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AGENDA ITEM 92

Preparation of an international treaty concerning the Moon

REPORT OF THE FIRST COMMITTEE (A/8529)

3. Mr. MIGLIUOLO (Italy), Rapporteur of the First Committee: During the debate on the item entitled "International co-operation in the peaceful uses of outer space" at the present session of the General Assembly, the First Committee successfully concluded consideration of an important legal document submitted to its attention by the Committee on the Peaceful Uses of Outer Space, namely, the draft Convention on International Liability for Damage Caused by Space Objects. The draft convention represents the outcome of lengthy and persistent efforts made by a distinguished group of international jurists and diplomatists who for years have tried to take a new step forward in expanding the *corpus juris* concerning the international aspects of the peaceful uses of outer space. As it was the result of a compromise, the draft could not possibly satisfy all the conditions whose implementation a number of delegations considered of the essence in order to achieve more significant progress in developing a vital principle already laid down in the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [resolution 2222 (XXI), annex]. That is why some delegations, considering the importance of arbitration in the settlement of international disputes, have stressed the desirability, as it appears from paragraphs 10, 11 and 12 of document A/8528, of States that sign or adhere to the convention declaring that they will recognize as binding, in relation to any other State accepting the same obligation, the decision of the Claims Commission concerning any dispute to which they may become parties.

4. The members of the General Assembly will find in the report two other draft resolutions that the Committee recommends for approval: draft resolution I concerning international co-operation in the peaceful uses of outer space, and draft resolution III on the convening of the Working Group on Remote Sensing of the Earth by Satellites.

5. I would also submit to the attention of members document A/8529, containing the report of the First Committee on the item entitled "Preparation of an international treaty concerning the Moon", together with the relevant draft resolution unanimously recommended for approval by the Committee.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the First Committee.

President: Mr. Adam MALIK (Indonesia).

**TRIBUTE TO THE MEMORY OF MR. WASFI AL-TAL,
PRIME MINISTER OF JORDAN**

1. The PRESIDENT: We have learned with regret of the tragic death of the Prime Minister of Jordan, His Excellency Mr. Wasfi Al-Tal. On behalf of the General Assembly I should like to extend to his family and to the Government and people of Jordan our profound condolences. I would ask representatives to stand and observe one minute of silence in tribute to his memory.

The members of the General Assembly observed a minute of silence.

2. Mr. TASH (Jordan): I wish, Mr. President, to express my delegation's profound appreciation for the kind words of sympathy you have extended to us on your own behalf and on behalf of our fellow-representatives in this Assembly with regard to the deplorable criminal act committed against the Prime Minister of my country, Mr. Wasfi Al-Tal. He always served his country with courage and dedication and had great faith in the United Nations for solving world problems through peaceful means: Not only has Jordan lost a dedicated citizen and leader but the United Nations has lost an ardent supporter.

AGENDA ITEM 33

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space

REPORT OF THE FIRST COMMITTEE (A/8528)

6. The PRESIDENT: May I invite members to turn their attention first to the report of the First Committee on agenda item 33 [A/8528]. The General Assembly will now take a decision on each of the draft resolutions recommended by the First Committee in paragraph 20 of that report. Draft resolution I relates to international co-operation in the peaceful uses of outer space. The administrative and financial implications of that draft resolution are set forth in document A/8535.

7. I call on the representative of the United States, who wishes to speak in explanation of his vote before the vote.

8. Mr. SHEPARD (United States of America): I should like to speak briefly before the General Assembly today to touch upon a theme I sounded earlier in the First Committee—that when voyaging into space every astronaut is struck by the smallness and the loneliness of this fragile planet of ours called earth. When the astronaut returns he is privileged to see, perhaps more clearly than others, that the prospects of man's future on this planet depend upon the interaction of a complex of factors of varying sensitivity and criticality.

9. The crowding together of man on our planet in an era of very rapid technological change has exacerbated all the old problems of hunger, disease, poverty, illiteracy, personal oppression and war. It may not be surprising that from time to time man may seem to lose confidence when observing the diversity of terrors and lost opportunities to which he subjects himself and his brothers. I suggest that there is at the United Nations some sound ground for hope for the application of individual energy and also for rededication to the goal of a more reasonable life for all mankind.

10. One challenge lies in the application of science and technology to the benefits of the human condition. This is in large part the purpose of the United Nations Committee on the Peaceful Uses of Outer Space, whose work product and work potential the General Assembly is considering this afternoon.

11. We already know a great deal about two practical applications of space technology for peaceful purposes. Meteorological and communications satellites are working now and are making a contribution towards improving man's lot. And we are beginning to grasp the promise of a third practical application—that of surveying the earth by means of satellites. The United States has been glad to participate in establishing within the framework of the outer space Committee a Working Group on Remote Sensing of the Earth by Satellites. This working group is to try to make recommendations concerning the development, provision and operation of data collection and use within the United Nations or on an alternate international framework. The working group should be able to begin practical work following the flight testing of the United States satellite ERTS-A in March 1972, in just four short months. As an indication of international interest and international confidence, it should be noted that the United States plans for experimental uses of ERTS-A data will incorporate a healthy number of the 106 proposals made by investigators from 34 countries and international organizations. We believe that the planning of the satellite exemplifies international co-operation based on a hard-headed perception of mutual benefit. I would like to express the hope

that the space programmes of all nations may in time be conducted in this manner.

12. There has also been evidence of a growing appreciation of possible benefits of bilateral co-operation. This year the National Aeronautics and Space Administration and the USSR Academy of Science have reached agreement on a variety of co-operative programmes. I myself am particularly interested in discussions looking towards the development of compatible rendezvous and docking techniques and the exchange of lunar samples. I personally participated in one of those meetings, held in Texas a few months ago, and some of my colleagues are currently in Moscow discussing the possibility of development of those docking procedures with a view towards rescue purposes in the future. I sincerely hope we will be hearing a great deal more of this kind of co-operation.

13. The outer space Committee has made another significant contribution to developing a progressive law for man's activity in space. This year the Committee has reached agreement on a Convention on International Liability for Damage Caused by Space Objects. We are glad that the First Committee has recommended that this Assembly should commend the draft liability convention and ask that it be opened for signature and ratification. The draft convention is a sound treaty based upon realistic perceptions of mutual interest and mutual benefit. We believe it will take a place alongside the much-praised outer space Treaty of 1967¹ and the astronaut Agreement of 1968². The liability convention should make possible reasonable expectation of the payment of prompt and fair compensation in the event of damage caused by the launching, flight or re-entry of man-made space vehicles.

14. In summary, I want on behalf of the United States to pay our respects to the outer space Committee's record of positive work. I personally had the good fortune to participate this year and I was happy to see the tremendous progress that was made in a spirit of co-operation. We have expected much of this Committee in the past and we shall not be amiss if we expect a great deal more in the future.

15. The PRESIDENT: Since the First Committee adopted draft resolution I unanimously, may I take it that the General Assembly decides to do likewise?

The draft resolution was adopted (resolution 2776 (XXVI)).

16. The PRESIDENT: The General Assembly will now turn to draft resolution II entitled "Convention on International Liability for Damage Caused by Space Objects", on which a recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, Colombia, Costa Rica, Cuba,

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

² Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex).

Cyprus, Czechoslovakia, Dahomey, Denmark, Egypt, El Salvador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guyana, Haiti, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, People's Democratic Republic of Yemen, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Spain, Sudan, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela, Yugoslavia, Zambia.

Against: None.

Abstaining: Canada, Iran, Japan, Sweden.

The draft resolution was adopted by 93 votes to none, with 4 abstentions [resolution 2777 (XXVI)].³

³ The delegation of Zaire subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

17. The PRESIDENT: Lastly, we turn to draft resolution III entitled, "Convening of the Working Group on Remote Sensing of the Earth by Satellites". The report of the Fifth Committee on the administrative and financial implications of that draft resolution appears in document A/8535. The First Committee unanimously recommends the adoption of draft resolution III; may I take it that the General Assembly also adopts it unanimously?

The draft resolution was adopted [resolution 2778 (XXVI)].

18. The PRESIDENT: We turn now to the report of the First Committee on agenda item 92, contained in document A/8529. The Assembly will take a decision on the draft resolution recommended by the First Committee in paragraph 9 of that report. Since the First Committee adopted that draft resolution unanimously, may I take it that the General Assembly decides to do likewise?

The draft resolution was adopted [resolution 2779 (XXVI)].

The meeting rose at 3.45 p.m.

