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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND AND FIFTIETH MEETING

Held at Headquarters, New York,  
on Monday, 13 October 1975, at 3 p.m.

Chairman: Mr. GHORRA (Lebanon)  
Rapporteur: Mr. ARTEGA-ACOSTA (Venezuela)

- 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)

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The meeting was called to order at 3.15 p.m.

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 (A/10020)  
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/10020)

The CHAIRMAN: Before calling on the first speaker, I should like to inform the Committee that an omnibus draft resolution on outer space has been distributed in document A/C.1/L.712.

Mr. WYZNER (Poland): Mr. Chairman, being aware of the limitations imposed on us under the rules of procedure, I should like merely to say how happy I am at your well-deserved election to the Chair of this important Committee, and at the same time how impressed I am by your smooth and astute handling of the intricate problems of our work. I extend the cordial congratulations of my delegation to you and to your colleagues, the other officers of the Committee.

The Polish delegation welcomes the fact that once again the first items to be considered by our Committee are those dealing with international co-operation in the peaceful uses of outer space. For many years now the Committee on the Peaceful Uses of Outer Space and its two Sub-Committees have been engaged in a constructive effort to develop standards for widespread and harmonious co-operation in the exploration of outer space as well as to draft and present to the General Assembly international instruments to form part and parcel of the law of outer space.

This year, however, is a special occasion and a time for reflection. It marks the thirtieth anniversary of the memorable victory over fascism and the end of the most cruel war in the history of mankind. It also marks the thirtieth anniversary of the United Nations, an Organization whose paramount purpose is to prevent such wars from erupting again. Finally, in this year 1975 the

(Mr. Wyzner, Poland)

single most important effort to translate the principles of security and co-operation into real life in Europe was brought to fruition at the Helsinki summit. One can justifiably ask, therefore, whether in the particular field under examination, the exploration of outer space, a field which is fraught with potential dangers of military abuse, peaceful co-operation has advanced sufficiently to match mankind's 30-year-old pursuit of peace and security in other areas.

(Mr. Wyzner, Poland)

In our opinion the answer is positive. Through an impressive series of legal and political measures, largely due to the efforts of the United Nations and in particular of its Outer Space Committee, the space beyond the earth's atmosphere has not become the field for unchecked competition in armaments, nuclear weapons having been barred from outer space once and for all. Instead, outer space has been used increasingly for peaceful scientific and technological exploration and co-operation benefiting all countries of the world.

Certainly the most important and spectacular venture in this respect was the successful Soyuz-Apollo flight of last July. New names of Soviet and United States astronauts have been inscribed in the outer-space hall of fame. Their mission has brought important scientific and practical results, whose utilization is far from being limited only to the two directly contributing States. This has led my Government to express the view, included in the joint statement signed by the leaders of Poland and the United States, Edward Gierek and Gerald Ford, during the latter's visit to Warsaw, that this mission was "a symbol of the opportunities arising from joint efforts of nations for the good of all mankind in the era of international détente".

We also welcome the increasing and active participation of new countries in outer-space ventures. Following the traditional space Powers, their presence in outer space is becoming more and more distinct. We are particularly impressed by the fact that the latest addition to the list of such States is a developing country, India, whose first earth satellite was launched from a Soviet station on 19 April 1975.

I should like to take this opportunity briefly to inform members of the Committee about Poland's recent activities in this domain. Though modest, they are nevertheless noticeable and, we believe, useful. Through our participation in such programmes or organizations of socialist countries as Interkosmos or Intersputnik, my country can benefit from the exchange of data and experience with other countries, in particular with the Soviet Union.

Our national efforts are mostly concentrated in the fields of space meteorology, physics, biology and medicine, as well as satellite geodesy and communications. In the latter respect, a ground-based receiving station for television and other traffic via the Intersputnik system recently went into operation at Psary in central Poland.

(Mr. Wyzner, Poland)

At this juncture permit me to make one or two comments relating to the subject of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting, which, on the initiative of the Soviet Union, has been before us for a few years now. It gives my delegation particular satisfaction that for the first time an important break-through has been achieved in the Legal Sub-Committee in formulating a number of agreed principles, which can be found in the report of the Sub-Committee on the work of its last session (A/AC.105/147).

At the same time, the Polish delegation is aware that divergences of opinion remain on how best to formulate the principle which we consider to be of crucial importance -- the principle of consent and participation. Still, we continue to believe that speedy preparation of the convention in question is essential if we are to make full use of the opportunities created by the rapid technological advances affecting direct broadcast satellites.

My delegation wishes to restate, however, that the United Nations cannot let this major instrument of scientific and cultural progress be misused for purposes incompatible with the overriding principles of national sovereignty and peaceful coexistence of various countries, for the cause of détente, of strengthening international security and of safeguarding the cultural heritage of nations must be protected from hatred, abuse and discrimination.

For those reasons Poland favours a formulation of the respective provisions of the convention which will make it clear that the consent of the State at which direct television broadcasting by means of satellites is aimed constitutes a necessary prerequisite. Likewise, such a State should have the right to participate, under appropriate arrangements, in activities which involve or affect the territory under its jurisdiction.

(Mr. Wyzner, Poland)

As you, Mr. Chairman, and many of my colleagues are aware, I have been privileged for some years to guide the work of the Legal Sub-Committee of the Committee on Outer Space as its Chairman. You will therefore well understand that in this capacity I should like to address myself to some results of the Sub-Committee's work at its session held during last February and March. My task has been rendered much easier thanks to the excellent summation of the work performed by the Outer Space Committee, including its legal aspects, a summation made by the Chairman of the Committee, Ambassador Jankowitsch, in his introductory statement. That is why I shall limit myself to just a few observations which might facilitate consideration of the matters presently before the Committee.

The over-all record of the Sub-Committee speaks ably for itself. In a relatively brief period of a few years, it has drafted and submitted to the parent United Nations bodies four international Treaties which have become important chapters of outer-space law. All have met with the approval of the international community, the last of them being the Convention on the Registration of Objects Launched into Outer Space, which was adopted by the General Assembly at its twenty-ninth session.

For all who are familiar with the complexities and difficulties involved in drafting legal texts by means of consensus and in the brief period of time at our disposal, it is quite clear that it is simply impossible for the Legal Sub-Committee to present a new treaty or convention each year. Still, the fourteenth session of the Sub-Committee has been described by its members as one of the most successful and productive. This result is due largely to the devotion and hard work of all the eminent jurists who are members of the Sub-Committee and of its highly competent secretariat. My special gratitude is also due to the outstanding chairmen of the various working groups established by the Sub-Committee. At the same time, I want to say how touched I am by, and grateful for, the kind expressions of appreciation of the work done in the Sub-Committee, voiced both here and in the Outer Space Committee at its June session.

May I now recapitulate the work of the fourteenth session of the Sub-Committee, held from 10 February to 7 March of this year.

(Mr. Wyzner, Poland)

As the Chairman of our parent Committee, Ambassador Jankowitsch, has already indicated to you in his statement of last Friday, the main task of the Legal Sub-Committee at its last session was to consider three items with the same high priority. Briefly, these items are the draft treaty relating to the moon, the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting, and the legal implications of remote sensing of the earth from space.

For the consideration of the draft treaty on the moon, the Sub-Committee re-established Working Group I. Discussion in that Working Group, as well as extensive informal consultations, centered on a number of informal working papers relating mainly to the problems of the legal status of the surface and subsurface of the moon and the natural resources thereof. The questions of the scope of the treaty and the information to be furnished on missions to the moon, which had remained unresolved from the previous sessions, were this time given a lower priority since, in the opinion of many delegations, their solution would be helped by an agreed formula on natural resources. The debates and the consultations resulted in the redrafting of a text concerning natural resources which now appears in Articles X and X bis. Although this text included, where consensus was not reached, words and sentences as well as alternative versions, in square brackets, it did represent a step forward in synthesizing the various views expressed, and thus in facilitating further discussions and final solutions of the matter.

The Legal Sub-Committee began its consideration of the question of direct television broadcasting at its 1974 session and had before it the report of the Working Group on Direct Broadcasting Satellites covering the work of its fifth session. That Working Group, as you know, was established by the Outer Space Committee in 1968 and chaired by the representative of Sweden, Ambassador Rydbeck. In 1974 the Legal Sub-Committee's consideration of this question centered on five principles, namely, applicability of international law, rights and benefits of States, international co-operation, State responsibility, and peaceful settlement of disputes. This year, the Legal Sub-Committee re-established its own working group as Working Group II for consideration of this question. Members of Working Group II agreed that they would

(Mr. Wyzner, Poland)

take up all the principles mentioned in the report of the Working Group on Direct Broadcasting Satellites, including the five principles I have just referred to.

It is indeed gratifying to note that within the short time available to it, Working Group II was able to complete a first preliminary draft of all the principles, which included, in addition to the five principles mentioned above, subjects such as: purposes and objectives, consent and participation, spill-over, programme content, unlawful or inadmissible broadcast, duty and right to consult, copyright, neighbouring rights, protection of television signals, notification to the United Nations system, and disruption. While this draft includes in square brackets, where agreement was not reached, words, sentences or alternative versions, you will note that three principles, namely, state responsibility, peaceful settlement of disputes, and disruption, were drafted in a definite form. This tangible success is due to the co-operation and tireless efforts of all the members of the Sub-Committee.

It was only this year that the Legal Sub-Committee began its consideration of the item on the legal implications of earth-resources surveying by remote-sensing satellites. The Sub-Committee established Working Group III for this purpose. I am pleased to report that, through its Working Group, the Sub-Committee achieved substantial progress by identifying certain common elements in the various draft international instruments submitted by delegations, and by a detailed discussion of the main legal questions involved. These questions were described in paragraph 8 of the report of the Chairman of Working Group III. As you can see, the legal questions involved in this important field are many and varied, and sometimes complicated and difficult. In view of this, the achievement of the Sub-Committee is, if I may say so, all the more remarkable.

(Mr. Wyzner, Poland)

The remaining item on the Sub-Committee's agenda of the 1975 session concerned matters relating to the definition and/or delimitation of outer space and outer space activities -- an item to which the representative of France referred so eloquently in his statement today. Because of the priority given to the other items, there was only a brief but interesting exchange of views on this question. The hope was expressed that at its future sessions, the Sub-Committee would be able to consider the item in greater detail.

Regardless of the amount of work already accomplished, the tasks still facing the Legal Sub-Committee are manifold and challenging. Of the three equal priority items, the draft treaty relating to the Moon has been almost completed but important decisions, inter alia, concerning the issue of natural resources, remain to be finalized.

The drafting of principles governing the use by States of satellites for direct television broadcasting, although greatly advanced at the last session, will require bridging the gaps and reconciling a number of divergent views, some of which I have discussed earlier.

Finally, the elaboration of principles in regard to remote sensing of the earth from space is a subject which requires that common elements of the views of States be identified as well as actual drafting undertaken in those areas where such common elements have already been identified.

On behalf of the members of the Legal Sub-Committee I wish to assure the First Committee and the General Assembly, that we shall spare no effort in fulfilling the tasks entrusted to us within the general scope of the Outer Space Committee.

The CHAIRMAN: I thank Ambassador Wyzner for his very generous and kind words addressed to me and to the officers of the Committee. At our meeting on Friday last I conveyed the compliments of the Committee to the Chairman of the Committee on the Peaceful Uses of Outer Space; those compliments certainly apply also to the two Chairmen of the Sub-Committees -- Ambassador Wyzner and Professor Cowen of Australia.

Mr. JANKOWITSCH (Austria): Mr. Chairman, allow me this afternoon to address the Committee in my capacity as the representative of Austria, and later in my remarks I will introduce a draft resolution.

As this Committee is once again reviewing progress in international co-operation in outer space, and means to take it further, we are well aware that the process of the conquest of outer space continues unabatedly. Indeed, very few fields of modern technology have developed as rapidly over such a short period of years as the technology of what is very justly described as the space age.

International co-operation in this field has followed technical progress closely, even if not always simultaneous. This was all the more so because it soon became evident that any potential applications of space science and technology could only be beneficial if their inherently international character were recognized. The need for a fundamentally international approach towards the many questions and problems of outer space is nowadays generally recognized. There is also unanimity that the blessings of space technology must be made available to all nations and people and that, far from being a costly extravaganza of a few rich Powers, it has particular relevance for economic and social development.

The United Nations, as the most advanced and the most universal form of expression of humanity's interdependence and coherence known today, constitutes a natural organizational basis and framework to ensure that this world-wide spread of technology is carried out in such a way as to minimize potential dangers of friction among nations.

The complexity of the issues involved, of course, can only be met adequately if organizational solutions are sought. As is well known in this Committee, the Austrian delegation has consistently expressed the view that solutions sought exclusively or predominantly by means of a regulatory legal approach cannot lead to any optimal -- and in fact badly needed -- international use of technology. I will however, return to this point later.

(Mr. Jankowitsch, Austria)

Let me now say that year after year we have now witnessed new and sometimes dramatic successes in outer space, especially those of the growing number of space Powers, successes in space missions, in space research and in space applications. And this year was no exception.

We noted with great satisfaction and indeed admiration the success of the joint Apollo/Soyuz flight in July 1975, and we welcomed it not only as an outstanding scientific and technological achievement but also as an example of an advanced form of international co-operation in outer space symbolized by the joint manoeuvres in space, especially the docking manoeuvre, carried out by American astronauts and Soviet cosmonauts.

In this context the Austrian delegation warmly congratulates India for the remarkable achievements of having successfully orbited an experimental satellite.

Among the other notable events in space this year was the creation in Europe of a European Space Agency combining the efforts of a great number of advanced West European nations.

And future co-operative projects are already in sight; thus a new co-operative venture in space between the Soviet Union and the United States, involving the first flight of American scientific experiments on a Soviet spacecraft, is now set for launching in late November.

These, of course, are just a few of the outstanding space events of the past year, and the future projects in sight.

Space technology is also making progress in my own country, Austria. This is evidenced, inter alia, by the recent conclusion of an agreement between Sweden and Austria designed to further joint experiments and research programmes, as well as the exchange of information and scientists in the field of outer space technology.

I should now like, in the following remarks, to comment briefly on some aspects of the work of the Committee, and restrict myself, of course, to those areas which are of particular importance and relevance at the present time.

(Mr. Jankowitsch, Austria)

Thus let me comment first on a few aspects of the work of our Legal Sub-Committee, about which we have heard so ably from Mr. Wyzner, its Chairman, concerning one of its most important and significant areas of work, the elaboration of legal principles for direct television broadcasting.

Allow me to demonstrate the importance of this part of the work of the Committee by pointing out some of the benefits of this new technique, particularly in the field of education. Space communication systems devised for direct community reception can now be used flexibly for school broadcasts at all levels, for "open university" courses, for adult literacy, for training for teaching and other vocations and for programmes for adults on agriculture, health, family planning or similar development topics, and current affairs and cultural subjects. In this context the United Nations Educational, Scientific and Cultural Organization (UNESCO) has estimated that the cost of equipment for a truly global satellite educational system broadcasting radio and TV programmes to all countries would be in the region of \$1 per pupil per year. Such a system could eventually be developed to allow thousands of programmes to be broadcast simultaneously on different frequencies so that any individual could select the subject and level of his choice.

Space communications now also offer the possibility of world-wide television reporting that can both increase and help to equalize the flow of information in developed and developing countries.

Likewise, in the cultural field, television via satellite will facilitate the exchange of programmes which will enhance the enjoyment and the mutual appreciation of the cultures of all nations.

The use of satellites for the transmission of scientific data would prove to be one of the very fruitful applications of space technology.

As the use of satellites eliminates the need for the development of a large communication infrastructure - such as microwave links or cables, broadcasting and repeating stations and video-tape libraries -- it is expected that it will prove to be the most economical way to distribute educational and cultural messages over large areas. Satellites make it possible to reach rapidly the rural communities, or the areas of low population density, where the educational and cultural problem is most acute.

(Mr. Jankowitsch, Austria)

The technology of education by satellite is, of course, in the developmental phase only. The first experiments have already taken place, as we have heard, in India and parts of the United States. The International Telecommunication Union (ITU), acting as the executing agency of the United Nations Development Programme (UNDP) is continuing to make a significant contribution in terms of expertise and specialized components to the Indian project, for one. In Latin America nine countries have approved the plan of operations for a feasibility study of a regional system of education using modern communication media, again with the assistance of UNESCO and ITU.

Like many other delegations, we believe that the approach to such an important and many-sided new technology in broadcasting can only be a co-operative one and that its rapid development makes it urgent for us to find the middle ground between the various concepts existing as to its application and development. We have, in this respect, listened with great interest to the proposals made earlier in our debate, such as the proposals made this morning by the representative of the United States. Difficult as the field before us may still seem, we are encouraged by the progress achieved by the Legal Sub-Committee this year and my delegation wishes to congratulate its Chairman as well as the Chairman of Working Group II on their achievements.

Now a few words on remote sensing: this was a second area of major concern to the Legal Sub-Committee and it is a technique no less revolutionary than direct broadcasting satellites.

Remote sensing of the earth from space is said to be a logical development in the state of the art which began, according to some experts, in 1858 when a Frenchman decided to take pictures of the suburbs of Paris from a balloon. This development has been so rapid in the past few years that it can now be safely assumed that satellites will rapidly become an indispensable tool for planners in organizing activities of the most various kinds on a world-wide basis. Let me give you just one example.

The impoverishment of our natural resources has become a global problem of the greatest urgency. Today, with the exception of the ocean bed, there are no longer new lands of our own planet to discover and to explore. We can only

(Mr. Jankowitsch, Austria)

rediscover and re-explore what we now have and we can only attempt to manage to a fuller or more beneficial degree whatever resources still remain. Remote sensing from space appears to be one of the most promising techniques in this rediscovery and re-exploration of our planet.

Thus, space programmes in the latter 1970s and in the 1980s can make a most significant contribution not only to the interests of some of the major economic Powers but to the world at large.

As in the area of national security, we observe today that in some key commodities, be they energy, food, resources or industrial goods, monopolies of information can damage relations between economic systems and nations, causing among other things profound disturbances in world markets.

Research undertaken is beginning to show some of the far-reaching possibilities of space programmes in more equal distribution of information. The creation of better information and the possibility of objectively measuring resources or crops from space in the context of a world-wide information system is a prospect perhaps ambitious but certainly worth while looking into. Obviously any system contributing to more public information in world trade and international economic relations generally will have significant and profound effects.

We are convinced, for this and many other reasons, that it would be most damaging for all of us if, for reasons other than the purely technical, we were not able to arrive sooner or later at an operational remote sensing satellite system which would fully serve the needs of the international community.

But let us not underestimate the problems involved and, perhaps as important, the underlying facts which have clearly emerged. One of them is that the technically and economically advanced countries cannot continue to assume that their own interpretations of the peaceful uses of outer space and its benefits for all are necessarily shared by all the countries of the world. On the other hand, more countries will have to make efforts to participate in this field of activity if they wish to take part in the decision-making process regarding the pace and direction of specific aspects of outer-space research. However, decisions must be reached by a truly joint effort.

(Mr. Jankowitsch, Austria)

From these remarks it follows that the tasks of the Outer Space Committee in dealing with remote sensing are urgent and manifold.

Whereas the Scientific and Technical Sub-Committee, so ably led by Mr. Carver of Australia, will have to pursue studies and consider practical steps on technical problems and an increasingly integrated approach to the question, the Legal Sub-Committee will continue its detailed consideration of the legal implications of remote sensing and its many facets.

We fully agree with the view, already expressed here by the delegation of Sweden among others, that an international régime based on respect for the legitimate interests of States must strike a balance between the necessity for States to have access to data covering their own territory and efforts to prevent any abuse of such data by others.

It seems obvious, however, that the technical and organizational possibilities and requirements constitute an important prerequisite when considering the kind of legal solutions which emanate from our discussion so far. Any legal framework should only be considered an answer to existing legal problems and never an impediment to the optimal use of available technology.

In discussing these few questions I have not forgotten other important legal problems before the Committee, such as the completion -- now more urgent than before -- of the draft treaty on the Moon and other celestial bodies, which remains one of the outstanding tasks.

I have already had occasion at this year's session of the Outer Space Committee to discuss some radically new prospects in the application of space technology.

Within the past year, a new dimension of our thrust into space has become the object of public discussion. It is called space colonization, or the development of space manufacturing facilities. The central idea of space colonization is to establish a highly industrialized, self-maintaining human community in free space, at a location along the orbit of the Moon where free solar energy is available full-time. Costs are to be reduced greatly by obtaining nearly all the construction material from the surface of the Moon. At the space community lunar surface, raw materials would be processed into metals, ceramics, glass and oxygen for the construction of both additional communities and products such as satellite solar-power stations.



(Mr. Jankowitsch, Austria)

Such colonies -- if we can follow the flights of creative imagination of their inventors -- could also relieve the earth of further exploitation and open up, at last, another new frontier for man.

But it is not necessary -- though it is also quite useful sometimes -- to remain on the good island Utopia for too long. Over the past few years the international community has suddenly and painfully become aware of the fact that many of our conventional sources of energy no longer appear inexhaustible and that some of them will be depleted very soon indeed. In our search for new sources of energy, solar heat commands increasing attention. Its advantages are obvious: it could potentially fill many of our energy demands for decades and perhaps centuries; it is renewable, and it is much more evenly distributed on the earth than any other source of energy which can be exploited with today's technology. The application of existing space technology to the tapping of solar energy thus appears as a new field where a co-operative effort within the United Nations could assure the proper mechanisms by which sophisticated technological know-how could be channelled also to those technologically less advanced countries whose energy requirements could best be met by this new source of energy. By way of an example, I would in this connexion like to point to one practical application of remote sensing that was discussed recently at a scientific conference. It has been found that remote-sensing satellites represent the most efficient instrument to relay information on the amount of solar energy reaching any given point on the surface of the earth, thereby facilitating decisions as to where solar power stations could best be built.

Let me now briefly turn to the programme on space applications as set out in paragraphs 35 to 43 of the report of our Committee. I think it is well known -- indeed, my delegation has repeatedly stressed this in past years -- that we attach the greatest importance to this programme. My delegation wishes at this point to express its deep appreciation to the expert on space applications, Mr. Murthy of India, who, within the very limited means at his disposal, has done such an excellent job. We hope that the Outer Space Committee will be able to benefit from his expertise in the future also.

The programme should, of course, be continuously reviewed so as to adapt itself to the changing needs and requirements of the developing countries, as well

(Mr. Jankowitsch, Austria)

as to expand in order to widen the still relatively limited impact achieved in creating an awareness of the potential of space technology.

As the Committee is aware, the programme on space applications began several years ago on a quite modest scale. Despite growing demand, it is still modest in scope. Nevertheless we feel that, through the combined efforts of the expert, the Outer Space Committee and the specialized agencies, the programme has been put to good use.

In this connexion let me mention that Austria expects to be able to provide two fellowships for special studies in areas related to space applications to students from developing countries as of autumn next year at the Institute for Communications and Wave Propagation of the Technical University of Graz.

It might be appropriate at this stage to say a few words about the necessity of co-ordination, a problem we encounter repeatedly in this Committee. My delegation has repeatedly stressed that we think this a most important point. We deem it indispensable that the specialized agencies co-ordinate their activities with those of the United Nations. Co-ordination should be not only an exchange of information; it should be a process of give-and-take. If one partner has much more to offer than the other, the process of co-ordination will perhaps never function as perfectly as it should, but we should still try again and again.

The very complexity of the current task of the Outer Space Committee, and, even more so, its possible future objectives, lend some urgency, we believe, to the need to consider the adequacy of the existing mechanism to deal with these issues.

So as to achieve economic use of space information, for instance, the active co-operation of all regions is required. Bringing about such active co-operation, however, is a tremendously difficult process. An issue as simple as the on-site inspection of nuclear plants to provide against the misuse of nuclear fuels took many years of resolution and is still an area requiring additional thought and improvement.

The gathering of needed ground information, so important in the evaluation of Land-Sat investigations, requires co-operation which, to my knowledge, is available for a very few programmes only.

(Mr. Jankowitsch, Austria)

Obviously, then, the appropriate institutional framework in which space information is gathered, processed and released for world-wide use presents a difficult task. It requires, among other things, an understanding of, first, the technologies involved, not just of space systems; secondly, the processing of the data; thirdly, agricultural calendars and practices; as well as, fourthly, world commodity markets.

The economic issues for which information ought to be gathered, processed and distributed are probably as complex and difficult to judge.

(Mr. Jankowitsch, Austria)

And, finally, in this respect we are also moving into new areas of international law which require a spirit of co-operation and common understanding as to the extent to which the information concerning a nation's resources is proprietary, and the extent to which information on natural resources of any nation in a true sense should be a public good, known to everybody, worldwide. These are some of the questions we shall have to address.

Perhaps then it is time to reassess, with these global aspects in mind, our experience since the space age began, to determine whether new forms of international machinery should be constructed to deal with this new area of man's activity.

A first step in such a direction might be a comprehensive assessment of the role of the Outer Space Committee, and of the United Nations family in general, in space-related matters. This assessment must, in our view, have as its primary goal the achievement of a broad understanding on how to shape the activities of the United Nations in space matters in the years ahead, and it could and it should lead, within this decade, to the organization and the holding of a second United Nations conference on space.

The objectives of such a conference should be twofold: first, a comprehensive demonstration of the state of art in space technology especially in the areas of remote sensing, space communications, direct-broadcast satellites and so on, together with a broad review of the involvement of the United Nations, the specialized agencies and international governmental and non-governmental organizations and entities in space matters.

Secondly, and even more important, is the establishment of broad guidelines and recommendations for the work of the United Nations and the international community as a whole during the coming decade. But the conference could perhaps also lay the groundwork for the creation in the future of new mechanisms of the United Nations for space matters.

(Mr. Jankowitsch, Austria)

It would seem obvious to my delegation that none of these ambitious objectives could be adequately pursued if the conference were to be held in conjunction with the proposed conference on science and technology. Rather, we will have to devote attention to a careful preparation of a United Nations conference devoted only to space matters, which, in our opinion, should be held before 1980.

Permit me now, on behalf of more than 30 co-sponsors, to introduce the draft resolution contained in document A/C.1/L.712 which has been circulated to members of this Committee. This draft resolution is the result of long consultations among members of the Outer Space Committee, and although some provisions might not be universally satisfactory, I am glad to say that the draft has received wide support among members of the Committee.

I should like in this connexion to express the sincere gratitude and appreciation of the Austrian delegation to all those who have participated so patiently in the drafting process and contributed substantially to its result.

The draft resolution before us differs in some ways from resolutions on outer space matters of previous years. For the sake of comprehensibility, clarity and precision, the co-sponsors have substituted some of the lengthy wording of previous resolutions on outer space matters by references to the report of the Committee, contained in document A/10022, and by summarizing others.

Let me first turn to the preambular paragraphs. The penultimate preambular paragraph draws attention to the important international co-operative efforts of the past year, some of which I have mentioned before in this statement.

The last preambular paragraph makes mention of the World Administrative Radio Conference for the Planning of the Broadcasting Satellite Service to be held by the International Telecommunication Union in January 1977. As expressed earlier by some of the speakers in this debate, there is recognition of the interrelationship between the work of this Conference and the current work of the Outer Space Committee on direct television broadcasting by satellites.

(Mr. Jankowitsch, Austria)

Turning now to the operative paragraphs, in operative paragraph 1 we endorse the report of the Committee. This naturally comprises endorsement of all the recommendations contained therein, be they specifically mentioned in this resolution or not.

Paragraphs 3 and 4 deal with the work of the Legal Sub-Committee, noting the progress achieved during last year's session and commending specifically the work to be pursued with high priority by this body at its next year's session.

Paragraphs 5 to 14 relate to the work of the Scientific and Technical Sub-Committee. The question of remote sensing of the earth from space is dealt with in paragraphs 5, 6 and 7. Paragraphs 10 to 14 reflect some of the major points in connexion with the practical applications of space technology.

In paragraph 15 we take note of suggestions made concerning solar energy and the possible future role of the Committee in this context.

In paragraph 16 we request the Outer Space Committee to continue its work accordingly.

In commending this draft to this Committee, may I express the hope, on behalf of the co-sponsors, that it will receive the unanimous support of members present.

The CHAIRMAN: I thank the representative of Austria for his statement and for his presentation of the draft resolution.

The next speaker on my list is the Ambassador of Mauritius, Ambassador Ramphul who, as we all know, has chaired this Committee in the past, and for whom we keep a very warm souvenir for his able leadership of our work.

Mr. RAMPHUL (Mauritius)(interpretation from French): Mr. Chairman, first of all, I would like to thank you for your kindness.

(Mr. Ramphul, Mauritius)

(continued in English)

Mr. Chairman, I shall refrain from making complimentary remarks regarding you, Sir, and members of Committee at this stage. But I feel I ought to pay a special tribute to the Secretariat members of the Outer Space Affairs Division for their remarkably good work under difficult circumstances and conditions in this highly specialized field.

The members of the Committee itself continue, of course, to deserve our admiration. I congratulate my colleague and friend, Ambassador Peter Jankowitsch of Austria, and Chairman of the Outer Space Committee, for introducing the so-called omnibus draft resolution contained in document A/C.1/L.712 on behalf of the co-sponsors. I believe this is a non-controversial draft which will surely be adopted unanimously, especially if it is slightly improved in the interests of the developing countries.

In this respect, I formally move the following amendment which I feel sure will not cause any controversy. I propose that immediately after operative paragraph 6 of the draft a new sub-paragraph, that is, paragraph 7 (a), be introduced, which would read as follows:

"Recommends, in view of the increased burden of activity placed upon the Secretariat in responding to requests for studies, reports, surveys, experimental practical programmes, as well as an increased role in ensuring more effective interagency co-ordination, that the Outer Space Affairs Division of the United Nations Secretariat be strengthened."

Thus, the present paragraph 7 will become paragraph 7 (b).

(Mr. Ramphul, Mauritius)

I shall submit a copy of the draft amendment to the Secretariat in a moment. I hope that I am not causing any controversy and that this amendment will meet with the approval of the sponsors of the draft resolutions of which we are seized.

The CHAIRMAN: I thank the Ambassador of Mauritius for his statement. The amendment will be issued, and I should like to suggest that the representative of Mauritius consult Mr. Jankowitsch about it.

Mr. RAMPHUL (Mauritius): I have consulted the representative of Austria; of course, he will have to consult the other sponsors.

Mr. SINGH (India): Mr. Chairman, it is with great pleasure that I join other representatives who have spoken before me in congratulating you most warmly on your election as the Chairman of this Committee. Your election is a tribute to your country as well as the high reputation you enjoy in international circles as a diplomat with wide experience. I am confident that under your leadership this Committee will be able to achieve meaningful and constructive results. My delegation would like to assure you and other officers of the Committee of its full co-operation in the conduct of the work of the Committee.

May I also congratulate Ambassador Jankowitsch of Austria, Chairman of the Outer Space Committee, for his very lucid presentation of the report. The Outer Space Committee has continued to benefit a great deal from his varied experience and wisdom.

(Mr. Singh, India)

For a developing country like India, with its vast area and large population, space research is not a mere scientific exercise in sophisticated technology, but can have a great impact on the economic, social and cultural progress of our people. The principal objective of our space programme is to exploit space technology for peaceful purposes in the furtherance of national development in the fields of agriculture, weather forecasting, telecommunications, hydrology and meteorology. Our emphasis is, therefore, on practical applications of space technology for remote sensing of our natural resources, television broadcasting for educational purposes and telecommunications. We are trying to achieve these objectives with the maximum degree of self-reliance.

The programme and activities undertaken by our Indian Space Research Organisation (ISRO) may be divided into three broad areas, namely space technology, space applications and space sciences. The Vikram Sarabhai Space Centre in Trivandrum is engaged in research and development work in space technology. In the field of rocketry, the Centre has two main programmes, namely the Satellite Launch Vehicle Project and the Sounding Rocket Programme. While the first one is developing a four-stage solid propellant rocket launcher for placing a 40 kg. satellite payload into a 400 km. circular earth orbit, the second one -- that is, the Sounding Rocket Programme -- is concerned with the development of smaller rockets for researches into the upper atmosphere and ionosphere. During the last year considerable progress has been made in both these projects. The Sriharikota range in Andhra Pradesh is being developed as a satellite launching station with facilities for tracking, telemetry and data acquisition.

In the field of space applications, my Government is concentrating on satellite communications, remote sensing of natural resources, and satellite-based meteorology. Since agriculture is the most vital sector of our economy, the highest priority has been given to agricultural remote sensing. Resources inventory survey experiments, employing

(Mr. Singh, India)

aerial remote sensing techniques to assess the crops and other natural resources, have already been carried out in some parts of our country and encouraging results have been obtained. The Space Applications Centre in Ahmedabad has been responsible for developing and executing these practical applications.

We have followed an active programme for various researches in space sciences; our main programmes consist of ground-based as well as satellite studies in areas such as aeronomy, cosmic rays and solar radio astronomy and plasma physics.

While on the subject of our space programme, I should like to refer to the launching of our first artificial earth satellite on 19 April 1975 with the assistance provided by the Government of the USSR. This satellite was wholly designed and fabricated by Indian engineers and was launched by a Soviet rocket carrier from a Soviet Cosmodrome. The satellite has been transmitting useful data which are being continuously analysed, and they will form vital inputs for future Indian satellite missions in the areas of space applications. It is a matter of satisfaction to our Government and people that this experiment has enabled us to master the technology of design and fabrication of a space-worthy satellite, and to be able to transmit complicated data from the satellite to the ground, and to receive and process them, and to command the satellite from the ground and to perform essential functions on it. The Indian Space Research Organisation is planning to launch our second satellite during 1977-1978 for the purpose of earth observation experiments in India.

I am also happy to state that the Satellite Instructional Television Experiment (SITE), with the assistance provided by the Government of the United States, has been operational since 1 August 1975. While the Satellite ATS.6 was provided by the Government of the United States, the direct receiving sets are of completely indigenous design, manufactured by the Electronic Corporation of India.

(Mr. Singh, India)

The SITE operations are being conducted in six Indian States, and each State has a cluster of 400 direct reception sets. The instructional objectives of this experiment are mainly in the areas of agriculture, family planning, national integration, education and cultural programmes.

The experiment, which will be the largest of its kind, will make available to our people in the villages a very powerful mass medium of communication. It will provide us with valuable experience in the use of satellite communications for educational purposes and enable us to carry out a number of other experiments in this field.

(Mr. Singh, India)

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In this connexion, the Government of India is arranging, with the assistance of the United Nations Expert on Space Applications, for a group of about 15 representatives of developing countries to visit India in order to obtain first-hand information regarding various aspects of this experiment.

India has space collaboration arrangements also with France, the Federal Republic of Germany and the United Kingdom. A number of our engineers and scientists have received training in France and, under the terms of an agreement, the Indian Space Research Organisation (ISRO) will fabricate and supply certain items needed for the French space programme. Similarly, as many as 23 of our scientists have received training in the West German Space Agency. The collaboration with the United Kingdom has been in the joint venture for launching rockets from the Thumba rocket-launching station for the study of the upper atmosphere.

I should like to take this opportunity to place on record our grateful appreciation for the assistance received from the space agencies of all the countries I have earlier mentioned. We are also grateful to the United Nations for its continued sponsorship of the Thumba Equatorial Rocket-Launching Station.

Turning to the report of the Committee on the Peaceful Uses of Outer Space, my delegation feels that both the Legal Sub-Committee and the Scientific and Technical Sub-Committee have made some progress in the tasks assigned to them and I should like to congratulate Mr. Wyzner of Poland, the Chairman of the Legal Sub-Committee, and Professor Carvar, the Chairman of the Scientific and Technical Sub-Committee, on their achievements. The issues before both the Sub-Committees are of a very complex nature and progress made during the year has necessarily been slow.

The most complicated issue before the Legal Sub-Committee is the treaty relating to the Moon. No consensus has been reached with regard to any of the basic questions such as the natural resources of the Moon, information to be furnished on missions to the Moon and the scope of the treaty. The Indian delegation is of the view that a satisfactory solution of the question relating to the natural resources of the Moon would have to take into account the fundamental principle that the Moon and other celestial bodies are beyond the

(Mr. Singh, India)

limits of national jurisdiction and hence are part of the common heritage of mankind. My delegation is not against any scientific research and development efforts, but would like to reiterate its conviction that the exploration of the Moon's resources should be undertaken only in accordance with a universally recognized international régime, and should be open to participation by all States. The Legal Sub-Committee has rightly agreed to give this subject a very high priority.

My delegation is happy to note that some progress has been made in drafting the principles governing the use by States of artificial earth satellites for direct television broadcasting. However, there is no consensus yet with regard to any of the controversial issues, such as those relating to prior consent, programme content and so on. The positions of various delegations are still quite far apart. It seems to my delegation that a serious and determined effort should be made on all sides to explore possible ways of reconciling conflicting positions and to work out generally acceptable formulations. With this end in view, my delegation had suggested that a joint drafting group consisting of the Working Group on Direct Broadcast Satellites and the Legal Sub-Committee might meet to discuss the subject. Since it was not possible to convene such a joint meeting, we would reiterate the need for informal consultations between interested delegations before the next session of the Legal Sub-Committee.

The question of the legal implications of remote sensing of the earth from space is also one of great urgency. Remote sensing can contribute very significantly to national development of the developing countries. However, its technology is such that its activities cannot be confined to national frontiers. My delegation is of the view that efforts should be made to ensure that a country engaged in remote sensing activities is precluded from misusing the information collected to the detriment of another country. At the same time, the legal framework established should not contain so many restraints as to make remote sensing activities at the national, international and bilateral levels difficult. The Legal Sub-Committee took up substantive consideration of this issue for the first time at its last session. The fact

(Mr. Singh, India)

that it was able to identify several important common elements in various proposals, as contained in paragraph 22 of the report of the Committee on the Peaceful Uses of Outer Space augurs well for the work of the Legal Sub-Committee in this area next year.

My delegation is of the view that the United Nations has a vital role to play by providing a focal point for international co-operation in the peaceful exploration and uses of outer space. Unfortunately, the United Nations Programme on Space Applications, though ably led by the Expert, Mr. Murthy, continues to be extremely weak, largely owing to financial constraints. My delegation would like to reiterate the necessity of enlarging it as regards both its content and its scope. Last year the Committee had taken the trouble of sending out a questionnaire to ascertain the needs of developing countries. On the basis of the replies received it should be possible to work out a long-term plan. There is also need for ensuring better co-ordination of the activities of the United Nations and various specialized agencies in order to increase the effectiveness of progress in the area of space applications.

In conclusion, may I say that the technology in the field of outer space has been developing at a rapid pace. Unless we take concrete and expeditious steps to settle our differences of approach in a spirit of creative harmony we are likely to be overtaken by events.

The CHAIRMAN: I wish to express to the Foreign Secretary of India my deep appreciation of his kind remarks about me and the other officers of the Committee as well as his reference to my country.

I should like to announce that the Netherlands, Luxembourg, Denmark, Ireland, Nigeria and Egypt have become sponsors of the draft resolution introduced by the representative of Austria.

Mr. ELIAS (Spain) (interpretation from Spanish): Mr. Chairman, my delegation is preparing to participate in the important work of this Political Committee in the confidence that this year we shall make appreciable progress under the prudent and wise guidance of which your well-known personal

(Mr. Elias, Spain)

and professional qualities are a guarantee, as are also those of the Vice-Chairmen and Rapporteur, Baron von Wechmar, Mr. Mikanagu and Mr. Arteaga Acosta.

In the past 12 months Spain has continued and intensified the space activities which it has been carrying out for more than a decade, primarily through the National Institute for Aerospace Technology, and which include both national and international activities. We should like to mention particularly the launching on 15 November 1974 of the Spanish INTASAT satellite for scientific and technological experiments. The launching took place from the United States Vandenberg base in California at the same time as two United States satellites. The INTASAT satellite was built and assembled entirely in Spain by Spanish industry.

(Mr. Elías, Spain)

Its task is to carry out measurements of the electro-dynamic characteristics of the ionosphere and to investigate the effects of space radiation on advanced electronic components. As well as Spanish technical experts, experts from other countries are taking part in the analysis of the data gathered.

Among other space activities on the sub-orbital level we should like to highlight the launching from the Spanish base of Arenosillo of a series of sounding rockets of Spanish and foreign manufacture, to carry out experiments in multispectral astronomy, in co-operation with the University of Tubingen and the Max Plank Institute. We have also been continuing our activities in support of the orbital and sub-orbital missions of other countries, the United States, Canada and France, and of ESRO, from tracking stations in Las Palmas, Canary Islands and the Madrid complex, which form part of the Deep Space Network and the Spaceflight Tracking and Data Network of the United States.

Finally, in the area of fundamental research I should like to highlight the work being done on space technology in the fields of propulsion, structures and aerodynamics, and also in orbital engineering. We have constructed the INTA-300 sounding rocket, a high output rocket -- 50 kilogrammes of payload at an altitude of 300 kilometres. This complex of activities demonstrates the interest of Spanish scientists and the Spanish Government in this new technology and the Government's decision to continue to participate, both bilaterally and multilaterally, in the advances and applications which it makes possible for the benefit of the whole of mankind.

My delegation has carefully studied the report of the Committee on the Peaceful Uses of Outer Space (A/10020), submitted to us by the Committee's Chairman, Ambassador Jankowitsch of Austria, who is conducting the work of that body with such skill. It seems to us that this year the Committee has done useful and praiseworthy work in this important field, which has such prospects for the future. Although the progress achieved may seem slow, especially compared with the rate of improvement of science and technology in this field, account should be taken of the great difficulties which result precisely from the fact of that acceleration, which is taking us towards frontiers so remote that we do not even know if previous principles -- or even prevailing principles -- of international law can continue to be applied with any validity.



(Mr. Elías, Spain)

It should be recalled that upon the discovery of America, then known as the New World, the problems resulting from the application of principles such as those of political authority, land ownership, slavery and relations among people from different nations, were such that the attempt to solve them gave rise to a new code of international law. We do not yet know in what way, and to what extent, that four-centuries-old international law will be able to regulate the progress of the conquest of space at present being undertaken by man. That understandably slow pace is to be noted in the work on a draft treaty on the Moon, where the Committee has had to confine itself to recommending an examination of two articles on natural resources with a view to a possible compromise between apparently divergent points of view. It is possible that the treaty on the Moon may have to wait still for some time, although the Committee is continuing to assign priority to that subject.

However, we believe the second item in the report is more urgent -- the item relating to direct satellite television broadcasting, where the mandate of the relevant Sub-Committee and the working group was to produce a text of principles. In this connexion I understand that the Legal Sub-Committee has achieved complete agreement on the principles relating to the responsibility of States and the settlement of disputes, and that a consensus has been reached on three other principles: the applicability of international law, rights of States and co-operation among States. We note also that progress has been made towards a consensus with regard to reconciling the consent of the receiving State with the principle of freedom of information. We hope that such a consensus can be achieved, but it does not seem that it will be easy of achievement outside the general context of rules of international conduct and relations of co-existence among States.

In this connexion I listened with special interest to what was said on 10 October by the Chairman of the Working Group, Ambassador Rydbeck of Sweden, with regard to the draft principles submitted by Canada and Sweden, the purport of which was that co-operation was necessary between the launching and receiving States and that in the absence of such co-operation certain safeguard rules would be necessary to protect the sovereign rights of each State to control systems of mass communication inside its own territory and its territorial space.

(Mr. Elías, Spain)

Radio broadcasts have for years been used as means of political propaganda and counter-propaganda, and against those the receiving State could only defend itself by transmitting interference signals in order to jam the relevant wavelength. Obviously international regulation was needed here, and we are very pleased that the United Nations, through its appropriate bodies, has done something -- on this occasion in good time -- in order to establish regulations in the case of satellite television broadcasting before technology has made possible the premature use and abuse of this means of communication, which, if it is properly used, could be a powerful instrument for education and the circulation of ideas on a universal scale. This example serves also to illustrate the need, along with the technical and legal studies which are within the competence of the two sub-committees of the Outer Space Committee, for the Committee and the General Assembly of the United Nations to try to bring space activities within the ambit of the prevailing principles of a political nature, such as those regulating peaceful coexistence, international security and even disarmament. I must say frankly that my delegation notes a certain institutional shortcoming in this connexion. That is certainly not the fault of the members of the Committee or of their worthy and competent representatives but rather the fault of the direction which those activities have taken within the United Nations, a direction which appears to ignore the political aspects of space problems and to focus exclusively on their technical and legal aspects.

(Mr. Elías, Spain)

My delegation has already had occasion to point out this need in connexion with another of the priority items on the Committee's agenda, that of remote sensing of the earth, which, apart from its undeniable importance with regard to the sensing of the earth's natural resources, the prevention of disaster and other economic and social activities, has possibilities of military application which are so clear and so serious in regard to the maintenance of the balance of power that it would not be prudent to continue to consider this subject as being within the exclusive competence of technical bodies, whether scientific or juridical.

My delegation believes that the Committee, and other organs of the United Nations which are more open to the general participation of Member States, should give more attention to the political considerations underlying the problems deriving from space technology. At the twenty-ninth session of the General Assembly, Spain and five other countries expressed their desire that the restructuring of the Committee be considered so that States which have a particular interest in this kind of activity could usefully combine their efforts. We think it is wrong to maintain the structural rigidity and composition at present prevailing in the Committee on the Peaceful Uses of Outer Space because too much caution is not always a good thing, nor does the application of restrictive and exclusive criteria necessarily yield better results than greater freedom to consider ideas. For these reasons we consider that the idea of a future United Nations conference on space activities is particularly interesting, as is that of a possible new specialized agency. The report before us, in paragraph 51, commends the idea of such a conference for the consideration of the Scientific and Technical Sub-Committee, taking into account the opinions of States contained in their replies to the Secretary-General and in statements made in the Sub-Committee, the Committee itself and the General Assembly.

My delegation is definitely in favour of the conference, and we believe that the debate in this First Committee should be broad enough to include all the different opinions on this subject. In this regard, and with the

(Mr. Elías, Spain)

consent of the representative of Austria, I should like to quote what the Austrian representative, Mr. Christiani, said at the 146th meeting of the Committee on 11 June 1975, because I believe it was particularly well expressed and relevant to this point:

"While there are differences of opinion on this subject amongst delegations, one conclusion seems to emerge readily: we seem to agree that a decision in principle to hold such a conference should be taken only after the objectives and the scope of such a conference have been clearly defined." (A/AC.105/PV.146, p. 68-70)

These objectives -- again according to Mr. Christiani -- will include the establishment of broad guidelines for activities of the international community in the next few years, including preparatory work for the creation in the future of a new United Nations specialized agency dealing with space. Further, the Austrian representative said:

"... the question of convening a United Nations conference on space should be a separate item on the agenda of the main Committee. We feel that, because of its broader impact, that question should be taken out of the agenda of the Scientific and Technical Sub-Committee." (*ibid.*, p. 71)

My delegation agrees that the possibility of holding a conference on outer space, no matter what ideas we may have about it, does not seem appropriate for inclusion in the agenda of a sub-committee on scientific and technical aspects. I do not want to dwell on this point now but I await with interest what other delegates may wish to say about it, and I reserve my right to express our ideas in greater detail if the subsequent course of the debate so requires.

With that sole reservation, my delegation is ready to agree to any draft resolution which, as is the case with that submitted to us today in document A/C.1/L.714, reflects the decisions and considerations set out in the report of the Committee which is before us.

The CHAIRMAN: I thank the representative of Spain for his congratulations to me and to the officers of the Committee.

Mr. HUERTA (Chile) (interpretation from Spanish): Mr. Chairman, this Committee is starting its substantive work under the best auspices, that is, under experienced and able direction which has been proved in many years of fruitful work by your country and by you in the United Nations.

Outer space is one of the spheres in which our Organization has achieved considerable progress and has made an important contribution to mankind. The series of legal standards which originated in the activities of the Committee on the Peaceful Uses of Outer Space is fully in accordance with the mandate of the Charter of our Organization to promote co-operation among nations and to contribute to the progressive development and codification of international law. In this field, as in that of the law of the sea, which for many years was a matter for this Committee and which today is being dealt with by a major conference, is being created a corpus juris for dealing with the changing realities of history and regulating the conquest of the new frontiers of space.

The conquest of space, which has been an overwhelming experience for mankind, has been developing over the past 15 years, in conjunction with the fruitful life of the Committee presided over in such an able manner by Mr. Peter Jankowitsch. Reality and standards, science and jurists, have gone forward together and have made possible an orderly and peaceful development of the presence of man in space.

The task carried out, particularly in the legal sphere, is most significant. 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, Return of Astronauts and the Return of Objects Launched into Outer Space; the Convention on International Liability for Damage Caused by Space Objects; and the Convention on Registration of Objects Launched into Outer Space constitute a significant body of law. This year we have noted some progress on the draft treaty relating to the Moon, on direct broadcast satellites and on remote sensing from satellites, although it seems that there has not been the political will which would make it possible to forecast for this area the consensus obtained a long time ago in similar fields.

None the less, much remains to be done. The régime covered by the basic instrument provided by the international community -- the Treaty on the Principles applicable to outer space -- is of a very general nature and obviously corresponds to an exploratory stage in space activity and technology. New developments require a comprehensive international régime and the first step should be a treaty relating to the Moon and other celestial bodies, but its content should be broader and applicable to the whole of outer space, duly delimited, as well as to all its uses and resources.

To the extent that man enters space, discovers its mysteries and is able to apply the prodigious technology of our time to make it usable, the need becomes imperative to arrive at internationally agreed standards. This task should be easier than the preparation of the new international economic order, which was dealt with at the recent seventh special session of the General Assembly, at which the general willingness to give practical shape to international co-operation and solidarity was clear. The interests acquired in outer space, where there can be no form whatsoever of appropriation and where man's activity is very recent, are obviously not so great and international solutions much easier to find. However, that does not mean it is any less urgent to arrive at universal agreements to prevent conflicts and attempts to colonize the immense area with which we are dealing. The increasing use of satellites as means of broadcasting and communicating, the progress made in geographical knowledge, the detection of resources, meteorology, the possible forecasting of earthquakes and the fight against pollution; the enormous possibilities inherent

(Mr. Huerta, Chile)

in the resources of celestial bodies, and particularly solar energy, which could provide a solution to one of the major problems of today's world; all these are inescapable reasons for achieving the political agreements which will make possible the orderly development of man's activity in this important sphere.

A comparison has been made between the régime for outer space and that for the extra-jurisdictional sea-bed and ocean floor, which are the two new frontiers of progress, and weighty reasons have been invoked for this. In both cases man is now entering hitherto inaccessible domains which have no owner and which are the heritage of mankind. Progress in the Outer Space Committee at the outset exerted an influence on the elaboration of principles for the sea-bed and the ocean floor. The agreements achieved in that area should now serve as guidelines for the important task that we still have to carry out. In the case of the sea-bed and the ocean floor beyond national jurisdiction, the international community has decided that that area and its resources are the common heritage of mankind and that in order to give shape and effectiveness to that principle an international régime and machinery should be worked out and expressed through a convention of universal character.

What prevents outer space and its resources being declared the common heritage of mankind, and this being expressed in an international régime? Why should there be greater difficulty in agreeing on this for outer space than for the sea-bed and the ocean floor, since it is obvious that man's activity is greater and more complex in the oceans?

Some steps were taken towards that when, in the basic Treaty on space, we prohibited its appropriation and that of its resources and it was decided that its utilization should benefit all mankind. Some may perhaps fear that other agreed principles, and particularly the so-called freedoms of space, might be affected. In truth, no one disputes or wishes to dispute the right of all States to develop space activities, freedom of communication in space, or the right of access to exploration and utilization on an equal footing. Basically, it is a question of the administration of the resources of an area which is the heritage of mankind and the utilization of such resources, which also should be carried out to benefit all States, particularly developing States. The just equation should be similar to the one arrived at in the law of the sea,

(Mr. Huerta, Chile)

where the international solution envisages the growing participation of developing countries in the resources, since the statute of freedoms, which particularly favours industrialized countries, remains unchanged in connexion with international communication and related activities.

The problem of the management and disposal of resources is precisely what has paralysed work on the draft treaty relating to the Moon. Whether its resources are or are not the common heritage of mankind and whether that statute should or should not apply to other celestial bodies which day by day seem to come nearer to man's field of action -- these are in fact the questions which this year, as in previous years, make it impossible for us to put a draft treaty before the General Assembly. If it were possible to arrive at a consensus -- as was previously the case with regard to the sea-bed -- on the extension to the economic aspect of outer space of the concept of common heritage, expressed in an international régime, the future work of the Outer Space Committee would make enormous progress.

This declaration of common heritage obviously requires the political will to accept the just demand of the developing countries and to give shape to the idea which served as an inspiration for the early work of this Organization in the field of space. In addition, this would be less difficult for the industrialized countries than was the action in connexion with the sea-bed and the ocean floor taken by them during the twenty-fifth anniversary session of the Assembly in 1970.

The other major problem which, together with the régime, is an impediment to the progressive development of space law is the lack of a definition of the scope of national jurisdiction. This question is related, in the first place, to the delimitation of air space and outer space, which would mark the boundaries of national sovereignty over the territory and the territorial sea of States.

(Mr. Huerta, Chile)

This is also connected with activities carried on from satellites over the territory or maritime areas of States, with regard both to resources and to broadcasts and other interests directly linked to sovereignty. The real importance of this question -- which also has come up before the Third Conference of the United Nations on the Law of the Sea -- is evident, as is also the need to find an equitable solution which, without discouraging development and progress in spatial matters, will adequately safeguard national sovereignty. It seems clear that it will be necessary to recognize in the case of each State a functional competence, a sort of jurisdiction for specific purposes in connexion with remote sensing, telecommunications, and other activities carried on from space in direct relation to its territory.

It is desirable, as in the case of the common heritage, for the Committee on Outer Space to deal directly and comprehensively with these items. And it might be advisable, apart from the specific legal and technical work of the Sub-Committees, if the Committee itself could give these matters the general political direction which at this stage is becoming necessary.

I should like to refer briefly to the items related to the dissemination and sharing of space knowledge and technology, which have been of concern to the Scientific and Technical Sub-Committee.

The United Nations programme on the applications of space technology obviously merits our approval, but we cannot remain silent about the need, acknowledged in the report of the Outer Space Committee, to enlarge the content and scope of that programme.

In connexion with the need of the developing countries to share in both the knowledge concerning space and scientific and technical progress in that field, we might consider the possible establishment of an international data centre, that might have regional branches, the establishment of an international centre for training the nationals of developing countries, and other undertakings, a detailed study of which has been entrusted to the secretariat of the Committee on Outer Space.

It is essential that there should be a fuller and more universal participation in this area on the part of all States and a greater degree of practical international co-operation in activities which obviously involve the whole earth

(Mr. Huerta, Chile)

and all the States that compose it. Thus the work already done, still being done, and to be done in future by the secretariat is of enormous importance. I should like, on behalf of my delegation, to convey to the secretariat our gratitude and appreciation for the excellent work performed, and to associate myself with what the Chairman of the Committee said about the need to provide it with greater resources.

In concluding these general comments of the Chilean delegation on the important item now before us, I should like to say that Chile is fully prepared to participate ever more actively in the work of the Outer Space Committee, which we had the honour of joining two years ago.

The CHAIRMAN: I thank the representative of Chile for his references to me and to my country.

Mr. BRANKOVIC (Yugoslavia): Mr. Chairman, as I am addressing this Committee for the first time, I wish on behalf of my delegation to extend to you, Sir, the representative of non-aligned Lebanon, our warmest congratulations on your election to the office of Chairman of our Committee. May I, at the same time, extend my delegation's congratulations to the other officers of the Committee on their election to their respective functions.

Yugoslavia is not a member of the Committee on the Peaceful Uses of Outer Space, but it has always followed the work of the Committee and its bodies with the keenest interest. In the present state and evolution of international relations, when differences between purely political and economic questions are being obliterated to an increasing extent, and when interdependence has attained a high and recognized degree, the work and the problems with which the Committee on the Peaceful Uses of Outer Space is concerned and over-all activities in the world in the field of the peaceful uses of outer space are assuming exceptional importance in regard to the further development of co-operation among peoples and States in efforts to overcome the economic difficulties facing the developing countries.

One of the most important questions in the contemporary development of international relations is undoubtedly the establishment of a new international

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economic order, the foundations of which were laid at the sixth special session and further elaborated at the recently-held seventh special session of the General Assembly of the United Nations. The results of the seventh special session, taken as a whole, constitute an important practical step towards concrete measures for changing the position of developing countries in the world economy, and, generally speaking, a step which affects the interests of the international community as a whole.

The Committee on the Peaceful Uses of Outer Space, together with the entire system of the United Nations also, can and should, by its activity and the results of its work, promote this new process in international economic and political relations. In this connexion, I should like to single out such areas as the transfer of space technology and its use in the developing countries, remote sensing, and the use of artificial earth satellites for direct radio and television broadcasting.

May I mention at this juncture, in addition to a series of problems facing the non-aligned and other developing countries in their development -- problems which, owing to their complementary character, constitute a serious impediment to further progress in general -- the question of the lack of appropriate technology. This is one of the main obstacles that developing countries are encountering in their struggle for economic emancipation and the creation of better conditions for economic activity.

It is a fact that science and technology have made the greatest progress in this field, and that space technology is the most sophisticated technology in general. Consequently, its use and its transfer to the developing countries are of particular significance. Therefore, it is understandable that the non-aligned and other developing countries attach such importance to the transfer of technology, in general, and to the transfer of space technology and its uses to the developing countries, in particular. However, we have to note with regret that space technology is still the privilege of a narrow circle of most-developed countries, which tend to keep achievements in this field almost exclusively to themselves, and do not show sufficient understanding or will to co-operate in this field with other countries, especially the developing

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countries. In the view of my delegation, such an attitude is untenable because, in the present-day interdependent world, co-operation is the basic prerequisite for achieving further successes in the over-all progress of mankind. Co-operation and constructive dialogue were fully asserted at the recent seventh special session of the General Assembly of the United Nations and represent, in our view, the lasting foundation on which the new economic order is to be built.

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We feel, therefore, that the countries possessing space technology should throw their doors open to co-operation in this field as soon as possible and should do all in their power in order to ensure that achievements in the field of space technology become accessible also to the developing countries. This would be an important step in the implementation of the decisions of the sixth and seventh special sessions of the General Assembly and would promote a general climate of co-operation and dialogue.

May I now turn the attention of the Committee to some of the questions mentioned in the report of the Committee on the Peaceful Uses of Outer Space. The Committee and its bodies have made certain progress this year. However, in the opinion of my delegation, the work of the Committee should be accelerated and further concrete results should be achieved as soon as possible. Although the Committee has been considering certain questions as a matter of high priority for several years, we cannot be satisfied with the results achieved. For more than two years practically no progress has been achieved with regard to the solution of a very important question, which has remained unresolved in spite of all efforts, especially the efforts exerted by the developing countries members of the Committee. I have in mind the question of the status of the natural resources of the Moon within the framework of the elaboration of the draft treaty on the Moon. I should like to express my delegation's full support for the demand urging that the natural resources of the Moon should be considered to be the common heritage of mankind.

Remote sensing is certainly one of the very important questions. With regard to this, we should like to support the conclusions reached by the Legal Sub-Committee of the Committee for the Peaceful Uses of Outer Space, which are set out on page 5, paragraph 22, of the Committee's report. It is necessary to emphasize in particular that, according to the view of many countries, remote sensing activities by means of space technology should be conducted for the benefit and in the interest of all mankind; this new technology would be of particular significance to developing countries in their plans and programmes for

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national development; and remote sensing activities by means of space technology should be conducted in accordance with international law, including the Charter of the United Nations and the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (General Assembly resolution 2286 (XXII)).

This brings us to the question of data obtained on the basis of remote sensing. We should like to support the position outlined by the representative of Sweden, Mr. Rydbeck, in his statement, in which he said that if:

"... there could be agreement that all future operational remote sensing satellites should be internationally owned and operated, States would have the assurance of data availability. Through their participation in the management of the system, they would also have less reason for concern about their sovereignty as far as the sensing is concerned. Both of these points would seem to be of particular interest to the developing countries. In addition, and equally important, agreements that the data-handling procedures taking place on the ground should be conducted under the direct control of the States and regions actually covered by the data could further provide quite substantial additional advantages. Those advantages would thus also be gained in a manner that clearly respects the interests of States regarding access to data covering their own territories." (2048th meeting, p. 22)

The use of artificial earth satellites for direct television broadcasting is of great importance to the developing countries, especially those whose remote regions are separated from the centres of information by great distances. We consider, therefore, as positive and welcome the progress achieved with regard to the formulation of principles -- five, so far -- with a view to concluding an international agreement in accordance with General Assembly resolutions 2916 (XXVII) and 3234 (XXIX).

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The United Nations has proved to be an irreplaceable forum for co-operation among States, the only option which, through co-operation and dialogue, offers possibilities of the achievement of progress and prosperity by all on the basis of equality, independence and non-interference in the internal affairs: and all this with a view to ensuring peace and security which constitute the basic prerequisite for further economic progress. Having said this, my delegation wishes to stress the important role that the United Nations is called upon to play in the field of peaceful uses of outer space as well. My delegation believes that the United Nations Programme for Space Applications has played a significant role in promoting co-operation in this sphere. In this sense, we support all ideas aimed at strengthening the role of the United Nations in the field of peaceful uses of outer space and at concentrating to the maximum this activity within the United Nations.

Now I should like to state my delegation's position regarding the possibility of convening a United Nations conference on space. On the basis of the replies received by the Secretary-General so far, although their number is insufficient, we have the impression that the time has become ripe for giving thought to the possibility of convening such a United Nations conference as well as to its basic purposes, objectives and scope. For this reason my delegation is in favour of the proposal that the Scientific and Technical Sub-Committee should set up during its thirteenth session a working group to consider, as stated in the report of the Committee on the Peaceful Uses of Outer Space:

"the desirability of holding an international conference on space matters, and to report ... the various views and suggestions made and options referred to in the replies received from Member States to the questionnaire sent out by the Secretary-General on 13 August 1974 and in the course of statements made in the Scientific and Technical Sub-Committee, in the Committee on the Peaceful Uses of Outer Space and in the General Assembly". (A/10020, para. 51)

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Our Organization is advancing very rapidly towards the attainment of one of its aims, namely, the achievement of full universality. One hundred and forty-two States are participating in this year's session of the General Assembly. It is an impressive number; it proves that the international community is making rapid progress along the road of democratization of international relations.

The Committee on the Peaceful Uses of Outer Space was established many years ago when the original number of its members, 28 countries, probably adequately reflected the areas of interest existing at that time. Today, when our Organization consists of 142 Members, the present membership of the Committee on the Peaceful Uses of Outer Space, in spite of its increase to 37 two years ago, obviously does not reflect the present state of relations in our Organization. My delegation feels, therefore, that we could probably start thinking about the possibility and necessity of augmenting the membership of the Committee on the Peaceful Uses of Outer Space. In this respect, my delegation believes that the principle of adequate geographical representation should be duly taken into account when increasing the membership of the Committee, and that special care should be taken to ensure an appropriate participation of developing countries. For, as the Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Jankowitsch, stated at the beginning of this year's session of the Outer Space Committee:

"... the primary objectives of this Committee [is] to shape the activities of the United Nations in outer space matters for the years to come". (A/AC.105/PV.144, p. 22)

If this idea is correct -- and my delegation believes that it is -- then we have to exert efforts to secure adequate possibilities for the unhampered work of the Committee, in accordance with the tasks with which our Organization will entrust the Committee on the Peaceful Uses of Outer Space and its bodies.



The CHAIRMAN: I thank the representative of Yugoslavia for his reference to my country and to myself. I should like to inform the Committee that Ecuador has become a co-sponsor of the draft resolution contained in document A.C.1/L.712.

Mr. BAROODY (Saudi Arabia): Congratulating you, Mr. Chairman for assuming the responsibility of presiding over our deliberations, is tantamount to congratulating myself. You hail from my region and knowing your modesty I am sure I would embarrass you were I to enumerate even some of your high qualities. Suffice it to say that we are all gratified in having you as our Chairman.

I must also thank the Vice-Chairmen and the Rapporteur for sharing your responsibilities in conducting the affairs of this Committee.

The Committee on the Peaceful Uses of Outer Space should be lauded for the consummate report it submitted to us on the subject. We note from the report that the members of that Committee were preoccupied with three major items: first, the draft treaty relating to the Moon; secondly, the question of the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasts -- not only television broadcasts but also other communications like radio and perhaps telephones; and thirdly, consideration of the item relating to the legal implications of earth resources surveyed remote sensing satellites.

I will address myself to each item separately, hoping that I can throw some light on what should be done, notwithstanding the fact that I, like the rest of the Committee, cannot be presumptuous and play the role of scientist or technician. However, we should deliberate here on the implication of what has come to be known as the peaceful uses -- and I hope not abuses -- of outer space.

Billions in various currencies, mostly United States dollars and Russian roubles, were spent a few years ago on exploring the Moon. The Committee may remember that. Indeed it was a gigantic feat in which the two major Powers took pride -- first circling around and later landing on the Moon. Not only the Americans and Russians marvelled at the scientific

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ingenuity and the gigantic feats, but lesser Powers also. We, the men in the street, everybody, thought it was something that could not have been dreamed of not only a century ago but even a couple of decades ago.

In my younger days we described the face of a beautiful lady as resembling the Moon and her eyes like the stars. The illusion was sweet. The disenchantment nowadays is sometimes really dismal when we might be involved, through the evil minds of men, in having outer space used for military purposes. I wish we still had the sweet illusions of the past.

Not only are the Americans and the Russians engaged in outer space, but anybody who can fly a kite nowadays is trying to budget sizable sums in order to explore outer space. It is becoming a question of national pride -- "The Russians and the Americans are exploring outer space, so can we. We have our scientists." It is legitimate for any State to try to see what it can discover for itself. It is becoming prestigious to launch a Moon satellite, no matter how much it costs. Although the people may be starving in certain countries, still their scientists are focusing their attention on trying to fly that kite, the scientific kite of the latter part of the twentieth century.

Is that not a sad commentary on man and politicians, the leaders of countries, when they know that these billions could have been applied to meet many problems on earth before venturing into outer space? Essentially it was for military purposes, but knowing that that knowledge has become common to others, now they are seeing the light and saying, "Perhaps we can use outer space for peace".

But do not let any one of you rule out that some leaders are human and if they are under tension they may be tempted to use outer space for military purposes. That fact should be known by the United Nations and not ruled out. Let us not be beguiled by the embellishments of the subject and its importance when used for peaceful purposes.

I have concluded my comments on the Moon, but before touching on the second point, the use of satellites for communications, for the dissemination of information, including television and radio, I must say

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that man's downfall may one day be attributed to his pride, to forgetting that he is mortal. When he goes to climb Everest he has to have oxygen. When he goes to the Moon he has to live in all kinds of contraptions that will keep the pressure of the satellite in conformity with his biological nature, otherwise he would die instantly. Let us bear in mind that if man ventures above the stratosphere he is doing so not only at his peril but at the cost and expense of the billions of people who would like to see that money earmarked for improving their lot on earth.

Now we come to the question of using television by way of outer space or satellites. I addressed myself to this subject three or four years ago. This has a great bearing on the question of freedom of information. Almost 25 years have passed without our having completed the draft convention which we started at Lake Success in 1951. We have not completed the draft convention on freedom of information because certain Powers were averse to it. They wanted to use the mass media for the dissemination of propaganda, for indoctrination, for what is now called "brainwashing". I will address myself to that subject when it comes up in the Third Committee and it has a bearing on what is termed here "the peaceful uses of outer space".

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What guarantees do we have that certain Powers will not disseminate tendentious propaganda or, under the guise of art, pornography? Because countries are wealthy and industrially developed, that does not mean they become angels. They may become the Devil incarnate on earth, tempting people, interfering in the social life of many nations.

What guarantee do we have that outer space will not be abused? Not until the draft convention on freedom of information, which has had priority for over 24 years, is completed should we entertain the idea of disseminating information, whether educational or otherwise, through satellites, because satellites may be used in order to interfere in the domestic affairs of others.

The classical intervention of gunboat diplomacy is gone. Nowadays we have intelligence services that subvert people. Billions are earmarked in the budgets of major States in order to subvert Governments abroad. Why? Because their people are aware; they have become wise and would not march to war, as they did in the early twentieth century and in previous centuries.

So, if one day intelligence services become passé, why not subvert by way of satellite, under the guise of dissemination, of freedom of information? What freedom of information? Freedom of licence, of propaganda, of subtle indoctrination? Let each country evolve naturally, then there will be brotherhood through open legitimate contacts between States, through various organizations including the United Nations.

But, ah, you say: there is a clause. I read it in the Committee's report. "Dissemination of communication or television under international law" -- international law? Who respects international law? How many times have we asked the International Court of Justice to pronounce itself on certain matters and it has done so and some States have thrown the Court's decision by the wayside? Let us not fool ourselves.

Perhaps there are safeguards we could think about. I mentioned such safeguards in another context, in one of the United Nations Committees years ago, when we were dealing with disarmament and how to attain peace.

Scientists engaged in outer space should take a United Nations oath that if at any time they feel that the fruit of their research is being used for the subversion

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of other States or for military purposes they should, remaining anonymous, report that to the Secretary-General, just as alleged violations of human rights are systematically reported to him. That may be a safeguard. It may not be foolproof, but it could be one of the safeguards to ensure that the leaders of certain countries -- if they become desperate, or miscalculate or otherwise, or perhaps want to commit suicide -- do not bring the whole world toppling with them, doing something that might bring pandemonium on this earth.

Therefore, aside from this, there should be an international code of ethics even for the dissemination of educational material over television. All professional associations have codes of ethics. Lawyers have a code of ethics for their profession, and so do physicians. Why should not the disseminators of news, those who run the mass media, abide by an international code of ethics and be brought to task if there are infringements?

I am not suggesting that forthwith we should begin to elaborate the code of ethics. This was one of my suggestions in order to make sure that freedom of information will flow freely. I made it when we were working in the Third Committee 25 years ago on the elaboration of a draft convention on freedom of information -- an international code of ethics. Anyone who disseminates news, who has anything to do with mass media, would have to abide by the international code of ethics.

The free flow of information? Of course, we have been told that sometimes opinion cannot be ascertained as to whether it is propaganda or legitimate opinion. There are certain norms that can be applied. I am not going to mention the country, but the Chief Justice of a great country a few years ago ruled, against the protestations of many of us in the United Nations, that certain forms of pornography are nothing but art. And you only have to read today's and yesterday's New York Times on pornography and how in certain countries it is being protected by organized crime.

In fairness to the host country, this is happening everywhere. I must not single out the host country. I have been around. I do not care if I am going to use certain words that only 10 years ago would have touched the susceptibilities, not of women but of men. They have copulation on the screen. They want to export that to us under the guise of -- what? Free information? Art? Under the guise of

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the peaceful uses of outer space? Why not the peaceful abuses of outer space?

What have you left for the bedroom? What have you left of the sense of discretion? Shame on people who still say this is freedom of information! Do whatever you want in the bedroom, but do not touch our susceptibilities, our traditions, our customs.

(Mr. Baroody, Saudi Arabia)

In certain countries, and including my region, if anyone curses the father or mother of a person, or his religion, he might be killed, and the judge might exonerate the person who killed him. We have a different social system.

Oh, those of you who think otherwise, you are modern. Keep your modernity to yourself. Don't transmit it to us by television or otherwise through satellites, and have committees here deal with these questions as if these things are of secondary importance.

Anything that should be done on this question should be channeled through the United Nations. To sum up, scientists should take an oath that if outer space is being abused and used for military or salacious purposes, they must get in touch with the Secretary-General.

Secondly, there should be a code of ethics, otherwise, you nations of Asia and Africa, Spain, Eastern Europe, Portugal, and many Latin American countries, beware, and do not think that you should ape those modern nations that have lost their sense of decorum, their sense of decency. And we feel sorry for them because we live amongst them. What do you expect?

I end by quoting from the Holy Koran which says: "Should you be beset by temptation, do things discreetly, not openly." And even Jesus, the son of Mary, for the Christians amongst you, said, "O God, lead us not into temptation."

This is temptation itself -- those television programmes that will be broadcast under the guise of freedom of information to the world at large. Something should be worked into the draft resolution submitted here. Everybody hastening to sponsor the draft, thinking what an honour it is to be a party to it. Something should be attached to it, or perhaps in a separate resolution. I am not going to lend my hand to it. There are many who are younger, more alert to what I am saying, and more capable, who should draft resolutions to make sure that the uses of outer space will not become abuses.

The CHAIRMAN: I thank the representative of Saudi Arabia for his kind remarks about me.

The next speaker on my list is a distinguished former Chairman of this Committee whom we welcome back in our midst, Ambassador Vinci of Italy.

Mr. VINCI (Italy): Mr. Chairman, in spite of your words and having to select between respect of rule 110 and loyalty to personal friendship, I rely on your understanding if I choose the second. I would feel, in fact, uncomfortable if I had to begin my first statement in this most important Committee without saluting my good friend, Edouard Ghorra, as our Chairman. May I just add that I have worked long enough at these Headquarters to be able to say that this Committee could not be in more capable hands. Permit me also to congratulate our two Vice-Chairmen and our Rapporteur.

Speaking on behalf of the Italian delegation, I wish first of all to convey our special thanks and sincere appreciation to our colleague, the Chairman of the Committee on the Peaceful Uses of Outer Space, Ambassador Jankowitsch of Austria, for his comprehensive and lucid report of the eighteenth session of the Committee. We owe to him as well as the Chairmen of the two Sub-Committees, to the Committee's secretariat, to the Outer Space Affairs Division, our thanks for having facilitated with their hard work and dedication the task we have in the consideration of items 32 and 33 now before us.

As we review the developments in the peaceful exploration and exploitation of outer space during this past year, we are more than ever aware of the great steps forward made in such a short time and the significant achievements that highlighted man's efforts to expand further the frontiers of his knowledge in this field. In particular we have been most impressed by the successful United States-USSR joint Apollo-Soyuz flight in July 1975. I had the good fortune to be in Moscow when, during my farewell to the Soviet Government and my many Soviet friends at the end of my tenure of office in the Soviet Union, the gallant Soviet cosmonauts landed on Russian soil. And I was glad to hail publicly this spectacular achievement as an historical event. The fact that the two main space Powers were having a friendly handshake between their orbiting cosmonauts at such a distance from earth showed that two of the basic principles of the 1967 Outer Space Treaty are not out of our reach. It raises especially our hopes and expectations on earth that while interdependence of all people is increasing as an effect of the scientific-technical revolution, those two principles can inspire and guide our actions on earth. I am of course referring to that part of the Treaty which establishes that the cosmonauts

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will be the champions of mankind and that no country will claim sovereign rights on the Moon or other celestial bodies. In this connexion I would wish to convey my sincere congratulations to the delegations of the United States and the Soviet Union for this spectacular achievement, and also for the statements they have made to us this morning.

Italy is highly gratified at the ever-growing interest among States in seeking new ways in which the exploration and the peaceful use of outer space can especially extend the knowledge of our planet and the welfare of all of us here on earth.

Indeed, peaceful applications of space technology are providing significant benefits in the efforts of man to achieve social and economic improvements. In this connexion I should like to stress once more how important is the role of the United Nations in promoting these benefits and these opportunities. The untiring efforts being deployed to this end by the United Nations Committee on the Peaceful Uses of Outer Space and its subsidiary bodies have been fruitful in a number of areas. This is evident from the Committee's report before us. We look forward to a further year of more progress in the work of the Outer Space Committee under the guidance of the representative of Austria.

Turning now to the contents of the Outer Space Committee's report, I do not wish to repeat here the comments made at the last session of that Committee. Neither would I deem it appropriate at this time to illustrate again the initiatives through which my country has made its contribution to the development of space technology on the national as well as on the international level. Let me only announce another success of the programmes conducted by Italy in co-operation with other countries. These joint efforts have led to the launching of a stratospheric balloon. This experimental flight was successfully carried out last August in co-operation with the United States, which was responsible for the balloon, and Great Britain, which was responsible for the payload, including various experiments in physics. The balloon was launched from the Italian range of Trapani/Milo, which is in Sicily, and was transported by stratospheric jetstream to Lexington in Texas, covering approximately 10,000 kilometres at an average speed of 100 kilometres an hour at an altitude of 36,000 metres. The results of the experiments made during this flight are currently being processed and will shortly become available.

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The low cost of a recoverable balloon of this sort, with heavy payload flying around the 38th parallel, opens a stimulating perspective on a wide range of research and application, such as upper atmosphere exploration, advanced experiments in physics, and remote sensing.

As a long-time member of the Outer Space Committee, my delegation has participated actively in the work of the Committee and its subsidiary bodies during the past year. It was indeed a fruitful year.

The Committee has before it now a draft resolution (A/C.1/L.712) just presented by the representative of Austria, which covers both items 32 and 33 of our agenda. Italy, together with other members of the Outer Space Committee is pleased to sponsor this draft resolution.

In our view, this text deals comprehensively with the various fields of activity in which the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies have been engaged over the past year. It lays down at the same time guidelines for future work on important subjects, such as the elaboration of a draft treaty relating to the Moon and of principles for governing use by States of artificial earth satellites for direct broadcasting, as well as further studies of organizational and financial matters relating to remote sensing of the earth from space, including detailed consideration of its legal implications.

Since the text covers the whole range of desirable activities to be undertaken by the Committee and its subsidiary bodies in the future, I sincerely hope they will command the support of all delegations.

I should like now to refer briefly to some aspects regarding two of the major issues to which the Outer Space Committee and its subsidiary bodies have paid considerable attention during the past year: earth sensing and broadcasting satellites and conditions of their use.

On the subject of direct broadcast satellites, divergent views on various aspects still prevent the finalizing of agreed principles in this field. The Committee, in our view, took positive and constructive steps in continuing to try to clarify the legal implications of direct television broadcasting. Considering the great benefits that can result from the application of this technology, especially in the field of education, we would, on our side, urge the adoption of expeditious measures in order to bring about an equitable solution, particularly on such a vital issue as the relationship between broadcasting and receiving

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States. In our view, in whatever final formulation, the need for freedom of information should of course be safeguarded, in conformity with the rules of international law.

As regards the equally important subject of remote sensing, the Outer Space Committee and its subsidiary bodies have made substantial progress this year. I refer especially to the arduous task of identifying the various problems of this vital earth-oriented field of space applications, their complexity and their technological and economic impact for the countries concerned, and in particular for the developing countries.

Italy has been encouraged by the work done in considering the legal implications of remote sensing. The need to establish a legal régime for remote sensing stems from the fact that these activities are both spatial and terrestrial. Therefore, it does not seem possible for us to find in the 1967 Outer Space Treaty all the answers to the questions raised by remote sensing. We consider, however, that further discussion of this legal framework must not result in severe restriction of remote sensing activities. Should this occur, it could seriously prejudice the sound development of outer space technology and its vast potential uses for the common benefit of all mankind.

Since the technology of remote sensing is in an early stage, it may be a little premature to get down to detailed negotiations on potentially restrictive treaty provisions before we have a clearer cognizance of the technical and organizational possibilities becoming available in this field. Remote sensing of the earth is essentially a multidisciplinary problem. Its legal, technological and organizational aspects should continue to be studied together.

It would therefore appear to be timely to establish a working group consisting both of jurists and of technicians. They could better work out and finalize together the legal principles more appropriate to the two main objectives we have in mind: on one side to encourage the continuous development

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and widest possible international application of remote sensing technology on the other side to safeguard the rights of individual States to control information pertaining to their own resources, and thus the essential preservation of their interests.

My Government evaluates very highly the potential of remote sensing. We have already established a remote sensing receiving station at Fucino, Rome, for collecting and storing the earth's survey data transmitted by the American LANDSAT-type satellites.

Our station, which is operated by the Telespazio Company, under governmental supervision has a regional character and is in a position to make available the data collected to all States that may request it.

Let me say also that my Government favours and supports the study of the establishment of an international training centre in the field of remote sensing for the developing countries, as well as the relevant steps to be taken by the Secretary-General, as set out in paragraph 33 (a) of the report of the Committee (A/10020).

The advanced automatic satellites and space laboratories, with national and international teams of scientists and technicians, will be orbiting more and more in the future, and will offer unlimited capabilities to explore not only the earth but our whole solar system and the celestial bodies beyond it.

The Committee on the Peaceful Uses of Outer Space, which in the first phase emphasizes earth-oriented application activities, should be urged to engage, in the near future, the full range of orbiting satellites and the capabilities of laboratories.

In earth-oriented activities, we have experienced the co-operation between disciplines in multidisciplinary or polydisciplinary exercises, that cannot be performed in any other way.

Co-operation between disciplines and co-operation between nations are interrelated, not only in earth-oriented activities, but also in other space research and applications.

Co-operation between disciplines and co-operation between nations in the full range of space-supported research and applications is a guarantee of a positive contribution to the quality of life. This can be achieved by the improvement of the quality of human and natural environment, in which dynamic balances of sophisticated processes involve natural resources, such as land, agriculture, forestry, air, water and minerals.

(Mr. Vinci, Italy)

May I conclude by saying that in no fields of activity as much as in outer space has the scientific revolution of our days reflected its tremendous potential. It is up to our countries to seize the opportunity which it offers us, to make the best of it rather than the worst of it. Rather than being unduly restrained at the same time by prejudices and out-dated concepts, and by too many suspicions, let us use imagination and be bold. The sacrifice to be made, if any, is a small price to pay in comparison with the new world which we can shape, a world in keeping with the truly basic principles of the outer space Treaty, the two principles which are mentioned at the beginning of my statement and which have marked a turning point in the history of mankind.

The CHAIRMAN: I thank the representative of Italy for his most flattering words about me and for his congratulations to the officers of the Committee.

Mr. VALENCIA RODRIGUEZ (Ecuador) (interpretation from Spanish): Mr. Chairman, on behalf of the delegation of Ecuador, I should like first of all to congratulate you and the other officers of the Committee on your election, and I should also like to thank the Chairman of the Committee on the Peaceful Uses of Outer Space for his presentation of the very interesting report which we are considering, document A/10020. I should also like to thank the Chairman of the Legal Sub-Committee and the Scientific and Technical Sub-Committee for the work done during this year.

My delegation wishes to give its general support to the recommendations and decisions which are contained in that report and to single out the most important among them. The first element which Working Group III was able to identify under the principle of remote sensing activities is that the use of space technology should be carried out for the benefit and in the interests of all mankind. That is the essential principle from which no space activity should depart and, at the same time, as a consequence of what I have just stated, it should be pointed out that the new technology is of particular interest and importance to developing countries in their national development plans and programmes.

(Mr. Valencia Rodriguez, Ecuador)

Likewise, we should emphasize the importance of the recommendations adopted by the Committee on the basis of suggestions by the Scientific and Technical Sub-Committee, contained in paragraph 32 of the report. In the studies reported here, we would make reference to the need to give preferential attention to the analytical report on actual and predicted costs and benefits involved in the practical application of remote sensing, as well as to the organizational and financial requirements of future operational space segment for global coverage to be internationally operated, owned and financed, with explicit reference to the role of the United Nations.

I should also like to highlight some views which, in connexion with the use of outer space, are of particular importance to Ecuador as a developing country. First, a clear distinction should be drawn between what true development of technology should constitute when it is aimed at achieving effective use of outer space, and what could become an unbridled technological race to which the great Powers might become committed for the purpose of meeting the needs of their national pride and prestige. If their purpose is only the latter, certain Powers may undertake such activities in outer space from a desire not to lag behind the achievements of other Powers, and also for the purpose of going beyond what other countries have achieved. It would seem that, together with this, political prestige if not concealed military interests are at stake, and this technological race may sometimes be carried out without a clearly defined peaceful purpose. Enormous resources can be expended which could very well be devoted to other more fruitful purposes, since in such cases what is involved is misguided national prestige.

Secondly, from the above we see how important is the guiding principle for all of those activities: carrying them out solely for the benefit of mankind in general and exclusively for peaceful purposes. If this requisite is not met, then a new and dangerous field would open up: the use of outer space for military competition which would entail risks to international peace and security. We believe therefore that it is necessary to stress the major significance of that principle.

(Mr. Valencia Rodriguez, Ecuador)

Thirdly, having met those two requirements, namely, that those activities should have as their objective the benefit of mankind and the pursuit of peaceful purposes, enormous opportunities open up for the social and economic betterment of all countries and in particular the developing countries. At the same time, this entails making every effort in order to avoid any possible adverse consequences which might stem from such activities both for peace in general and for international co-operation. Those consequences might be the outcome of abuses or the lack of regulating norms of an international character.

Fourthly, it flows from the aforementioned principles that such activities would tend to enhance international co-operation, since only in this way will it be possible for all countries to benefit from the new space technology. Moreover, co-operation in this field is a powerful incentive to international détente and to the establishment of a new climate of understanding. For the developing countries this factor of co-operation acquires even greater importance and my delegation wishes to emphasize the value that educational and training programmes would have for people from such countries.

Fifthly, a fundamental point which has already been analysed by the Committee and about which it will be necessary to go into further detail is the one concerning the definition and/or delimitation of outer space and space activities.

Sixthly, progress is already indicated by the fact that the Legal Sub-Committee has reached a consensus with regard to five principles which should govern space activities. Those principles are: the applicability of international law; rights and benefits of States; international co-operation; responsibility of States; and possible settlement of disputes.

(Mr. Valencia Rodriguez, Ecuador)

Of course it is understood that for each of those principles a detailed study will be needed. At the same time it would be desirable for the Sub-Committee to continue to examine the other principles identified by the working group, so that it might arrive at a further consensus in that area. We fully understand that these are very delicate matters, and that accordingly progress must be moderate and inevitably at times slow.

With regard to remote sensing, the Legal Sub-Committee was able to agree in identifying certain common elements in the proposals before it, among which, as I have said, can be distinguished, the principles, that, first, remote sensing should be carried out for the common benefit of mankind and, second, that all States have the right to carry out remote sensing in conformity with international law. Hence it follows that some Powers must be prevented from taking advantage of remote sensing mainly because they have a high level of technology, only for their own interests, political, military or economic, particularly with reference to the locating of natural resources in territories of other States with a view to exploration and exploitation. For that reason it is essential to ensure that all countries, particularly developing countries, share in the results of such work, on fair and equitable terms, in connexion with the identification or location of natural resources in their own territories.

That leads us to consider the rules necessary for safeguarding the sovereign rights of States. In that connexion, we must start from the principle that all remote sensing, particularly when carried out for purposes of identifying or determining the existence of natural resources for purposes of exploration and exploitation, should be carried out with the prior authorization of the State in whose territory the resources exist. In such cases, moreover, there should be a sufficient guarantee of the participation of that State in the work referred to. Clearly the necessary guarantees should be established so that a State obtaining data about another country by means of space activities should not use such data to the detriment of that country or any other country.



(Mr. Valencia Rodriguez, Ecuador)

In connexion with satellite television broadcasting, my delegation has noted with satisfaction the progress achieved. We should, however, like to point out that this area should be regulated by norms of international law, which should include the rights of States in certain cases not to receive broadcasting directed to populations in its territory. We think it would be desirable at the appropriate time to hold a conference devoted to space matters, preceded as an essential prerequisite by the work necessary to ensure the full success of that conference. We are not opposed to the possibility of including the applications of space technology in the United Nations Conference on Science and Technology planned for the end of the seventies, particularly since to do so would pave the way for the suggested space conference.

In conclusion, having considered the draft resolution (A/C.1/L.712) so ably presented by the representative of Austria, the delegation of Ecuador has asked to become a sponsor of that draft resolution, since it contains many of the ideas I have put forward here. Of course, we believe that the draft resolution could still be improved by other delegations.

The PRESIDENT: I thank Ambassador Valencia Rodriguez for the kind words addressed to me and to the Officers of the Committee.

The meeting rose at 6.25 p.m.



# UNITED NATIONS GENERAL ASSEMBLY



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ENGLISH

Thirtieth Session

FIRST COMMITTEE

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND AND FORTY-NINTH MEETING

Held at Headquarters, New York,  
on Monday, 13 October 1975, at 10.30 a.m.Chairman:

Mr. GHORRA

(Lebanon)

Rapporteur:

Mr. ARTEGA-ACOSTA

(Venezuela)

- 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)

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