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Chairman: Mr. Andrés AGUILAR M. (Venezuela).

AGENDA ITEM 26

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (*continued*) (A/8020; A/C.1/L.546 and 547, 548 and Corr.1, 549 and 550)

1. Mr. DELEAU (France) (*interpretation from French*): Debates in the United Nations which make it possible for our Assembly in a rare show of unanimity to congratulate itself on prospective progress for mankind are not frequent. Its consideration of this item is one of these propitious moments. The French delegation is, therefore, happy once again at the end of this year, 1970, to measure the progress achieved in the field of space exploration and research. The complete success of the experiment recently carried out by the Soviet Union by remote control from the earth of the Lunokhod proves the exceptional degree of perfection achieved by Soviet scientists in the field of automatic space discovery techniques. The trip of Apollo 13 illustrated in the most moving fashion the fundamental role of man now and in the future in space exploration. These two are a source of faith for all of us in the science of man and in the courage of man. Their authors, the Soviet Union and the United States, should receive here the sincere testimony of our genuine admiration. We should also like to congratulate Japan for having joined, with well-known success, the countries which have launched their own satellites with their own rockets. Together with China, two Asian countries thus testify to the dissemination of the progress of space science. But indeed, everywhere there is success—in India at the Thumba station, in Argentina at Mar del Plata, or elsewhere, such as the original experiments in Italy with the mobile base of San Marco.

2. My country is actively continuing its participation in space exploration. Last spring it succeeded in launching a new Diamant B rocket which launched into orbit a German scientific space object. This national effort is also proof of our wish to take part in international co-operation. We wish to reaffirm this and to recall that we are ready to examine with any country the possible utilization of the equatorial rocket-launching base which we have set up at Kourou.

3. The success of the space year 1970 and the development of bilateral and international co-operation should obviously constitute the best possible example and source of encouragement to our Committee on the Peaceful Uses of Outer Space. Our task is, of course, rather modest. It may be less exalting but is none the less very necessary. We must try not so much to promote or speed up space exploration, which already has its own dynamism, as to derive profit for the whole of mankind from this enterprise. We wish to attain two essential objectives, as is well known; on the one hand to avoid all damages which are the unavoidable consequences of such an ambitious endeavour, and on the other hand, to ensure the practical utilization of space technology in the best conditions. In other words—and to point only to the most urgent tasks—we must succeed in concluding a convention on liability for damages caused by space objects and to promote practical implementation of the effort of space exploration.

4. In these two fields the Committee, having read the various draft resolutions, knows that unfortunately our results were not always very successful. Despite the new year of laborious effort, despite the energy and resourcefulness displayed by the Chairman of the Committee on Outer Space to reach agreement, by the Chairman of the Legal Sub-Committee and by most delegations, we are in duty bound to note that once again that Committee is not able to present to the General Assembly a convention on liability. And that is something which the French delegation deeply regrets.

5. We understand that the countries which signed the space Treaty of 1967¹ and the agreement on the rescue of astronauts² await with legitimate impatience the signing of a convention clearly establishing the responsibilities of the space Powers and ensuring to the possible victims of these activities prompt and complete redress. This text, which was to be the exact counterpart of the undertakings of the signatories of the Treaty of 1967, still does not exist.

6. Some progress has been achieved. The Legal Sub-Committee rightly devoted the whole of its ninth session to this question of liability. Thirteen articles have been worked out [A/8020, annex IV] which, on some points, in a very felicitous manner, complete the Treaty of 1967, whose article VII in general terms affirms the principle of the liability of space Powers. But there are still gaps. There is no reference to the problem posed by international organizations whose role is bound to increase in the

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).

development of space technology; and, a more serious omission, this text did not settle two fundamental difficulties relating to the determination of the law that is to apply and procedures for settlement of disputes.

7. I shall not speak of the details of the French position on these fundamental points again. They will be found in the records of the Committee. Further, they can be found in one of the draft resolutions [A/C.1/L.547]. I would merely wish to insist on the tireless efforts to reach a compromise, in which we took part, and the concessions that we made with a view to reaching an agreement. Since the problem of liability has been under discussion, our delegation has always felt that the essential objective of a convention on liability was to ensure effective and total protection to the possible victims of space activities of States. To ensure that protection we always affirmed, in conformity with what is being done in other fields of international law, that the best solution would be to take the *lex loci* as a basis for the settlement of disputes and to accept a procedure of compulsory arbitration for the settlement thereof. Those proposals were not accepted by some States—even among those which signed the Treaty of 1967 and the agreement on the rescue of astronauts—with all their consequences, among them the subordination of their internal law to international law. Then, we started making concessions. We went very far on that road. On the one hand we accepted compulsory arbitration, subordinated to an agreement between the two parties; on the other hand we agree to international law and very vague principles of justice and equity which would be in addition to the law of the demanding State and would apply in these cases.

8. However, we insist on asking for a minimum; that the convention, deprived of international arbitration or reference to the *lex loci*, should: (a) state without any ambiguity that the principle of full-fledged reparation should put the victim in an equivalent situation to the one in which it would have found itself if there had been no damages; (b) provide for an impartial settlement committee of three members, the third to be named by agreement between the parties or, in the absence of agreement, by the Secretary-General of the United Nations; (c) specify that decisions or non-binding conclusions of the committee would put an end to the procedure and be published.

9. These three points appear essential to us. They are an indispensable minimum. They represent, from a delegation such as ours which is in favour of the application of *lex loci* and compulsory arbitration, a very substantial group of concessions. We still hope that the outer space Committee, upon urgent prompting from the General Assembly, will finally succeed next year. Agreement on a convention relating to liability is all the more desirable in that it would enable the Committee on Outer Space to devote its attention to very important legal problems.

10. So long as we are unable to agree on responsibility we shall be constrained, regrettably, to abandon the study of three fundamental subjects: the definition of space, the legal status of materials originating on the moon and in outer space, and the registration of space devices. The urgency and interest of these matters cannot but be obvious to all.

11. The question of registration of objects launched into space seems to us to be an essential corollary of a convention on liability, for how is one to identify the party responsible for damage if the object causing it has not been registered? This problem is not the same as registration of launchings of objects into space. We are of course in favour of improving the system at present applied by the United Nations Secretariat, but, we must note that this registration procedure will become less important when—and we hope that day will come soon—objects launched into space will be recoverable and when there will be orbital stations and round trips. Registration is a different matter. We know full well that there are technical difficulties; that has already been mentioned in the report of the Scientific and Technical Sub-Committee [A/AC.105/82], but we have reason to believe that, with the development of science, procedures for the registration of objects launched into space will soon be found, without any danger for those objects.

12. The importance of the problem of the definition of outer space does not have to be stressed. I shall not insist on the paradoxical or illogical nature of a situation in which we deal with a subject and work out provisions for a field whose limits we do not know.

13. Finally, we are all aware of the seriousness of the problem of the legal status of materials from the moon on outer space, since some of those materials have already been brought back to earth. The working out of a legal status is indispensable to reconcile the two principles of freedom and non-appropriation, mentioned in the space Treaty of 1967.

14. All these reasons lead us to believe that the Legal Sub-Committee must study all these matters and we wish to see the development of law follow in the footsteps of the development of technology. We are evermore convinced that we must devote our efforts to these topics with which we have been dealing for several sessions, topics dealt with in the Committee on Outer Space, so as finally to reach agreement on liability. That would be the best way to give renewed impetus to the study of other topics and to give them the place they deserve.

15. To remedy the most obvious shortcomings of space exploration by trying to perfect a system of full reparation for damages by objects launched into space, settle disputes which may arise out of materials taken from the moon, define the framework for outer-space activities—this is the task which must be pursued since it has not yet been completed. In addition to those functions, the outer space Committee has had to deal with a new field recently which may seem of more specific interest to many delegations. I am speaking of the practical applications of space technology to direct radio satellite broadcasting and remote surveying of the earth's resources.

16. I should like to say that the prospects opened up by the work of the Committee seem worthy of the efforts made this year.

17. The Working Group on Direct Broadcast Satellites has continued its work in a most promising fashion. It stressed the role which can be played by direct television to improve

understanding among peoples, to increase the transmission of information, to ensure wider dissemination of existing knowledge in the world and to promote cultural exchanges. It also stressed the contribution that direct broadcasts can make to developing countries in the economic, social and cultural fields. It emphasized the specific interest of regional co-operation.

18. My delegation agrees with all those views but, at the same time, it has always fought to prevent the dangers which an anarchical development of this means of communication could provoke. We think it is necessary to draw the attention of the Committee to the elaboration of legal principles which should apply in this field. Two specific sets of regulations should be provided for, whether they be advertising broadcasts or news broadcasts. But above all, we must think of the possibility of agreeing on a deontological code defining the limits of the principle of freedom of broadcasts, or the right of access to satellites of countries reached by the broadcasts. Of course, we do not wish to delay the application of space technology, whose benefits are obvious, but, on the contrary, to foster its development for the benefit of mankind by defining legal rules which would avoid new sources of tension in the international community.

19. In the same field of practical applications of space research, my delegation followed with interest the studies which are being undertaken on remote study by satellites of the resources of the earth. We are grateful to the United States Mission for having invited the Committee to undertake an extremely profitable study trip to the NASA Centre in Houston. We will be better able next year, in the light of the information obtained, to determine in what conditions a specific working group could be set up to study this topic further.

20. Speaking more generally, my delegation is happy that an expert with the qualifications of Professor Ricciardi should have been chosen to follow up this question of the applications of space technology. It is quite clear that the work of the Committee would remain academic for many of us if the task of legal elaboration which we have undertaken remained a dead letter and if the technical spin-off of space science were not systematically studied, as has been the case in recent times.

21. Whatever efforts we make we must understand that their success depends upon the will for international co-operation. The adventure of space is an exalting adventure because it is both the means and the end of this co-operation. France, which is a member of European space organizations and of the INTELSAT agency, can only be in favour of an exchange of information and the promotion of international programmes. We are linked with the Federal Republic of Germany through a convention on the building, launching and utilization of an experimental telecommunications satellite. We have taken part, modestly but in a satisfactory manner, in the last Soviet Lunokhod project by putting a laser reflector machine on board. Indeed, our whole space policy is inspired by a spirit of co-operation.

22. My delegation is happy today to testify to the vitality of the spirit of international co-operation by voting in

favour of the draft resolutions presented to our Committee. We consider that these draft resolutions define in a most precise manner the tasks to be performed and our duties for the coming months. They quite rightly insist on the importance of the immediate legal problems still to be settled.

23. Mr. VINCI (Italy): May I first of all express the gratitude of the Italian delegation to Ambassador Haymerle, the former Chairman of the Committee on the Peaceful Uses of Outer Space, for the very valuable contribution he has made in these last few years to the cause of promoting international co-operation in space. In wishing him all the success he fully deserves in his new important post, we compliment him on a job well done. His successor, Ambassador Waldheim, is an old friend and a well known figure and an authority on outer space matters. He chaired the Committee on the Peaceful Uses of Outer Space for many years with great success and distinction and he presided over the United Nations Conference on the Exploration and Peaceful Uses of Outer Space held in Vienna in 1968, the conference which has become a milestone in the history of international space co-operation. Practically all the new trends and initiatives in this field which are pursued today by the United Nations bodies and agencies originated at that conference, and we are indebted to Ambassador Waldheim for having been its inspirer and promoter. We therefore welcome with sincere satisfaction his return among us, although we must refrain from expressing our selfish hope that the call to higher duties will not, as in the past, take him away from us again.

24. On 12 November the Italian satellite communications station of Fucino was used as a relay station to transmit the voices of President Kenyatta of Kenya and of Secretary-General U Thant exchanging greetings on the opening of the first satellite communications station located in Africa. For us this was a most significant event since it highlighted the access by the developing countries of Africa to the new applied benefits of the space programmes, of the practical and concrete international co-operation in space and of our close and friendly relationship with the Republic of Kenya.

25. While this achievement was an example of our activities in the field of space application, another endeavour which took place at almost the same time exemplified the interest of and the contribution made by my country in the scientific domain of outer space through international co-operation. Such an endeavour was the highly successful otolithic experiment designed and built by the Italian scientist, Professor Gualtierotti, which was launched in orbit by the National Aeronautics and Space Administration with the OFO-I satellite in order to discover, for the benefit of all future space travellers, the long-range effects of the space environment on the human body.

26. Turning to the other space activities of my country, I will confine myself to stating in most general terms that Italy has contributed on a multilateral basis to the work of such organizations as the European Space Vehicle Launcher Development Organization, the European Space Research Organization and the European Conference on Satellite Telecommunications, and that it is participating in a positive way in the discussions taking place between Europe and the National Aeronautics and Space Administration for

the development of a future space transportation system. We have at the same time continued to co-operate whole-heartedly with all members of the Committee on the Peaceful Uses of Outer Space and its Scientific and Technical and Legal Sub-Committees in the fulfilment of their important tasks.

27. In this connexion may I say how gratified we are by the positive response to our offer of 10 training fellowships at our Fucino station, as mentioned yesterday at the 1790th meeting by the representative of the United Arab Republic. We are, furthermore, taking an active part in the current International Telecommunication Satellite Consortium negotiations, which we are confident will come to a successful conclusion in the very near future. Finally, in a few days we hope to put into orbit a small but important scientific satellite from the San Marco equatorial range off the coast of Kenya, marking the first occasion in which a major space Power has entrusted to another nation the launching of one of its own satellites. In this respect I wish to take this opportunity of expressing our gratitude to the delegation of the United States of America for the statement made by Ambassador Phillips on the subject at the 1790th meeting and for the constant invaluable support which our San Marco programme receives from the National Aeronautics and Space Administration. I would also like to express my appreciation, on behalf of the Italian space scientists and technicians working on this project, to the representative of Kenya for the friendly, effective and worthy co-operation which we have received from the Government of Kenya in the conduct of these operations.

28. My delegation wishes at this point to join previous speakers in expressing its admiration and congratulations to the members of those countries which, in the past 12 months, have achieved resounding successes, namely, the Apollo 13 mission with all its anxieties, the Soyuz 9 voyage, which accumulated a record time in orbit, the Luna 16 for the moon rocks it brought back to earth, the magnificent performance of the "moon rover" Luna 17, and the first orbital launchings by Japan and the People's Republic of China. All these ventures concur, in different ways and various degrees, in building up faith in the unlimited capability of the human race and in the resourcefulness and courage of our fellow men.

29. We believe that the space era which started 12 years ago with the launching into orbit of the first artificial satellite is beginning to show, in its second decade of achievements, some new and definite trends. These trends, while confirming the stage of maturity in space awareness which States Members of our Organization have reached, are indicative of a closer relationship between space objectives and the general goals of practical benefits, human welfare and lasting peace which the international community, represented by the United Nations, is striving to achieve.

30. The first trend that can easily be detected is represented by a changing philosophy in the allocation of funds by Governments for space programmes. During the first decade of the space era, such funds went under the general heading of money spent on scientific research without any expectation of a short-term return. "Research", "explora-

tion", "development" were the words used to describe space activities, and rightly so. Today an extremely important new word has been added to the previous ones for describing space activities, namely, the word "operations", which implies the possibility of obtaining immediate benefits from space and thus foreseeing a short-term return from an investment in those space activities which are capable of supplying it.

31. In some cases that return will be a service offered on a semi-commercial basis, as in the case of the INTELSAT and INTERSPUTNIK consortia of communications satellites, or a free service for the public, such as the meteorological assistance by satellites which ultimately produces concrete benefits of an economic nature in the agricultural, entertainment and transportation fields. In other cases that return will be purely a public service which did not exist before and would have required much higher expenditures to obtain equal results. Typical in this respect is the programme of mass education by means of controlled satellite broadcasting, which has been pursued by India and Argentina with the co-operation of the United States.

32. Of course, this trend of seeking a short-term return—financial or otherwise—for the funds allocated by Governments to space activities has the grave danger that the long-term, and by far more important, returns of the purely scientific research and exploration of space could be relegated, as far as the allocation of funds is concerned, to a status of low priority. Such an eventuality would represent a tremendous mistake, because short-term results are the indirect product of long-term research, and my delegation believes that one of the most important tasks of the Committee on the Peaceful Uses of Outer Space should be that of indicating an optimum balance between short-term and long-term space investments by studying carefully and by giving Member States the benefits of its qualified judgement and advice.

33. The second major trend of the second decade of the space era is one very congenial to my delegation, namely, that of a general upgrading and expanding of international co-operation in space activities. From the fabric of space co-operation of 10 years ago, based mainly on individual or collective relationships among scientists, mostly through Committee on Space Research of the International Council of Scientific Unions and National Aeronautics and Space Administration bilateral agreements, we have now reached a new exciting plateau in space co-operation and understanding. To express it more clearly, we are today moving rapidly from a stage of co-operation which was expressed mainly in the exchange of information or by the conduct of synoptic scientific space endeavours to the stage of joint programmes or joint co-operation of space application capabilities.

34. To mention only a very few of the initiatives existing today in this regard I only have to point out that 78 States have joined the International Telecommunication Satellite Consortium, established for the purpose of supplying public telecommunications service to all the areas of the world without discrimination, with a maximum of efficiency and at a minimum cost. That body is now on the verge of reaching agreement on its own charter of operations after two years of hard and painful bargaining amongst all the member parties.

35. But the very fact that such hard bargaining has taken place confirms the keen interest of all in this space venture, which reached operational status more than six years ago. An equal interest is now being shown by a substantial part of the space community of States in a programme aimed at building a space transportation system proposed by the United States. If such a proposal should materialize in a joint venture by many States, as it is hoped, a gigantic step would be taken towards world unity in space.

36. Furthermore, my delegation has been very encouraged by the report of the conversations of a practical and realistic nature which have taken place between the two major space Powers on the subject of the standardization of certain parts of their space vehicles in order to facilitate reciprocal assistance for the rescue of each other's astronauts when in trouble. That is another example of a joint effort which highlights the encouraging quick development of international co-operation taking place in the field of outer space and which we should like to see fully reflected on earth—on this small spacecraft of ours.

37. Finally, a substantial programme of co-operation in a joint venture is shaping up in the area of navigation satellites; several versions of joint systems both for the Pacific and Atlantic oceans are under consideration and ought to materialize in the very near future.

38. In this subject my delegation cannot help but be surprised at the lack of concern in the navigation satellites issue by the Committee on the Peaceful Uses of Outer Space; in the light of the interest in such satellites openly stated by the International Civil Aviation Organization and the Inter-Governmental Maritime Consultative Organization, it would have been quite natural to expect an immediate reactivation of the Working Group that the Committee had established years ago for the very purpose of exploring this particular space application.

39. I should now like to make a few comments on draft resolution A/C.1/L.547, on the liability convention and on the other draft resolutions submitted to this Committee. After the "deep dissatisfaction" voiced last year by the General Assembly, we really believed that an agreement would be reached by the end of this twenty-fifth anniversary session. That is why Italy decided this year to sponsor once again the new draft resolution on this very important subject.

40. Owing to the urgency and the importance of having the convention concluded satisfactorily as soon as possible, we do believe that a separate resolution, as we had last year, would focus the attention and consideration of the Members on this matter. As to the substance of the resolution, I should like to draw the attention of the Committee to paragraphs 4, 5 and 6. In paragraph 4, the two main issues, namely, the applicable law and the settlement of claims, are specified; we think that this identification offers a more realistic and concrete picture of the situation which indicates exactly where the main obstacle lies.

41. Paragraph 5 contains some guidelines and indicates the conditions for a satisfactory convention. In particular, we want to stress the point that the victims of damage should

be fully compensated and that the settlement of claims should be prompt and equitable.

42. Paragraph 6 is an appeal to the goodwill and the co-operation of all the members of the outer space Committee, in order to achieve a convention on liability by the twenty-sixth session of the General Assembly.

43. May I now say a few words on the three other draft resolutions before us, which seem to enjoy large support among delegations. We all agree on the importance of space applications, and with this view in mind my delegation, together with the Swedish delegation, proposed the convening of a working group, within the framework of the Outer Space Committee, on earth resources surveying within special reference to satellites. This proposal appears in operative paragraph 8 of the omnibus draft resolution [A/C.1/L.548 and Corr. 1].

44. Furthermore, we have noted the draft resolution submitted by Sweden and Canada on direct broadcast satellites [A/C.1/L.546], which reflects the useful work done by the Working Group and the conclusions it reached. We certainly believe in the potential benefits of satellite broadcasting in the cultural, social and economic fields, especially for the developing countries.

45. My delegation will also vote in favour of draft resolution A/C.1/L.549, relating to the prevention of the harmful effects of typhoons and storms. The recent apocalyptic disaster which hit Pakistan has shown once again—and in the most dreadful and frightening manner—how urgent and indispensable is an effective system of international co-operation in collecting meteorological data from all over the world. We cannot hope otherwise to be able to take in time the measures required to neutralize—or at least to minimize—such devastating phenomena.

46. In concluding my remarks I wish to reaffirm here the profound belief of my delegation that international co-operation in space is, and will always be in the future, one of the most important tools for the achievement of understanding and peace throughout the world. Among the many important challenges of our time, outer space stands as the only major one not born out of ignorance, indifference, prejudice, hate or suspicion. Space does not pretend to rectify past mistakes, but to open new horizons beyond earth and to offer a new beginning. By the orderly development of space techniques, of which the use of communications satellites has been the first one to reach operational status, we are virtually empowered to manage our beautiful planet to meet better the rising expectations of all peoples and, ultimately, to bring mankind closer together in striving for a better future for all.

47. Those are opportunities which might not come again. Let us not miss them.

48. Mr. TSURUOKA (Japan): Spectacular achievements in the field of space science and technology have continued to be made since we met here last year. After the epoch-making landing of the first human beings on the moon, realized by the United States last year, we have witnessed this year, among other events, the successful landing on the moon of Luna 17, carrying the first self-propelled vehicle

on the moon, achieved by the Soviet Union. The safe return of the crew of Apollo 13 can also be remembered vividly.

49. In congratulating sincerely the two Governments concerned for their great success, my delegation wishes to add that Japan also launched successfully the first Japanese satellite *Osumi* on 11 February this year. My delegation is hopeful that our success, even if it is still modest, will be of use as part of our contribution to the exploration and the use of outer space for peaceful purposes.

50. The most important problem dealt with in the report of the Committee on the Peaceful Uses of Outer Space is, needless to say, the question of an agreement on liability for damage by the launching of objects into outer space. It is a matter of great regret for all of us that the Outer Space Committee has failed once again, in spite of its considerable efforts, to complete its most important and urgent work for this past year, namely, the drafting of a convention on liability for damage caused by objects launched into outer space.

51. In the view of my delegation the situation is all the more serious when seen in the light of the fact that the twenty-fourth session of the General Assembly, in its strongly worded resolution 2601 B (XXIV), expressed "its deep dissatisfaction that efforts to complete the convention have not been successful", and asked the Outer Space Committee "to complete the draft convention on liability in time for final consideration by the General Assembly during its twenty-fifth session". My delegation certainly appreciates the fact that the Legal Sub-Committee, which met in June, was able to make considerable progress in adopting the title, the preamble and 13 articles of the draft convention [A/8020, annex IV]. It should also be noted that the Legal Sub-Committee was successful in narrowing down differences of positions of Member States in the Outer Space Committee to two main issues, namely, the question of a measure of compensation and the question of procedures for settlement of claims.

52. On those two main outstanding issues, the Outer Space Committee worked really hard until the last moment before the twenty-fifth session of the General Assembly convened but unfortunately it was obliged to conclude again this year that "its efforts to reconcile the differences existing within its membership on the two outstanding issues of the 'settlement of claims' and 'applicable law', had so far not succeeded and that a solution was not at present in prospect". [A/8020, para. 45.]

53. We should like to stress here again that those two outstanding issues are nothing but two different aspects of one and the same problem. This problem is how best we can ensure in the convention the protection of the legitimate interests of a victim who has suffered damage caused by the launching of a space object through effective payment of prompt and equitable compensation to him. To put it in a concrete way, any formulation on this point would be required to compromise at least on the two following points: first, the principle that the State liable for damage must pay compensation which would restore the victim in full to the condition equivalent to that which would have existed if the damage had not occurred, and, second, the principle that the procedures for settlement of

claims must be such as to provide an objective guarantee that such compensation shall be paid to the victim promptly and effectively.

54. In the view of my delegation and, I am sure, in that of most delegations here, unless agreement on substance is reached on the basis I have just mentioned, the whole point of having a convention on this question of liability for damage caused by space objects will be totally lost.

55. Having said that, my delegation shares completely the views expressed by many delegations to the effect that we should make every effort to complete this long overdue draft liability convention as a matter of utmost urgency in the course of 1971, so that it might be approved at the twenty-sixth session of the General Assembly.

56. My delegation wishes to stress here, as it has done in the past, that the question of liability for damage is just as humanitarian as that of the rescue and return of astronauts. What is at stake is the life and the property of victims who suffer from the launching of space objects with which neither they nor their country have anything at all to do.

57. It is to be recalled, in this connexion, that, as recently as 10 September this year, the Permanent Representative of the United States informed the Outer Space Committee that some objects from space had re-entered the atmosphere and impacted in the middle west region of the United States on 28 August 1970 [A/AC.105/87 and Add.1]. It seems that those objects from space happened to impact in a deserted area this time, causing no significant damage to human life or property. But who can ensure that in the future space objects will never fall on a densely populated area? In such a case, the victims, who are in existing circumstances without a liability convention, are not at all assured of any sort of effective remedy.

58. For example, in the event of an accident, the State whose nationals are victims and the launching State will presumably engage in bilateral negotiations for indemnification. We cannot, however, be very optimistic about the success of that sort of bilateral remedy in the absence of an effective liability convention.

59. With these basic ideas in mind, we thought that special arrangements should be concluded under which a State whose nationals are victims may, without the consent of the other party, submit claims for damages caused by space objects to the International Court of Justice for decision. The existence of such an arrangement could also be a pressure on the launching State in bilateral negotiations in favour of a State whose nationals are victims. My delegation is quite aware of the fact that there are countries which are sensitive to the question of acceptance of the compulsory jurisdiction of the International Court of Justice. But, in suggesting such arrangements, we have no intention at all of trying to enlarge further the field of acceptance of the compulsory jurisdiction of the International Court of Justice. Such arrangements would be of a provisional nature and should, of course, be limited to this particular field only. The only reason my delegation is making this suggestion is that as far as possible we have to avoid the eventuality of the great majority of countries and their peoples, who have nothing whatever to do with space

activities, finding themselves in a situation where no remedy exists.

60. I now turn to the other part of the Committee's report dealing with the report of the Scientific and Technical Sub-Committee [A/8020, paras. 13-38]. My delegation welcomes the recommendations of the Committee on the exchange of information and on the promotion of the applications of space technology.

61. As for the question of earth resources survey satellites, my delegation fully supports the idea of exploring the various possibilities of applying space science and technology for the maximum utilization of the resources of the earth.

62. With regard to the registration and identification of objects launched into outer space, my delegation is of the opinion—as we have consistently stressed—that a truly effective international system for the registration of objects launched into space is needed. It is the earnest hope of my delegation, therefore, that we can continue our efforts to improve the international registration system, and that the question of the technical aspects of registration will be reconsidered in the Committee in the future, when this becomes necessary.

63. The work done so far by the Working Group on Direct Broadcast Satellites is highly commendable. When communication by direct broadcast satellites will become possible is still not quite clear from the technical point of view but, once achieved, such communication could contribute greatly to friendly regional co-operation—for example, by the use of regional satellite communications systems. In that sense, co-operation among States in a region, for example, which is covered by a particular satellite, should be promoted and encouraged. However, my delegation wishes to reiterate at the same time that this regional approach to the matter should not close the door to other approaches, including bilateral and global ones.

64. Lastly, I should like to touch briefly upon draft resolution A/C.1/L.549 submitted by the Philippines and some other countries. Representing one of the countries which knows quite well the devastating, harmful effects of typhoons and storms, my delegation appreciates the timely initiative taken by the Philippines delegation and is happy to join in sponsoring the draft resolution. The obtaining of basic meteorological data and the discovery of ways and means of mitigating the harmful effects of storms will be very useful. To this end, my delegation is of the opinion that the General Assembly should encourage the valuable work of the World Meteorological Organization which has already been conducting the World Weather Watch for some years past for this very purpose.

65. Before concluding my intervention, I should like to stress once again that the Japanese Government attaches great importance to the whole field of the peaceful uses of outer space, in which we feel there is so much potential for the benefit of humanity. Accordingly, we shall do our best to contribute as much as we can to future progress in this field.

66. Mr. OZGUR (Cyprus): My delegation would like to make a brief statement on the subject of international

co-operation in the peaceful uses of outer space, which is becoming more important and necessary with the rapid advance in space science and technology.

67. The international community has recognized outer space as not subject to national appropriation. It follows, therefore, that the international community should now regulate all activities in outer space accordingly. The technological activities in outer space and their potential use for the good of all mankind are attracting increasing attention from all peoples on earth. It is evident that if we genuinely desire to live peacefully on this planet we have to internationalize our activities in outer space, because true internationalization is inherently peaceful. Obviously, this item ought to be given more attention and time than at present.

68. My delegation wishes to express its appreciation of the work done by the Committee on the Peaceful Uses of Outer Space and to pay tribute to the able Chairman of that Committee, Ambassador Haymerle of Austria. On the whole, the work of the Committee, as reflected in its report, has recorded considerable progress. We also welcome the appointment of Professor Humberto Ricciardi as the United Nations Expert on Applications of Space Technology, whose report, reproduced as annex II to the report of the Outer Space Committee, is to be commended.

69. We have also noted with satisfaction the internal arrangements made by the Secretary-General with a view to co-ordinating the outer space activities of the Secretariat, as well as the channels of information that he has provided. The technical panels and fellowships proposed by the Scientific and Technical Sub-Committee deserve special mention; these proposals are highly regarded by my delegation.

70. My delegation attaches the greatest importance to the potential benefits to be derived from international co-operation in space activities in such fields as education, health, navigation, agriculture, meteorology, and other economic and social fields, through remote earth resources satellites and direct broadcast satellites. Exchange of data on remote sensing, as suggested by the Swedish delegation [1790th meeting], is most valuable. Such data and proper world-wide training are imperative, if effective international co-operation is to be realized. The United Nations and its specialized agencies still have a great role to play in this respect. The suggestion to convene a working group on earth resources surveying satellites is supported by my delegation.

71. The Working Group on Direct Broadcast Satellites has done fruitful work and we would hope, therefore, that it would resume its work as soon as the need arose. In a world whose countries are becoming more interdependent and which is itself, in a sense, becoming smaller, it cannot and should not be impossible for the international community to find ways and means of surmounting the existing difficulties, particularly the international legal and cultural difficulties, in so far as they concern direct broadcasting from satellites. We need not stress the advantages of such broadcasts. Although satellite broadcasts to existing un-augmented home receivers are not considered feasible by 1985, such broadcasts for community receivers are ex-

pected in the near future, probably by 1975. In view of the significance of the practical application of space technology, my Government has already notified the Secretary-General of the "point of contact" in Cyprus. In this connexion, my delegation would like to put it on record that we wish to join in sponsoring draft resolution A/C.1/L.546.

72. It is with much regret that my delegation has noted once again that the Outer Space Committee—or, more specifically, its Legal Sub-Committee—has failed to produce the expected draft convention on liability. Having regard, however, to the considerable progress made in that Sub-Committee, we would still hope, and indeed urge, that such a draft convention might be completed before the next session of the General Assembly. We do not intend now to enter into a substantive discussion of this matter, but would like to state briefly that it is only just and fair that full compensation be paid to any victim for damage sustained as a result of the launching of space objects.

73. There is also valid reason for the argument that a convention on liability is a corollary to the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space [*resolution 2345 (XXII), annex*]. My Government has signed both that Agreement and 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*], and we are now in the process of ratification. The completion of the convention will also facilitate the work of the Legal Sub-Committee, by enabling it to proceed to the consideration of other outstanding problems. The matter of the completion of the convention cannot be left as it is indefinitely. In the absence of a rapid solution, the General Assembly might consider taking a decision itself on the matter or enlarging the Outer Space Committee.

74. Mr. TURMEN (Turkey): It is true that scientific and technical development, which has opened a new era in the life of mankind, has a tremendous impact on international relations. It has created a much smaller world where a larger scale of interdependence among nations becomes a necessity. It has formed new patterns of international co-operation which consequently reveal new avenues of peace for exploration. It has opened new perspectives for development. However, as a result of its growing importance in the international field, science and technology have become more and more an integral part of the foreign policies of States. Thus, our efforts have been focused on two main issues: first, how to ensure that scientific and technological development will be used exclusively for peaceful purposes and, secondly, how to make the best use of these developments for the prosperity and development of all the peoples of the world.

75. Outer space is one of those fields where, luckily, we have been able to reach agreement on the preservation of the area free of weapons, which enables us now to concentrate our efforts on its peaceful uses.

76. My country is not a member of the Outer Space Committee, but, as a State Member of the United Nations which attaches great importance to the work of the

Committee, although we are fully aware of the complex tasks with which it is entrusted, we think that, at the present stage of its work, the Committee has two main functions to fulfil. One is that it should seek to foster a system of effective international co-operation so as to make space technology available to all the countries of the world, particularly the developing countries, and to assist those countries wishing to participate in space activities. Secondly, it should define legal norms to regulate the exploration and use of outer space. I shall dwell on each of these two functions in turn.

77. With regard to the first function, we have observed with satisfaction the importance given to the remote earth survey techniques through satellites, in the report of the Scientific and Technical Sub-Committee [*A/AC.105/82*]. Indeed, in spite of the fact that this new technique is still in the research and development stage, we believe that it will occupy a unique place in space activities in forthcoming years. We are of the opinion that, while arduous efforts should be made to overcome the difficulties in this field, particular emphasis should be given to the needs of developing countries.

78. We welcome the recommendation of the Sub-Committee to constitute panels of a technical character to undertake concentrated programmes of observation and study of current practical activities in this field and to report to the Sub-Committee on those programmes.

79. We also consider the proposal concerning a working group on earth resources surveying as a very constructive step towards achieving further progress in this field. In this connexion, I should like to stress that care should be taken to maintain efficient co-ordination between the work of the working group and that of the Committee on Natural Resources which has been newly set up, and to avoid overlapping and duplication. We hope that the formation of the Committee on Natural Resources will give a new impetus to the work in this field.

80. It is with great interest and appreciation that we have read the report of the Working Group on Direct Broadcast Satellites [*A/AC.105/83*]. Direct broadcasting from satellites is, we feel, a development of significant importance and has potential benefits for the developing countries, particularly in education, community development, health, family planning, and in improving the general social conditions of rural communities. However, it is true that the improper use of direct broadcasts from satellites, which can impair the sovereign rights of States, might give rise to additional international friction. In view of this, my delegation considers it important to establish international legal principles governing the activities in question.

81. As new developments in the field of outer space are achieved, the widening of the gap between the technical developments and the legal norms regulating them become more dramatic. While noting the progress made in drafting a convention on international liability for damage caused by space objects, we once more observe with regret that no positive result has been achieved in these two worn-out issues of applicable law and the settlement of disputes. We feel with respect to both questions that the dominant humane aspects of these problems should have overcome

the political considerations and an agreement giving adequate protection to the victim both in respect of compensation and of settlement of disputes should have been concluded. We call upon all parties concerned to make every single effort and to show goodwill in order to reach an early agreement in this field.

82. Before concluding, I should like to emphasize the importance of education and training in the field of space technology, particularly for those nations which are newly introduced into this field. It is obvious that all those words about applications of space technology for the benefit of developing countries will remain ineffective unless ways and means of providing the necessary education and training are established. While noting with great satisfaction the scholarships offered by several countries, we think that more emphasis should be placed on this matter by the international organizations.

83. It is our belief, and I am sure it is the belief of all representatives here, that if we want a better world to live in, we should not only contain national rivalries on earth but we should make use of the new forces of science and technology to establish peace and to achieve development for all the peoples in our small world.

84. The CHAIRMAN (*interpretation from Spanish*): We have exhausted the list of speakers for this meeting in the general debate on this item. I now call on the representative of Austria who wishes to make a brief statement.

85. Mr. NETTEL (Austria): I have to apologize, Mr. Chairman, for intervening again at the very end of the general debate, but so many delegations have referred in very flattering terms to the two members of the Austrian delegation who have, or had, the honour to chair the Outer Space Committee that I wish to take the opportunity of expressing our gratitude once again. I assure the Committee that the kind words expressed to Mr. Haymerle and to Mr. Waldheim will be transmitted to those two gentlemen.

86. The CHAIRMAN (*interpretation from Spanish*): I now call on the representative of Sweden who, I understand, will submit an oral revision relating to one of the draft resolutions submitted for the Committee's consideration.

87. Mr. SUNDBERG (Sweden): On behalf of the sponsors of draft resolution A/C.1/L.546, I should like to submit a proposal for two slight changes in the text of the resolution as it stands.

88. The first one is more in the nature of a brief factual correction. It concerns the third preambular paragraph in which the date 1973 appears: we suggest that it should be replaced by "1973/1974". The second change I wish to propose concerns paragraph 1. We suggest replacing the words "regional level" by words "regional and other levels". The intention behind this is to broaden the language slightly in order not to exclude levels other than the regional one on which we confer priority.

89. The CHAIRMAN (*interpretation from Spanish*): I hope that all members of the Committee have noted the oral revisions submitted by the representative of Sweden.

90. Before adjourning this meeting I should like to announce that Jamaica and Cyprus have joined in sponsoring draft resolution A/C.1/L.546, Malaysia, Liberia and Brazil have joined in sponsoring draft resolution A/C.1/L.547 and Canada has joined in sponsoring draft resolution A/C.1/L.549.

Organization of work

91. The CHAIRMAN (*interpretation from Spanish*): I wish to propose the following programme of work to the Committee. As all members of the Committee know, we have before us the following draft resolutions and amendments on agenda item 26: draft resolutions A/C.1/L.546, 547, 548 and Corr.1, and 549, and the amendment to draft resolution A/C.1/L.548 and Corr.1, which appears in document A/C.1/L.550. We must also take into account the oral changes relating to A/C.1/L.546 just introduced by the Swedish delegation.

92. At our morning meeting tomorrow, which will begin at 11 o'clock, the Committee will discuss and take a vote on the draft resolutions I have just mentioned and the amendments to which I have referred. May I remind the Committee that at the 1789th meeting on Tuesday, 8 December, I suggested that after we had concluded agenda item 26 the Committee could resume consideration of item 32 on the strengthening of international security. Nonetheless, I understand that some work still remains to be done on that item and perhaps we would not be in a position to resume our consideration of it at our meetings tomorrow.

93. In these circumstances I venture to suggest the following. Tomorrow morning we shall conclude considerations of agenda item 26 on the subject of outer space and vote on the draft resolutions submitted and amendments introduced. On Friday afternoon we shall resume consideration of the draft resolutions on the items concerning the sea. On Saturday morning we shall continue consideration of the draft resolutions, or amendments as the case may be, dealing with questions concerning the sea and at that Saturday meeting if possible, or at the Monday morning meeting, we shall revert to the item on the strengthening of international security.

94. On this last point I should say that we have scheduled three meetings for Monday: one at 10.30, the second in the afternoon at 3 and the third at 8.30 in the evening, for the purpose of concluding consideration of any pending item.

95. I should like to ask members of the Committee if they agree with the tentative schedule I have ventured to put before them. I call on the representative of Peru.

96. Mr. DE SOTO (Peru) (*interpretation from Spanish*): Mr. Chairman, in principle my delegation has no objection to the procedure that you have just suggested in order to conclude the items still pending as quickly as possible and submit them to the plenary. The point I wanted to raise was a different one. According to an agreement reached in the Committee, as you yourself asked a few days ago, a time-limit was set for the introduction of draft resolutions on agenda item 25 which relates to the sea. As my delegation understands it, the time-limit expired last night

at 6 p.m. I refer you to the record, and in the circumstances and since this is such an important item, I think it would be very useful indeed for all delegations—and in any event it would be highly useful to my own delegation—if we could know now what draft resolutions are before the First Committee on this item. I would ask you to give me an answer on this now, if possible, in order to enlighten delegations and to have as much information on this point as possible.

97. The CHAIRMAN (*interpretation from Spanish*): I would be very pleased to give you this information. As I reminded you at the 1789th meeting on Tuesday, I believe, we said there was a time-limit for the introduction of draft resolutions: the hour of 6 p.m. on Wednesday, which was yesterday. Up to that time, the following six draft resolutions had been introduced: draft resolutions A/C.1/L.536, 539, 543, 544, which contains the draft declaration on the sea-bed and ocean floor, 545/Rev.1 and 551.

98. Mr. MORAN (Spain) (*interpretation from Spanish*): According to the work programme that you have explained to us and to which my delegation makes no objection, may I then take it that on Saturday morning we shall proceed to the vote on the draft resolutions concerning agenda item 25?

99. The CHAIRMAN (*interpretation from Spanish*): Everything depends on the progress that we make in this area. It is my understanding that there are negotiations still under way and certainly we should give sufficient time to ensure that those negotiations are as fruitful as possible. So the programme that I have submitted depends to some degree on the progress of those negotiations, and it may well develop that tomorrow afternoon one or more of those drafts may be put to the vote and we may submit others to the vote on Saturday. I do not believe I am in a position to

be more specific as to when these draft resolutions will be put to the vote.

100. I would point out also that we have still not taken a decision on the order of priority of those drafts. There is a proposal on this subject, but the decision on the matter was postponed until we resumed consideration of this item. Does any other delegation wish to comment on this point?

101. Mr. SCOTT (New Zealand): My delegation has no objection in principle to the programme outlined. I think you said that, with regard to the item on international security, you hoped that we could take it up on Saturday or on Monday. I would only like to draw your attention to the fact that, if we do not have the text of a resolution or other document before us until Monday morning, it might present some difficulties for those delegations who have to get instructions to vote even on Monday evening. I think we might need to have further time unless that resolution were submitted by Saturday.

102. The CHAIRMAN (*interpretation from Spanish*): I think that all members of the informal working group on the strengthening of international security are very well aware of this very important factor to which you have drawn attention. The idea is to resume consideration of this item on Monday and not on Saturday, precisely in order to make it possible for the final text to be circulated in all working languages and to be submitted to the Committee in good time to permit consultations and to enable delegations to get instructions from their respective Governments. If there are no other comments I shall take it that the Committee accepts the suggestion that I ventured to make about the work programme.

The meeting rose at 5 p.m.