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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

VERBATIM RECORD OF THE ONE HUNDRED AND TWENTY-THIRD MEETING

Held at Headquarters, New York,
on Thursday, 28 June 1973, at 10.30 a.m.

Chairman:

Mr. JANKOWITSCH

(Austria)

Consideration of: (continued)

- (a) Report of the Legal Sub-Committee
- (b) Report of the Scientific and Technical Sub-Committee
- (c) Report of the Working Group on Direct Broadcast Satellites

This record is issued in final form pursuant to the decisions taken by the Committee in September 1970 (see Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 20 (A/8020, para. 10)).

CONSIDERATION OF: (continued)

- (a) REPORT OF THE LEGAL SUB-COMMITTEE (A/AC.105/115)
- (b) REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE (A/AC.105/116)
- (c) REPORT OF THE WORKING GROUP ON DIRECT BROADCAST SATELLITES (A/AC.105/117)

Mr. VELLODI (India): Since this is my first intervention, as a representative of my country, in the work of this important Committee I should like, with your indulgence, to tell you, Mr. Chairman, how deeply indebted we are to you and to all your colleagues on the Bureau for the assistance and leadership that you have given us in conducting the work of this Committee. Although you assumed the chairmanship of this Committee just about a year ago, you have impressed all of us with the remarkable ease with which you have grasped the issues and with the clear and positive lines along which you have guided our deliberations. We wish you continued success in this and the forthcoming sessions.

Although I have paid my delegation's tribute to the Bureau of this Committee as a whole, I wish to take this opportunity of saying a special word about our Rapporteur. It is really unnecessary for me to dwell upon Mr. Silva's contribution to the United Nations. I have known Mr. Silva for many years and I have greatly admired his many qualities, perhaps the most important of which are his warmth and friendliness and his even temperament so ideally suited for working at the United Nations. His contribution to the work of this Committee has been outstanding and I wish to thank him and also to tell him how sorry we are that he will be leaving his present assignment very soon. We are, however, happy to know that he will continue to be associated with the work of the United Nations as the head of the International Affairs Department of the Brazilian Foreign Office and we wish him success in his new assignment.

Although he is not here, may I join you, Mr. Chairman, in welcoming to our midst Mr. Schevchenko, who has taken over as Under-Secretary-General for Political and Security Council Affairs. Mr. Schevchenko is by no means a stranger to the United Nations, having been

(Mr. Velloidi, India)

an outstanding, and, may I add, perhaps the most widely sought after, member of the Soviet Permanent Mission for many years. I have no doubt that his brilliance and experience and the enormous energy he possesses will make a significant contribution to the Secretariat. We wish him all success and satisfaction in his new functions.

Permit me also to say a word about Mr. Murthy, the United Nations Expert on Space Applications, who I believe is attending the Committee for the first time. Having known Mr. Murthy for several years, and with his background and experience not only with space activities in India but also with international space organizations, I have no doubt that he will make a very significant contribution to the very important post he occupies. We wish him well.

Mr. Chairman, permit me to congratulate you on your able and comprehensive opening statement last Monday -- a statement in which you succinctly reviewed the space achievements during the past year and outlined the tasks before the Committee at this session. My delegation wishes to thank you in particular for your reference to the experiment conducted last February from the Thumba Rocket Launching Station to measure night-time air glow emission and other radiation.

My delegation would like to take this opportunity also to convey our heartiest felicitations to the delegations of the United States and the Soviet Union for the remarkable achievements their countries have made during the past year in the areas of space technology and space applications. We should like in particular to congratulate the three United States astronauts and all the scientists and engineers in this country who assisted in bringing about the remarkable and successful completion of the first phase of the Skylab experiment.

Before making our observations on the reports before the Committee, I should like to say a few words about my country's plans and programmes in the fields of space sciences, space technology and space applications. I shall not attempt a detailed review of our national activities in these fields as we have attempted to give all the relevant information in our contribution which

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appears on pages 56 to 90 of document A/AC.105/L.68, which is the review compiled by the Secretariat of national and co-operative international space activities for the calendar year 1972. I shall, instead, refer to two projects which in our view constitute the highlights in our current space programme. Although most members of the Committee are fully aware of the proposed satellite instructional television experiment which we are planning to conduct in 1975 in collaboration with the National Aeronautics and Space Administration (NASA) of the United States, I feel compelled to make reference to it in view of the enormous importance and significance we attach to this experiment in terms not so much of the technology as such but of the possible effect the successful completion of the experiment will have on our national development and planning. Our collaboration with NASA has been extremely close and we have benefitted enormously from the assistance and advice we have received from it.

Of equal importance but in the area of space sciences and space technology is the current Indian scientific satellite project to be launched in 1974 and, with the generous assistance of the Soviet Union, a scientific satellite weighing about 250 kilogrammes entirely designed and being fabricated in India and containing three major experiments by Indian scientists. The satellite will be launched by a Soviet vehicle from the Soviet Union. This project, which is about a year and a half old, has made excellent progress thanks to the close collaboration and working arrangements we have with the Soviet Union.

Apart from the United States and the Soviet Union, we have also formal collaborative agreements with France and the Federal Republic of Germany, some relevant details of which are contained in the United Nations review I referred to a little while ago.

Turning now to the report of the Legal Sub-Committee, my delegation is happy to note that at its last session the Sub-Committee under the very able leadership of its Chairman, Mr. Wyzner, made significant progress on the draft registration convention and the draft moon treaty. In fact, it came very close to reaching agreements on these two important legal documents.

(Mr. Vellodi, India)

As members are aware, the working group constituted by the Legal Sub-Committee to deal with the item on registration of objects launched into outer space approved the texts of a preamble and 10 articles as well as the title of the draft convention. This progress was in no small measure due to the concrete proposals on the item submitted by several delegations and the spirit of accommodation that prevailed in the deliberations on this item. The outstanding issues concerning the draft registration convention relate, inter alia, to marking of space objects and the review clause.

(Mr. Vellodi, India)

My delegation believes that the registration convention would not be complete without specific and satisfactory provisions on both marking and review. We believe that ever since this item was inscribed on the agenda of the Legal Sub-Committee there has been a widely shared expectation that marking would form an essential element of registration and contribute to the application of the Convention on International Liability for Damage Caused by Space Objects.

The report of the Legal Sub-Committee also states that although there was wide support in that body for the inclusion of a review clause no agreement was reached for its inclusion. In our opinion, no cogent reasons have been advanced so far by any delegation for the exclusion of a review clause in that convention, especially when we have incorporated a review clause in the liability Convention and have agreed to provide for a review clause in the treaty concerning the moon. There is also a growing practice in favour of incorporating review clauses in multilateral treaties governing other areas of international relations. If we fail to include a review clause in the registration convention we will be, in the view of my delegation, reducing it to a static document, not responsive to the phenomenal progress that science and technology have been making in the field of outer space.

The major areas of disagreement on the draft treaty concerning the moon are well known. Taking up first the question of natural resources, my delegation wishes to reiterate in this Committee the proposal that it submitted in the Legal Sub-Committee and to emphasize here that the basic position of my Government is that the treaty concerning the moon should declare unequivocally that the moon and other celestial bodies and their natural resources are the common heritage of mankind and that the exploitation of those resources should not be carried out except in accordance with an agreed international régime. We wish also to reiterate in this context another proposal which my delegation made in the Legal Sub-Committee -- annex I, page 22, of the Legal Sub-Committee's report according to which the States parties to the treaty concerning the moon should undertake an obligation to inform the international community of any indication of natural resources on the moon that they might discover in the course of their exploitation of the moon.

(Mr. Vellodi, India)

The delegations of Egypt and India submitted a joint working paper -- annex I, page 21, of the Legal Sub-Committee's report -- concerning promotion of international co-operation in scientific investigation. We are very happy to report that there was agreement in principle in the Legal Sub-Committee on that proposal, and it is the hope of my delegation that the treaty concerning the moon will clearly reflect this in its final form.

I wish to make a few brief comments on the report of the Working Group on Direct Broadcast Satellites (A/AC.105/117). I had the opportunity to participate in the recent session of the Working Group, under the very able chairmanship of Ambassador Rydbeck, and it is clear that this is an area which will continue to hold our attention for some time to come, not only because of the exciting technology but also because of the legal, social and political implications of direct satellite broadcasting.

I wish to repeat here the deep gratitude of my delegation to the delegation of the Soviet Union for the initiative it took in bringing before the last session of the General Assembly the very important and timely question of the preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting and also to the delegations of Canada and Sweden for the very valuable contribution contained in the working paper which they presented to the Working Group.

We should also like to express again our appreciation of the work done in the specialized agencies, and in particular to express our deep satisfaction at the adoption by UNESCO at its last General Conference of the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange.

In its resolution 2916 (XXVII), adopted at its last session, the General Assembly clearly stated that it considered it necessary to elaborate principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements and requested this Committee to undertake the elaboration of such principles as soon as

possible. Since it was clear from the discussions in the Working Group that there were some basic differences in the interpretation of operative paragraph 1 of resolution 2916 (XXVII), I feel compelled to state that, in the view of my delegation, the decision of the General Assembly can lend itself to one and only one interpretation, and that is, that we should have an agreement or agreement and we should formulate as soon as possible the principles which will be the basis for concluding such an agreement or agreements.

The Working Group has recommended that it be reconvened early next year "... to consider and discuss principles on the use by States of artificial earth satellites for direct television broadcasting, in accordance with General Assembly resolution 2916 (XXVII), with a view to making specific recommendations for the work of the Legal Sub-Committee in this field."
(A/AC.105/117, para. 78)

We strongly support this recommendation and we hope that this Committee will accept the Working Group's recommendation.

I turn now to the report of the Scientific and Technical Sub-Committee on the work of its tenth session (A/AC.105/116). We support all the recommendations contained in paragraph 14 relating to the promotion of the applications of space. The recommendations involve several large-scale assignments to the United Nations Secretariat; I shall have some comments on this aspect of the problem later on in my statement.

We have noted the proposed United Nations programme on space applications, as recommended by the Sub-Committee in section II, paragraphs 15 to 19, of its report. We are convinced that the approach recommended by the Expert on Space Applications, an approach that would involve long-range planning, is the right one. We are naturally disappointed at the fact that financial restraints make such long-range planning impossible. Even the plans for 1973 and 1974 are, in our opinion, far too modest and inadequate.

My delegation has consistently expressed our deep appreciation for the interest that the specialized agencies have shown in our work and for their continued participation in our deliberations. As we get more and more involved in the area of space applications, the machinery for co-ordinating the activities of the United Nations and the agencies will need to devote more and more attention to this field.

In the section on education and training there is a reference to the fact that in the past fellowships offered by certain Member States were not fully utilized. The discussions in the Sub-Committee clearly showed that the problem is not just a simple one involving the recipient countries being indifferent to the matter. I do not consider that this Committee is the appropriate forum for discussing this issue and I can only express the hope that the Sub-Committee will at its next session look at this matter more closely.

On the question of the role and functions of the Sub-Committee, my delegation fully endorses the recommendations contained in paragraphs 36 to 41 of the Sub-Committee's report, and in particular the decision to accord priority at its next session to the questions related to remote sensing and the United Nations programme on space applications.

(Mr. Vellodi, India)

We in India are extremely interested in the field of remote sensing and we are very satisfied with the excellent work done by the Working Group on Remote sensing under the very able leadership of Mr. Fiorio of Italy. We are happy to note that the Working Group has set up a task force to identify, study and analyse the best means of disseminating remote sensing data acquired from space for the benefit of States and of the international community. We are glad to know that the task force will meet in January 1974 so that its report will be available to the Working Group at its session later in the year.

Before concluding, I wish to refer to two matters which might be considered as organizational in nature. The first involves a practical problem and has to do with the scheduling of the meetings of the main Committee, the Sub-Committees and the Working Groups. I realize that for a variety of practical reasons it has become necessary to schedule the meetings a year in advance. This is unavoidable but it has one serious flaw, namely, that the decisions of the immediately preceding session of the General Assembly do not always get the practical follow-up action they call for. The directives from the General Assembly are invariably and, if I may add, correctly addressed to this Committee. As meetings are scheduled now, we do not get an opportunity to look at the General Assembly directives until after the Sub-Committees and the Working Groups have concluded their annual sessions. I should, therefore, like to submit to you, Mr. Chairman, for your consideration, that you might consider reviving an earlier practice of the Main Committee having a one-day organizational meeting early in the year at which time it can take a look at the General Assembly resolutions and see if any special and immediate action is called for on any of them.

The second point I wish to touch upon before I conclude my statement is my delegation's growing concern at the steadily increasing tempo of the activities of this Committee and its subordinate organs viewed against the almost static nature of the supporting staff in the Secretariat. I speak with some experience on this subject as I myself was associated with the Department of Political and Security Council Affairs from the time of the creation of the Outer Space Affairs Division until some four years ago when I left the Secretariat.

(Mr. Vellodi, India)

Mr. Chairman, you are aware of the present strength of the Outer Space Affairs Division. It has, I believe, seven professional officers. The United Nations Expert on Space Applications has no staff at all except his secretary, although he has been getting help from the Outer Space Affairs Division. The strength of the Outer Space Affairs Division before the Vienna Conference was, if I remember right, seven or eight. In other words, there has been no change at all in the strength of the Outer Space Affairs Division since before the Vienna Conference. I refer specifically to the Vienna Conference because we all know that the Vienna Conference was an important milestone not only in the work of our Committee but in the field of the extension of space applications particularly to the developing countries. Secondly, prior to the Vienna Conference the Secretariat support for the Committee and the Sub-Committees was almost entirely for servicing functions. Today with the Main Committee, the two Sub-Committees and the two Working Groups, together with all the substantive assignments the various Committees and Sub-Committees are giving to the Secretariat, how can we expect the Secretariat, with no increase in staff at all, to cope with this situation? The Under-Secretary-General informed us the other day that consequent upon a move in this Committee, the Outer Space Division will be strengthened by the creation of two sections, but in the absence of any clarification from him regarding additional staff one has the impression that the existing staff of six or seven persons will be used for manning the two sections. That is a very unsatisfactory situation. I have with me here a long list of the assignments given to the Secretariat by the Scientific and Technical Sub-Committee and by the Working Group on Remote Sensing. I shall not take up the time of the Committee by going through the entire list, but I am afraid that unless the Outer Space Affairs Division and the Office of the Expert on Space Applications are adequately staffed we shall not get the service we expect from the Secretariat. The staff of the Outer Space Affairs Division, lest there be any misunderstanding, have done excellent work and whatever I have said is no reflection at all on the quality or the quantity of the work they have done, but the demands on them are increasing at such a rapid pace that unless we give some thought to this matter at this stage we shall find ourselves in serious difficulty in a year or two.

(Mr. Vellodi, India)

Above all, let us not forget the basic fact that the members of the Outer Space Affairs Division today, together with the Expert on Space Applications, are no longer engaged merely on servicing.

I shall not say very much on this occasion regarding the role of the United Nations in the field of space applications. But I will say this much. The Vienna Conference highlighted many positive and constructive ideas in the area of space applications. To take just one example, the delegation of Sierra Leone made an excellent suggestion at the Conference regarding the setting up of a United Nations centre for information and consultation. The Vienna Conference itself did not adopt any resolutions, but it was left to this Committee and to the General Assembly to follow up the constructive and positive ideas and suggestions made in Vienna and to translate them into concrete measures which the United Nations might take. The late Mr. Vikram Sarabhai, the architect of the Indian space programme, tried his level best at the sixth session of the Scientific and Technical Sub-Committee, immediately after the Vienna Conference, to initiate some steps in this direction, but although he received much verbal support from most members of this Committee his efforts failed. He had suggested the setting up of a high-level advisory committee, and there were many other suggestions in the proposal that the delegation of India submitted at the time. All that came out of the discussions was the valuable, but in our opinion inadequate, measure of appointing a single person as an expert on space applications, without any adequate supporting staff.

I have here the special report on the Application of Space Technology to Development prepared surprisingly in pursuance of a recommendation not of this Committee but of the United Nations Advisory Committee on the Application of Science and Technology to Development. The report recommended, among other things, the setting up of a joint programme committee -- and there are many other suggestions. I am not aware whether this report and the recommendations contained in the report have received the consideration they deserve from this Committee or from the Scientific and Technical Sub-Committee. I have not seen anything on record to indicate that those recommendations were at any time discussed. I am aware that the report itself was distributed and now it has been distributed widely all over the world.

(Mr. Vellodi, India)

Incidentally, I wish in parenthesis to make one suggestion to the Secretariat: that there might perhaps be an effort at better co-ordination between the Advisory Committee on Science and Technology and ourselves, if in fact the Advisory Committee on Science and Technology is also becoming involved in the area of space applications. In any case the Advisory Committee reviewed the present status. It reviewed the report. It reviewed the recommendations. The areas selected by the Advisory Committee on Science and Technology -- not by this Committee -- as offering particular opportunities to developing countries are the following: "(1) the use of satellites for point-to-point communications; (2) the use of direct broadcast satellites; (3) the use of meteorological satellites; (4) the use of remote sensing..." and so on. And the Advisory Committee recommended that developing countries should seek the assistance of the Outer Space Affairs Division of the United Nations in various areas, and it has listed a number of areas which might be of interest to the developing countries. While I am of course very happy that the Advisory Committee on Science and Technology did consider it proper to give serious consideration to the recommendations contained in this report, I am a little disappointed that this Committee itself has not considered it worthwhile to discuss the recommendations in any detail.

Coming now specifically to the financial problems, the Expert on Space Applications suggested a programme for 1973-74 -- an annual programme. One of these was considered by many delegations to be perhaps excessive. I believe it was to the tune of about \$100,000 or \$130,000, an amount which is so insignificant compared to other expenditures. For example, take the technical assistance alone provided by the International Atomic Energy Agency, and I deliberately make this comparison because I do believe that in the applications area of the space programme there is certainly justification for comparing the countries that can benefit from space applications with the countries that can benefit from the peaceful uses of atomic energy. Atomic energy certainly has its peaceful uses, essentially consisting of the production of nuclear power, and there are other applications too. But similarly, there

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are applications in space technology. There has been discussion not only of communications but of remote sensing and other areas. The technical assistance offered by the International Atomic Energy Agency -- and I do not include in this the funds available from the United Nations Development Programme from larger projects related to atomic energy, but technical assistance alone -- amounts if I am not mistaken, to something like \$2 million. Here we are bargaining about a question of \$130,000. Delegations say, "This is excessive, bring it down to \$100,000 or \$75,000." I entirely agree with those delegations that say that the money should be well spent. I could not agree with them more, and if constructive suggestions are made concerning how the budget can be reduced or adjusted so that the money is not wasted -- I myself do not believe that the money is being wasted -- that point is well taken. But to take a general view about an amount of \$100,000 or \$130,000 a year for trying to implement the suggestions made at the Vienna Conference -- that is, extending the benefits of space applications to the developing countries -- I believe would be stretching things too far.

The Swedish representative on the Scientific and Technical Sub-Committee was absolutely right when he said that what was necessary at this stage was to ensure that countries were made aware of outer space techniques. I could not agree with him more on that. He is absolutely right. This is the first phase. In fact I think the Advisory Committee on Science and Technology referred to this as the information phase to raise general awareness of the subject. I think that is well taken. It is quite correct. There should be that phase. Perhaps it is also true that one of the reasons why fellowships offered by countries are not being fully utilized -- one of the reasons, I say -- may be that some of the developing countries are not yet fully aware of all the benefits that can accrue in this area, although as I say, that is not the only reason. So it is correct to say that our effort at this stage should be directed to this first phase, and the programme that the United Nations Expert on Space Applications has recommended and the Sub-Committee has endorsed is, I think, the right way. One would have liked to see perhaps more panel meetings and more workshops, but we

(Mr. Vellodi, India)

understand the difficulties, and I think the approach of having these on a regional basis is the right one.

In concluding my statement, I wish to leave two thoughts with my colleagues. The first is related to the point I have just made and it is this. When we get over this first phase, the information phase, when the developing countries are made aware of the benefits from space applications, they will expect to receive assistance in enabling them to reap those benefits. My first question is this. Is the United Nations equipped as of now to extend such assistance when it is sought? And, a related question: Is the Committee really equipped to function as "the focal point for international co-operation in the peaceful uses of outer space", a phrase contained even in the very first recommendation made by a United Nations body, the Ad Hoc Committee on Outer Space, way back in 1959, at a time when outer space activities, especially in the field of applications, were not even thought of?

Mr. MACRAE (United Kingdom): Mr. Chairman, your admirable resumé of the activities carried out by the Committee on Outer Space in the year since the Committee last met is proof, if proof were needed, that these activities have waxed and blossomed under your wise leadership and that of our Rapporteur. We shall indeed miss Mr. Souza e Silva sorely in the time ahead, and I should like to associate my delegation with all that was said by the representative of India on the subject.

I should like also to join other delegations in congratulating the Government of the United States of America on the success of its Skylab programme. There is, I think, no one here who would deny the importance of this great experiment or who would not praise the skill and perseverance with which the programme was effected after what at first seemed could have proved a crippling disability. It is clear that the programme has already yielded major results, and we have every confidence that the further activities that are planned will be no less significant.

(Mr. MacRae, United Kingdom)

My delegation can claim no comparable activity. Nevertheless, we have been active in the field of outer space over the last year. We have continued our programme of scientific research with satellites conducted under co-operative arrangements with the United States by the inclusion of United Kingdom experiments in NASA satellites and by participating in ESRO scientific programmes. A further aspect of our national programme is the use of Skylab rockets for earth resource surveying by the use of remote sensing techniques. It is anticipated that this development will fill the gap between aircraft and satellite surveys and, because of the relatively low cost and great flexibility of use, should prove particularly attractive to developing countries. A successful firing was carried out in March this year in Argentina in a collaborative programme with the Argentinian authorities.

(Mr. MacRae, United Kingdom)

Of major concern to our Committee is the work carried out in the past year by the Legal Sub-Committee. It was a cause of disappointment to my delegation that the Legal Sub-Committee was unable to submit to us an agreed text either of the Moon Treaty or of the Convention on the Registration of Objects Launched into Outer Space. We very much hope that the informal discussions at present taking place on the outstanding points of both these treaties will make real progress and that it will thus be possible for this Committee to send to the General Assembly for its approval a completed text of one or both of these international instruments. On the points at issue and the United Kingdom's views thereon I do not wish to dwell since we have made and shall continue to make our position plain in the detailed discussions.

A question which we shall inevitably have to examine later on in this session is the future work of the Legal Sub-Committee. Clearly if by any misfortune agreement is not reached on the texts of the Moon Treaty and/or the Registration Convention the completion of these two instruments must be the first priority for the Legal Sub Committee. But even on the worst possible assumptions the Sub-Committee should still have some time to devote to other subjects. It has on its agenda both the question of direct broadcasting by satellite and remote sensing of the earth by satellite. Some would argue that both these subjects are a matter of urgency. We would not perhaps go quite so far as that but as between the two we think that there is a case for the Legal Sub-Committee giving some consideration to relevant aspects of direct broadcasting by satellite.

Turning now to the report of the Scientific and Technical Sub-Committee, my delegation entirely shares the view expressed by you, Mr. Chairman, in your opening statement when you said that this Committee should consider proposing guide lines for the Sub-Committee's future work.

Many delegations will be aware that the role and functions of the Scientific and Technical Sub Committee have been and continue to be a matter of some concern to my delegation. It was this which prompted the United Kingdom to submit a

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paper on the subject for the last meeting of the Sub-Committee. We think that the discussion to which that paper gave rise, and which is reflected in paragraphs 36 to 41 of the Sub-Committee's report, was both healthy and constructive. The Sub-Committee has specifically commended the views expressed in these paragraphs to this Committee for its consideration and I earnestly hope that delegations will devote some time to this important matter. I shall reserve any further comments to a later stage in our proceedings.

I should like at this point to welcome the statement of the Under-Secretary General for Political and Security Council Affairs about the strengthening of the Secretariat. I say at this point because, if I am not mistaken, it was the Scientific and Technical Sub-Committee which in the report of its ninth session referring to a previous request put forward at its eighth session:

"looked forward with anticipation to the report of the Secretary-General to the General Assembly... regarding the Outer Space Affairs Division with a view to strengthening that Division". (A/AC.105/102, para. 37)

I take it that Mr. Shevchenko's statement should be seen as amplification of his predecessor's statement on the subject to the First Committee of the General Assembly on 20 October last, which itself was presumably the Secretary-General's response to the Scientific and Technical Sub-Committee's request to which I have just referred. It goes without saying that my delegation will give to this latest statement all the consideration which it deserves.

Much of the time of the Scientific and Technical Sub-Committee at its tenth session was taken up with the question of the remote sensing of the earth by satellite. It is clear from the report of the Working Group on this subject (A/AC.105/111), that its meeting early in the year was indeed fruitful. If the report reveals a range of views on the various aspects of remote sensing, this is not surprising. Perhaps the sharpest cleavage arises over the question of legal aspects of remote sensing. Some delegations take the view that there is a need for the elaboration now of principles to govern the activities of States engaged in remote sensing. Two delegations have indeed tabled sets of draft principles. My delegation does not share this view.

(Mr. MacKae, United Kingdom)

It does not seem to the Government of the United Kingdom that international law imposes any regulation on environmental and earth resources surveying, carried on from beyond the limits of national sovereignty and it is considered that the Working Group should treat with caution principles drawn from other fields which are adduced in support of the imposition of such regulations. Similarly, United Kingdom law appears to impose few, if any, restrictions on surveys which do not involve entry upon land or activities affecting its use or enjoyment. There would again seem to be no general principle of international law or United Kingdom municipal law regulating the use and dissemination of environmental or earth resources information, and the United Kingdom Government has not considered that other fields of law and practice offer very useful precedents for the introduction of such regulations. They are nevertheless aware of the need for further analysis of the legal questions involved, while believing that such analysis cannot usefully be undertaken *in vacuo* and without regard either to the experimental results which are beginning to accumulate from the ERTS programme or to consideration of the organizational aspects of remote sensing. In the view of my delegation, the multidisciplinary nature of the Working Group on Remote Sensing makes it the most suitable forum in which to pursue these further studies and the United Kingdom Government will be glad to contribute, through their representation on the Working Group, their views on the various issues which may arise.

In that connexion, we note the recommendation of the Scientific and Technical Sub-Committee contained in paragraph 14 of its reports. We agree generally with these recommendations and in particular with recommendation (e) regarding the desirability of establishing a task force to identify and report on the alternatives for the dissemination and optimum utilization of environmental resources data, keeping in mind the data requirements of the developing countries. We believe that a task force convened for this specific purpose should contribute to the work of the Working Group on Remote Sensing at its next session. That session is indeed supposed to be the final session by when the Working Group will have to report to this Committee. But I wonder whether we should be quite so

(Mr. MacRae, United Kingdom)

definitive. Certainly, this Committee should require, and indeed deserves, a full and comprehensive report from the Working Group following its next session. But if it were to seem to the Group itself that further useful progress could be made in this important subject as a result of further meetings of the Group, I do not think that such a possibility should be excluded altogether.

Finally, I should like to turn to the report of the Working Group on Direct Broadcast Satellites at its fourth session. The Working Group concluded its deliberations on 22 June and I think that it is something of a tour de force that the report should have been distributed, at any rate in the English Language, as early as 26 June. On behalf of my delegation, I should like to congratulate all those in the Secretariat who were involved.

(Mr. MacRae, United Kingdom)

I do not wish at this juncture to set out in detail my delegation's views on the subject. I think that all of us would agree that the report contains much useful information. As in the case of the report of the Working Group on Remote Sensing, it is clear that there are differing views about direct broadcasting by satellite, both on the need for regulation and on the urgency with which such regulation should be prosecuted. The Working Group is therefore to be congratulated on being able to come up with the agreed conclusions and recommendations -- the fragile compromise, as it has been called by the representative of the Soviet Union -- set out in paragraphs 77 to 79 of the report. My delegation fully supports those conclusions and recommendations and trusts that this Committee will approve them. In fact, I believe it essential that in discharging the responsibility laid on it by operative paragraph 2 of General Assembly resolution 2916 (XXVII) this Committee should do nothing which might disturb the fragile balance of those conclusions and recommendations.

On the subject of General Assembly resolution 2916 (XXVII), it is true that, as the representative of India has just said, there are some differences of interpretation of operative paragraph 1. Those differences are indeed reflected in the report of the fourth session of the Working Group on Direct Broadcasting by Satellites. Some delegations made it clear when the General Assembly adopted resolution 2916 (XXVII) that, in their view, the meaning of operative paragraph 1 did not imply the need at that point in time for an agreement or agreements.

There are two other matters raised in the report of the Working Group which I should just like to touch on. The first is the recommendation contained in paragraph 39 in regard to possibilities for future action by the United Nations and the specialized agencies in their future work. My delegation hopes too that these recommendations will be adopted.

The second point relates to the UNESCO Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, Spread of Education and Greater Cultural Exchange. Owing to certain procedural difficulties -- which I do not wish to elaborate on at this point -- this

(Mr. MacRae, United Kingdom)

Committee was unable to comment substantively on these principles at its session last year. Despite the fact that the Declaration was adopted by the UNESCO General Conference at its seventeenth session, in 1972, the principles are still firmly before us for our comment. I think, therefore, that this situation should be disposed of.

As the Declaration has been adopted and as there is now no way in which any substantive comments that we might make could affect the principles themselves, I should like to propose that the Outer Space Committee should comment to UNESCO on the following lines: The Outer Space Committee has noted the UNESCO Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, Spread of Education and Greater Cultural Exchange contained in document A/AC.105/109. The Outer Space Committee has also noted the fact that the UNESCO General Conference at its seventeenth session adopted the principles. In the circumstances and while appreciating the opportunity to comment on the principles, the Outer Space Committee does not believe that any useful purpose would be served by making substantive comments at the present time.

Mr. Chairman, I am very conscious of the fact that I have taken up your attention and that of members of this Committee for much too long. It is, I am afraid, a further reflection of the extent of the activities of the subordinate bodies of this Committee and the way they have mushroomed. The questions raised are important and give rise to widely divergent views. Dealing with them is bound to be a time-consuming process; nevertheless, it is one that is pre-eminently worth while. Next year the programme of outer space activities is likely to be even heavier. I can assure you, Mr. Chairman, that my delegation will co-operate to the best of its ability with your efforts to ensure progress in the forthcoming year.

Mr. COCCA (Argentina) (interpretation from Spanish): In speaking for the first time in the plenary Committee, I should like to express the satisfaction of the delegation of Argentina at the valuable and comprehensive statement with which you, Mr. Chairman, opened our sixteenth session, as well as our pleasure that you are once again conducting our deliberations with the skill that you demonstrated last year and which earned the appreciation of us all, an appreciation that has been confirmed during the time that has elapsed since our last meeting.

At the outset I must express the gratitude of my delegation that in your opening statement, in referring to the significant space achievements since our last meeting you mentioned the joint launching by Argentina and the United Kingdom of the Skylark rocket for an initial investigation of the earth's resources. That launching resulted in the gathering of a vast amount of photographic material on a large area of the agricultural region of central Argentina. Apart from that result, the event points to the possibility of remote sensing of the earth's resources through a technique that is both effective and more economical and is therefore within the grasp of a larger number of countries. In that respect we share the views expressed by the representative of the United Kingdom, who has just spoken.

We would also like to congratulate the Governments of the United States and the Soviet Union for their great exploits in the exploration and utilization of outer space and celestial bodies, as well as all the nations which, in increasing numbers, are undertaking and successfully performing space activities in this field, as may be seen from the documents so successfully drawn up by the Secretariat.

The present session is a rather unique one: the greatest amount of effort will be concentrated on work which is predominantly juridical, and that is reflected in the establishment of an informal working group to study the treaty concerning the moon and the draft convention on registration. We regard this as an extraordinary situation, one which, furthermore, responds to an explicit request from the Legal Sub-Committee. But it would not be a good thing to consider this to be an accomplishment, because it distorts the functions entrusted institutionally to the Committee.

(Mr. Cocca, Argentina)

We very much regret the absence of the Chairman of the Legal Sub-Committee, Mr. Wyzner, whose experience and skill would have greatly aided us in our work.

As regards the treaty concerning the moon, substantive points remain to be considered in depth. Whether or not we should confine ourselves to the moon or include other celestial bodies is not an insuperable obstacle in our task of codification, since some of the envisaged solutions are capable of meeting with general consensus. Other questions should also be carefully analysed, such as international scientific reserves, pollution of the lunar environment, liability for activities on celestial bodies, depositing of instruments of ratification, and the theory that depositing parties may impede the entry into force of the instrument.

The most important aspect for our delegation is the question of the natural resources of the moon -- a question which, in our opinion, justifies the existence of a new international instrument and which led Argentina in 1970 to put forward an international convention on principles which should govern the activities involved in the utilization of the natural resources of the moon and other celestial bodies (A/AC.105/C.2/L.71) and a new article X (A/AC.105/115, annex I, page 26) at the last session of the Legal Sub-Committee.

(Mr. Cocca, Argentina)

The recognition and consequent affirmation that the moon and its natural resources constitute the common heritage of mankind has been the touchstone of the entire juridical formulation concerning the exploration of natural resources. Argentina, in this, has taken a firm stand which is in keeping with its responsibility since it was the first nation that brought this content into the text of an international treaty. With regard to this, at the last session of the Legal Sub-Committee, Argentina put forward a working document which appears in annex I, page 26, of the report of the Sub-Committee (A/AC.105/115).

The main questions pending in relation to the draft convention on registration are prior notification of launching; compulsory marking of all objects of space vehicles; and a revision clause for the convention. We understand that a convention on registration which does not make it compulsory to mark the objects -- something which is essential for identification -- would be meaningless. Furthermore, it is an important element in regard to possible liability on the part of launching States should the objects cause some damage to a third party. Prior notification, furthermore, guarantees correct application of the convention, as well as of the convention on space responsibility.

Finally, the inclusion of a revision clause is a necessary prerequisite in treaties of the type we are elaborating because it is so closely related to technology. In the face of the vertiginous advance of technology we have to ensure equal dynamism in the legal sphere; we have to revitalize and renew the permanent contents of international instruments which are binding on States. For our part, since a revision clause is included in article XXVI on space responsibility, we feel that this a healthy advance, a step forward, and we should not now take a step backward when the prestige of this Committee is based precisely on its constant progress towards improved international law based on a sound scientific basis and one which truly responds to the authentic legal sentiments of peoples.

The work accomplished by the Scientific and Technical Sub-Committee, under the able guidance of Professor Carver, has once again demonstrated the importance of having this body, whose role should be strengthened in our opinion. We feel that one of the criteria which should be borne in mind in this is the avoidance of a proliferation of organs in which the Sub-Committee will delegate its mandate. We feel that this expedient may be useful in some cases, but it

(Mr. Cocca, Argentina)

should be resorted to only in situations of dire necessity, and this only after very careful reflection by the members of the Sub-Committee.

In analysing the substantive points considered by the Sub-Committee, I wish to express the satisfaction of the Argentine delegation at the way in which the space application programme has been conducted, and I would reiterate at this point our congratulations to Mr. Murthy for his effective work. We feel that this work should be refined and consolidated constantly. And for this it will be essential to have enough pre-budgetary support.

We note that the amount allocated for 1974 is very different from what was estimated at the beginning, and what was agreed upon was the result of a compromise rather than the result of exhaustive evaluation of the programme. We reaffirm the need and the extreme utility of this programme and we would particularly emphasize the present and potential benefits to developing countries. We trust that the restrictive approach in this will give way to a better understanding of the idea which will promote broader diffusion and access to space technology.

In this brief summary I should also like to express the gratitude of my delegation for the recommendation put forward by the Scientific and Technical Sub-Committee in paragraph 35 of its report, and I would express our confidence, that no interruption in the sponsorship of the United Nations of the Mar Chiquita base will enable the task to continue successfully, as mentioned in document A/AC.105/C.1/L.52 and Add.1.

We would also like to express our pleasure at the progress achieved in the study of remote sensing by satellite both in the Working Group and in the Scientific and Technical Sub-Committee, and we would express our congratulations to the Chairman of the Group, Mr. Florio, for the efficient work he has accomplished. We trust that this task will continue with renewed enthusiasm next year and that we shall begin an in-depth study of the legal and organizational aspects of this activity. Any delay in discussing and resolving these problems could have very serious effects in relations of friendship and co-operation among States.

(Mr. Cocca, Argentina)

We feel this because we maintain that sensing of a territory of a country without prior consent of that country is an illegal international act and the community of nations should avoid this; and should it occur despite everything, it should be sanctioned. We feel that a prompt discussion of such an important question and a timely agreement on the organization of this activity will permit us to avoid the risks mentioned and will ensure that the techniques of inventory of resources will be an effective benefit for all mankind, particularly to the developing countries. This is proposed in article 1 of the draft international convention submitted by the Argentine delegation at the ninth session of the Legal Sub-Committee (A/AC.105/85, annex II).

(Mr. Cocca, Argentina)

Last Friday the Working Group on Direct Broadcast Satellites concluded its fourth session. We worked under the valuable guidance of Ambassador Rydbeck. The report which has been distributed clearly illustrates the progress achieved since the last meeting of the Group in 1970. We can say in that connexion that the delegation of Argentina strongly supports the conclusions and recommendations of the Working Group and would express the hope that it will be unanimously approved by this plenary Committee. Such conclusions and recommendations in synthesis show that it is necessary to deal specifically with the legal and political problems concerned and that another session should be held before the thirteenth session of the Sub-Committee on Legal Affairs so that concrete recommendations can be made on principles for the use of direct television broadcasting pursuant to General Assembly resolution 2916 (XXVII) for the work of the Legal Sub-Committee, and means should be found to improve international co-operation in order to obtain the maximum benefit from the technology of broadcast by satellites particularly for developing countries.

I shall now refer to a few aspects concerning improved work and a greater contribution by delegations in our Committee. First I shall refer to the expansion in the membership. That question was raised for the first time in the plenary by the delegation of Argentina on 7 September 1972, and we had the support of other delegations, including Austria and Egypt. Shortly after, on 19 October of that year, the Permanent Representative of Argentina took up the question again in the General Assembly, and at that time other delegations, including Chile, Indonesia and Italy, did likewise. At the twenty-seventh session of the General Assembly other Member States stated their desire to become members of the Outer Space Committee.

Our delegation thinks that the time has come to take a position on this. Our Committee was to be made up of representatives not only of all the geographical areas but of all the legal systems of the world; that was the idea. The present composition of the United Nations is such that 28 States as our membership is not satisfactory and does not meet any of those ends.

(Mr. Cocca, Argentina)

In 1959, in resolution 1472 (XIV), which gave rise to this Committee, the Committee had 24 members and at that time the United Nations had a membership of 83. The membership was increased in 1961 to 28, when the Organization had 104 Members. In short, since 1959 the membership of the United Nations has increased by more than 50 per cent, but the membership of the Outer Space Committee has remained at 28.

In the statement made by the Under-Secretary-General for Political and Security Council Affairs in our inaugural meeting, we were told of measures undertaken by the Secretary-General to ensure that the Outer Space Affairs Division be enlarged and strengthened so that it can carry out its mandate as the main organ in the Secretariat responsible for outer space affairs, with the object of being able to continue its impressive record of achievements of the past and a central and focal point of international co-operation in the peaceful uses of outer space. On the other hand, the admission of new Member States to the United Nations at the next session will further highlight this matter. And for that, my Government feels that we should begin to consider the matter and envisage a resolution to be adopted. It should always be borne in mind that it is not only a matter of the peaceful uses of outer space that is involved, but the implementation and progressive development of the United Nations programme in space applications, and we should remember that important space activities have begun projected directly to the earth and related to the fundamental rights of States. All this could not have been envisaged in 1959. Therefore, those countries which are still developing should be included in the membership of this Committee in the future.

Furthermore, I should like to state that the delegation of Argentina greatly appreciates the concern of the Secretary-General to increase the staff and the means so that the Outer Space Affairs Division will bear more profitable fruit in view of the advance in international law and scientific knowledge, and in view of developed techniques. We therefore support what was proposed in the General Assembly.

(Mr. Cocca, Argentina)

This strengthening of staff and means will enable us to ask that account be taken of the fact that for a harmonious task involving the different languages of the United Nations we should have the documents and all the texts in all the languages beforehand. We have become accustomed to working in one language only, and in this way we place on the shoulders of the members of the Secretariat a burden of responsibility which is not really theirs. We should work in all the working languages, both in the plenary and in the two Sub-Committees and Working Groups: we feel that we should, before the end of each session, have a complete set of documentation in each of the working languages.

Mr. TUERK (Austria): In making a short contribution to this general debate, I should first of all like to congratulate those countries which have performed new achievements in space since the last session of the Committee on the Peaceful Uses of Outer Space -- the most audacious of those feats certainly being the recently concluded Skylab mission. Noting the increasing number of space experiments carried out or planned jointly by various countries or benefiting several countries as a very positive development in this field I should also like to mention that space missions are being regarded by an ever-increasing number of people as achievements not only of one particular country but of mankind as a whole. My delegation believes that those achievements furthermore provide a stimulus for the work of this Committee and make it more urgent to fulfil the tasks entrusted to it.

Turning to the third item on the agenda of this Committee, which concerns the reports of the Legal Sub-Committee, the Scientific and Technical Sub-Committee and the Working Group on Direct Broadcast Satellites, my delegation would like, as on previous occasions, to emphasize the role of the Committee on the Peaceful Uses of Outer Space as a policy-oriented body to discuss and settle issues of a fundamental nature which its subsidiary organs were not able to resolve.

In response to the recommendations by the Legal Sub-Committee in paragraphs 19 and 26 of its report, this Committee has already started trying to resolve the remaining problems concerning the draft treaty on the moon and the draft convention on registration of objects launched into space through an informal Working Group and further informal consultations.

(Mr. Tuerk, Austria)

It is very regrettable indeed that the Chairman of the Legal Sub-Committee was unable to accede to the request of the Sub-Committee that if possible he attend this session of the Committee on the Peaceful Uses of Outer Space in order to assist in finalizing the two drafts. Although the final outcome of the deliberations of the Legal Sub-Committee as reflected in its report is certainly somewhat disappointing, it should nevertheless be borne in mind that the Sub-Committee made very strenuous efforts to complete the two items and that agreement seemed to be very close.

Concerning the draft treaty on the moon, my delegation wishes to note with satisfaction that the text of six provisions has been approved by Working Group I of the Legal Sub-Committee. In article IV, paragraph 3, and article VI, paragraph 2, however, the points relating to the time in which information should be submitted to the Secretary-General remain unresolved. To my delegation it seems that agreement on this question as part of a "package deal" covering all the outstanding problems of the draft treaty on the moon should not be too difficult. The second area in which no agreement could so far be reached -- namely, the scope of the treaty -- should also not be too difficult to resolve. As agreement more or less seems to exist that a treaty on the moon should also be applied to the other celestial bodies within our solar system except the earth and that a conference of States should be convened if it becomes desirable in the future to elaborate specific agreements in regard to those other bodies, the unresolved areas seem to be matters of presentation rather than substance. As this Committee is aware, article X of the draft treaty, referring to the exploitation of the natural resources of the moon, has proved to be the most important stumbling-block in the way of completing the draft treaty. It should nevertheless be borne in mind that agreement on substantial areas of this question, *inter alia* the establishment of an international régime governing the exploitation of these resources, when such exploitation becomes feasible, by a conference of States parties to the treaty, and so on, has been reached. The main unresolved issue is obviously the question of the exploitation of the natural resources of the moon pending the establishment of such an international régime. In this respect, the positions of various delegations are still quite far apart. My delegation sincerely hopes, however, that it will

(Mr. Tuerk, Austria)

still be possible, through intense consultations between the immediately interested delegations, to overcome the present deadlock in order to complete this draft treaty, which in our view contains quite a number of provisions highly advantageous for non-space Powers.

Turning to the draft convention on registration of objects launched into space, I should like to recall the greatly differing views on such a convention at the time it was originally discussed by the Legal Sub-Committee. Because of the sincere will to compromise on the part of all delegations, Working Group II of the Sub-Committee was in the course of the last session of the Sub-Committee able to produce the draft articles now before this Committee. In my capacity as former Chairman of Working Group II I should like to take this opportunity to express my gratitude for the co-operation and goodwill displayed by all delegations participating in these difficult negotiations.

With respect to the remaining unresolved questions, my delegation hopes that this Committee will be in a position to settle them. As far as marking is concerned, the still existing disagreements seem to stem mainly from differences of opinion regarding the technical and financial feasibility as well as the ultimate usefulness of such a procedure. In order to reach agreement on this question a flexible approach will have to be adopted. Regarding the other main unsettled problem concerning the draft convention -- the question of including a review clause -- opinions already seem to be a lot closer, as it is widely realized that a convention of this nature should in due course be adapted to relevant technological developments.

As consultations on these matters are still in progress I shall not go into further details, and I should now like to turn to questions in the scientific and technical field:

My delegation has constantly attached the highest importance to the question of space applications and advocated the establishment of meaningful programmes, their expansion over the years and the allocation of larger resources to finance them. The new United Nations Expert on Space Applications, Mr. Murthy, on account of his ample experience and knowledge in this field will certainly be in a position to carry on the outstanding work performed by his predecessor. My delegation agrees in principle with the concept of long-range

(Mr. Tuerk, Austria)

planning. In establishing guidelines for future programmes, particular attention should be paid to the specific needs of developing countries. The recommendation of the Scientific and Technical Sub-Committee concerning the appointment of two part-time regional consultants on an experimental basis, as set out in paragraph 17 of its report, would seem to be an especially useful step in that direction.

On the question of remote sensing I should once again like to express satisfaction with the excellent work performed by the Working Group on Remote Sensing. It is to be hoped that the proposed task force will be in a position to make valuable studies concerning the best means of disseminating remote sensing data acquired from space. Austria is highly interested in certain aspects of remote sensing -- for instance, the means of obtaining information on the snow situation in its alpine regions. I should, however, also like to recall that remote sensing presents important problems of a legal nature and the appropriate body to formulate relevant guidelines thereon would seem to be the Legal Sub-Committee.

Regarding the future role of the Scientific and Technical Sub-Committee, my delegation holds the view that this Committee -- with whose report I should like to express great satisfaction -- should act as a focal point for the review and co-ordination of the United Nations programme on space applications. The matters dealt with by that Sub-Committee are gaining an ever greater importance for the developing countries and those developed countries which are non-space Powers. Therefore, that Sub-Committee should be continued and perhaps play an extended role in the future. In its method of work, the Scientific and Technical Sub-Committee should concentrate rather on specific items and establish priorities, as the Legal Sub-Committee has been doing for a number of years.

My delegation agrees that remote sensing of the earth by satellites in all its aspects -- including the contribution of satellites to the solution of environmental problems -- and the United Nations programme on space applications should be among the priority items to be considered at the next session of the Sub-Committee, as set out in paragraph 39 of its report. In this context I should, finally, like to mention that my delegation is also aware of the fact that an undue proliferation of subsidiary bodies of the Scientific and Technical

(Mr. Tuerk, Austria)

Sub-Committee should be avoided as member countries, especially smaller ones, might in the long-run have certain difficulties in attending all the sessions of these subsidiary bodies.

Turning briefly to the report of the Working Group on Direct Broadcast Satellites now before this Committee, my delegation would like to express its appreciation for the work of that Working Group. With respect to the role of international organizations in this field, I want to mention that Austria has been participating very actively in the Committee of Governmental Experts convened by UNESCO and WIPO since there is great interest in the problems arising from direct broadcasting by satellites in the fields of copyright and neighbouring rights as well as concerning the question of legal protection of satellite transmissions against unauthorized use. Austria is therefore also participating with a rather large delegation in the Third Committee of these Governmental Experts which is to meet in Nairobi in a few days.

Concerning the proposal for a convention on principles governing the use by States of artificial earth satellites for direct television broadcasting and the draft principles governing direct television broadcasting by satellites, my delegation is of the opinion that the Legal Sub-Committee should try to reach agreement on the form and legal status of any relevant instruments. As there are also other aspects involved in this question, the task of the Legal Sub-Committee would undoubtedly be greatly facilitated if another session of the Working Group on Direct Broadcast Satellites could be convened before the next session of the Legal Sub-Committee. Austria has always held the view that the vast creative potential of such new techniques should become a unifying rather than a dividing factor in international life and international relations.

My delegation would therefore express the sincere hope that harmonization of the principle of freedom of information and the principle of respect for sovereignty of States stressed by various delegations will, after careful study by this Committee and its relevant subsidiary bodies, finally be possible.

Mr. CHARVET (France) (interpretation from French): Yesterday morning my delegation expressed the hope that the Committee would complete the drafting of the treaty on the moon. The exchange of views that took place yesterday afternoon on article 10 in the informal working group and in the mini-group brought out the difficulties that remain to be resolved in order to reach a consensus on the problem of the resources of the moon. Given the serious differences of view which appeared, my delegation believes that it is its duty to recall its position as already stated in the Legal Sub-Committee at its last session.

My delegation is satisfied with the compromised text on article 10 which emerged from the informal consultations in the Legal Sub-Committee. This text, it seems to us, fully respects the principles set forth in the outer space treaty. It enshrines the principle of national non-appropriation and rules out property rights on the moon. It repeats the principle of non-discrimination among States and provides for an international régime of exploitation of the lunar natural resources when such exploitation becomes possible. It stipulates that the international régime shall ensure an equitable distribution of the advantages that might accrue from such exploitation, particular account being taken of the interests and the needs of the developing countries. It provides, to that effect, for a conference of States parties which shall work on the basis of the principle that the natural resources of the moon are "the common heritage of mankind". The adoption of that term, in our view, constitutes a considerable advance over the Outer Space Treaty, which speaks only of the province which might at some point become the heritage.

My delegation fully understands the concern of the non-space Powers with regard to the resources of the moon. As I have already had an opportunity to state in the Legal Sub-Committee, we would be the first to protest if we noted that the great space Powers were not complying with their undertakings given in the space treaty. Fortunately, this is not at all the case. Lunar exploration, so costly that only a very few countries are likely to be able to undertake it individually in the future, has yielded results the benefits of which are already reaching the whole international community. The Treaty on the moon deals with a temporary phase, that of scientific research on the moon, not yet the phase of industrial exploitation, which will or will not take place one day and, in any event, will be regulated by an international conference.

(Mr. Charvet, France)

I perfectly agree with my friend, Mr. Cocca, head of the Argentine delegation who, thanks to his remarkable knowledge of international law, has often played a useful role of pioneer and catalyst in our midst, and agree with all those who share his concern about the status of lunar resources. They were right to sound the alarm, because in the future this problem may be of enormous importance, particularly for the developing countries. I was all the more struck by their arguments because this is the first time, at least to my knowledge, that space law has started going faster than space technology. Those who have followed the activities of the Outer Space Committee over the last few years, know how we have always deplored the way space law had followed in the wake of space technology.

It seems to my delegation that all of these requirements are most pertinent and duly founded on the Outer Space Treaty. They are very important questions, but they need to be dealt with by the conference provided for in article 10, whose responsibility will be to provide regulation for the complex problems raised by the industrial exploitation of lunar resources.

Meanwhile, let us remember that we are now in a phase of scientific research conducted by States which are bringing the benefit of their experience to the whole international community and which are bearing the whole burden of the cost of that lunar research. We must see to it that this scientific research is carried on in accordance with the provisions of the Outer Space Treaty. But we must also make sure that this research, which benefits us all in the final analysis, is not slowed down or paralysed by premature and excessive legal regulation, because then in our desire to do well or to do better we might be in danger of jeopardizing precisely this future industrial exploitation which we all expect to be so advantageous. Our effort to be too specific over certain provisions in the treaty might boomerang in a way detrimental to our real interests, because then we would have only the lunar treaty and the international community would no longer benefit, and it would be difficult to exercise control over what took place there.

Once again, therefore, my delegation appeals to the spirit of compromise of all delegations, because we believe that if this crucial difference of views on natural resources can be overcome, then the Committee will be in a position to come up with a draft for the Assembly and the way will be open for the study of other urgent matters awaiting our attention, such as direct broadcasting and remote sensing, which are even more important for the countries that have not yet acceded to the status of space Powers.

The CHAIRMAN: There are no other names on the list of speakers for this meeting.

I should like to thank all the representatives who have spoken for their clear and thoughtful statements. They have all made important contributions to our debate. I should also like to express my thanks and those of the other officers of the Committee, particularly the Rapporteur, for the kind and friendly remarks addressed to us.

The next meeting will take place tomorrow morning, 29 June, at 10.30. There is only a short list of speakers for tomorrow. I should like to stress, as a number of speakers this morning have done, that we have relatively little time left for our session. I would propose, with the Committee's consent, to close the list of speakers in the general debate at the end of tomorrow morning's meeting. It is my hope that we shall be able to conclude the general debate either tomorrow morning or -- if other representatives inscribe their names on the list of speakers -- Monday morning. That would enable us to consider the remaining items on our agenda next week and to continue the informal consultations on the two draft conventions.

The meeting rose at 12.40 p.m.