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Agenda items 35 and 36

INTERNATIONAL CO-OPERATION IN 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 First Committee

Rapporteur: Mr. Francisco CORREA (Mexico)

1. The items entitled "International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space" and "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" were included in the provisional agenda of the thirty-second session in accordance with General Assembly resolution 31/8 of 8 November 1976.
2. At its 5th plenary meeting, on 23 September 1977, the General Assembly, on the recommendation of the General Committee, decided to include the two items in its agenda and to allocate them to the First Committee.
3. At its 3rd meeting, on 7 October, the First Committee decided to hold a combined general debate on items 35 and 36. The general debate on these items took place at the 39th, 41st to 43rd, 45th, 46th and 48th meetings, held between 21 and 30 November.
4. In connexion with items 35 and 36, the Committee had before it the report of the Committee on the Peaceful Uses of Outer Space. 1/
5. At the 39th meeting, on 21 November, the representative of Austria, Chairman of the Committee on the Peaceful Uses of Outer Space, introduced its report, which

1/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 20 (A/32/20).

contained a draft resolution, 2/ circulated also under the symbol A/C.1/32/L.39 and Corr.1, concerning the tenth anniversary of the entry into force of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

6. On 22 November, Austria submitted a draft resolution (A/C.1/32/L.42) which was introduced by its representative at the 42nd meeting, on 23 November, and withdrawn on 30 November. The draft resolution read as follows:

"The General Assembly,

"Having discussed the report of the Committee on the Peaceful Uses of Outer Space (A/32/20),

"Noting the desire of some Member States not members of the Committee to participate actively in the work of the Committee and to that end bring about an expansion of its present membership,

"1. Requests the Committee on the Peaceful Uses of Outer Space to examine ways and means by which the Committee can accommodate the desire for wider participation in the work of the Committee and to report the result of its deliberations to the General Assembly at its thirty-third session;

"2. Decides to take up this matter at its thirty-third session with a view to reaching an agreement."

7. On the same day, Algeria, Bolivia, Colombia, the Congo, Ecuador, El Salvador, Honduras, Iraq, the Libyan Arab Jamahiriya, Madagascar, Nicaragua, the Niger, Norway, Panama, Paraguay, the Philippines, Spain, the Syrian Arab Republic, Uganda, Uruguay, Yugoslavia and Zaire submitted a draft resolution (A/C.1/32/L.43), which was introduced by the representative of Colombia at the 42nd meeting, on 23 November. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 1472 (XIV), of 12 December 1959, 1721 E (XVI) of 20 December 1961 and 3182 (XXVIII) of 18 December 1973,

"Recognizing the interest of the international community in the effective use of outer space for peaceful ends and the need for international co-operation in this important field,

"Noting that the advances of science and technology have enhanced the knowledge and means required for the use of outer space to the benefit of mankind and the advantage of States, whatever their level of economic and scientific development may be,

"Considering that the Committee on the Peaceful Uses of Outer Space was established by resolution 1742 (XIV), adopted on 12 December 1959 by the General Assembly, at a time when the United Nations comprised only 83 Member States,

"Taking into account the fact that many States belonging to all geographical groups represented in the Organization have expressed interest in becoming members of the Committee, in order to put forward their ideas and suggestions on the legal and scientific aspects that may come under discussion,

"Resolves as follows:

"1. To raise from 37 to 47 the number of members of the Committee on the Peaceful Uses of Outer Space;

"2. To authorize the President of the current session of the General Assembly to appoint the new members of the Committee, taking due account of its present membership so that its final composition be consistent with an equitable geographical distribution."

8. At the 48th meeting, on 30 November, the representative of Ecuador introduced a revised version of the draft resolution (A/C.1/32/L.43/Rev.1), which was also sponsored by the Bahamas, Cyprus, the Dominican Republic, Ghana, Kuwait, Portugal, Tunisia and the United Republic of Cameroon, subsequently joined by Bangladesh and Jordan.

9. On 29 November, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Egypt, France, the German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Nigeria, Pakistan, Poland, Romania, Sierra Leone, the Sudan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela submitted a draft resolution (A/C.1/32/L.40), which was introduced by the representative of Austria at the 48th meeting. The draft resolution was subsequently co-sponsored by Ghana. A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General (A/C.1/32/L.41 and Corr.1).

10. At its 50th meeting, on 1 December, the Committee voted on the three draft resolutions before it as follows:

(a) Draft resolution A/C.1/32/L.39 and Corr.1 was adopted by consensus (see para. 11 below, draft resolution I);

(b) Draft resolution A/C.1/32/L.40 was adopted by consensus (see para. 11 below, draft resolution II A);

(c) Draft resolution A/C.1/32/L.43/Rev.1 was adopted by a recorded vote of

95 to none, with 13 abstentions 3/ (see para. 11 below, draft resolution II B).
The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Brazil, Burma, Burundi, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Portugal, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

RECOMMENDATIONS OF THE FIRST COMMITTEE

11. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Tenth anniversary of the entry into force of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

The General Assembly,

Noting that ten years have passed since the entry into force of the Treaty on

3/ After the vote Bhutan, Botswana, Papua New Guinea, the Philippines and the Sudan announced that, had they been present at the time of voting, they would have voted in favour of the draft resolution.

/...

Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 4/

Confirming the great importance of the Treaty for the development of international co-operation in the peaceful exploration and use of outer space, including the moon and other celestial bodies, and for developing the rule of law in this sphere of human activity,

Convinced that, during the decade in which the Treaty has been in force, it has played a positive role in the implementation of the purposes and principles of the Charter of the United Nations and the progressive development of the law of outer space, including the elaboration and adoption of other international instruments governing the outer space activities of States,

Noting that seventy-five States have become parties to the Treaty,

Recognizing that participation in the Treaty contributes to the peaceful exploration and use of outer space for the benefit of all mankind, regardless of the degree of economic or scientific development of States, and to the development of mutual understanding and the strengthening of friendly relations among States and peoples,

Recalling its resolutions 2260 (XXII) of 3 November 1967, 2453 (XXIII) of 20 December 1968, 2601 (XXIV) of 16 December 1969, 2733 (XXV) of 16 December 1970, 2776 (XXVI) of 21 November 1971, 2915 (XXVII) of 9 November 1972, 3182 (XXVIII) of 18 December 1973, 3234 (XXIX) of 12 November 1974, 3388 (XXX) of 18 November 1975 and 31/8 of 8 November 1976, in which it invited States which had not yet become parties to the Treaty to give early consideration to ratifying or acceding to it,

Expressing the belief that the participation in the Treaty of all States and the application of this international instrument by them can contribute to enhancing the effectiveness of international co-operation in the peaceful exploration and use of outer space, including the moon and other celestial bodies,

1. Invites States which have not yet become parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, to ratify or accede to it as soon as possible;

2. Requests the Secretary-General to undertake research analysing the experience gained in the application of the Treaty over the past ten years and showing its importance for the development of international co-operation in the practical application of space technology;

3. Recommends that the Committee on the Peaceful Uses of Outer Space should consider at its next session possible measures to encourage the largest possible number of States to participate in the Treaty.

4/ Resolution 2222 (XXI), annex.

DRAFT RESOLUTION II

International co-operation in the peaceful uses of outer space

A

The General Assembly,

Recalling its resolution 31/8 of 8 November 1976,

Having considered the report of the Committee on the Peaceful Uses of Outer Space, 5/

Reaffirming the common interest of mankind in furthering the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to interested States the benefits derived therefrom, as well as the importance of international co-operation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming also the importance of international co-operation in developing the rule of law in the peaceful exploration and use of outer space,

Commemorating the twentieth anniversary since the launching into orbit of the first man-made object, Sputnik, which marked the beginning of the exploration and use of outer space for peaceful purposes and of international co-operation in this field,

Noting with satisfaction resolution 32/... of .. December 1977 concerning the tenth anniversary of the entry into force of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 6/

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space;
2. Invites States which have not yet become parties to 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, 7/ the Convention on International Liability for Damage Caused by Space Objects 8/ and the Convention on Registration of Objects Launched into Outer

5/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 20 (A/32/20).

6/ General Assembly resolution 2222 (XXI), annex.

7/ General Assembly resolution 2345 (XXII), annex.

8/ General Assembly resolution 2777 (XXVI), annex.

Space 9/ to give early consideration to ratifying or acceding to those international agreements;

3. Notes with satisfaction the considerable progress achieved by the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space and by a working party of that Committee itself in the elaboration of draft principles governing the use by States of artificial earth satellites for direct television broadcasting, 10/ and the work done in formulating a tentative text of a principle of "consultation and agreements between States" 11/ and a draft preamble; 12/

4. Further notes with satisfaction that the Legal Sub-Committee:

(a) Achieved significant progress by formulating six additional draft principles relating to the legal implications of remote sensing of the earth from space; 13/

(b) Continued its efforts to complete the draft treaty relating to the moon;

(c) Discussed questions relating to the definition and/or delimitation of outer space and outer space activities;

5. Takes note with appreciation of the resolution adopted by the Legal Sub-Committee paying tribute to its Chairman, His Excellency, Mr. Eugeniusz Wyzner, on the occasion of the tenth anniversary of his assumption of office; 14/

6. Recommends that the Legal Sub-Committee at its seventeenth session should:

(a) Continue, as matters of high priority:

(i) Its efforts to complete the elaboration of draft principles governing the use by States of artificial earth satellites for direct television broadcasting;

(ii) Its detailed consideration of the legal implications of remote sensing of the earth from space, with the aim of formulating draft principles;

(iii) Its consideration of the draft treaty relating to the moon;

(b) Continue to discuss questions relating to the definition and/or

9/ General Assembly resolution 3235 (XXIX), annex.

10/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 20 (A/32/20), annex VII.

11/ Ibid., annex V.

12/ Ibid., annex IV.

13/ A/AC.105/196, annex III, appendix A.

14/ Ibid., para. 14.

/...

delimitation of outer space and outer space activities, and also bear in mind questions relating to the geostationary orbit;

7. Notes with satisfaction that the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space at its fourteenth session continued:

(a) To consider in detail both the current pre-operational/experimental phase and a possible future global/international operational phase of remote sensing of the earth from space;

(b) To make progress in the implementation of the United Nations programme on space applications;

(c) To consider in detail the options relating to a possible United Nations conference on outer space;

8. Recommends that the Scientific and Technical Sub-Committee at its fifteenth session should continue its work on the matters before it, giving priority to the three items mentioned in paragraph 71 of the report of the Committee on the Peaceful Uses of Outer Space; 15/

9. Further recommends that the Scientific and Technical Sub-Committee at that session should set up a working party to consider, in accordance with paragraph 75 of the report of the Committee on the Peaceful Uses of Outer Space, all the factors and any further relevant information concerning a possible United Nations conference on outer space matters;

10. Endorses the recommendations of the Committee on the Peaceful Uses of Outer Space:

(a) That the Secretary-General, for consideration by the Scientific and Technical Sub-Committee at its fifteenth session, should:

(i) Undertake the studies and prepare the documentation on questions relating to remote sensing of the earth from space, as referred to in paragraphs 40, 44 and 49 of the Committee's report;

(ii) Prepare a factual study on the physical nature and technical attributes of the geostationary orbit with a view to enabling the study of the different aspects of its utilization;

(b) That the Sub-Committee, at its fifteenth session, should examine the subject-matter referred to in subparagraph (a) (ii) above;

11. Further endorses the recommendation to strengthen, within available resources, the role of the two remote sensing centres referred to in paragraph 73 of the report of the Scientific and Technical Sub-Committee, 16/ and, in this connexion, expresses its appreciation to the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the Government of Italy for the holding of international training courses on the application of remote sensing for the benefit of developing countries;

12. Endorses the invitation to the Secretary-General, in accordance with paragraph 48 of the report of the Committee on the Peaceful Uses of Outer Space to explore, within the existing resources, the possibility of continuing, expanding and co-ordinating programmes of the United Nations and its agencies involving the use of satellite remote sensing data, particularly for the benefit of developing countries, and to report thereon to the Committee;

13. Expresses its appreciation to all Governments which acted as hosts to, offered fellowships for, or otherwise assisted in the holding of, international training seminars and workshops on space application, particularly for the benefit of developing countries;

14. Endorses the proposed United Nations programme on space applications for 1978;

15. Approves a continuing sponsorship by the United Nations of the Thumba Equatorial Rocket Launching Station in India and the CELPA Mar del Plata Station in Argentina;

16. Requests the specialized agencies to continue to provide the Committee with progress reports on their work relating to the peaceful uses of outer space;

17. Welcomes the report submitted by the World Meteorological Organization on its tropical cyclone project and the World Weather Watch, 17/ in response to General Assembly resolution 31/8, and notes in particular that the satellite has revolutionized the initial detection of tropical cyclones, that the availability of five meteorological geostationary satellites by 1978 would mean that all tropical areas of the world would be under constant surveillance and that the success of the project depends upon continued and increased committal of essential resources to this programme, and calls upon the World Meteorological Organization to intensify its efforts in this field and to report thereon in accordance with the relevant resolutions of the Assembly;

18. Requests the Committee on the Peaceful Uses of Outer Space to continue its work, in accordance with the present and previous resolutions of the General

16/ A/AC.105/195.

17/ A/AC.105/197.

Assembly, to consider, as appropriate, new projects in outer space activities and to submit a report to the Assembly at its thirty-third session, in which would be included its views on which subjects should be studied in the future;

19. Expresses its deep appreciation to the Government and people of Austria for making possible the holding of the twentieth session of the Committee on the Peaceful Uses of Outer Space at Vienna and for their generous hospitality in this regard.

B

The General Assembly,

Recalling its resolutions 1472 (XIV) of 12 December 1959, 1721 E (XVI) of 20 December 1961 and 3182 (XXVIII) of 18 December 1973,

Noting that the advance of science and technology have enhanced the knowledge of, and interest in, the peaceful uses of outer space and international co-operation in this important field, to the benefit of mankind and to the advantage of all States, whatever their level of economic and scientific development,

Recognizing the importance of participation in the work of the Committee on the Peaceful Uses of Outer Space of States from all regional groups on the basis of equitable geographical distribution,

Welcoming in this connexion the fact that States belonging to all regional groups have expressed interest in becoming members of the Committee on the Peaceful Uses of Outer Space,

Aware of the need to ensure that the Committee on the Peaceful Uses of Outer Space carries out its work in the most effective way,

Having discussed the report of the Committee on the Peaceful Uses of Outer Space, 18/

1. Decides to expand the membership of the Committee on the Peaceful Uses of Outer Space from thirty-seven to forty-seven;

2. Requests the President of the General Assembly, taking due account of the present membership of the Committee on the Peaceful Uses of Outer Space, to appoint the new members not later than 31 January 1978, in accordance with the principle of equitable geographical distribution;

3. Requests the Secretary-General to ascertain the views of Member States on ways and means of allowing participation of additional Member States in the Committee on the Peaceful Uses of Outer Space and, after having received the opinion of the Committee, to report thereon to the General Assembly at its thirty-third session.