlined in document A/AC.105/303 and further expanded at the recently concluded Vienna Conference. Nigeria believed that, since those operational activities were usually funded by voluntary contributions, which did not represent an assured source of funding, it should be possible for the General Assembly to consider increasing its budgetary allocations, for outer space activities without necessarily incurring any additional net growth in the size of its regular budget.

36. His delegation had taken note of the suggestion that the current Outer Space Affairs Division of the United Nations Secretariat should be strengthened through the addition of technical and administrative personnel because of the expansion of its activities recommended by UNISPACE 82, but failed to see the need at the moment for transforming the Division into an outer space centre. Whatever additional resources were made available to the division should not be filtered away through the creation of another tier of bureaucracy but should be ploughed judiciously into concrete projects which were of benefit to developing countries.

37. His delegation considered that the trend towards the militarization of outer space was a development which portended ominous consequences for the collective efforts of States towards world peace. The extension of the arms race into outer space through the development and deployment of anti-satellite weapons and the stationing in orbit of all types of satellites with a military orientation - reconnaissance, surveillance, communications, navigation, geodetic and

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meteorological - rendered more intractable the search for world peace and security through disarmament and ran counter to the spirit of the 1967 Outer Space Treaty.

38. Nigeria joined those delegations which had urged the Committee on Disarmament to redouble its efforts with a view to preventing an arms race in outer space and to ensuring that outer space was used exclusively for peaceful purposes.

The meeting rose at 4.50 p.m.