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COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE
Legal Sub-Committee

CONSIDERATION OF THE LEGAL ASPECTS RELATED TO THE
APPLICATION OF THE PRINCIPLE THAT THE EXPLORATION
AND UTILIZATION OF OUTER SPACE SHOULD BE CARRIED
OUT FOR THE BENEFIT AND IN THE INTERESTS OF ALL
STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS
OF DEVELOPING COUNTRIES

Report of the Secretary-General

Addendum

CONTENTS

	<u>Page</u>
REPLIES RECEIVED FROM GOVERNMENTS	
Cuba	2
Libyan Arab Jamahiriya	3

CUBA

[Original: Spanish]

[22 March 1990]

Cuba attaches great importance to the exploration and utilization of outer space for peaceful purposes. This is evidenced by the fact that, in addition to participating actively in the Intercosmos programme, the Republic of Cuba has ratified 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, the Convention on International Liability for Damage Caused by Space Objects and the Convention on Registration of Objects Launched into Outer Space.

With respect to the item on "Consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries", the Government of the Republic of Cuba takes the view that consideration of the topic should have a legal character and accordingly should be geared to working out a legal framework which guarantees the following:

(a) Access by all countries, especially the developing countries, to the benefits resulting from the exploration and utilization of outer space;

(b) Protection of the right of countries which have little or no space capability to participate fully in the exploration and utilization of outer space where the necessary material conditions for this exist.

The development and subsequent systematization of the principle of international co-operation in the area under consideration, which is enunciated in article 1 of the 1967 Outer Space Treaty, would contribute greatly to the achievement of this objective.

As regards the item under consideration, this would require broadening the discussion to include resolutions, declarations and other documents embodying the elements which make up the principle of international co-operation among States.

In that connection, the Government of the Republic of Cuba considers that the following documents should be considered:

(1) The Declaration on the Establishment of a New International Economic Order (resolution 3201 (S-VI), adopted by the General Assembly on 1 May 1974);

(2) The Programme of Action on the Establishment of a New International Economic Order (resolution 3202 (S-VI), adopted by the General Assembly on 1 May 1974);

(3) The Charter of Economic Rights and Duties of States (resolution 3281 (XXIX), adopted by the General Assembly on 12 December 1974);

(4) Development and international economic co-operation (resolution 3362 (S-VII), adopted by the General Assembly on 16 September 1975).

LIBYAN ARAB JAMAHIRIYA

[Original: Arabic]

[12 April 1990]

The great Socialist People's Libyan Arab Jamahiriya commends the efforts of the Committee in seeking the best means of devising the optimum methods for the legal regulation of space and its peaceful utilization in the service of mankind.

At a time when the world has witnessed an appreciable increase in innovations in the quality and quantity of services in the field of communications and rapid and formidable developments in the fields of information, remote sensing, space energy systems and the like, the situation of certain States, and particularly the developing countries, is nevertheless characterized by an inability to have convenient access to the services made available by such an enormous expansion.

The Jamahiriya does not as yet have the capacities that would enable it to contribute to these astonishing discoveries in space. At the same time, it is nevertheless endeavouring to employ all modern scientific methods in developing its capabilities in this field. The Jamahiriya is also not yet a party to the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, but nevertheless accords great importance to following the work of the Committee on the Peaceful Uses of Outer Space and its Scientific and Legal Sub-Committees. This has led to the formation of a National Committee on the peaceful utilization of outer space and the elimination of its use for military purposes. The Jamahiriya participates actively in the relevant pan-Arab, pan-African and international conferences, is a party to the agreement establishing the Arab Satellite Communications Organization (ARABSAT), is a member of the International Telecommunication Organization (INTELSAT) and makes use of the opportunities made available by the International Maritime Satellite Organization (INMARSAT) and the INTERSPUTNIK System.

It makes good use of a number of important technical applications of remote sensing in the meteorological field, in order to receive data relating to weather forecasting, and in the preparation and updating of topographical information.

The Jamahiriya is a member of the International Telecommunication Union, is a signatory of the International Telecommunication Convention and the Final Act of the World Administrative Radio Conference on the Use of the Geostationary-Satellite Orbit and the Planning of the Space Services Utilizing It, just as the Jamahiriya enjoys membership of numerous related international agencies such as the International Atomic Energy Agency, among others.

The Jamahiriya has great hopes of the new item on the agenda of the Legal Sub-Committee, namely "consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of the developing countries", the subject of the Secretary-General's letter of 18 December 1989 relating to paragraph 90 of the report of the Committee on the Peaceful Uses of Outer Space. ^{1/} Consideration of that item should lead to a narrowing of the wide gap between countries that have a space capacity and the developing countries in the field of the utilization and exploration of outer space. It therefore supports the following:

1. The legal regulation of a system for the technical data arising from the exploration and utilization of outer space and its being made available for the use and benefit of all countries, taking into particular account the needs of the developing countries, and assured and convenient access to that system so that it will be of general benefit.

2. Provision for the needs of the developing countries in international space programmes, and steps to enable those countries to participate actively in such programmes.

3. Elaboration of methods to upgrade the scientific and technical capabilities of the developing countries in the various space fields in such a manner as to enable them to tackle important issues such as the occurrence of catastrophies brought about by environmental pollution or the re-entry of space objects, and the promotion of exchanges and consultations in such a way as to enable those countries to realize their various development programmes relating to the matter.

Notes

1/ Official Records of the General Assembly, Forty-third Session, Supplement No. 20 (A/43/20).