



SUMMARY RECORD (PARTIAL)\* OF THE 23rd MEETING

Chairman: Mr. MUBAREZ (Yemen)

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\* No summary record was prepared for the first part of the meeting.

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The discussion covered in the summary record began at 5.05 p.m.

AGENDA ITEM 62: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE  
(continued) (A/SPC/37/L.6 and L.7)

- (a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/37/20)
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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  
(continued) (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 (continued) (A/37/141; A/SPC/37/L.8)

1. The CHAIRMAN drew the Committee's attention to documents A/SPC/37/L.6-L.8, which contained draft resolutions relating to the items under consideration.

2. Mr. VALTASAARI (Finland) observed that the extension of man's activities into outer space had added a completely new dimension to international co-operation. The enormous human and material investments being made in that field in different parts of the world must be used in a manner which contributed to the solution of pressing global problems.

3. As a technologically advanced country, Finland realized that many space applications were within its reach and potentially beneficial to it. However, it also recognized the fundamental principle that outer space should be used for the benefit of all nations. UNISPACE-82 had recognized the urgent need to promote international co-operation in the field of space applications, so that all countries, especially the developing countries, could share the benefits of space technology. The Conference had also stressed that the non-technical implications of space applications should be carefully analysed, a task that might be entrusted to UNESCO.

4. His delegation was deeply concerned at the increasing military use of outer space. The introduction of the arms race into outer space would prevent the peaceful use of space for the benefit of all mankind. The vast resources devoted to military uses of outer space would be better used to promote the social and economic development of the developing countries. He agreed that Governments faced difficult conflicts of interest in deciding how best to use space technology for the benefit of their own people, while allowing for the legitimate interests of

(Mr. Valtasaari, Finland)

other peoples. In such decisions, the interests of all countries should be equally safeguarded.

5. His delegation believed that principles governing the use by States of artificial earth satellites for direct television broadcasting should be adopted by consensus and pledged its full support to efforts to achieve that end.

6. Mr. SUBRAMANIAM (Malaysia) said that UNISPACE-82 had provided information about the potential practical uses of space science and technology in everyday life but had also warned about the potential dangers of the misuse of satellites and space exploration unless the latter were properly regulated through international co-operation. There was clearly a need to evolve new rules to govern space exploration and combat the growing danger of satellite congestion and satellite misuse against the common good of all nations.

7. The Columbia space shuttle and the Soviet space probe on Venus further illustrated the dangers of great Power conflict in outer space as an extension of conflict on earth. They did, however, also offer new insights into man's interaction with his environment.

8. International co-operation in the exploration and peaceful uses of outer space was still at an embryonic stage and countries must redouble their commitment towards making outer space ventures universally beneficial. Space technology must be seen as an area of co-operation rather than confrontation. Such co-operation had made astounding progress and had frequently led to technological advances, promoting understanding about the solar system and, indeed, the entire universe. Space science had also vastly improved understanding of the earth's atmosphere and climate. Space biology, medicine and material science could also have beneficial applications on earth. It was, therefore, a matter of international concern that space technology should be used for the common good.

9. Space technology still remained a relatively new area for Malaysia. His country was attempting to realize the immense potential of space technology for its national development, for instance through the use of remote sensing for national resource evaluation and telecommunications. At the same time, it was aware that, unless the gap in scientific know-how and development between developed and developing countries was narrowed, it would have a detrimental effect on the overall social and economic progress of mankind. In particular, equitable access to existing resources and know-how must be provided in accordance with each country's needs and capacities.

10. Malaysia was interested in developing horizontal co-operation in public telecommunications and the use of remote sensing to promote its socio-economic development. A co-ordinated and integrated programme of co-operation and assistance must be formulated so that space technologies could be used on a broader basis in the future. To that end, Malaysia was interested in acquiring suitable satellite data for resource inventories and in participating in LANDSAT programmes. It would also welcome co-operation in such areas as thematic mapping

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(Mr. Subramaniam, Malaysia)

and data processing and interpretation, especially with countries having similar geophysical and agricultural and climatic characteristics. It was also eager to participate in regional conferences and training programmes and, in 1980, had hosted the International Seminar on Remote Sensing Decision-Making. Finally, together with other ASEAN member countries, Malaysia had entered into an agreement for the use of the Indonesian Palapas to augment its telecommunications network.

11. With regard to the drafting of a set of principles on the use by States of artificial earth satellites for direct television broadcasting, his delegation believed that the principles drafted so far represented the barest minimum. They did, however, take into account the legitimate concern of the developing countries not to be the victims of the misuse of such broadcasting as a means of information gathering. They also recognized the principle of freedom to acquire and disseminate information, provided that the sovereign rights and interests of other States were safeguarded.

12. The maintenance of peace and security in outer space was vital to international peace and security in general, and the prevention of an arms race and hostilities in outer space was essential for continuing international co-operation in the exploration and peaceful uses of outer space. His delegation therefore urged all States concerned to adhere to the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, while commending the Committee on Disarmament for drawing attention to the inadequacies of that Treaty.

13. His delegation pledged its continuing support to the efforts of the world community to promote international co-operation in the exploration and peaceful uses of outer space.

14. Mr. WYSE (Sierra Leone) expressed appreciation for the constructive attitude that had prevailed at UNISPACE 82. Although Sierra Leone had been unable to participate in that Conference, it had followed its work with considerable interest and taken due note of its recommendations and conclusions. It was gratified that the report of the Conference (A/CONF.101/10 and Corr.1) had been adopted by consensus and hoped that that marked the beginning of an era of increasing co-operation in the exploration and peaceful uses of outer space.

15. As yet, few countries had the technology and resources to exploit outer space, although there had been considerable progress in space exploration and the international community now recognized that space technology was an important tool in accelerating economic development, promoting education and communication and monitoring the environment.

16. As a small developing country, Sierra Leone's primary interest in space applications lay in its desire to improve the human condition. The use of outer space for military purposes was totally unacceptable and a source of great concern to his delegation, which shared the view that the United Nations should take steps to prohibit an arms race in outer space. The two super-Powers had a responsibility

(Mr. Wyse, Sierra Leone)

not to extend the arms race to outer space. In that connection, it seemed appropriate to establish a link between the work of the Committee on the Peaceful Uses of Outer Space and that of the Committee on Disarmament.

17. During the current debate, considerable emphasis had been placed on remote sensing of the earth by satellite. His delegation believed that remote sensing data could be extremely useful for identifying a country's natural resources and thus promoting their future development. At the same time, an international agreement on remote sensing must be worked out on the basis of such principles as respect for the sovereignty of sensed States over their natural resources and the need to obtain their prior agreement before publishing any information thus obtained about their natural resources. Sensed States should also have continuous access to all remote sensing data concerning their territories. Unless such principles were recognized, technologically advanced countries might come to know more about the natural resources of developing countries than those countries themselves knew, a situation that was fraught with risks. His delegation therefore supported the conclusions and recommendations of UNISPACE-82, especially the recommendations to expand the United Nations Programme on Space Applications and set up an international space information service, which should go a long way towards meeting the call for international co-operation.

18. His delegation supported draft resolution A/SPC/37/L.5 and hoped that the United Nations would soon be able to consider a comprehensive convention dealing with the whole range of outer space activities.

19. Miss MAVROMMATIS (Cyprus) said that all States recognized the principle that outer space should be used strictly for peaceful purposes, since there was a great danger that outer space might become the theatre for an extended conventional and nuclear arms race. Nations must co-operate fully to transform outer space from a potential arena for armed conflict into one for peaceful development and progress. The international community thus shared equally the rights and responsibilities inherent in the exploration and peaceful uses of outer space.

20. In the field of direct television broadcasting via satellite her delegation believed that greater attention should be given to the needs of developing countries, in order to speed up their development process. Television broadcasting via satellite should be seen as a means of developing friendly relations and co-operation among States, and her delegation also shared the view that all States should have an equal right to conduct activities in the field of international direct television broadcasting by satellite for selective cultural exchanges. Her delegation had consistently advocated the free circulation and wider and more balanced dissemination of information and the guarantee of diversity of sources and free access to information. It also advocated the need to change the dependent status of the developing countries in the field of communication, which was an integral part of the development process.

(Miss Mavrommatis, Cyprus)

21. With regard to remote sensing of the earth and its legal implications, her delegation strongly advocated respect for the sovereignty of sensed States. The latter should also have priority access to remote sensing data concerning their territories, and their prior consent should be obtained before such data could be transmitted to third parties. Remote sensing activities should be carried on in accordance with the principles of good faith and prohibition of abuse.

22. Her delegation supported the role of the United Nations and its relevant organs in the peaceful exploration of outer space and hoped that the technologically advanced countries would increase their provision of technical assistance and information to the developing countries in that field.

23. Mr. RODRIGUEZ MEDINA (Colombia) said that UNISPACE-82 had been a source of optimism, because its final recommendations had helped to strengthen international co-operation, although they were not sufficiently explicit or practical to ensure the systematic transfer of technology to the developing countries. It also had been a source of hope, because the great Powers had seemed to wish to take the first step towards ending the great disparity between their dazzling success in outer space and the precarious situation of the developing world. Above all, his delegation was optimistic about the unprecedented solidarity displayed by the countries of the third world, in other words, about their political will to find ways of pooling their efforts so as better to benefit from the applications of space technology and to form a common front to defend their resources, their rights and their aspirations.

24. Accordingly, the Group of 77 had submitted a strong declaration stressing the need to preserve outer space for peaceful purposes and to prevent the increasingly dangerous arms race from turning it into yet another battlefield. His delegation also welcomed the fact that 124 countries had unanimously called for the urgent planning and regulation of the use of the geostationary orbit, drawing attention to the imminent danger of its saturation as a result of the arbitrary activities of technical and economic monopolies and stressing that its regulation should take into account the interests of both the developing and the equatorial countries. The same 124 countries had called for recognition of the sovereign rights of the sensed States and of the receiving States in the cases of remote sensing and direct television broadcasting by satellites.

25. Unfortunately, the interests of the great Powers and the need to arrive at a consensus had prevented the thrust of the third world's proposals from being duly reflected in the report of the Conference (A/CONF.101/10 and Corr.1). Nevertheless, the second outer space Conference had been very different from the first, where the developing countries had been mere spectators at a fascinating technological game; at the second Conference, they had emphatically expressed their aspirations and had frequently succeeded in ensuring that the necessary justice and law had prevailed.

26. The role and responsibilities of the United Nations in that regard had grown enormously, because it was the only body that could implement the recommendations adopted and ensure that scientific and technological co-operation became a

(Mr. Rodriguez Medina, Colombia)

systematic, permanent practice in future outer space activities. His delegation also supported proposals for the establishment of regional space agencies, which would considerably help to accelerate the scientific and technological development of the poor countries.

27. In addition, he welcomed the fact that the report of the Conference explicitly mentioned the position of the equatorial countries. For those countries, it was particularly important that the Conference had recognized that the geostationary orbit was a limited natural resource which could become saturated. Equally important were the recommendations concerning the planning and regulation of its use, taking into account technical, scientific and legal issues. The recommendation concerning the need for international agreement to ensure that legal instruments were updated in accordance with technological progress would help to avoid any abuse of the legitimate rights of the non-technological countries.

28. The recommendations and conclusions of UNISPACE-82 would serve as a guideline for specialized international conferences and as an important basis for future discussions in both the Committee on the Peaceful Uses of Outer Space and in its two Sub-Committees. In that connection, he expressed the hope that, at its next session, the Legal Sub-Committee would finally establish a working group to elaborate a sui generis régime to regulate utilization of the geostationary orbit. As the representative of Ecuador had mentioned previously, the majority of the equatorial countries had adopted a draft set of principles for submission to the next session of the Legal Sub-Committee. The draft was designed primarily to protect the use of that orbit, to avoid its saturation and utilization by monopolies or forces of aggression, to preserve it for use by the developing countries and, above all, to ensure that the prior authorization of the equatorial country was obtained before a satellite was placed in geostationary orbit. The principle of prior authorization was entirely consistent with that of prior consent, called for by sensed States in connection with remote sensing, and with the principle of prior consultation and agreement between States for direct television broadcasting.

29. Colombia was a member of the working group on direct television broadcasting, which for many years had sought to reach an understanding with the technological powers on the elaboration of a regulatory convention. His delegation was currently a sponsor of draft resolution A/SPC/37/L.5 and hoped that the General Assembly would take a decision on that delicate matter at its current session. His delegation was firmly committed to working on the basis of consensus with regard to such regulations, and it would spare no effort to achieve the necessary unanimity. However, time was running out, and regulations were needed urgently to govern the overt commercialization of direct broadcasting technology, which could have very serious consequences for both the sovereignty and the cultural, political and economic identity of the developing countries.

30. Mr. KONE (Mali) said that his delegation fully supported the proposals contained in documents A/37/20 and A/37/46. A revolution unprecedented in the

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(Mr. Kone, Mali)

history of mankind was taking place, a cosmic revolution which brought with it benefits for the world in general and the developing countries in particular. The peoples of the third world still depended on the caprices of the climate for their survival. Geostationary and polar orbit meteorological satellites, which permitted the monitoring of atmospheric and environmental variables and the forecasting of climatic phenomena, could prevent the endless human suffering caused by natural disasters. Space technology could also be applied in the fields of telecommunications, biology, medicine, information, education and radio broadcasting, and the advantages to be derived therefrom were the common heritage of mankind and must be shared equally among all States.

31. His country realized the important role which space technology could play in the development process. Since 1980, the African Remote Sensing Council, headquartered at Bamako, had devoted increasing efforts to the strengthening of peaceful applications of space technology for development purposes.

32. The conquest of outer space also caused his delegation profound concern. The militarization of outer space and the extension of the arms race to it was, in his view, the greatest threat to mankind. His country's concerns were reflected in the Declaration of the Group of 77 on that subject. The use of satellites for spying was also a flagrant violation of the sovereignty of States, whose only defence was international law and the principles of the Charter. There was also a real danger of the use of radio broadcasting, remote sensing and television broadcasting via satellite as a means of subversion and cultural aggression.

33. Pollution of the new space environment was also a matter of grave concern. The geostationary orbit was a limited resource, yet 120 satellites of all kinds were launched each year. The international community must turn its attention to the irrational and disorganized occupation of the geostationary orbit in view of the constant threat of the electronic overloading of outer space. His delegation therefore reiterated its suggestion that a precise orbital arc reaching from 1° to 7° longitude east should be used for the withdrawal of dead satellites.

34. His delegation appealed to the international community to ensure that outer space, the common heritage of mankind, was governed by international law in the interests of all mankind. Military activities in outer space must be prohibited, lest the space revolution mark the advent of the Day of Judgement.

35. Mr. CRAANEN (Netherlands) said that, in his delegation's opinion, the results of UNISPACE-82 would help to give the developing countries, a better understanding of the way in which space research and technology could further their development. His delegation also supported the recommendations of the Conference concerning the prevention of an arms race in outer space and welcomed the emphasis which it had placed on the role of the Committee on Disarmament in that connection. He hoped that those results would also serve to reduce the technological dependence of the developing countries and to improve their economic position in the world. The Netherlands would make every effort, together with all Member States, to put the recommendations of the Conference into practice.



(Mr. Craanen, Netherlands)

36. The remote sensing of the earth by satellites was useful in solving a wide range of problems. In that connection, the continuity and availability of data and the compatibility and complementarity of current and future remote sensing systems were of the utmost importance, so as to ensure that full benefits were derived from that technology and that they were shared by all. In his delegation's opinion, restrictive rules governing remote sensing activities would hamper the attainment of those objectives.

37. In the difficult task of drafting a set of principles governing the use by States of artificial earth satellites for direct television broadcasting, some optimism could be derived from the fact that the international community had previously adopted principles governing the activities of States in the exploration and use of outer space, as well as influential regulations governing the conduct of States in other areas. The value of those regulations stemmed from the fact that they had been the result of often intensive negotiations in which all viewpoints had been taken into account.

38. His delegation, therefore, noted with regret that the draft set of principles contained in document A/SPC/37/L.5 had been submitted to the Committee, and thus to the General Assembly, without the blessing of the Legal Sub-Committee, which was responsible for drafting those principles. The so-called "negotiating text", which had originally contained the draft set of principles currently set forth in document A/SPC/37/L.5 and which had been submitted to the Legal Sub-Committee in 1980, had ignored several elements of the set of principles on which provisional agreement had been reached and, as a result, the discussion of those elements had been reopened. Considering the importance of that subject and the need to conduct such activities on the basis of consensus, his delegation would certainly accept the invitation to submit an alternative text. Adoption of the draft principles under consideration by however large a majority would not endow them with the authority which they needed in order to be effective. Moreover, the pressure of time created by the sponsors of draft resolution A/SPC/37/L.5 would make it all the more difficult to achieve the necessary consensus.

39. With regard to the use of nuclear power sources in outer space, his delegation noted with pleasure that the Working Group of the Legal Sub-Committee had begun discussions on that issue on the basis of a working paper submitted by the Canadian delegation. Since a large majority of delegations had expressed the view that the existing legal régime needed to be supplemented, his delegation expected the Legal Sub-Committee to submit specific recommendations in that connection in the near future.

40. His Government fully shared the objective of intensified international co-operation in outer space. A successful example of such co-operation was the European Space Agency (ESA), which the Netherlands had joined in 1974, when its first satellite had been launched. Its second satellite would be placed in orbit in January 1983. Both projects, carried out in co-operation with the United States and the United Kingdom, respectively, had demonstrated the innovative capabilities

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(Mr. Craanen, Netherlands)

of Netherlands' space industries. In future, the emphasis of his country's space policy would shift from building scientific satellites to the applications of space technology, in other words, to the needs of user groups in both developed and developing countries. The European Space Agency offered various opportunities for the Netherlands to pursue its aims in the field of research and development; his country would, therefore, increase its participation in ESA activities, with priority on telecommunication programmes, remote sensing and launcher development.

41. Mr. SMITH (Jamaica), referring to agenda item 62, said that the importance of international co-operation in the peaceful uses of outer space was becoming increasingly clear to the developing countries, which could greatly benefit from its practical applications. Jamaica's participation in the current debate reflected the importance which his Government attached to international efforts to ensure that science and technology better served the needs and interests of mankind, particularly when the developing countries could be major beneficiaries.

42. However, his country was concerned about the increasingly military nature of some activities in outer space, which would benefit no one. Therefore, he welcomed the fact that the international community was alert to that danger; that had been clear from the general debate at UNISPACE-82 and emerged also from the current debate.

43. Jamaica had supported previous General Assembly resolutions requesting that the Committee on Disarmament should begin work on international instruments to prevent the spread of arms to outer space and to prohibit anti-satellite systems. However, the report of that Committee to the current session of the General Assembly showed that nothing had been achieved in that forum, although it was allegedly the competent forum to deal with that question. Therefore, the Special Political Committee should include in the resolution which it adopted on UNISPACE-82 an appropriate reference to the degree of concern expressed by the overwhelming majority of Member States in that regard.

44. As the excellent report of UNISPACE-82 (A/CONF.101/10 and Corr.1) indicated, space technology and its applications were becoming truly universal in a wide variety of areas. As a developing country, Jamaica noted in particular the section of the report dealing with "Choices and difficulties in the use of space technology" (A/CONF.101/10, paras. 190-206), which stated that the developing countries must pay special attention to developing their technical infrastructure, particularly in the field of computer sciences and engineering, at least to a level which provided them with the technical capacity needed to analyse and use the data received and to take full advantage of the opportunity for accelerated development provided by the practical applications of space technology.

45. Accordingly, the development of expertise in data management and analysis was a top priority for his Government, and he expressed full support for the recommendations made by the Conference on the training and development of human resources in that field. In particular, his Government supported the proposal that the United Nations should organize a fellowship programme to provide candidates

(Mr. Smith, Jamaica)

from developing countries with comprehensive, long-term exposure to space technology, including a substantial amount of on-the-job experience. He also welcomed the proposal that the United Nations should support the development of appropriate regional training centres in that field. In that connection, he drew attention to paragraph 207 of the report, which referred to the danger of a further widening of the chasm between developing and developed nations, if space technology continued to be dominated by a few nations.

46. The work of the Committee on the Peaceful Uses of Outer Space had helped to bring about the orderly growth of space activities, particularly through the five international instruments which the Committee had elaborated. However the Committee had, thus far, failed to elaborate a draft set of principles governing the use by States of artificial earth satellites for direct television broadcasting. Countries and groups of countries were divided in their support either of the principle of the free flow of information or of that of the sovereignty of States. However, the issue was far more complex. Governments should not be by-passed in the application of that new technology; just as in the case of films, Governments should establish some type of mechanism to view broadcasts before they were disseminated to the public. They should not be expected to trust the good sense and professionalism of those using the new technology, who were outside their borders. He hoped that those difficult questions would be borne in mind in the informal consultations held with a view to facilitating consensus on that issue.

47. The difficult matter of drafting principles relating to remote sensing of the earth by satellites, a technology which promised major benefits in many areas, was clearly of considerable importance to the developing countries. The international community should not allow that use of space technology to be hampered by the lack of agreement on principles governing the dissemination of data. Jamaica believed that the sovereign rights of States must be duly respected, that the sensed State should have priority access to data obtained over its territory and that such data should not be transmitted to third parties without the prior consent of the sensed State.

48. In addition, his delegation believed that the geostationary orbit was a unique natural resource, vital to many space applications, and it therefore supported the principle of equitable access to the orbit, particularly for the developing countries. That principle should guide efforts to plan and regulate the use of the orbit. The international community should also consider instituting financial arrangements which would allow developing countries, in particular, to benefit from that resource.

49. As mankind penetrated the last frontier, there was the danger that technological prowess would outstrip political maturity and that outer space would become another arena for the deployment of deadly weapons of mass destruction. There was also the danger that narrow, self-centred chauvinism would curtail the immense potential for mutually beneficial co-operation offered by outer space. As

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(Mr. Smith, Jamaica)

a result, the benefits derived from that new area of activity would accrue only to a small minority, and hardly at all to the developing countries. Therefore, the future work of the Committee on the Peaceful Uses of Outer Space should focus on ensuring that those pitfalls were avoided.

The meeting rose at 6.20 p.m.