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Held at Headquarters, New York,  
on Wednesday, 16 October 1974, at 10.30 a.m.

Chairman: Mr. ORTIZ DE ROZAS (Argentina)  
Rapporteur: Mr. COSTA LOBO (Portugal)

- International co-operation in the peaceful uses of outer space:  
report of the Committee on the Peaceful Uses of Outer Space  
/32/ (continued)
- Preparation of an international convention on principles governing  
the use by States of artificial earth satellites for direct  
television broadcasting: report of the Committee on the Peaceful  
Uses of Outer Space /33/ (continued)
- Programme of work

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## AGENDA ITEMS 32 AND 33 (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: REPORT  
OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/9620)

Mr. NEUGEBAUER (German Democratic Republic): In 1974 representatives of my country took part for the first time in the discussions of the Committee on the Peaceful Uses of Outer Space and its Sub-Committees and Working Groups. They have been impressed by the business-like and constructive atmosphere that has prevailed in all deliberations and which has showed that the exploration and use of outer space significantly contribute to strengthening the peaceful co-operation of all States in the spirit of the United Nations Charter and benefit all States irrespective of their degree of economic or scientific and technological development.

Its realistic approach to its work has enabled the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee to finalize the Convention on the registration of objects launched into outer space, which is now before the General Assembly for discussion and adoption. We congratulate the Committee on the Peaceful Uses of Outer Space, under the direction of its Chairman, Mr. Jankowitsch, and the Legal Sub-Committee, under the direction of its Chairman, Mr. Wyzner, on this success and support the adoption of the convention by the General Assembly. Thus outer space law will be complemented by another instrument.

(Mr. Neugebauer, German  
Democratic Republic)

In the coming year it should be possible to finalize the draft treaty relating to the Moon on the basis of the existing drafts and by making a realistic appraisal of the level reached in the exploration and use of the Moon. Starting from what seems to be a generally agreed principle, that the Moon must be used only for peaceful purposes and that the establishment and exercise of sovereign rights on it shall be precluded, it should be possible comparatively soon to prepare a treaty on the fundamental legal position regarding the moon.

Our delegation is now, as before, convinced that the legal regulation of the exploitation of the Moon's resources should be postponed and agreed upon in a special convention at a later date, according to the development of technological and economic conditions.

Priority should now be given to the establishment, in principle, of the legal status of the Moon that will constitute the basis for further international agreements. From this point of view, we also believe that discussing the legal status of other celestial bodies would not at present be helpful, because the results of scientific and technological research are still insufficient to make an agreement possible in the near future. Coupling these two problems will unnecessarily delay the legal formulation of the position on the basic legal status of the Moon, a position regarding which general agreement has already been reached.

Of special importance for the peaceful co-operation of States is the elaboration of principles governing the use by States of artificial satellites for direct broadcasting and on remote sensing of the earth from space. The Legal Sub-Committee has started that work and should give high priority to its continuation next year. In so doing, the Sub-Committee can rely on the valuable results obtained up to now by the Working Group on Direct Broadcast Satellites, headed by Mr. Rydbeck. This Working Group has fulfilled its task. It has drafted principles on legal, organizational and technological aspects which will help the Legal Sub-Committee to a considerable extent to perform its work. A continuation of the work of the Working Group therefore does not seem necessary to us. The work is now

(Mr. Neugebauer, German  
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concentrated in the Legal Sub-Committee. The guiding principle of its work should be that, in accordance with the generally recognized principles of international law, the United Nations Charter and the outer space Treaty of 1967, the sovereignty of States must be strictly respected, States must refrain from any interference in the internal affairs of other States, and the legitimate interests of developing countries must be duly taken into account.

The work of the Scientific and Technical Sub-Committee, under the direction of Mr. Carver, and of the Working Group on Remote Sensing of the Earth by Satellites, under the direction of Mr. Fiorio, has been useful and meets with our full appreciation.

With reference to section II B of the report of the Committee on the Peaceful Uses of Outer Space and the relevant passages of the draft before us, we would like to stress that the delegation of the German Democratic Republic supports the preparation of studies as proposed in paragraph 30, subparagraphs (a), (b), (c) and (d).

We hope that these studies and the replies to the questionnaire will help the Scientific and Technical Sub-Committee to render efficient its future work, as outlined in paragraph 49.

As regards the United Nations programme on space applications, we would like to reiterate that we agree to the implementation of the programme on the basis of the funds approved by the General Assembly at its twenty-eighth session for 1975. In this connexion, however, we deem it important to stress that the Scientific and Technical Sub-Committee should, at its forthcoming session, deal in detail with the programming and rational and effective uses of funds for the programme. In this, the results of the above-mentioned studies and of the questionnaire should be taken into account.

As far as the organization of future sessions of the Committee on the Peaceful Uses of Outer Space and its Sub-Committees is concerned, we would prefer to divide them as follows: the Legal Sub-Committee should always meet in Geneva in the first quarter of the year, the Scientific and Technical

(Mr. Neugebauer, German  
Democratic Republic)

Sub-Committee in New York in the first quarter, and the Committee on the Peaceful Uses of Outer Space in New York in the second quarter. In this way, use will be made of the so-called "quiet quarters" in New York and Geneva, and travelling expenses will be spread more evenly among delegations.

Mr. CHARVET (France) (interpretation from French): Mr. Chairman, the French delegation is happy to see our deliberations on outer space proceed under your direction, for we all know that your dynamism and competence are among the best guarantees that we shall succeed in consolidating and rendering specific the results already achieved in the previous sessions of the Outer Space Committee, the Legal Sub-Committee, the Scientific and Technical Sub-Committee and the Working Groups.

My country, which is continuing its efforts in the field of outer space both at the national level and at the level of bilateral and multilateral collaboration, this year has special reasons to be gratified at the progress achieved in 1974 within the framework of the United Nations; for one of the problems considered by the Outer Space Committee, and now under consideration by the First Committee, namely the registration of objects launched into outer space, is one in which France has been interested since 1968. We earnestly hope that this problem will be resolved here by an overwhelming vote.

(Mr. Charvet, France)

Of course we are bound to note that in the consideration of other matters within our competence, such as the draft treaty relating to the Moon, direct broadcasting by satellite, remote sensing of the earth's resources and definition and delimitation of space slower progress is reflected; but we must also recognize that the magnitude of the legal and political aspects of those questions warrants longer consideration by Member States. However, it is encouraging to note that, despite this slowness, each year some progress has been made in the preparation of the drafts submitted to us.

The position of France in regard to the draft treaty relating to the Moon is well known and has never altered. France hopes that the draft treaty may be completed as early as possible and to that end we expect it to retain its high priority on the agenda of the Legal Sub-Committee. We hope also that the Legal Sub-Committee will as soon as possible reach a compromise on the last points on which it has not been possible to reach an agreement, particularly that concerning the natural resources of the earth's satellite. This should be a realistic compromise which would reconcile the requirements of scientific research, from which we all stand to gain during the transitional phase of exploration, with the inalienable rights of the international community over lunar resources once they are brought into exploitation.

Direct broadcasting by satellites has been the subject of consideration by my Government for some time. I think it was in 1970 that my Government, together with the Governments of the Soviet Union and Argentina, was one of the first Member States of the Outer Space Committee to draw the attention of the United Nations to the dangers which might result for the international community from the unregulated development of this new space technique, while other countries, no less interested in the problem than ourselves, emphasized above all its positive aspects. At that time the delegation of France put forward principles that could regulate satellite broadcasting and advocated the drafting of international regulations.

I shall not summarize here all the work already done on the subject; I shall only say that, in a spirit of compromise and co-operation, we have adhered to the formula of a simple declaration of principles, as UNESCO has done, because that formula has been preferred by a substantial number of members of

(Mr. Charvet, France)

the Committee, but that in our view this is only one stage on the road towards the establishment of real international legislation, which must be brought into being when we are mentally better prepared for it. Our general approach -- or, if you prefer it, our philosophy -- regarding this problem can be summarized as follows.

First, space techniques develop at such a startling speed that the legal and political problems which they raise are left far behind and, because of this, new sources of difficulties among nations may be created. To neutralize that risk, we feel that laws should precede the application of technology. However, today space law lags far behind space technology, so that our work in the Outer Space Committee actually becomes a race against time that will lead us to regret any delay in the application of the law, particularly in regard to direct broadcasting by satellite.

Secondly, direct broadcasting by satellite is not the same kind of means of communicating thoughts as the other communication media area. It is now in fact recognized that the impact of pictures on the masses cannot be compared with the impact of sound radio broadcasting or press reports. When a message is broadcast directly by satellite the impact is greater -- 10 times, 100 times greater. We can observe that on our national networks, with their intense and even obsessive hammering of televised publicity. That is why we are in favour of specific regulations, which could dispel the justified apprehensions of those States that would be receiving direct broadcasts by satellites of another State.

Thirdly, in order for direct broadcasting by satellite to confer the benefits that the international community expects from it it is indispensable to achieve as soon as possible a just balance between the sovereignty of States and freedom of information. Freedom of information must, of course, be recognized for direct broadcasting by satellite, as it is already recognized under international law, but we must also carefully determine its limits so that it will not interfere dangerously in the internal affairs of States.

Fourthly, the key to the solution lies, in our opinion, in international co-operation. It seems to us that the solution to the acute conflict at present existing within the Committee in regard to the crucial question of prior consent lies in such co-operation, because every kind of co-operation necessarily implies prior agreement on time-tables and programmes, and such prior agreement among partners naturally leads us to prior consent.



(Mr. Charvet, France)

While we are speaking about direct television broadcasting, we should like to pay tribute to the Working Group on Direct Broadcast Satellites and its Chairman, Mr. Rydbeck, who have for some years been working for our benefit and have emphasized the various aspects of this new space technique. Most of the technical aspects having been considered in previous sessions, the last session of the group in Geneva dealt with the political and legal aspects. The Working Group did some extraordinary work, I am bound to say -- and I am aware of this because I participated in that work. It emphasized the general principles that could be adopted on the subject and a consensus was reached on a sufficient number of principles to give us cause for optimism. Regrettably, as might have been anticipated, the Legal Sub-Committee, when considering the report of the Working Group, reopened consideration of most of the results that had been achieved. It seems to us that there is some duplication here, involving an expenditure and a mobilization of qualified staff that is excessive for one and the same year. This regrettable fact only strengthens my Government's frequently expressed conviction that the political and legal problems involved in direct broadcasting by satellites should be examined exclusively by the Legal Sub-Committee, acting within the sphere of its competence.

I shall be brief in regard to the remote sensing of the earth's resources, although we attach the same importance to that subject and would request the same priority for it as for the draft treaty relating to the Moon and for direct broadcasting by satellite. Our interest in the question was reflected in a Franco-Soviet document of which the Committee on the Peaceful Uses of Outer Space has already taken cognizance and which we believe will be considered by the Legal Sub-Committee at its next session, together with the recent draft submitted by the Governments of Argentina and Brazil. On this subject, as well as in regard to direct broadcasting, we believe that a declaration of principles is necessary before the Outer Space Committee can consider the drafting of a binding international convention.

(Mr. Charvet, France)

We thank the Working Group on Remote Sensing for the work done and we hope that this item will be given priority attention by the Scientific and Technical Sub-Committee on all matters pertaining to technology and the organization of a system or systems of remote sensing.

For a long time the problem of defining the delimitation of outer space has been on the agenda of the Legal Sub-Committee. Every year, because of divergencies among delegations this problem is put off indefinitely. This poor cousin of the Legal Sub-Committee somehow manages to keep afloat since it is included in the Legal Sub-Committee's agenda every year, but to repeat a formula which is not mine we do not even have a pre-draft of a draft of a solution. That is why I believe that we should draw the attention of delegations -- and particularly the delegations that do not customarily follow the work of the Outer Space Committee -- to the fact, rare in legal matters, that since the adoption of the Outer Space Treaty we are creating space law whose exact sphere of application nobody knows. This is an undoubted source of future difficulties among States, and the delegation of France will be happy to support any initiative intended to make up for this shortcoming.

Thanks to a statement made by the representative of the United Kingdom, which created a stir last year, the Scientific and Technical Sub-Committee recently reviewed its future role, which was then considered by the Outer Space Committee. The delegation of France hopes that the Sub-Committee itself will in principle examine technical matters within its competence. As we have already indicated, we are against the proliferation of working groups, which means additional expenditures and an immobilization of competent staff, as much for States as for the United Nations.

I had intended to speak to you in some detail on the draft convention on registration of objects launched into outer space, but Mr. Wyzner, at the beginning of our session, gave such a complete and detailed analysis that I thought it unnecessary to go over the main provisions of that text again. In our opinion that text is far from perfect since it does not include, as we had hoped, mandatory marking of space objects. The review clause in article X will at least allow signatories to look into the matter again if the development of space activities should, as we believe, make it useful and necessary to review the convention at some future point.

(Mr. Charvet, France)

As France is, together with Canada, a co-sponsor of the draft submitted for the Committee's consideration, may I here express our gratitude to the Chairman of the Outer Space Committee, Mr. Jankowitsch, and to the Chairman of the Legal Sub-Committee, my friend Mr. Wyzner for the valuable assistance they have given us throughout the discussion of this text. We also express our gratitude to all delegations which, in the spirit of compromise, have made it possible for the draft convention to be presented to the First Committee for adoption. By way of conclusion I should like to emphasize that the results achieved with regard to the registration of objects launched into outer space can be an example for the other issues before the Outer Space Committee. In fact, these results prove what can be done if there is a desire among States to reach a compromise in a spirit of co-operation. I cannot forget that when we, for the first time in the United Nations, raised the question of the registration of objects launched into outer space, there was general pessimism which seemed to be warranted. The divergencies seemed to be considerable. Some States considered our initiative to be either useless or premature. Others, who were in favour of a convention, preferred a national registration, whereas another group indicated its preference for international registration with the Secretary-General of the United Nations. There were staunch advocates and adversaries of the mandatory marking of space objects. We were faced, in fact, with a Gordian knot which had to be cut before an agreement could be reached. We finally succeeded in cutting it by means of important reciprocal concessions so that we now have a balanced text which, although somewhat incomplete, is nevertheless useful. We must bear this example in mind when we consider the difficult questions which are still pending before the Legal Sub-Committee. I have no doubt that if we all maintain the same spirit of compromise and co-operation we shall also reach agreement on the treaty relating to the Moon and on direct broadcasting and remote sensing by satellites. We may then achieve positive results so as to enrich the law on outer space and thus assure better protection for the international community at a time when the development of space activities inevitably brings with it, if not legally controlled, risks of conflicts and tensions that can be harmful for States and their nationals. The delegation of France approves the report of the Committee on the Peaceful Uses of Outer Space.

The CHAIRMAN (interpretation from Spanish): I thank the representative of France for the cordial words which he addressed to me.

Mr. MACRAE (United Kingdom): Once again it is time for the First Committee to turn its attention to outer space affairs. As this is the first opportunity my delegation has had to speak in the Committee, allow me, Mr. Chairman, to congratulate you on your election to your high office. We are particularly glad that you are chairing our discussion on the outer space items on our agenda in view of the co-operation existing between our two countries in this field. I am thinking particularly of collaboration in remote sensing ventures involving use of the British Skylark rocket. We hope that this co-operation in outer space matters will long continue. Allow me at the same time to congratulate the other members of the Bureau on their election. My delegation will co-operate in the work of the First Committee to the best of our ability.

My delegation has listened with great interest to other speakers in this debate. We may have occasion in what follows to take up some of the points that have been made. But we must all be grateful for the illuminating survey of outer space activities as they affect the United Nations, contained in the introductory address by the Chairman of the Outer Space Committee. My delegation looks forward to a further year of steady progress in this important subject under the wise guidance of Ambassador Jankowitsch.

As a member of the Outer Space Committee, my delegation has had the opportunity to participate fully in the activities of the Committee and its subsidiary bodies: the task force and the Working Group on Remote Sensing, so ably chaired by Mr. Franco Fiorio; the Working Group on Direct Broadcast Satellites, under the guidance of Mr. Rydbeck; the Scientific and Technical Sub-Committee, looked after by Mr. Carver of Australia; the Legal Sub-Committee under Mr. Wyzner, and the Outer Space Committee itself. We have therefore been able to make known our views and within the ordinary operating restraints to seek to attain our objectives. And since this is the only opportunity for delegations not members of the Outer Space Committee to discuss the work of the United Nations in the field of outer space, I intend to be brief and to devote attention only to those subjects which we consider to be the most important.

(Mr. Macrae, United Kingdom)

Similarly, I do not intend to spend our time talking about United Kingdom activities in outer space beyond saying that we have an active and varied space programme the main emphasis of which is now bound up with the activities of ESRO, hopefully in the future to be subsumed in the European Space Agency.

It is a truism to say that this is a challenging time since it can be argued that, at any particular moment, all times are challenging. Yet I think that no one will deny that in the development of the peaceful uses of outer space, we are at an important and critical juncture. We are able to glimpse, through experimental programmes, the great opportunity, the vast potential stretching before us in such fields as direct satellite broadcasting and remote sensing of the resources of the earth by satellite. The first offers the prospect of widespread education, both for children and adults, in regions where this is scarce or not available; the second, the promise of information for a host of uses such as crop, forest and water inventories, environmental monitoring and how to combat the process of desertification.

But if we see the advantages that can accrue through the development of these techniques, we also see the obstacles in the way. Inevitably there is a conflict of interest between those who have the technology and those to whom the technology is applied. The interests of both are legitimate and must be recognized. The right balance must be struck. The key to achieving that balance, we believe is through the operation of the principle of international co-operation, and it is in the working out of this principle that the Committee on the Peaceful Uses of Outer Space has a cardinal role to play. If the Committee on Outer Space grasps the opportunities open to it, if it acts out its role as the focal point for outer space, then my delegation has no doubt that the immense potential from these new techniques will be realized. If it does not, then some of them will no doubt be worked out beyond the confines of the United Nations system, while others may wither away altogether. Thus the responsibility of the Committee, and thus of its members, is a heavy one. For our part, we shall continue in the coming year, as we have in the past, to do all we can, working in a spirit of tolerance and mutual understanding, to further the Committee's work; and we have no doubt that we shall succeed. In this we are encouraged by the

(Mr. Macrae, United Kingdom)

genuinely constructive remarks of most of the interventions in this debate; and the emphasis accorded by a number of speakers to the importance of the principle of international co-operation.

After these few general remarks I should like, if I may, to turn to some of the specific subjects dealt with by the Committee on Outer Space in the last year. First of all, the work of the Legal Sub-Committee. In some academic circles output is regarded as a criterion of excellence. While this in no way applies to the Legal Sub-Committee, in 1973, for all the statements to the contrary, there was, I think, a certain disappointment, a certain feeling of lack of performance about the Legal Sub-Committee, in that it was able neither to conclude its work on either the Moon Treaty or the Registration convention, nor give serious consideration to what some delegations regarded as other urgent items on its agenda. Happily this is not the case today. True, the Moon Treaty still proves intractable, but the Legal Sub-Committee has been able to present us with an agreed convention on registration of objects launched into outer space. It has also made a good beginning in the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasts, as well as having a preliminary canter over the ground of remote sensing. I doubt that the Legal Sub-Committee in 1973 worked any the less hard than it did in 1974, but the results this year are positive and therefore more cheering.

For our part, my delegation welcomes the convention on registration of objects launched into outer space and the United Kingdom Government is likely to be in a position to sign the convention, if approved by the General Assembly, in the near future. It follows that we are generally satisfied with the convention. But, as a number of delegations may be aware, we have two small suggestions, the second of which refers only to the English language text, for improvement to the language of the convention. I shall explain these suggestions in a moment, but I should first of all like to make it absolutely clear that we are not intending to open discussion on a text which was, after all, only arrived at after a great deal of hard work and careful consideration. We have sounded out a number of delegations, including those



(Mr. Macrae, United Kingdom)

that took part in the negotiations on the text of the convention. We have encountered no objection. But I must emphasize that if our suggestions are unwelcome in any quarter, we will withdraw them rather than risk opening up discussion on the text of the convention itself.

The first suggestion which my delegation would like to make relates to the second, third and fourth preambular paragraphs of the draft convention (A/9620, annex III, page 32). We should like to suggest that the dates of the agreement, the convention and the treaty mentioned in those preambular paragraphs should be added. Such an addition would, we feel, add precision to the text and be generally helpful. Secondly, we should like to suggest that in article VI, in the last sentence, the word "object" should be replaced by "subject" in the English text. This linguistic change would seem to be more in keeping with the sense of the article and it is certainly more usual in English to say that something should be the subject of agreement between the parties concerned rather than that it should be the object of agreement.

As I have already said, we believe that these suggestions are both of a technical drafting character and that, if agreed, they would make a modest improvement to the over-all text. My delegation will be happy to discuss the suggestions further with any delegation which wishes, and I repeat, that if there is any opposition we shall not press them.

Turning now to the work of the Scientific and Technical Sub-Committee, some delegations may be aware that we have in the past felt it necessary to question the role and function of the Sub-Committee. This has led to a certain self-analysis by the Committee, which we believe to have been only beneficial. Certainly we have no reservations about the quality and quantity of the Sub-Committee's work at its eleventh session. The fact that the Sub-Committee had itself determined in advance the main subjects for discussion in our view contributed to achieving a good result, and the discussion this year should have paved the way for a fruitful discussion next year too.

(Mr. Macrae, United Kingdom)

Earlier in this statement I said that remote sensing and direct broadcasting by satellite were two of the most important subjects at present being dealt with by the Committee on the Peaceful Uses of Outer Space. The two working groups which met in the first part of the year did a great deal to illuminate the complexities of the two subjects and threw into perspective the doubts, fears and viewpoints held by different delegations. In the view of my delegation, that was in no little measure due to the interdisciplinary character of the two working groups and to the fact that it was possible to look at the various problems -- technical, economic, organizational and legal -- in a single forum. The fact that neither the Working Group on Direct Broadcast Satellites nor the working group on remote sensing will be meeting in 1975 in no way qualifies this judgement, and it could well be that they may be required to meet in the future. That will be a matter for the main Committee.

One further point about the interrelation between the technical, organizational and legal aspects of these two subjects. While the subjects studied hitherto by the Legal Sub-Committee have had their technical sides -- the question of the technical feasibility of marking in the case of the draft registration convention is an example -- it is doubtful whether the interdependence has ever before been so great. To devise an international framework for either of those subjects without taking into account the technical and organizational aspects would be rather like trying to design a building without first knowing not only the habits and tastes of the future inhabitants but whether they were to be men or mice. In the case of direct broadcasting satellites, the radio regulations of the international Telecommunications Union provides an international regulatory framework which must be fully taken into account. The deliberations of the World Administrative Radio Conference scheduled for 1976-1977 can also be expected to be very relevant. In the case of remote sensing, the fact that a single picture frame is likely to cover several thousand square kilometres and cannot take note of international boundaries is also crucial. Such a frame could encompass the territory of more than one State as well as their territorial seas and the high seas beyond. It is difficult to imagine how a legal framework can of itself deal optimally with such a situation. Once again we are brought back to the balance of interests and the need to work out solutions through the principle of international co-operation.



(Mr. Stanbury, Canada)

With our Communications Technology Satellite, we will conduct over a period of two years more than 20 experiments, such as conferences and university courses by television, and medical diagnosis for our isolated communities. These examples illustrate the great variety of uses that such satellites offer. With the decreasing size and cost of ground facilities, made possible by high-powered transmitters in space, access to the benefits of communications technology will increase accordingly for all peoples. We hope we can contribute to the achievement of this objective.

Canada is actively participating in the Earth Resources Technology Satellite Programme. Applications of remote sensing in Canada continue to grow as experimentalists draw on our unique "Quicklook" facility, that permits viewing of ERTS images within 48 hours of image production. In one experiment, these "Quicklook" data are retransmitted via domestic space telecommunications facilities to the crews of ice-breakers, who use the data to chart their courses through ice-laden waters. Other experiments, including the joint Canada-United States spring wheat project utilizing satellite and airborne imagery, are producing promising results for an eventual global system that could help to solve the pressing food problems facing the world. Although most of these experiments are based on Canadian terrain, the lessons learned can be adapted for application to other parts of the world.

Turning now to the report of the Outer Space Committee, we believe that the major achievements of that Committee in the past year has been the successful negotiation of the draft convention on the registration of objects launched into outer space. We are pleased that the draft is finally before this Committee. When adopted by the General Assembly, as we trust it will be, this important draft convention will be the fourth instrument in the development of outer space law; it will constitute an essential addition to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies; the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space; and the Convention on International Liability for Damage Caused by Space Objects.

(Mr. Stanbury, Canada)

Canada has ratified the Outer Space Treaty; upon adoption of the draft convention on registration by the General Assembly, we intend to ratify the Agreement on the Rescue of Astronauts, the liability convention, and the registration convention. I should like to take this opportunity to say that Canada is pleased to have had the opportunity to work actively, particularly with France, in the formulation of this last-named convention. We hope that many States will give early consideration to ratifying or acceding to all four of these international agreements so that they may have the broadest possible effect.

On the subject of remote sensing, we note that the Outer Space Committee has recommended studies on cost effectiveness and on the operational and financial aspects of various phases of remote sensing by satellites. Canada has always supported any activity within the United Nations system that emphasizes the potential benefits of this experimental technology, particularly as it might apply to studies of the environment and to the provision of assistance to developing nations.

We wish to point out the encouraging fact that much information has already been published by Governments and by the United Nations on the subject of remote sensing. Many symposia and conferences have been held, not only under the auspices of the United Nations, but also under the sponsorship of international and national scientific and learned societies and agencies. Described in the resulting publications are many examples of how remote sensing of the earth's surface can help in solving many of man's environmental and food resource problems. The Canadian delegation, then, would urge the United Nations family of organizations, perhaps through the ad hoc interagency co-ordination meetings related to outer space matters, to bring to the attention of developing countries the results and potential benefits of this new technology, as contained in information already available.

(Mr. Stanbury, Canada)

With regard to the United Nations programme on space applications, my Government welcomes the questionnaire on the needs of developing countries for assistance in the practical application of space technology. We believe that this questionnaire will provide developing nations with the opportunity to identify their requirements in line with their own priorities and abilities to apply available space technology to the solution of their environmental and resource problems. The replies to the questionnaire will also enable developed nations to assess more effectively the requirements of developing countries.

On the subject of direct broadcast satellites, it is well known that Canada attaches considerable importance to the development of principles governing this use of outer space. We have appreciated the opportunity of working towards the elaboration of such principles in close co-operation with our colleagues from Sweden.

In our view, the drafting of a number of principles by the Legal Sub-Committee this year was greatly facilitated by the deliberations of the Working Group on Direct Broadcast Satellites. We recognize nonetheless that a number of issues remain unresolved. We believe that these issues reflect differences of opinion among Governments and, more significantly, underscore the extent of interdisciplinary work yet required before realistic and technically sound principles can be agreed upon to govern this rapidly evolving technology.

For these reasons, Canada has consistently favoured reconvening the Working Group on Direct Broadcast Satellites, and we hope the Outer Space Committee will consider this question again next year. In the absence of a further meeting of the Working Group, my delegation believes that at the next meeting of the Legal Sub-Committee it will be necessary to concentrate on the most contentious issues of prior consent, participation and spill-over. Canada will co-operate with all Governments in attempting to formulate a reasonable and acceptable set of principles to govern direct broadcasting by satellites -- principles that will enable all States to enjoy the benefits of this technology on an equal basis.

We look forward to a continuation of the traditional spirit of accommodation that has so characterized the Outer Space Committee and its subordinate bodies.

Mr. BISHARA (Kuwait): Let me, Mr. Chairman, convey to you at the outset the heartfelt congratulations of my delegation on your unanimous election as Chairman of this important body. Such an election is a tribute to your well-known qualities and a recognition of your experience. I am doubly happy to see you captaining the proceedings of this Committee, as I am, apart from the personal links that bind us, one of the privileged few who visit your flourishing country at least twice a year. My congratulations also go to the Vice-Chairmen and the Rapporteur.

The enlarged Committee on the Peaceful Uses of Outer Space has become more representative of the interests of the international community. We are gratified to note that the new members, many of which are developing countries, are making a substantial contribution to the work of the Committee. We hope that this trend will continue so that the question of outer space may be dealt with within a wider perspective, including its impact on the world's limited resources and the need to preserve, expand and rationally exploit those resources in an optimum manner. The Committee at its inception served as a vehicle for regulating the activities of technologically advanced countries in outer space. It is gradually evolving into an instrument for coping with the immense problems of underdevelopment, of the survey and management of resources and of pollution monitoring on a global scale.

The legislative work of the Committee is still rather slow. This is clearly reflected in the stalemate over the projected Moon treaty. The main article of the draft Moon treaty pertains to the natural resources of the Moon. This is a major provision and should have given rise to no difficulty. A similar question had already been resolved in the Sea-Bed Committee which adopted the legal norm that provides that the resources of the sea-bed and the ocean floor beyond the limits of national jurisdiction are the common heritage of mankind. The concept of the common heritage of mankind has already been enshrined in the Declaration of legal principles on the sea-bed adopted by the General Assembly. Why should the resources of the Moon and other celestial bodies be treated differently from those of the sea-bed area? The fact that the Moon and other celestial bodies are only accessible to

(Mr. Bishara, Kuwait)

industrially advanced countries should not mean that their resources should be treated as the exclusive preserve of a few space Powers. While operators should be adequately remunerated for their investment and risk-taking, the concept of the common heritage of mankind has become an essential part of contemporary international law and cannot be dismissed easily to accommodate the claims and individual plans of a few industrially advanced countries. Hence the projected Moon treaty should clearly stipulate that the Moon and other celestial bodies and their natural resources are the common heritage of mankind and that the exploitation of those resources should be governed by a legal régime which ensures that the benefits derived therefrom shall be used for the benefit of mankind as a whole, taking into account the special interests and needs of the developing countries. Once this matter is resolved, and it can only be resolved in this manner, there will be little room for disagreement over the other ancillary issues.

My delegation has taken note of the fact that an agreement has been reached in Working Group II on the entire text of a convention on the registration of objects launched into outer space. These objects are multiplying and it is high time that provision be made for a central register to be established and maintained on a compulsory basis by the Secretary-General of the United Nations. However, we still have some difficulty with article V which contains provisions on the marking of space objects. We believe that the marking of space objects should be compulsory, because without marking identification is almost impossible. Responsibility can only be established when the identity of the State launching the object is known. We cannot accept the argument that marking should not be required on the grounds that it could not survive re-entry into the atmosphere. Even if this were true in some cases, an attempt should at least be made to establish the good faith of the launching State.

(Mr. Bishara, Kuwait)

We welcome the provisions of article VI which requires States parties which possess space monitoring and tracking facilities to respond to requests by a State party for the identification of a space object which has caused damage to it or which may be of a hazardous or deleterious nature. In most cases probably, the State on which the damage is inflicted may not have the space monitoring and tracking facilities which will enable it to identify such a space object. We hope that the draft convention on registration of objects launched into outer space, which has some shortcomings, will nevertheless serve as a useful complement to existing international agreements in this field, particularly the Liability Convention.

(Mr. Bishara, Kuwait)

The work of the Committee on the Peaceful Uses of Outer Space, though useful, is capable of much improvement. In one respect it seems that there is some overlapping in the mandates or activities of some of its subsidiary organs. Better co-ordination should be aimed at, in order to prevent repetition and redundancy and bring about more expeditious and rational results.

The major developments in space technology must be judged by the criteria of their impact on the life of man on earth. The main sphere of interest, which should have priority over all others, is the application of space technology to development. The resources of space science and technology are improving our capacity to understand the earth itself, its solid surface, its geological wealth, its sea, its river currents, and its atmosphere, climatic changes and weather. There is no branch of science more full of promise for the future than the remote sensing of the earth by spacecraft. The techniques of remote sensing have been successfully applied in geology, geography, oceanography, agronomy and meteorology. Even the scientists themselves are not yet able to state with precision what new vistas may be explored with the new techniques of remote sensing.

It is heartening to note that the Committee on the Peaceful Uses of Outer Space has already prepared a questionnaire to ascertain the needs of the developing countries in the application of space technology. The questionnaire will, we hope, enable every country to relate each potential application to its particular needs. The broad framework, however, should be the application of operational remote sensing techniques to agricultural and mineral resources. This new technology should be used to improve agricultural productivity and discover mineral resources and put them to better use. All that cannot be done without the disinterested assistance and active co-operation of the developed countries. It might be a good idea to formulate another questionnaire and address it to industrially advanced countries to ascertain what measure of assistance they are willing to give to place the benefits of space technology within the reach of the developing countries.

(Mr. Bishara, Kuwait)

As we see it, the future is full of promise. The developing countries have demonstrated their interest in remote sensing and space applications in many ways, including the encouragement of experiments with this technology in their own territory, their acceptance of training programmes in this field and their willingness to host regional seminars on remote sensing. The stage is already set for a well-formulated long-range programme of action. If everything goes well, as we hope it will, we may soon be thinking in terms of establishing a United Nations space agency.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Kuwait for his generous comments about my country and for the congratulations he was good enough to extend to the officers of the Committee.

## PROGRAMME OF WORK

The CHAIRMAN (interpretation from Spanish): Tomorrow morning's meeting will be adjourned at 11.45 a.m. in order that we may hear the address to the plenary Assembly by the President of Portugal, General Francisco da Costa Gomes. In order that all the representatives whose names are on the list for tomorrow morning may speak, I would appeal to representatives to be punctual so that we may start the meeting at 10.30 sharp.

On the subject of punctuality, I would point out that we have been beginning our meetings half an hour late each day, and this puts an additional financial burden on the United Nations budget.

I should now like to make some remarks about the schedule for next week. As agreed, we shall start the general debate on all the disarmament items on Monday, 21 October. There will be two meetings on that day. There will be no meetings on Tuesday, 22 October, because this Conference Room will be used for the Pledging Conference for the United Nations Industrial Development Organization. There will be no meetings on Wednesday, 23 October, and Thursday, 24 October, either. On those two days rehearsals are to be held in the General Assembly Hall for the



(The Chairman)

concert to be given on the evening of 24 October. It appears that in the past there have been complaints that the orchestra rehearsals can be heard in this room. For my part, I believe that background music might have helped us to proceed more quickly, but, in any event, we shall not be meeting on Wednesday or Thursday of next week. Hence, after its two meetings on Monday, 21 October, the Committee will not meet again until Friday, 25 October.

I would therefore appeal to representatives to inscribe their names as soon as possible on the list of speakers for the meetings on Monday and Friday next -- and particularly for the meetings on Monday, when, as I have said, the general debate on the disarmament items will begin. I address that appeal particularly to the members of the Geneva Conference of the Committee on Disarmament, who traditionally open that debate, and also to the representatives of States that have proposed new disarmament items, who, I assume, will wish to make their views known to the First Committee as soon as possible.

In that connexion, I would inform members that there are speakers for the meeting on Monday morning but none for the meeting on Monday afternoon; there are some speakers also for Friday, 25 October. Since we shall not be able to meet on three days next week -- for the reasons I have already given -- I again appeal to members to inscribe their names on the list of speakers so that we may have full meetings on both Monday and Friday of next week.

The meeting rose at 12.20 p.m.

# UNITED NATIONS GENERAL ASSEMBLY



PROVISIONAL

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15 October 1974

ENGLISH

## PROVISIONAL VERBATIM RECORD OF THE NINETEEN HUNDRED AND NINETY-FIRST MEETING

Held at Headquarters, New York,  
on Tuesday, 15 October 1974, at 3 p.m.

Chairman:

Mr. ORTIZ de ROZAS

(Argentina)

Rapporteur:

Mr. COSTA LOBO

(Portugal)

- International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space [32] (continued)
- Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space [33] (continued)

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be distributed as soon as possible.

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The co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

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