



VERBATIM RECORD OF THE 46th MEETING

Chairman: Mr. BOATEN (Ghana)

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The meeting was called to order at 10.50 a.m.

AGENDA ITEMS 35 AND 36 (continued)

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE: REPORT OF THE COMMITTEE ON 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:  
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Mr. STEPHANIDES (Cyprus): I wish at the outset to register my delegation's deep appreciation for the leadership provided by the Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Jankowitsch of Austria, and through him to commend the members of that Committee for the constructive work done during the past year.

The year 1977 marks the twentieth anniversary of man's first venture into outer space, as well as the tenth anniversary of the entry into force of the outer space Treaty. Ever since space technology has increasing found its application in various fields, such as communications, earth resources survey and many other appropriate areas. It is therefore understandable that my delegation, like all other delegations which have preceded me, attaches great importance to the work of the Outer Space Committee.

Turning to the report which Mr. Jankowitsch so eloquently introduced to us, my delegation is happy to note that owing to the constructive spirit of its members the Committee succeeded in making further progress by way of the formulation of additional principles relating to remote sensing of earth resources.

In my delegation's view, the principle of the sovereignty of States over their natural resources should be safeguarded, while at the same time all efforts should be exerted to ensure an agreed extension of the benefits of remote sensing of earth resources to developing countries. An example in point are the meteorological and environmental data collected by remote

(Mr. Stephanides, Cyprus)

sensing activities which could, in our opinion, be freely available for the benefit of all States. However, it is with regret that we note that the Committee was unable to achieve progress on the draft treaty relating to the moon.

The Cyprus delegation maintains that, as in the case of the deep sea-bed and by the same analogy, the moon and its natural resources are the common heritage of mankind and therefore their commercial exploitation should be undertaken only in accordance with an international régime.

My delegation would also like to voice support of the views already expressed by a number of other speakers concerning the need for considerable increase in the budget available to the United Nations Expert on Space Applications, to enable him to enhance further the effectiveness of the relevant United Nations programme. We wish in this respect to commend the Expert for the effective way in which he has carried out the relevant programme.

With regard to the issue of the enlargement of the Committee on Outer Space, my delegation is of the opinion that, while every consideration should be given to the imperative need for manageability of the Committee, there is nevertheless room for the requested enlargement without impairing its effectiveness. It is the hope of my delegation that a consensus will finally be reached to this effect.

I should be remiss if I were to conclude my statement without pointing out the sad reality of the international community's being in a position effectively to break through and amicably resolve thorny issues pertaining to the law of the sea or outer space and yet find it so difficult to solve - through the application of the relevant provisions of the Charter on which the founding fathers of the Charter based the whole edifice of the United Nations - fundamental earthly issues involving the peace and security of mankind.

Therefore, if I may be permitted this deviation, I wish to express the hope that the political will of the members which is so aptly manifest in the deliberations of the Outer Space Committee will finally cease to be lacking in the deliberations of the Security Council on issues so vital to

(Mr. Stephanides, Cyprus)

humanity and which pertain to international peace and security, such as the question of Cyprus on which repeated unanimous resolutions of the Security Council remain wholly unimplemented, precisely because of the lack of the political will of its members - and more particularly its permanent members - to apply the relevant provisions of the Charter providing for the effective implementation of its resolutions.

Mr. KAJAL (Nigeria): Please permit me to express through you, Mr. Chairman, my delegation's appreciation to Mr. Jankowitsch of Austria, the Chairman of the Committee on the Peaceful Uses of Outer Space, for the great competence with which he handled the Committee's affairs and for ably presenting its report to the First Committee last Monday. I also wish to thank the Austrian Government for being host to the meeting of the Committee on Outer Space earlier this year and for the generous hospitality extended to the representatives at the Conference.

This is a special anniversary year as far as the subject of outer space is concerned. A few weeks ago the twentieth anniversary of the launching of the first satellite, the first Sputnik, into space was marked. This year also marks the twentieth anniversary of the setting up of the Committee on the Peaceful Uses of Outer Space, as well as the tenth anniversary of the best-known international instrument in the field of outer space: the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. In a year like this there is need to reflect on the past and to take stock of what has been achieved; there is also a need to set targets for the future.

Since our independence in 1960, Nigeria has taken interest in outer space technology, particularly in the earth applications area. We established automatic picture transmission tracking stations for weather satellites almost immediately after our independence so that we could get timely warning of any changes in the weather that might be harmful to transportation, in particular air transportation.

(Mr. Kajal, Nigeria)

We also established a tracking station for satellite communications. We have also set up the institutional framework, which needs to be further strengthened, in the field of remote sensing. My Government is determined to expand activities in this field at the national level. We will also work closely with the proposed African Council on Remote Sensing for programmes in the context of the continent of Africa. My delegation believes that the remote sensing technique is of particular relevance to the continent at this time in order to let the continent's planners know in time the resources available.

Having shown that the Nigerian delegation is very interested in the work of the Outer Space Committee, I should now like to give my delegation's view regarding a number of the current issues that are before the Committee.

Regarding the draft treaty relating to the moon which is before the Legal Sub-Committee, my delegation wishes to state, as it has done in other forums, that the concept of the common heritage of natural resources found there should not present much difficulty. My delegation understands the concern of the major nations which have much to offer in terms of their national resources to make any exploitation of the moon possible. But those nations also have obligations they owe to mankind as the result of their activities in outer space. Because of those activities it is fair to say that the security of mankind could be threatened. In an era when there is a growing belief that there may be extraterrestrial civilizations it is only logical that every gainful exploitation of the moon and other celestial bodies should have the blessings of all mankind. We cannot expect any possible opponents from outer space to understand our divisions on earth. It is only fair therefore that all mankind should have the right to benefit from the exploits as they have the common danger from those exploits. My delegation is therefore of the view that the concept of a common heritage of resources should be extended to all other celestial bodies.

(Mr. Kajal, Nigeria)

As regards the legal implications of remote sensing, my delegation wishes to reiterate our often expressed view that in any international instrument on remote sensing the principle of safeguards of sovereign rights of the "sensed" States over information from those States ought to be included. My delegation recognizes the important part that remote sensing could play in the economic and social development of the less developed regions of the world. We recognize, in particular, the important part remote sensing could play in such areas as the Sahel region of West Africa. In this region, where water is the critical resource, we believe remote sensing technology could be used for the benefit of mankind. But my delegation feels strongly about sensing of developing countries without putting the information at their disposal because we believe that without these rights there could be economic subjugation of the developing countries through this technology. I will even go further and say that failure to provide the information to the "sensed" State should be regarded as piracy. When we hear of developing countries wishing to alienate portions of their territories "for unrestricted right of use" by foreigners, then our fears are not unfounded. Furthermore, my delegation knows of the collaboration of some States with South Africa in the area of remote sensing. Those States even have their national centres for such endeavours in Pretoria. The African countries know what such a collaboration means. When we ask that the principle of safeguard of sovereign rights of the "sensed" States over information on resources from those States be included in any legal instrument concerning remote sensing, therefore, it is out of genuine concern.

My delegation has followed with interest the question regarding the principles guiding direct broadcasting by satellite. In itself the principle is a laudable one. My delegation, in particular, would be very happy to see that there is unfettered information from Africa to the world. I say Africa because that is the region I am very familiar with. But the point is that the very delegations clamouring for unfettered information would ironically stand in the way of such information reaching their population. Because of the different levels of technological development of the States of the world and because of the mode of operations of the information media around the world, it is neither

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right nor is it fair to embark on this course which could seriously jeopardize the interests of the developing countries. My delegation therefore favours the conclusion reached by the World Administrative Radio Conference (WARC) at its meeting held in Geneva earlier this year, namely that a State wishing to make an international broadcast by satellite to another needs to obtain the agreement of the receiving State.

Until recently, to many people in the developing countries confronted with many immediate problems, consideration of questions regarding outer space did not seem relevant. Even today for many people in the developing countries, questions relating to outer space are still thought of as a pastime for the rich States. Yet one cannot deny today the impact of space technology on human activities in general. Space technology encourages areas like high speed global telecommunications and computers which affect virtually everybody. It is therefore natural and understandable that more and more States, particularly from the developing countries, should be seeking membership of the Outer Space Committee. It takes some statesmanship on the part of the countries that possess space technology, as well as other members of the Committee on Outer Space, to recognize such a trend. It is precisely because of this that my delegation encourages dialogue as regards the various draft resolutions submitted to this Committee that tend to polarize opinions in the Committee. We certainly believe that these draft resolutions will not be pressed to a vote.

Finally, please permit me to express my delegation's appreciation to the Outer Space Division. To some of us from the developing countries their bulletins and reports are the only source of information we receive regarding developments in outer space activities. I also wish to express my delegation's appreciation to the Division as well as other institutions and Governments that have provided training programmes for the developing countries in the field of outer space technology. We particularly thank the Food and Agriculture Organization and the United Nations Educational, Scientific and Cultural Organization for providing continuous training programmes on an annual basis; and the Swedish Government for providing a small but symbolic grant for encouraging on-the-spot training in outer space technology in the developing countries.

Mr. JACOBSEN (Norway): Let me at the outset take the opportunity to convey to the Chairman and members of the Committee on the Peaceful Uses of Outer Space my Government's appreciation of that Committee's endeavours to develop the rule of law in the peaceful exploration and use of outer space. The activities of the Committee and its sub-organs are being followed with interest and attention by the Norwegian authorities, as they are fully aware of the political and economic implications of the matters under discussion.

One question to which my Government attaches particular interest and importance is the work relating to direct television broadcasting by satellites. We have noted with satisfaction that considerable progress has been achieved during the meetings of the Legal Sub-Committee this year, and that it has been possible to formulate a tentative text of a principle of "Consultation and agreements between States", as well as a draft preamble. We hope this will inspire the Committee to achieve further progress. We are aware, however, that what remains to be solved is the very core of the problems - namely, the relationship between the broadcasting State and the receiving State. Let me take this opportunity to reiterate the position of my Government on this question.

The Norwegian Government is firmly committed to the principle of freedom of information, and is not in a position to accept rules of international law that may hamper freedom of expression, including the freedom to seek, receive and impart information, regardless of frontiers. One must not permit "national interests" to serve as an excuse to impose censorship or otherwise circumvent the basic right to information that all people have. However, a balance must be found that also takes account of the interests and integrity of the receiving States.

It goes without saying that this balance of interests is rather delicate, but an agreement must be reached to avoid unilateral action. It might be even more difficult for a small nation to preserve its cultural and linguistic identity with an increased uncontrolled flow of information. The continuing influence of other countries with a different cultural and linguistic background - especially those countries with a considerable technological and economic basis - might contribute to erasing national features that the receiving countries would like to preserve. But we trust that these problems

(Mr. Jacobsen, Norway)

can be solved, if approached in an atmosphere of good will and open-mindedness. The joint Canadian-Swedish initiatives could, in our opinion, serve as a useful basis to achieve this goal.

Another area to which my Government also attaches importance is remote sensing of earth resources. We have noted with satisfaction that the Legal Sub-Committee has been able to formulate the texts of six additional draft principles, and we hope that further progress will be achieved, even if there still seem to be considerable differences of principle on certain questions of importance.

At its last meetings the Scientific and Technical Sub-Committee agreed to include in its future programme the question of detecting and monitoring pollution of the environment by means of remote sensing from space. This suggestion was later endorsed by the Outer Space Committee. At the same time, that Committee also endorsed a recommendation from the Sub-Committee that the Secretariat should prepare for the next session of the Sub-Committee a document summarizing the present state of knowledge on this particular space application.

The detecting and monitoring of pollution is a field of considerable interest to my Government. Environmental questions have come very much to the fore lately, particularly in the 1970s. There is every reason to believe that this tendency will continue. I think it is fair to say that individuals, organizations and Governments alike attach increasing importance to these questions. The problems of pollution of the environment are, however, quite often of an international character, and have consequently to be solved on an international level. This view has, in the opinion of my Government, met with steadily increasing acceptance in the world community. Within the framework of the Economic Commission for Europe (ECE) and the Organization of Economic Co-operation and Development (OECD) particularly, we have seen a deepening as well as a widening of international co-operation to fight pollution. My Government welcomes this development and supports it whole-heartedly. Evidence of this support is the importance my Government has attached to international co-operation to combat transboundary air pollution.

(Mr. Jacobsen, Norway)

Pollution of the environment might well be considered as one of the greatest threats to mankind. Therefore, we ought to welcome the tools that new technology puts at our disposal to master this problem. Remote sensing may turn out to be one such new important tool. Remote sensing may provide us with more and better information about pollution in general, or pollution in a particular region, or give us the state of pollution in connexion with accidents, such as oil blow-outs. Efficient action in a particular field can only be taken on the basis of sufficient, accurate and up-to-date information. That is why my Government attaches importance to this decision by the Committee. We hope that in the future remote sensing will develop to become a useful and practical tool, as far as the fighting of pollution is concerned.

Allow me, in this connexion, also to mention that remote sensing might put at our disposal the possibility of a surveillance of fisheries, fish resources, and activities on the continental shelf and within the economic zones, as well as the tracking of icebergs. These are all fields where Norway has special interests.

The Committee has in its report stressed the importance of the compatibility of the different pre-operational or experimental remote sensing satellite systems. The Norwegian delegation agrees with this view. The resources available are limited, and the operation of remote sensing systems is expensive in absolute terms. From a financial point of view, a high degree of compatibility between systems therefore seems most logical.

In our statement last year we emphasized that all States should be given access to remote sensing data relating to resources under their jurisdiction. Further, we particularly stressed the assistance that the remote sensing of natural resources might render to the developing countries. We therefore note with satisfaction that the Scientific and Technical Sub-Committee, and the Committee itself, in their discussions this year, have taken the same view.

Finally, I should like to mention that it is the opinion of my delegation that a United Nations Conference on Outer Space Matters might prove useful, provided it is well prepared in advance.

Lord BOSTON (United Kingdom): For the vast majority of people, knowledge of matters concerning outer space is limited to such glamorous activities as space walks and lunar landings, and perhaps the odd unidentified flying object. I wonder how many people outside the corridors of the United Nations Committee on the Peaceful Uses of Outer Space are aware of the existence of an Outer Space Treaty. Very few, I suspect; fewer still are likely even to be aware of subjects such as remote sensing and direct television broadcasting by satellite, to which the Committee is devoting so much time and close attention. However, representatives of Member States of the various Sub-Committees of the Outer Space Committee are necessarily becoming experts in these new fields, from both the legal and technical points of view. It is their responsibility not only to understand these subjects but also to draw up principles governing their uses and applications which are comprehensible to the general public.

(Lord Boston, United Kingdom)

The year 1977 has not been marked by any dramatic successes within the United Nations Committee on the Peaceful Uses of Outer Space. It has nonetheless been an important year, and I should like to pay a tribute to the excellent work of Mr. Jankowitsch and his Committee. As each year goes by, we develop a greater understanding both of the complexities of outer space and of the new technologies that can be applied to it. The new technologies that are the particular concern of the Committee in its activities need increasingly more, rather than less, deliberation on the part of Member States. But because our knowledge and understanding are incomplete and are being constantly added to, the Committee should resist the temptation to adopt in haste internationally legally binding principles, on whatever subject, that would impose a universal regime on States and individuals for the foreseeable future.

I do not wish to dwell at length on the space activities of the United Kingdom for 1977. Our involvement in outer space is now very much more international than national. This is shown by our substantial commitment to the European Space Agency. We are playing a full part in the Agency's scientific and telecommunications programmes. We naturally share the disappointment of our fellow Member States this year at the partial failure of the GEOS mission and the loss of the orbital test satellite following launch failures. We hope, however, that these missions will be successfully completed by their respective backup satellites. We hope also that the Maritime Orbital Test Satellite (MAROTS) will escape similar misfortune. It would be appropriate at this point to mention that it is also our genuine hope that MAROTS will be adopted, as the basis of its operational requirements, by the International Maritime Satellite Organization (INMARSAT), which will be holding the second plenary session of its preparatory committee at the end of this month.

I should like, if I may, to turn now to the subject of remote sensing. Discussions on this question have been moving slowly forward in both the Legal Sub-Committee and the Scientific and Technical Sub-Committee, where the main obstacles to progress at the moment are, on the legal side, the question of dissemination of remotely sensed data and information, and, on the scientific

(Lord Boston, United Kingdom)

and technical side, the classification of information according to spatial resolution and other criteria. These are issues of enormous significance. My Government recognizes the importance that other States members of the Committee attach to various aspects of them. In particular, I know that there are States that genuinely fear that they might be the unwitting victims of unfair commercial or industrial exploitation. I should like to reiterate a comment that I made in my speech last year in the First Committee. I then drew attention to the need to strike a balance between the requirements of States that have a remote-sensing satellite capability and those to whom these techniques may be applied. Such a balance must take into account the global potential of remote sensing and its beneficial applications to all mankind. With that in mind, my Government believes that such benefits can be realized only by limiting to the lowest mutually acceptable minimum any restrictions in the guiding principles governing remote sensing, especially those that concern directly the free dissemination of remotely sensed data and information derived from it. It will take time to achieve this balance, but my Government holds the view that it will be time well spent and to the lasting advantage of all.

If only a small amount of progress has been made on the formulation of legal principles, I think that we can take considerable satisfaction in the useful advance that has been made during 1977 on other aspects of remote sensing. The Scientific and Technical Sub-Committee has arrived at a definition for "primary data" and "analysed information" that should enable the Legal Sub-Committee to pursue its discussions on guiding principles with greater precision. At the Main Committee's meeting in Vienna in June, it was also agreed that the agenda item on remote sensing for the Scientific and Technical Sub-Committee's next session should include matters of global co-ordination. My Government considers that this is a very useful step forward. We attach great importance to such matters as complementarity of systems, standardization and compatibility of primary data, and ownership and management of future systems. If the full advantages of this new technique are to become generally available, and in particular for developing countries, these are all matters that will require careful consideration. My Government was encouraged that its proposal on monitoring environmental pollution through the use of remote sensing techniques

(Lord Boston, United Kingdom)

was accepted for inclusion in the work of the Scientific and Technical Sub-Committee. We hope that, in its own small way, this may contribute somewhat to making the world a better place in which to live.

I turn now to direct television broadcasting by satellite. Modest progress has been made on the formulation of principles governing the use by States of artificial earth satellites for direct television broadcasting. I think that we can claim to have a much clearer idea of the uses and implications of this new technology following the 1977 World Administrative Radio Conference (WARC) in Geneva. We now know that there are very precisely defined technical constraints regarding State-to-State broadcasting, and we can be in no doubt as to the importance of the meticulous and responsible consideration that the International Telecommunications Union (ITU) has given to the drawing up of the World Plan for international use of the 12 Ghz frequency band for broadcasting satellites.

My Government submitted a working paper at the sixteenth session of the Legal-Sub-Committee in which we argued that technical constraints in State-to-State broadcasting eliminated the need for a principle on prior consent. We still hold firmly to that view. However, recognizing the various anxieties of other States members of the Outer Space Committee, we continue to maintain an attitude of flexibility as to how differing views on the subject may be reconciled. The principle entitled "consultation and agreements between States" is unquestionably the most difficult. For us to arrive at a form of words in which the differing views on "agreement and/or arrangements" and on the difficult question of overspill can be accommodated to everyone's satisfaction, must depend on a general spirit of goodwill and compromise. It may also involve a review of some of those principles already agreed upon.

In working towards a set of principles for direct television broadcasting by satellite, we cannot fail to be guided by ITU regulations. The World Agreement and Associated Plan, drawn up and agreed on at the World Administrative Radio Conference 77, will become legally binding on all signatories of the Final Acts on 1 January 1979; and under a resolution of the Conference it has been unanimously resolved to treat them as legal instruments until that date,

(Lord Boston, United Kingdom)

and for all organs of the ITU to be guided by them. Regardless of whether States members of the Outer Space Committee consider the ITU regulations on direct television broadcasting by satellites adequate by themselves, where they relate to direct State-to-State broadcasting by satellite and to the question of overspill, any principles drawn up by the Legal Sub-Committee must take those regulations into account and ensure that there is no conflict or contradiction of interests.

I should like also to refer to the proposed conference on outer space. My Government has expressed its reservations on the usefulness of such a conference clearly enough. We remain to be convinced that the expense that it would involve can be justified by the subject-matter for discussion. It is difficult to envisage what items can be usefully discussed in such a forum that do not already have a natural place in existing United Nations bodies. However, we have accepted the establishment of a small task force to consider all the factors involved and are responding to the Secretariat's invitation to submit comments by 30 November.



(Lord Boston, United Kingdom)

I should like to make a brief observation on the suggestion that the Outer Space Committee should be enlarged. My delegation appreciates the desire for wider participation in the Committee's work. But we believe that before any far-reaching decision is taken the Outer Space Committee should be given the opportunity to explore the possible ways of widening participation in its work and the effects of any such enlargement on its work.

To conclude, some aspects of man's activities in outer space are spectacular, that is to say, eye-catching. Likewise, some United Nations bodies are much more in the world limelight than others. The fact that the Committee keeps itself in the background, leads an existence virtually unknown to all except the few initiated, and deals with matters on outer space unlikely to attract headline news, in no way detracts from the vital importance of the work with which it has been entrusted. The focus of attention in the Committee is currently on the two new technologies of remote sensing on the one hand and direct television broadcasting by satellite, in the context of State-to-State broadcasting, on the other. Their future values and benefits to mankind will depend to a very considerable extent on the form of international régime that the Outer Space Committee creates for their uses and applications. The same thing can be said for other technologies related to outer space which we can expect to appear in the future. My hope is that the Committee will continue to be guided, now and always, by the spirit of compromise, conciliation and flexibility which has been the hallmark of its work since its inception.

Mr. SALUP (Cuba) (interpretation from Spanish): Twenty years ago, on 4 October 1957, Soviet technology astounded the world by launching the first Sputnik. This was proof of the many advances which socialism brought to the country of Lenin. The Soviet triumph represented a milestone in the development of mankind. It was the beginning of a whole new era: the cosmic era. Ten years after this achievement, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, came into force. Cuba, as our Minister for Foreign Affairs, Isidoro Malmierca, pointed out during his statement at this thirty-second session of the General Assembly, is a party to that Treaty.

(Mr. Salup, Cuba)

We have before us the report of the Committee on the Peaceful Uses of Outer Space, which is the result of its twentieth session. The Committee and its Legal Sub-Committee have already formulated four important international instruments on outer space activities, which are in force at present, and a large number of States are parties to them. At present, other instruments are being prepared. In the first place, we consider that the draft treaty relating to the moon is very important and we completely agree with the view that the Legal Sub-Committee should at its seventeenth session continue to consider this as a question of first priority. My delegation believes that this draft treaty must be concluded as early as possible and adopted as soon as is feasible.

We also believe that the Legal Sub-Committee must continue to pay much attention and give priority to the legal implications of remote sensing of the earth, and we wish to point out that we consider that the work done by that Sub-Committee has been satisfactory in this respect.

We consider it very positive that the Legal Sub-Committee has succeeded in making considerable progress in drafting the principles which are to govern the use by States of artificial earth satellites for direct television broadcasting. We attach paramount importance to arriving at international agreements on this subject, because of the dangers of not having legal instruments, since certain types of broadcasting might run counter to the sovereignty and integrity of States, which furthermore would jeopardize relations among States and international peace and security.

It is a matter of great satisfaction for us to see the growing participation of the developing countries in the work of the Committee, and that participation and the concern for this subject has also been manifested in the number of delegations of those countries which have participated in this debate.

Bearing in mind the interest of many States belonging to different geographical areas in becoming members of the Committee so as to offer ideas and suggestions on the legal and scientific aspects which are under discussion, our delegation believes that the number of members of the Committee on the Peaceful Uses of Outer Space should be increased.

The advances of science and technology have added to the store of knowledge and means necessary for the use of outer space for the benefit of mankind

(Mr. Salup, Cuba)

and for use by States. In this respect we consider that scientific co-operation between developed and developing countries must play a major role.

Our country, within the socialist community, actively participates in the communications system by means of inter-Sputnik satellites, and we are also part of the inter-Cosmos programme carried out by the socialist countries.

As regards draft resolution A/C.1/32/L.39 and Corr.1, recommended by the Committee on the Peaceful Uses of Outer Space, we should like to point out that our delegation supports it because of its significance for the development of international co-operation in matters pertaining to the exploration and use of outer space, including the moon and other celestial bodies, for peaceful purposes.

As we indicated earlier, Cuba is a party to the Treaty and recognizes its importance for the development of a legal order in this sphere of human activity, which is becoming increasingly necessary from day to day because of the advances of science and technology.

Finally, our delegation shares the interest of several countries in holding a United Nations conference on outer space.

Mr. HARRY (Australia): The annual debate on the report of the Special Committee on the Peaceful Uses of Outer Space gives us the opportunity to take note of international developments and events, and to exchange information on our national programmes, as well as to review the work of the Committee.

We have in the past year witnessed further developments which demonstrate man's increasing efforts to explore outer space and use it for terrestrial purposes. During the year tests have been made proving the landing capabilities of the shuttle orbiter, and the programme by which the space shuttle will introduce a new era in space technology is running to schedule. This development brings closer the day when the space shuttle system will be operational, reducing significantly the cost of placing many types of pay loads into orbit and providing in particular an economic means to send quite small pay loads into space. There is now a real prospect for the development of specialized space manufacturing industries.

This year also saw the launching for the first time of spacecraft designed to make observations, at much closer distances than has before been possible, of the outer planets of the solar system. We congratulate the engineers of the National Aeronautics and Space Administration on the successful launching and adjustment of Voyager I and Voyager II. Some of us had the interesting experience last June of recording messages in various languages as part of the "Sounds of Earth" to be carried by the spacecraft in case they should ever be investigated by extraterrestrial intelligence. This exercise was symbolic of the excellent co-operation we are developing in outer space matters and reaffirmed our common humanity. I suggest in this connexion that we need to make sure that objects projected from planet Earth can do no harm to other parts of the universe just as those brought back from other planets must not disrupt our own environment.

I shall not in this debate take up the Committee's time by giving a detailed account of Australian activities in the outer space field over the last year. We usually give such a résumé during the meetings of both the parent Committee and the Scientific and Technical Sub-Committee and shall

(Mr. Harry, Australia)

again do so next year. However, there is one major development which has taken place since the twentieth meeting of the Outer Space Committee which will, I think, be of interest to the First Committee. The Australian Government has announced that it will establish in the near future facilities for receiving and processing pictures, imagery from the United States LANDSAT earth resources technology satellites. The facilities, which are estimated to cost \$4.2 million will comprise a satellite tracking and receiving station near Alice Springs and a data processing centre. The facilities, which will be Australian-owned and operated, are expected to begin operation towards the end of 1979. From its central location at Alice Springs, the receiving station will be able to obtain high-resolution photographic imagery of every part of the continent. The highly detailed images received will have important applications in fields such as mapping and minerals exploration, estimating crop yields, assessment and management of water resources, management of land resources and the environment generally, and monitoring of floods and bushfires.

The Australian Government is also studying the feasibility of using domestic satellites in Australia to upgrade telephone and television services. There is no need for me to emphasize to you, Mr. Chairman, or to representatives of Brazil or China or Canada or the United States or the Soviet Union, the difficulties of establishing efficient and inexpensive communications across a continent as vast as ours. While existing communications are excellent for the great majority of our people, domestic satellite communication would bring first-class telephone and television facilities to all Australians. It would provide equal access to these facilities no matter how isolated might be the home of any Australian. On the basis of the studies made so far, it is estimated that establishment of such a domestic communication satellite system for the Australian continent would cost around \$35 million.

(Mr. Harry, Australia)

It is now 20 years since the Outer Space Committee was established. During that time the Committee has played a major role in formulating an international legal régime covering the use of outer space. We must not, however, lose sight, as we extend the area of co-operation, of the important principles which have already been widely, if not universally, accepted. In particular, we must reinforce our determination that outer space must be kept free of armed conflict; it must remain for all time an arena exclusively for peaceful emulation and co-operation.

The Committee currently has before it several issues which are in the process of discussion and negotiation and when it completes its work on these matters further additions will be made to the body of outer space law.

A major issue which has been occupying the attention of the Legal Sub-Committee has been the drafting of the set of guidelines by which States would agree to regulate direct television broadcasting by satellite.

Significant existing differences of opinion still have to be overcome before we can reach agreement on this set of guiding principles. But the work of the Legal Sub-Committee on this matter is not being conducted in isolation. The consideration given to technical regulations by the International Telecommunication Union (ITU) and at the World Administrative Radio Conferences provide a framework of international rules with which guiding principles being negotiated within the Legal Sub-Committee can and indeed must be consistent and co-ordinated. There have been some proposals made within the Legal Sub-Committee which would have the effect, in my delegation's view, of giving guiding principles for direct television broadcasting by satellite a legal status superior to existing ITU instruments. Such proposals must be approached with caution.

The last meeting of the Scientific and Technical Sub-Committee requested preparation by the Secretariat of a study of characteristics and capabilities of sensors for use in relation to earth resources. We

(Mr. Harry, Australia)

have noted with interest the study which the Secretariat commissioned the Committee on Space Research of the International Council of Scientific Unions to prepare. My delegation regards this as a very useful study, since we have been grappling in the Scientific and Technical Sub-Committee with the issue of capabilities of existing sensors in order to be able to consider within the legal Sub-Committee a set of principles by which remote sensing of the earth by satellite may be conducted. The study to which I have referred should be of great assistance to the Scientific and Technical Sub-Committee next year.

In response to the growing interest in questions which have been raised in connexion with placing in space of satellites in geostationary orbit, this question was considered by the Outer Space Committee at its last meeting. It decided that the Scientific and Technical Sub-Committee should examine the physical nature and technical attributes of the geostationary orbit with a view to enabling the study of different aspects of its utilization. The Outer Space Affairs Division has also already circulated a useful background paper on this subject. My delegation considers that, given the various questions which have been raised about the geostationary orbit, full examination by the Scientific and Technical Sub-Committee of the characteristics of the orbit should be made before we address other aspects, including legal questions.

Another new development at the meeting of the Outer Space Committee in Vienna was the decision that at the next meeting of the Scientific and Technical Sub-Committee a working group should be established to consider the question of the convening of a second outer space conference. Australia strongly supports this idea. We have been disappointed recently at the lack of progress in regional co-operation in certain space activities, particularly remote sensing, and believe that many aspects of this question, particularly ways of achieving compatibility and complementarity of different remote sensing systems, need now to be considered in a high-level forum with a broad mandate, such as an outer space conference.

(Mr. Harry, Australia)

There are many areas developing in this rapidly expanding field of technology which need to be looked at from the standpoint of international co-operation. I mentioned earlier in this statement that the era of space manufacturing is approaching. This is an area which will raise many difficulties and for which we must anticipate the need for international regulation or guidelines. At the last meeting of the Outer Space Committee, several delegations spoke about the question of the need to regulate messages and signals to extraterrestrial areas, given the scientific assessment that intelligent life may exist there. The Outer Space Affairs Division has provided a very useful background paper on this subject also.

In conclusion, I should like to thank those representatives who have expressed appreciation of the work of Mr. Carver, as Chairman of the Scientific and Technical Sub-Committee. I shall not fail to inform Mr. Carver of those statements.

Mr. CORREA (Mexico) (interpretation from Spanish): To begin with, I should like to place on record the gratitude of my delegation to Mr. Peter Jankowitsch for his efficient work as Chairman of the Committee on the Peaceful Uses of Outer Space and our congratulations on his brilliant introduction to the report covering the twentieth session of that organ. We also wish to place on record our appreciation for the work of Mr. Eugeniusz Wyzner of Poland and Mr. J. H. Carver of Australia, Chairmen of the Legal Sub-Committee and of the Scientific and Technical Sub-Committee respectively.

For several years the question of a treaty on the moon has been considered in the Committee and in the Legal Sub-Committee. We very much regret to observe how a large part of valuable and limited time available to the Sub-Committee was used on an item which would have been concluded a long time ago had it not been for the opposition of some delegations to declaring the natural resources of the moon to be the common heritage of all mankind.

My delegation is convinced of the need to incorporate in that treaty that principle and its corollary, that is to say, the decision to establish an international régime regulating the exploitation of the natural resources of the moon. The refusal of one of the space Powers to agree to the convention declaring the moon and its resources to be the common heritage of mankind - as has been stated by a delegation - might constitute the clearest indication that exploitation of those resources is a real possibility.

Furthermore, the exploitation of the natural resources of the moon has been indicated by scientists as the basis for establishing permanent or temporary settlements in outer space.

When we witness the impressive progress made in the exploration of outer space since the launching of the first Sputnik, nearly 20 years ago, the exploitation of the resources of the moon and their full use in space or earth stations has become more a question of economic desirability than of technical feasibility.

(Mr. Correa, Mexico)

Nevertheless, my delegation does not consider that this item should continue to prevent the Legal Sub-Committee from taking up the study of those questions on its agenda not yet considered or from devoting more attention to items that are undoubtedly more urgent. My delegation considers that if at the next session it were not possible to reach an agreement on this question, the Legal Sub-Committee should consider the need to leave pending for the time being the item regarding the conclusion of a treaty on the moon and begin consideration of the item on the definition and/or delimitation of outer space and of space activities, and also that it should devote more time to drafting principles governing remote sensing by satellites.

As regards remote sensing - there are reasons to believe that the procedure followed so far by the Legal Sub-Committee could be improved upon so that in the near future we might attain our objective of drafting a binding legal instrument incorporating principles governing remote sensing of the earth by satellites. My delegation considers that this procedure should be the subject of careful consideration by the General Assembly at its thirty-third session, in the light of the work done by the Legal Sub-Committee on this item at its seventeenth session.

The delegation of Mexico wishes to reaffirm that the sensed State should have continuous and priority access to the data and information obtained by the sensing State on the natural resources and environment of the sensed State. This, in the opinion of Mexico, is an inalienable right deriving from the principle of full and permanent sovereignty of States and peoples over their natural wealth and resources.

Reconciling strict respect for the sovereign rights of States and non-intervention in the internal affairs on the one hand, and the right to free dissemination of information on the other, constitutes one of the thorniest problems which the Committee faces in drafting the principles governing the use by States of artificial earth satellites for direct television broadcasts.

(Mr. Correa, Mexico)

For many countries, particularly developing countries, the prevalence of unfettered freedom of information over the sovereign rights of States legally to regulate the exercise of that freedom would mean that they would be exposed to information proceeding from a single source, information that might perhaps be distorted by that unilateral approach, and in the worst case would imply the risk of interference in internal affairs.

The Legal Sub-Committee was able to make considerable progress in drafting a provisional text of a principle on consultations and agreement among States and a draft preamble which point the way towards a compromise, which my delegation trusts will be arrived at during the seventeenth session of the Sub-Committee.

An element which might help to reach this point of compromise could be what might be described as the right of reply, which was raised by the delegation of France at the last session of the Committee.

Having rapidly reviewed the items referred to in greater detail in the report of the Committee, I should now like to refer to a question which is of concern to my delegation: the increasingly intensive use of outer space for military purposes and its inclusion in the arms race by the two States with the greatest military power in the world.

Until a few years ago, the most important military use of outer space seemed to be connected with gathering intelligence data on the emplacement of strategic weapons and troop movements by reconnaissance satellites.

In the last year, and more specifically in the last few months, the most advanced space Powers have demonstrated the refinement of techniques for other military uses of outer space. Some of these techniques relate to the use of satellites to detect the movement of merchant shipping and naval forces in the oceans, as well as to the securing of more accurate compilation of data on military movements on land; to detecting the routes of strategic bombers; to determining the trajectory of intercontinental ballistic missiles, or missiles launched by submarines, with a view to facilitating their interception with anti-ballistic missiles, as well as the use of satellites to correct in mid-course the trajectory of intercontinental ballistic missiles.

(Mr. Correa, Mexico)

Some of these space technology innovations have purely military applications. But in other cases, the functions can be both peaceful and military. All of this constitutes a new element in the arms race, which is directly related to the régime for outer space. Military satellites, originally monitoring devices, have become an integral part of strategic weapons systems for attacks and interceptions. This has aroused direct interest in the development of what has been called "satellite killers", which represent a threat to space activities for peaceful purposes.

(Mr. Correa, Mexico)

Those recent developments raise questions of undoubted urgency which, despite attempts to reach an agreement between the United States and the Soviet Union to limit the development of satellite-killer systems, require the vigilant attention of the international community to complete the process started by the 1967 Treaty and which Mexico had foreseen in its outline of a treaty that it submitted to the then Committee on Disarmament, made up of 18 nations, on 21 June 1963, article I of which provided for the prohibition of any military measure in outer space and on celestial bodies.

Lastly, I should like to indicate that my delegation views with sympathy the interest shown by a large number of delegations to make their contribution to the work of the Committee on the Peaceful Uses of Outer Space and its subsidiary organs by proposing an increase in the number of the members of that Committee from 37 to 47. The General Assembly should accept this positive proof of co-operation and adopt the draft resolution in document A/C.1/32/L.43 by consensus. If there is a vote on it, my delegation would vote in favour of that draft resolution.

Mr. UPADHYAY (Nepal): The current debate in this Committee makes us realize, more than any other debate on any of the items before the General Assembly, the immense opportunity before mankind to chart a peaceful course of survival and prosperity; it makes us aware more than ever of the challenge before mankind and the increasing need for common effort and co-operative venture to cope with these challenges. If we are faced with grave problems - and there is no doubt about it that we are - we must be ready to recognize the opportunities before us, the opportunities that progress of science and technology has provided us to use them in tackling our gripping problems. One of the opportunities being provided to us is mankind's achievement in the field of the knowledge of space science and progress in the field of outer space technology.

This year, the year 1977 - or may I call it the year of 77 - has been a very important year, especially in the sphere of activities in outer space. This is the tenth anniversary of the Treaty on Principles

(Mr. Upadhyay, Nepal)

Governing the Activities of States in the Exploitation and Use of Outer Space, including the Moon and Other Celestial Bodies.

The Space Transportation System, including the reusable space shuttle orbiter of the National Aeronautics and Space Administration (NASA) of the United States of America has successfully completed the approach and landing tests of the first shuttle orbiter. That indicates the progress in the field of outer space activity and promises to revolutionize space technology during the next decade. According to the plan, the shuttle orbiter would become operational by mid-1980 and an early operational flight would launch the first space laboratory in a joint NASA/European Space Administration (ESA) mission in December 1980.

We are discussing the report of the Committee on the Peaceful Uses of Outer Space in such an atmosphere of great hope for the future of mankind.

While dealing with a subject like the peaceful uses of outer space for the benefit of mankind, one has a feeling like that of the astronauts who looked at earth from outer space as their home, their sweet home, a home where all their friends and families lived, a home for the entire human family; they saw it as a single unit, the good earth, rather than as this or that nation. That feeling greatly enhances the awareness of the common destiny of mankind either for its great advancement or final doom. Therefore, this item does not pose only scientific and technical problems but also the problem of the need to develop a new world outlook, an outlook as broad as the vastness of space and as extensive as the universe. It must give us an insight into our position in the vast universe and broaden our interest from petty nationalism to the common purpose of mankind.

Having said that, let me turn to the report of the Committee presided over by Mr. Jankowitsch of Austria.

It is gratifying to note that 10 years have passed since the Outer Space Treaty, the basic legal instrument governing space activities, was adopted. It is further gratifying to note that the Committee on the Peaceful Uses of Outer Space has added drafts for three more international instruments to eliminate the threat of conflict in the area of activity that poses the greatest challenges and the biggest opportunities for mankind. We note with satisfaction that there are three other instruments in the process of being finalized.

(Mr. Upadhyay, Nepal)

However, the fact that the Legal Sub-Committee has not been able to resolve the question of the legal régime governing the natural resources of the moon is not quite encouraging. The main difficulty, we have been told, is related to the question of whether or not such a legal régime should be based on the principle that the moon and its natural resources are the common heritage of mankind. Frankly speaking, we find it rather perplexing. No nation has claimed sovereignty over any part of the moon, nor laid claims to any other jurisdiction.

So far as the concept of the common heritage of mankind in the areas inside the planet earth is concerned, the claims and counterclaims of the so-called national jurisdiction have been responsible for weakening the concept. However, the same cannot apply to the moon. The moon, fortunately, is beyond the national jurisdiction of all the States on earth. The problem being encountered by the Legal Sub-Committee is perhaps caused by the various interpretations of the term "common heritage of mankind" and its application when the question of the exploitation of the resources of the moon arises. We hope that the Legal Sub-Committee will continue its efforts to try to narrow the differences between the various views, taking into consideration the fact that we have sufficient time to agree upon the methods of exploitation before technological advancement in the field makes it an issue of immediate feasibility.

The General Assembly, in its resolution 1721 (XV) of 30 December 1961, has already commended the principles for the guidance of States in the exploitation and use of outer space for the benefit of all mankind, and has finally pronounced that outer space and celestial bodies are not subject to national appropriation. Since we have agreed that it should be used for the benefit of all mankind, we can therefore declare that it belongs to all mankind, is the common heritage of mankind and shall not be used by nation States in their own interests.

Our own experience in the operation of the areas on earth designated as the common heritage of mankind will guide us to adopt the method of exploitation and sharing of the natural resources of the moon before such exploitation becomes technically and economically feasible. We are hopeful that the Committee will be able to overcome the difficulties regarding the principle in the near future.

(Mr. Upadhyay, Nepal)

We welcome the progress made by the Legal Sub-Committee in finalizing the text of the nine principles relating to some of the main problems in the elaboration of the principles governing the use by States of artificial earth satellites for direct television broadcasting. It is also encouraging to note that it was possible for the Sub-Committee to formulate a tentative text of a principle on consultation and agreements between States.

We are fully aware of the importance of the use of Landsat information for various purposes. In our country, we are faced with the grave problem of land erosion and the Landsat information on erosion will be quite valuable to us. Similarly, we are aware of the use of Landsat information for the study of potential land use and so on. We will be happy to see progress made regarding the legal implications of earth resources survey by remote sensing satellite.



(Mr. Upadhyay, Nepal)

We shall favour principles that should give every State access to remote sensing data relating to resources under its sovereign jurisdiction and we shall favour a procedure for consultations between States that are objects of remote sensing and States that are obtaining such data.

The activities in outer space which are increasing every day prove their usefulness to benefit mankind as a whole. We are happy to hear from the Chairman of the Committee on the Peaceful Uses of Outer Space that, during the past anniversary session, the issues touched upon were the role of space technology, particularly through transmission of solar energy, in meeting the governing concern over securing sufficient energy for the world's needs without endangering the environmental quality of the planet and the uses and implications of economical space transportation symbolized by such new ventures as the space shuttle, and the possibility of setting up permanent space colonies, space stations and space laboratories on the moon and other celestial bodies. These possibilities, together with the developments in the past year, would revolutionize space technology in the coming decade. We therefore fully support any measure that will be adopted to improve and strengthen the United Nations agencies in the outer space field.

In his report on the peaceful uses of outer space, the Chairman of the Committee rightly observed that the work of the Outer Space Committee was directed towards the future rather than coping with the manifold inequities of the present world economic and political system. We fully associate ourselves with his remark that:

"... the Committee is trying to arrange, within the political and geographical limits of its mandate, for a better and more just order in a world whose boundaries it is attempting to push further and further into space." (A/C.1/32/FV.39)

The Committee on the Peaceful Uses of Outer Space has before it the great task of providing leadership in ensuring that space science and technology will benefit all mankind and secure international co-operation in this field. My delegation greatly appreciates the work done by the Committee under the able guidance of Mr. Jankowitsch and wishes to congratulate him and through him the members of the Committee for their work.

Mr. RASULI (Afghanistan): At the outset, I would like to take this opportunity to convey to the representative of Austria, Mr. Jankowitsch, my delegation's appreciation of the useful work carried out by the Committee on the Peaceful Uses of Outer Space under his able leadership.

My delegation has studied with deep interest the report of the Committee, and is of the view that the Committee has covered some useful ground during the past year and that the report which we have before us is quite comprehensive.

The report of the Committee on the Peaceful Uses of Outer Space records that the Legal Sub-Committee continued to give priority to the question of the natural resources of the moon, but that unfortunately it was not possible to reach a compromise solution on the different views advanced.

It is our view that the resources of the moon are the common heritage of mankind and must be explored and exploited for the benefit of all.

In spite of the fact that various degrees of effort are being put into the outer space programme by individual countries for the successful exploitation of the moon, a controlled measure of activity is required now and in the future to obviate international disagreement on the manner of exploitation and the distribution of the advantages therefrom.

The development of space technology is progressing at an extremely rapid pace and this year, like previous years, has been marked by significant events in this field. Many space projects of the greatest interest have been carried out during the past year or are planned for the near future. They have been undertaken both by individual countries and on a bilateral or regional basis. Among the regional projects, we note, in particular, the activities of the European Space Agency. The practical applicability of space technology becomes more and more evident. Projects are under way to use satellites in new and interesting fields.

We believe that the peaceful application of space technology is providing significant benefits to the world. No doubt it will do so even more in the future. The fruits of this technology must be shared by as many as possible. We think, therefore, that these activities should be

(Mr. Rasuli, Afghanistan)

carried out with international co-operation and participation. Only in this way can the benefits be shared by all nations at every level of economic and scientific development.

We should ensure that all can profit from the enormous benefits of remote sensing from space, but at the same time we must also establish safeguards against possible misuse of information that has been collected by means of remote sensing.

On the question of prior consent and the disposal of information to third parties, my delegation believes that the question of consent is an integral part of the right of permanent sovereignty of States over their natural resources and, likewise, the State upon whose territory remote sensing has been conducted has the right to have access to all information and data accumulated. These principles are applicable in particular when the current pre-operational experimental phase ends and a global operational remote sensing system or systems are established.

On the question of the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting, my delegation hopes that the Legal Sub-Committee will be able to reconcile the two important principles of sovereignty of States and freedom of information in such a way that while direct television broadcasting by States through artificial earth satellites is promoted, encouraged and expanded, the national cultures and civilizations of different countries and the cultural, social and political aspects of their people's lives are protected through the free but objective and unbiased flow of information. This consideration bears more importance when we take into account the fact that for a long time to come the possibility of direct television broadcasting through artificial satellites would be limited to the developed countries only.

Mr. MESHAFFAFA (Egypt) (interpretation from Arabic):

Mr. Chairman, may I first of all convey to you my appreciation of the way in which you have presided over the First Committee. I am sure that all my colleagues share my feelings, because your vast experience, your devotion in the performance of your task, are a source of pride for the whole of the African continent to which we belong.

I should like to take this opportunity to express my gratitude and my congratulations to Mr. Jankowitsch, the current Chairman of the Committee on the Peaceful Uses of Outer Space, for his tireless efforts and his optimism which give us great hope for the future. I should also like to express the appreciation of my delegation to the Chairmen of the Legal Sub-Committee and the Scientific and Technical Sub-Committee, Mr. Wyzner of Poland and Mr. Carver of Australia, for their efforts over the past year.

Today we are celebrating the twentieth anniversary of the first mission undertaken by man to explore outer space. It is also the tenth anniversary of the conclusion 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. Ever since then the interest shown by the United Nations in outer space and space technology has developed very rapidly, and theoretical concepts have been transformed into operational programmes with surprising speed.

(Mr. Mesharrafa, Egypt)

Thus we have seen manifestations of the legal aspects of the uses of outer space, and this increases our responsibility, and that of the Committee on the Peaceful Uses of Outer Space, to follow this rapid development and place it within the legal context it requires so that we may make the best use of space programmes to serve the international community.

My delegation has already called for the strengthening of the Outer Space Affairs Division. We reiterate that we must strengthen that Division, financially and in terms of the necessary expertise. The United Nations Space Applications Programme has not been able to play its role in the service of development. As we have said, that Programme must be strengthened, and we have asked that it be transformed into a technical assistance programme, as in the case of technical assistance in the peaceful uses of atomic energy.

The United Nations Programme is the alternative solution in the face of the monopoly we can expect from certain countries, so we hope that the space Powers will be able to provide the United Nations Programme with the necessary information and equipment for the application of space technology. This does not mean that we are unmindful of the very heavy financial responsibilities borne by those countries; the reason we are making this request is that we are approaching a phase characterized by the interdependence of the world's countries.

The Egyptian delegation wishes to voice its optimism about the results achieved in working out the principles governing the use of artificial satellites for purposes of direct television broadcasting, particularly the paragraph on the definition of the principle of consultation and agreements between States, which we find in annex VII of document A/32/20.

We continue to hope that an international agreement will be forthcoming which will stipulate the duties and responsibilities of States in the light of the fundamental principles relating to sovereignty and equality, and to non-intervention in the internal affairs of other States. Direct television broadcasting can play a role of paramount importance in bringing peoples closer together in the scientific, technical and human realms if the principles governing such activities are produced within the appropriate context.

(Mr. Mesharrafa, Egypt)

That applies also to remote sensing of the earth's resources. Moreover, my delegation reiterates the need to obtain the prior consent of Governments before remote sensing activities are undertaken, since this falls within the exclusive sovereignty of States over their land and natural resources. Consequently, the principle that data gathered should not be made available to an outside country should be approved.

My delegation has detected in the statements of a number of space Powers encouraging signs with regard to the legal aspects of remote sensing. We note that a request has been made to the Legal Sub-Committee to continue its efforts to work out principles governing remote sensing activities. We believe that the possibility of using remote sensing for the benefit of mankind should be taken into account, and that, as an international community which is alert to the future, the United Nations should have the necessary means to undertake remote sensing activities for the benefit of all countries, particularly the developing countries.

The draft treaty relating to the moon represents an aspiration of the international community. The final text of that treaty should be worked out, and it should cover particularly the legal aspects. The draft treaty stipulates that no country should be the only one to benefit from the moon's natural resources; moreover, it also states that the moon does not fall under the jurisdiction of any given country, as its resources are part of the common heritage of mankind. What applies to the moon and the other celestial bodies applies also to all other bodies to be found in outer space, in the sense that no country can exercise exclusive sovereignty over any part of outer space.

(Mr. Mesharafa, Egypt)

My delegation has had the honour of participating in the work of the Committee on the Peaceful Uses of Outer Space and has spared no effort to contribute to the success of its work, whether from the legal, the scientific or the technical point of view. The spirit which prevailed in that Committee's work enabled us to reach solutions to the various legal and technical problems which are so complex. In our view, the present stage is crucial, and will affect the scientific context, which embraces the bases for the peaceful uses of outer space; hence, the importance of the role played by the Committee, and of the procedures for taking a decision by consensus.

While we are sympathetic to the request of certain countries to expand the Committee's membership, I am sure you will agree with me when I say that an increase in the membership of any committee is an impediment to the success of its work, since various different tendencies are bound to emerge from such an expansion. However, if the prevailing trend is towards the expansion of the Committee, we hope that that expansion will be kept to a minimum in order to avoid impeding the Committee's work.

The fact that outer space has been used for peaceful purposes for 20 years demonstrates the need to convene an outer space conference so that we can evaluate the results achieved and trace a policy for the future. I associate my delegation with those of certain countries that have called for the convening of such a conference, on the understanding that the necessary preparations will be undertaken to ensure the success we all hope for. Although the legitimate and justified requests of the third world have not been met so far, we hope they will be in the future through the peaceful uses of outer space for the benefit of all mankind.

Mr. KUBBA (Iraq) (interpretation from Arabic): Before proceeding to discuss the draft resolutions, I wish to voice the gratitude of my delegation to Mr. Jankowitsch, the Chairman of the Outer Space Committee, for his detailed statement on the work of that Committee.

My delegation would like to comment on the two draft resolutions in document A/C.1/32/L.42 and L.43, since they deal with a subject to which my delegation attaches great importance - namely, the expansion of the Committee on the Peaceful Uses of Outer Space.

(Mr. Kubba, Iraq)

My delegation has already had occasion to express its interest in this question. It was expressed last year in the statement of the representative of my country, Mr. Kittani, in the debate in this Committee on the question relating to outer space.

On the basis of contacts between my delegation and certain members of the Committee, we agreed to postpone the discussion until this year. So, my delegation, together with other delegations that are interested in the question, presented draft resolution A/C.1/32/L.43, which calls for an expansion of the Committee. However, my delegation and other delegations that have participated in the submission of this draft resolution learnt with surprise of the presentation of another draft resolution in document A/C.1/32/L.42. What is surprising is the document number of this draft resolution, which seems to give it priority over the other one, because, as we know, it was only submitted by way of response to draft resolution A/C.1/32/L.43. We note from this that the purpose is to delay further a decision on the expansion of the Committee since the question is to be referred to the Committee on the Peaceful Uses of Outer Space for its recommendations. This is an unacceptable precedent, because no subsidiary body has before been able to impose such conditions on the General Assembly which created that subsidiary body. Consequently, the sponsors of draft resolution A/C.1/32/L.42 are, it would appear, rejecting our draft resolution A/C.1/32/L.43, whereas in the course of unofficial contacts they appeared to be ready to accept the expansion of the Committee in accordance with the content of document A/C.1/32/L.43.

My delegation would like to lay stress on the need to meet the request of a great many Members of the United Nations which want to be able to contribute to the Committee, since this is a right that should be granted to all countries. This Committee, which was created by the General Assembly, should not be allowed to become an exclusive club.

I would add that there are many committees of the United Nations of whose membership exceeds in number that of the Outer Space Committee. Our draft resolution in document A/C.1/32/L.43 calls for an expansion of the Committee on a balanced basis. Furthermore, we think that it merits priority in the consideration of draft resolutions, particularly in comparison to draft resolution A/C.1/32/L.42, and we shall continue to make efforts towards this end.

Mr. REIS (United States of America): The delegation of the United States would like to make a few remarks with respect to those draft resolutions that have been submitted on the two outer space items that the First Committee is now considering. I think that we all know that the so-called omnibus resolution which traditionally makes its appearance will, it is to be hoped, be submitted shortly. My delegation would reserve its right to speak on that draft resolution when it is in fact brought forward. We hope that, in the best traditions of this Committee and of the Assembly itself when considering the outer space item, we will all be able to join in support of these draft resolutions which plan the work of the Outer Space Committee for 1978.

In that sense, we should like to make one observation with respect to the draft resolution that has been proposed by the Committee on the Peaceful Uses of Outer Space itself in document A/C.1/32/L.39. This draft resolution draws attention to the fact of the importance of the Outer Space Treaty on principles that was approved by the General Assembly without dissent in December 1966 and opened for signature in 1967. We think that the United Nations General Assembly would be wise to adopt this draft resolution, again without dissent, and to observe that, while a very large number of States - indeed, more than 75 States - have as an act of sovereignty decided to ratify or adhere to the provisions of the Outer Space Treaty, it would really be desirable if, in fact, the entire international community were to accept this instrument, which is the single and fundamental legal and political basis for activities in outer space and peaceful co-operation in maximizing the benefits of these activities.

I should like to turn now briefly to the two draft resolutions - the first, the draft resolution proposed by Austria with respect to the subject of enlarging the Outer Space Committee, contained in document A/C.1/32/L.42, and the second, the draft resolution in document A/C.1/32/L.43 sponsored by some 20 States. I must say that perhaps it is the generosity of prose that, at least for our country, is appropriate in the Thanksgiving season that we have heard some rather extraordinary remarks about the Austrian draft, and I should like to explain first of all what, in the view of the United States, this draft resolution does not do, because there have been a great many comments in corridors, and indeed one or two from the floor, saying that it does some things which, if it did do them, would be quite extraordinary.

(Mr. Reis, United States)

I have heard it rather heatedly argued, for example, that the Austrian draft resolution would pre-empt the role of the General Assembly with respect to the constitution and composition of subsidiary organs. But that is patently not true of the Austrian draft resolution, and such an analysis would put the whole subject of the composition of subsidiary organs in an essentially confrontational mode, which would obviously not be desirable. Let me explain in more simple terms what I mean.

It is perfectly obvious, it seems to us, that it is only the General Assembly which, having created the Outer Space Committee in much its present form in the fall of 1961, that can take final, authoritative decisions about the size and composition of that Committee. But it certainly is entirely appropriate - and, we would have thought, a matter of politeness - that the Outer Space Committee itself ought to be asked whether it can make some meaningful recommendations in this area. I would have thought, for example - if we can put our minds in some other context - that if 10 Members of the United Nations suddenly decided that they wished to become members of the Committee of 24 with respect to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples no one would have suggested that consultations with Mr. Salim and, indeed, with the membership of the Committee of 24 itself, were somehow an effort to deprive the General Assembly of its responsibility to decide on the size and composition of that Committee. No one would really suggest such a thing, and I submit that Austria is not suggesting any such thing here.

What, to my delegation, the Austrian proposal suggests - and the reason the United States delegation fully supports it - is that, before a further decision on enlargement is taken, there ought first to be a careful look by the Outer Space Committee, with its present membership of 37, to see whether it can usefully make recommendations to the General Assembly for consideration here next year with respect to enlargement. Because I must say we very much share in the United States delegation the view that the delegation of Egypt stated just a moment or two ago in noting that the work of the Outer Space Committee is highly technical, that it does require a certain effort on the scientific side and that, at least to a limited extent, any enlargement has the potential for becoming an impediment to the work of the Committee.

(Mr. Reis, United States)

Secondly, we see no effort in the Austrian draft resolution to arrogate decision-making on enlargement to the Outer Space Committee. I do not know of anyone who would responsibly suggest that the Outer Space Committee will have the last word on the matter. It cannot. As I said a moment ago, what we believe the draft resolution does is to give an opportunity to the Outer Space Committee and its members to consider this question. Furthermore, it was just suggested, I believe by the representative of Iraq, if understood the interpretation correctly, that the purpose of the Austrian draft resolution is to seek delay for the sake of delay. I must say that seems to us an entirely unacceptable hypothesizing as to the intentions of another delegation, and really is not worthy of much comment beyond that point.

It is also untrue to suggest that the purpose of the Austrian draft resolution is to preserve a private club. The United States was first named to membership in the old ad hoc Committee on the Peaceful Uses of Outer Space in December 1958. We have been a member ever since. But this private club has grown. The private club grew to 24 in 1961, to 28 in 1966, to 37 in 1973. Indeed, if one looks at the composition of the United Nations as a whole since the last enlargement in December 1973, one finds that 15 States have become Members of the United Nations. But what is proposed in the draft resolution, first introduced by the permanent representative of Colombia last week, is that the membership of the Committee should now, and without further analysis and discussion, be increased by ten. This means that for every three new Members admitted to the United Nations, two would become members of the Outer Space Committee. We really do have cause for concern in my delegation at this kind of an increase at this stage, which we think would make the work of the Committee more difficult.

The work of the Outer Space Committee, as has been noted by so many delegations, has proceeded by consensus, and I know that there is a very general recognition of the importance of the effort to move in that way. I am sure that some delegations will think it is merely a partisan thought, but, at least to my Government, one of the factors - and it is only one - that has helped the Outer Space Committee to produce such

(Mr. Reis, United States)

positive work over the last 15 years has been the fact that it has proceeded in this at times slow and rather painstaking way, but a way which ensures that the outcome of its work, its work product, will be accepted throughout the international community, and with very few exceptions this has been the case.

If one looks at the work of the Outer Space Committee on the juridical side, the 1967 Outer Space Treaty, the Treaty that followed on rescue of astronauts in distress the next year, the Liability Convention of 1971, and most recently in 1974, the Convention which deals with the registration of objects launched into outer space, I think one sees that in fact the consensus procedure, which is at times slow and which is at times difficult, and at times, I must say, very frustrating, nevertheless does lead to a product which is accepted throughout the international community.

And in a curious way this effort to proceed by consensus is reflected in the way in which the General Assembly and the First Committee have hitherto treated consideration of the Outer Space Committee's report. There have been very few occasions indeed in which the First Committee or the General Assembly has voted on any outer space item, any outer space draft proposal, the effort being not in any way to derogate from the Assembly's rules and the First Committee's right to proceed by voting whenever it decides it is wise to do so, but simply, through the sometimes difficult and cumbersome process of negotiation and maximum agreement, to reach decisions by the Assembly on the basis of agreement.

Thus, if I may say so, although there is as yet no final text of the omnibus resolution, the resolution which plans the work for the Committee in 1978, it certainly would be the hope of the United States delegation that that could be adopted by consensus or unanimously - there is little difference.

So, to return to the subject of these two proposals on possible enlargement of the Outer Space Committee, changes in its composition, we would hope that on something as important as this again there would be a real effort to proceed, to the greatest extent possible, not through a confrontational voting process, not through, as was suggested by the representative of Iraq, efforts to upset priorities which follow simply from the nature of the General Assembly's rules, but through a process of discussion and reflection.

(Mr. Reis, United States)

I, myself, attended the meetings of the Legal Sub-Committee of the Outer Space Committee last year here in New York. I was privileged also to help represent the United States in Vienna during the twentieth session of the Outer Space Committee which the Government of Austria so generously hosted. And I remember that opportunities were made, and without resistance, to ensure that those countries that were not members of the Outer Space Committee should have a full opportunity to present their views. Thus, I myself heard - as did others who were here in New York for the Legal Sub-Committee and for the Scientific and Technical Sub-Committee and in Vienna for the Outer Space Committee - representatives, for example, of Colombia and Ecuador, to take only two obvious but very prominent examples, explain particular views with respect to sovereignty over the geosynchronous orbit. And not only that, these countries also sent representatives to participate in other aspects of the work of the Sub-Committees and the Committee, and I believe that they were made to feel welcome.

Therefore, it seems to us unfair to assert that what is being proposed by the representative of Austria is delay for the sake of delay, or indeed any delay at all. What is being proposed is that there should be a certain time, which will in any event be no more than until the General Assembly meets again next fall, and we in the First Committee again consider the item, in which the Outer Space Committee should have a chance, in the most positive way possible and in consultation with all interested States, to make proposals for the composition and size of the Committee. Because the fear is indeed not so much limited even to what happens this year, or even to the accommodation of the new members who joined as the result of the expansion of the Committee in 1973: but what does give rise to extreme concern is the possibility that, if the Outer Space Committee does not do this kind of study, in two or three years, again because of the positive work of the Outer Space Committee, and because of the wish of so many to co-operate with it, there will be an enlargement to 57, and then to 67.

(Mr. Reis, United States)

It is very difficult to say at what point it will become impossible for the Committee to move forward in a useful and positive way, but I think members of the Outer Space Committee really ought to be allowed - without its being charged that they wish to preserve the privileges of some elegant and cushioned private club - to make a detailed and serious study, and, bearing in mind the strong desire of many Member States to join, to make serious recommendations for the enlargement of the Committee if that is to happen.

It would seem to me that considerations of courtesy and of an appropriate acknowledgement of what the Committee has done in the past and what it may do in the future should lead to support for the Austrian draft, and that is why the United States delegation does support that text.

Mr. GARBA (Niger) (interpretation from French): The delegation of Niger, after examining the report in document A/32/20 of the Committee on the Peaceful Uses of Outer Space, would like to congratulate its members on the remarkable work which they have done under the chairmanship of Mr. Peter Jankowitsch of Austria. I should like this statement to be regarded as an expression of our gratitude.

Niger, a Sahelian and tropical country par excellence, has suffered for several years from hazards of climate, particularly from a long drought which devastated its livestock by 50 per cent and created a food shortage the consequences of which are still being felt. It is most interested in the efforts of the United Nations to work out appropriate techniques for the exploitation of outer space.

We therefore can only take pleasure at the suggestions and views of the Outer Space Committee at its twentieth session and at the goodwill demonstrated by the technically advanced countries with regard to the developing countries:

Thus we welcome the opinion of the Committee that the use of satellite data will become an integral part of national economies and of their planning activities, as well as the idea that international co-operation is the only effective approach that would enable the majority of countries to benefit from remote-sensing operations in the light of the particular needs of developing countries.

We also note with satisfaction the agreement of the Committee on the importance of proposing appropriate means of training, including on-the-spot training, with regard to all aspects of remote sensing, in particular for the benefit of developing countries in order to enable them to derive the maximum advantage from this new technology. In this regard, we welcome the work already done in terms of seminars or training courses organized for the benefit of developing countries under the United Nations system with the generous and unselfish support of certain Member States. Furthermore, the decision of the Swedish Government to offer financial assistance up to the amount of \$50,000 for a training programme in remote sensing for the benefit of developing countries in Africa, which would be organized in 1978, is something which we cannot fail to note. It will definitely have positive effects on the economies of the countries concerned.

However, in order for this goodwill to have all the necessary effectiveness and impact at the State level, we should organize co-operation in the peaceful uses of outer space in such a way as to avoid damaging the legitimate interests of developing countries, on the one hand, and also to guarantee to them the necessary scope for a rational and well-advised exploitation of space technology, on the other.

These interests, in our view, are their sovereign rights - political, economic and social - respect for which makes it imperative for the international community to ensure a broad and sound dissemination of techniques relating to the peaceful uses of outer space so as to prevent them from remaining the privileged attribute of a minority of countries.

It is in this spirit that it seems to us reasonable, at a time when the world is recognizing the great advantage to be derived by the developing countries from knowledge in that area, that those countries should be closely associated with everything affecting outer space. That, in our view, is the best way of familiarizing them with the subject and with the tools that they will have to use in the future.

In the light of the experience of the Committee on the Peaceful Uses of Outer Space, its expansion would be a first step towards this hoped-for close association among countries at different levels of technical development.

Draft resolution A/C.1/32/L.43, of which Niger is a sponsor, meets this wish, which we hope is also the wish of this Committee. An increase by 10 in the membership of the Committee will strengthen the team spirit essential in such a complex field as outer space and the universal nature which it behoves the United Nations to confer upon technology for exploiting outer space.

The CHAIRMAN: Many delegations have approached me with the request that more time be given for consultations on the draft resolutions in documents A/C.1/32/L.42 and L.43. I have also been informed that a third draft resolution will be submitted.



(The Chairman)

I would therefore propose that the Committee postpone consideration of the outer space items and begin consideration of the remaining agenda items, 37, 50 and 127, tomorrow morning, Tuesday, 29 November.

If I hear no objection, I shall take it that this proposal is acceptable to the Committee.

It was so decided.

The CHAIRMAN: The Committee will devote one meeting at a later stage to taking decisions on the draft resolutions relating to outer space.

The meeting rose at 1 p.m.

United Nations  
**GENERAL  
ASSEMBLY**  
THIRTY-SECOND SESSION  
Official Records\*



FIRST COMMITTEE  
45th meeting  
held on  
Friday, 25 November 1977  
at 3 p.m.  
New York

VERBATIM RECORD OF THE 45th MEETING

Chairman: Mr. BOATEN (Ghana)

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