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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE
VERBATIM RECORD OF THE ONE HUNDRED AND FIFTY-THIRD MEETING

Held at Headquarters, New York,
on Monday, 16 June 1975, at 3 p.m.

Chairman:

Mr. JANKOWITSCH

(Austria)

- Consideration of:
 - (a) Report of the Legal Sub-Committee (continued)
 - (b) Report of the Scientific and Technical Sub-Committee (continued)

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75-84036

CONSIDERATION OF:

- (a) REPORT OF THE LEGAL SUB-COMMITTEE (A/AC.105/147)(continued)
 (b) REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE (A/AC.105/150)(continued)

Mr. CHRISTIANI (Austria): In commenting on item 4 (b) of our agenda this afternoon, my delegation wishes to make a few brief remarks and observations on remote sensing -- as it has been dealt with by the Scientific and Technical Sub-Committee--the Programme on Space Applications, the question of co-ordination within the United Nations system and, finally, a very brief additional observation on the space conference.

As far as the question of co-ordination is concerned, before going into the substance of my statement I want to express, on behalf of my delegation, our appreciation to the representative of the Office for Inter-Agency Affairs and Co-ordination, Mr. Muller, who has given us a most interesting and valuable account, which I understand was circulated a few minutes ago in written form. I think that the Committee will appreciate the efforts being undertaken by that Office of the Secretariat.

With reference to the first subject, remote sensing, many delegations have spoken on it in their general statements and I think that the following assessment emerged: there was a generally favourable view of the work done by the Scientific and Technical Sub-Committee so far as remote sensing was concerned -- and, of course, my delegation can fully associate itself with that general feeling. I think it was a good session which brought us a considerable step forward, owing in large measure to the fact that we had comprehensive and generally excellent documents before us. I think that the last session of the Scientific and Technical Sub-Committee succeeded in further clarifying the issues, and I believe that the results testify to the importance of that kind of interdisciplinary approach that has been stressed over and over again by several delegations.

One general trend emerged during the session of the Scientific and Technical Sub-Committee, in other words, there seemed to be a feeling that, for the time being, a regional approach is the one that holds greater promise.

(Mr. Christiani, Austria)

But it was my delegation, among others, which while fully associating itself with that approach, stressed that the international approach on a global level should not be lost sight of for reasons that we have stated in the Scientific and Technical Sub-Committee and which can be found in an abbreviated form in paragraph 27 (xii) of the Scientific and Technical Sub-Committee's report.

(Mr. Christiani, Austria)

We think that for the reasons I have already stated, and also and in particular in view of the political and legal apprehensions that have been voiced, delegations should give serious consideration to the global approach. Again, however, I want to stress that we agree with the general trend in this respect -- that is, that for the foreseeable future the establishment of regional centres will probably be the first important step that the international community can take.

In that connexion we have carefully noted the contents of paragraph 27 of the Scientific and Technical Sub-Committee's report. I would stress subparagraphs (iii), (iv) and (x). We feel that it is very important to make information available to other countries in a region. Subparagraph (iv) relates to co-operation with the United Nations, and subparagraph (x) to the transmission of information to the United Nations by the regional centres. Both those points are very valuable, and the Scientific and Technical Sub-Committee would stand to gain a good deal if they were put into effect.

I turn now to the recommendations in paragraph 29 of the report, and I would stress subparagraph (a) (2), relating to a feasibility study on a possible co-ordinating function for the United Nations. That seems to my delegation to be of particular importance.

My delegation hopes that next year, when the Scientific and Technical Sub-Committee considers these further studies and also, as we hope, a report by the Secretary-General on the practical steps he has taken under paragraph 29, it will be possible to take some specific decisions. And by the words "specific decisions" I do not mean that further studies should be commissioned. Of course, such studies are always useful, but I have in mind specific decisions that could eventually lead to a decisive role for the United Nations in remote sensing.

I shall supplement my general and preliminary remarks on this subject by more specific comments later, as appropriate.

(Mr. Christiani, Austria)

I come now to the second major item in the report of the Scientific and Technical Sub-Committee, the programme on space applications. I think it is well known -- indeed, my delegation has repeatedly stressed this in past years -- that we attach great importance to that programme. My delegation certainly should express its deep appreciation to the Expert on Space Applications, who, within the very limited means at his disposal, has done an excellent job. Without, of course, wishing to interfere in the Secretary-General's responsibilities, my delegation expresses the hope that in the future too this Committee will be able to benefit from Mr. Murthy's expertise.

The programme on space applications began several years ago on a quite modest scale. For various reasons, it is still modest in scope. Nevertheless, we feel that through the combined efforts of the Expert, this Committee and the specialized agencies, the programme has been put on the right track.

It might be appropriate at this stage to say a few words about the necessity of co-ordination. My delegation has repeatedly stressed that we think this is a very important point. I think we should be very frank: we all know that many of the specialized agencies have quite advanced programmes and activities within the framework of making the benefits of space technology available to developing countries. When we talk about co-ordination and "focal point", my delegation has the feeling that the United Nations itself is still the junior partner, as it were, in this undertaking, in the sense that our very modest efforts are sometimes surpassed, and even far surpassed, by the activities of the specialized agencies. Of course, we welcome the activities of the specialized agencies but we must bear in mind the foregoing fact when we ask the specialized agencies to co-ordinate their activities with those of the United Nations. Co-ordination should not be only an exchange of information; it should be a give-and-take process. 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.

(Mr. Christiani, Austria)

There is another point in the space applications activities that my delegation has stressed from the outset -- that is, that the scope of the programme should be expanded and that additional financial means should be made available. Of course, that should not mean -- and I can only emphasize this again -- that we should not undertake a critical and thorough review of the programme itself. I think that we would all subscribe to the necessity of reviewing the programme in order to make it more effective.

In that connexion I cannot hide the fact that we are quite unhappy with paragraph 48 of the report. Those representatives who were present at the session of the Scientific and Technical Sub-Committee know that the present text of that paragraph was arrived at only after very lengthy discussions, and it of course represents a compromise. It states, in part:

"Several delegations expressed the view that the United Nations space applications programme should be expanded ... Other delegations did not agree to this view and stressed that the most appropriate way for further improving the programme would be to increase its effectiveness". (A/AC.105/150, para. 48)

Anyone reading that for the first time would have the impression that there is a deliberate contradiction between those two notions. Of course, that should not be so. Certainly my delegation and I trust all other delegations subscribe to the position that the programme should be made as effective as possible. But that has nothing to do with the other side of the coin -- that is, that the programme should be expanded both in scope and in content. My delegation does not advocate the expansion of those programmes that the Sub-Committee or this Committee has found to be ineffective. I must say quite frankly that, while the Sub-Committee has over the years always looked at the programmes prepared, and very excellently prepared, by the Expert, it has never -- at least this is my delegation's feeling -- really gone into the substance, reviewing the programmes and making its own proposals. It has recommended the adoption of these programmes but, so far at least, has placed the entire burden on the shoulders of the Expert. Of course, there have always been discussions about whether or not to give the Expert the financial means, but unfortunately we have

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not gone into the substance, perhaps eliminating or adding one or another programme and really establishing a dialogue between the Expert and the Sub-Committee. Perhaps that could be done in the future.

(Mr. Christiani, Austria)

That is what I have to say on paragraph 48 and, as I have said, of course as it is drafted here it represents a compromise, but it could lead to the wrong conclusions.

I will touch only very briefly on the question of funding. Especially in replies sent to the Secretary-General, proposals were made to the effect that funding for part of or the whole Programme should be made voluntary, while my delegation -- as we also expressed in our reply to the Secretary-General -- feels that the bulk of the Programme should continue to be funded through the regular budget. Nevertheless we feel there are quite a number of indirect ways in which member countries could help by absorbing costs, by meeting subsistence costs, travel costs and so on. Of course, that does in fact happen already, but it could perhaps be done to a greater extent. It would provide welcome additional means for the Programme.

During the meetings of the Scientific and Technical Sub-Committee the representative of Egypt made what we consider a very important proposal that should certainly merit detailed consideration: it concerns a review of the space applications Programme in such a way as to study the question of whether it should not lead into a technical assistance programme as envisaged, let us say, by the International Atomic Energy Agency, and whether or not funds of the United Nations Development Programme could be made available for that purpose. I think this is a matter that certainly merits considerable consideration.

Those are the few comments my delegation wanted to make on the space applications Programme. Perhaps I should make an additional comment as to the question of funding. We have more than once expressed our opinion that this Committee should be concerned mainly or solely with the content of the Programme and should, of course, also perhaps express a general desire that the funds requested by the Expert be provided. I would repeat that, in our view, this Committee should not talk about specific figures in dollars and cents. I think that is a matter for other bodies of the United Nations. The Committee should express itself on the general desirability of making available the funds requested.

A few words on the question of the space conference. My delegation has dealt with this question in its general statement. The other day the representative of India introduced a paper jointly sponsored and placed before the Committee by his delegation and the Austrian delegation. There is little for me to add, but I should like to reiterate one proposal we made in our general statement which,

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if acceptable to the Committee, would, we hope, be reflected in the report. That proposal would have this item of the space conference removed from the agenda of the Scientific and Technical Sub-Committee and placed on the agenda of the main Committee; perhaps, in order not to prejudge this question for years to come, we should have a recommendation and to include the item in the agenda of the nineteenth session of the main Committee, next year.

My delegation of course fully associates itself with the remarks and proposals made by the representative of India as to the technical possibilities which might be open for the Working Group of the main Committee to meet, and we hope the Committee will find these proposals acceptable.

That concludes the brief remarks I wanted to make. I hope my delegation will have the opportunity to make further comments as the discussion proceeds.

Mr. KANGWANA (Kenya): I would ask the Committee's indulgence once again this afternoon in order to clear up one or two points which seemed to come up in this morning's discussion. I should like to reiterate our position.

Regarding the work of the Legal Sub-Committee, I think it would be wrong for my delegation not to recognize the excellent work that was done by the Ambassador of Poland and the Chairmen of Working Groups I, II and III. I think they produced excellent work and that on the basis of that some progress ought to be made.

As many delegations have mentioned, some considerable progress has been made on the question of the draft treaty relating to the moon, though outstanding issues are far from being resolved. We are all aware that the Legal Sub-Committee was able to agree on a draft consisting of a preamble and 21 articles in 1972 and that six further provisions were agreed upon in 1973. The three unresolved issues which continue to be debated relate to the scope of the treaty, the information to be furnished on missions to the moon and the question of the natural resources of the moon.

While the solution of these problems was not achieved, useful discussion took place relating mainly to the problem of the legal status of the surface and sub-surface of the moon and the natural resources thereof, and that is reflected in articles X and X bis. These articles do not, however, reflect a common agreement, and that is brought out clearly in numerous brackets which reflect a basic disagreement in approach.

My delegation believes that the scope of the treaty dealing with the moon must also extend to other celestial bodies and that such bodies cannot be subject to acquisition by any State, group of States or international organization. We believe that such bodies and their resources must be considered the common heritage of mankind to be exploited for the benefit of all.

(Mr. Kangwana, Kenya)

It is perhaps not appropriate to equate the sea-bed beyond national jurisdiction with the moon and other celestial bodies as there are many significant differences, but we believe that the rationale which clearly motivated the General Assembly to declare such ocean zones as constituting the common heritage of mankind applies mutatis mutandis to the moon and other celestial bodies. Once this is generally agreed, it should not be difficult to remove the various brackets in articles X and X bis, which would facilitate the adoption of the draft treaty relating to the moon. With goodwill and a spirit of conciliation, this task could very easily be accomplished during the next session of the Legal Sub-Committee.

On the question of the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting, it will be recalled that the General Assembly, in resolution 3234 (XXIX) of 12 November 1974, had recommended that the Legal Sub-Committee should at its fourteenth session consider the elaboration of such principles with a view to concluding an international agreement or agreements in accordance with General Assembly resolution 2916 (XXVII) of 1972.

My delegation is heartened to note that a high degree of consensus has been reached on this subject, and I think that the Chairman of Working Group II, Mr. Vellodi of India, should be commended. And should this spirit of compromise prevail during the next session, there is indeed hope that the Working Group will be able to complete its work. My delegation is aware of the major advantages which can be obtained through direct television broadcasting, particularly in the educational field. Nevertheless, we maintain that such broadcasting should only be carried out on the basis of mutual understanding among the States involved, with a view to assisting social and economic development, particularly in developing countries, and should not be used as an instrument for subverting the political, economic and cultural institutions of other countries. Our statement this morning was in fact alluding to that.

While we subscribe to the need for the widest dissemination of information, we cannot agree to a proposition that any State has the right to decide for any other State what is beneficial to that State and its nationals or its

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institutions. This does not mean, however, that there need be an insoluble conflict between the right to disseminate information and State sovereignty. What is required is strict adherence to the existing principles contained in the Charter of the United Nations and other relevant conventions and declarations which determine what is and what is not permissible in the conduct of States.

We particularly believe that direct television broadcasting by means of artificial earth satellites specifically aimed at a foreign State requires the consent and the collaboration of that State. We also believe that States should bear responsibility for such broadcasting conducted by them or under their authorization.

This is particularly so in connexion with unlawful broadcasts not consented to by the States from which they are beamed.

Turning now to the problem of remote sensing by satellites, my delegation has carefully listened to some comments that have been made on this issue and we wish to congratulate the Working Group for the start it made in identifying the common elements to be found in the existing proposals on this subject. We strongly disagree with those who have insisted that the mandate of the Committee under General Assembly resolution 3234 (XXIX) precludes the drafting of an international instrument on remote sensing, and that the Sub-Committee should concentrate merely on the consideration of the legal implications on the basis of views expressed by States. My delegation cannot accept the proposal that the law should await the development of technology before providing a basic framework on this important subject.

If the Sub-Committee shied away from providing the basic legal framework under which remote sensing can be conducted, we would be condoning the imposition of a fait accompli by the few States which at present are in a position to conduct such remote sensing. We do not believe that the elaboration of legal principles need be in conflict with the preparation of a legal instrument to govern remote sensing of the earth resources. Of necessity, any treaty on this subject would have to be based on the legal principles and, consequently, it is unfortunate that the Working Group found it necessary to spend most of its time on procedural debate.

(Mr. Kangwana, Kenya)

If necessary, the General Assembly should, during the next session, be requested to state whether the Legal Sub-Committee is required merely to consider the legal implications of remote sensing or to consider also the formulation of a legal instrument to cover the field of remote sensing from space.

My delegation is firmly convinced that there is a need for a legal instrument in this field, and we find that the draft basic articles for a draft treaty on remote sensing, submitted by Argentina and Brazil and also sponsored by Venezuela, Chile and Mexico, offer the most useful basis for discussion of such a treaty.

Mr. VELLODI (India): In my statement this afternoon I propose to deal with the report of the Scientific and Technical Sub-Committee (A/AC.105/150). As we know, the Scientific and Technical Sub-Committee had four issues on its agenda, all of them important ones, which have been fairly well covered in the report of the Sub-Committee. We believe that on the whole the Scientific and Technical Sub-Committee did succeed in having a fairly productive session. We would have liked to have given a little more attention to the question of the United Nations Programme on Space Applications, to which I shall return later, but if one goes through the report, one has reason to be happy in general with the work of the Scientific and Technical Sub-Committee. My delegation would certainly like to congratulate Mr. Carver, the Chairman of that Sub-Committee.

I shall deal with the various items in the order as they appear in the report of the Scientific and Technical Sub-Committee. Therefore, I shall first take up the item relating to remote sensing of the earth from space. The terms of reference of the Scientific and Technical Sub-Committee in this area of remote sensing I think were fairly clear. It was asked to continue the important work which had earlier been initiated in the Working Group on Remote Sensing, because it was generally the feeling in the main Committee last year that that work should not be abandoned and that it was sufficiently important for us to carry it on.

(Mr. Vellodi, India)

The Scientific and Technical Sub-Committee, in a sense, also had another mandate which was that the further study of organizational and financial matters should progress -- and I stress the word "progress", not "proceed" -- together with the consideration of the legal aspects of remote sensing. I should like to submit my delegation's view, particularly on that second mandate. We certainly do not have the intention of starting an argument on this score here, but I think it would be helpful and useful if there were at least some consensus, a meeting of minds, as to what exactly we mean when we say that the study of organizational and financial matters should progress together with the consideration of the legal aspects of remote sensing.

(Mr. Vellodi, India)

My delegation understands this to mean that we should attempt to make progress in both directions. Now, we believe -- and I have stated my delegation's and my Government's position on this -- that, despite the necessity of such a legal framework, its formulation or finalization cannot be a precondition or a prerequisite for trying to make progress on the organizational side. I think this is something we should be very clear about, because otherwise all the work we might do in the Scientific and Technical Sub-Committee might come to naught. I do not believe there is any difference of opinion on this, and I shall try to explain why I draw that conclusion.

If we were to take the view that on the organizational side we should not do anything until the legal framework is completed, either in the form of principles or a treaty then, as you will find if you read the report of the Scientific and Technical Sub-Committee, particularly paragraph 27, many recommendations and suggestions might make the reader feel that there is some sort of dichotomy because, for example, if we say that we should do nothing on the organizational side, it would be a strange conclusion for the Sub-Committee to make specific recommendations and include specific expressions of hope in that regard. I will deal with just three or four as an illustration.

In paragraph 27 (iii) the Sub-Committee expressed the hope, for example, that countries in other regions would set up stations similar to those which are either operational or are being set up in Brazil, Canada, Italy, Iran and Zaire in addition, of course, to those in the United States. If, therefore, we were to take the view that activities in the field of remote sensing should not be embarked upon until we are ready with the legal framework, it would be somewhat strange for the Sub-Committee to make such recommendations and to say how good it would be if other countries should set up stations, because stations are set up to be operational. If a country sets up a station, it is thereafter engaged in remote sensing activities.

Again in the same paragraph 27, we took note with satisfaction of the decision taken recently by the Conference of Ministers of the Economic Commission for Africa for the establishment of a regional international remote sensing centre for Africa. We expressed the view that countries setting up

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receiving stations should endeavour to co-operate to the maximum extent feasible with the United Nations. We noted that facilities for data storage and dissemination have been established, not only by some Member States but even by the specialized agencies -- that is, within the United Nations system. We noted with appreciation the efforts made by the specialized agencies to utilize and apply satellite remote sensing data in their programmes on behalf of developing countries.

If we did all this, it was certainly not the intention or even the thought of those who drafted this report that activities in the field of remote sensing should not be undertaken until the legal framework was finalized and adopted. Therefore, although at some point or in some discussion there might appear to be that kind of a disagreement or dichotomy, I do not believe that there actually is any. I believe that we are all agreed that progress should be made in parallel, that we should certainly try to achieve progress in both directions: on the organizational and legal sides alike. I wanted to clarify this point because I think it important that we should have an understanding on that.

Then, of course, the question arises: What is to be done under the auspices of the United Nations in this area of remote sensing? We have made some recommendations --- and, incidentally, I might say at this point that the recommendations contained in paragraph 29 are, in our opinion, very constructive ones, and we hope that the various studies and the information sought from the Secretary-General and the Secretariat will help us at our session next year to make further progress on the organizational side.

One other point is this: while we have in this report expressed the Sub-Committee's hope --- and, in a sense, the United Nations hope -- that countries other than the five that have stations or are planning stations will set up stations, we were told last time that the setting up of these stations and the establishment thereby of some sort of a global framework of receiving stations would assist considerably the operations of ERTS-B, particularly in view of the difficulty that they have experienced with the tape recorders.

(Mr. Vellodi, India)

That brings me to yet another point, and that is that I think countries in other regions will perhaps want to know whether they can expect any assistance from the United Nations or the United Nations family in the setting up of these stations, because the setting up of such stations is very difficult for countries having inadequate resources. At the same time, all of us in the developing countries recognize the great potential in this area of space technology and would certainly like to benefit from it. Therefore, if it develops that only through a framework of stations around the world, and on a real time telemetry basis can we derive fullest advantage from the satellite that is now operational, it is possible that several countries might decide to build stations, particularly since we do not seem -- at least in the eyes of many developing countries --- to be making much headway towards having a system under United Nations auspices, whether for data storage and dissemination, or for data acquisition. Countries that had perhaps thought it possible to wait until such time as a facility under United Nations auspices came into being might now be thinking that perhaps if they really want to get into this they should "go it alone". In a sense, it would be unfortunate, but perhaps it is unavoidable.

(Mr. Vellodi, India)

That is all that I wish to say on remote sensing. We are generally happy with the progress that was achieved in the Scientific and Technical Sub-Committee. We had massive documentation under this item. Many of the documents were extremely useful, and some of the further documentation that is being sought will, I think, help us at the next session of the Scientific and Technical Sub-Committee to make further progress on the organizational side.

As far as the connexion between the Scientific and Technical Sub-Committee and the Legal Sub-Committee is concerned, I generally tend to agree with most of the representatives that have spoken that there has to be that kind of co-ordination. I am glad to see that the Scientific and Technical Sub-Committee in its report has referred to the work of the Legal Sub-Committee and has even commended to the Legal Sub-Committee the relevant parts of its report on remote sensing. I think it is important and I also feel that perhaps the fact that the Scientific and Technical Sub-Committee is meeting before the Legal Sub-Committee next year might assist in speeding up the parallel work in the Legal Sub-Committee.

I shall now make some brief observations on the United Nations Programme on Space Applications. As most members here know, my delegation has during past sessions of the Committee and of the Scientific and Technical Sub-Committee taken considerable interest in this, and therefore it will probably not be necessary for me to speak at great length about it. I shall only refer to the major points, the points that I feel we should always keep in mind.

First of all, I must express my delegation's unhappiness at the fact that, although we had a clear, specific mandate from the main Committee last year to give in-depth consideration to this question during the meetings of the Scientific and Technical Sub-Committee, we did not have any in-depth consideration. It was peripheral except on some procedural points. It may be that delegations were not prepared. It may be that delegations were waiting to see the replies from over 100 countries to the questionnaire that was sent. Whatever the reasons, we believe that the detailed consideration that was asked for has not been given, and we sincerely hope that at its next session the Scientific and Technical Sub-Committee will do better in that regard.

(Mr. Vellodi, India)

Like the representative of Austria, we also feel that paragraph 48 of the report of the Scientific and Technical Sub-Committee could perhaps have been better drafted. In any case it should not, in our opinion, give rise to any disagreement. As regards the past three General Assembly resolutions, I made a note of the resolution numbers and the operative paragraphs. I did not have to take down the texts of those paragraphs, because they are identical. In each of the three resolutions -- 2915 (XXVII), 3182 (XXVIII) and 3234 (XXIX) -- there was an identical paragraph which recommended the continuing development of the Programme, taking specially into account the needs of the developing countries. These resolutions were adopted unanimously, and therefore there should not be any disagreement among ourselves about the need for developing the Programme. It may well be that people understand different things in regard to what is needed to be done. We ourselves believe that the development of the Programme involves its expansion. In fact resolution 3234 (XXIX) had an additional concept which is contained in operative paragraph 17, where specific reference is made to the desirability of expanding the Programme, but, even without that, the development of the Programme in my mind does involve expanding, to cater to the needs of the situation.

Like the representative of Austria, we were in a sense happy that the Scientific and Technical Sub-Committee this time decided not to go into figures -- whether it was \$110,000 or \$92,000 or \$75,000 that are available -- but merely to endorse the Programme as it was put to it by the Expert on Space Applications. We believe that the Expert, within the constraints and difficulties -- most of them financial -- has done good work. We are also very happy to note that the offers of voluntary assistance, either for fellowships or for the holding of panel meetings and so on, are on the increase and this is a good sign. My delegation would certainly like to express its gratitude to all those countries which have offered assistance in this area. I was particularly happy to listen to the representative of Belgium. The Government of Belgium went to the extent of saying that it might not have facilities in Belgium for receiving students from developing countries but that it was prepared to sponsor them and to give them financial assistance to go wherever they wanted. In fact the representative of Belgium was quite clear in stating that his Government would not put any constraints on it. I think this approach is excellent. We should like to

(Mr. Vellodi, India)

place on record our appreciation of the offer of the Belgian Government and we hope similar offers will come from other Governments.

Now I will touch on the general question of the United Nations Programme and particularly the way in which we see the future of the Programme. To do this I should like, Mr. Chairman, with your permission, to refer to a document we had in the Scientific and Technical Sub-Committee, that is, the report of the United Nations Expert, contained in document A/AC.105/144. In that report the United Nations Expert devoted one section to future planning for the United Nations Programme on Space Applications. He did so, I am sure, with the hope that, as desired by the main Committee, the Scientific and Technical Sub-Committee would want to have a thorough discussion of this question, particularly to consider the long-term objectives of this Programme. Therefore he took considerable trouble in preparing that section, which, we feel, merits our attention. In paragraph 40 he has taken five points which arose out of the answers to the questionnaire that was sent out last year to assess the needs of the developing countries. I shall not repeat those five points, but they are very clear and they are stated in paragraph 40. I feel that when we talk in terms of long-term objectives and long-term planning of the Programme we should keep in mind very clearly what has come out of the replies. We do not accept the thesis that the number of replies received was small and therefore it is not possible to assess the needs of the developing countries. After the meetings of the Scientific and Technical Sub-Committee, I took the trouble once again of going through the replies, and, in our opinion, the replies are quite adequate for us, if we want to, to look at the long-term planning. In this context I should also like to say this. If we send out a questionnaire to find out the needs of the developing countries in general or in the area of remote sensing in particular, to which I referred this morning, it would be most unfortunate if there were no follow-up action. If we send out a questionnaire and after two years send out another questionnaire, that is not going to make it very pleasant for the recipient Governments, and the effectiveness of soliciting their views would, I think, be lost.

(Mr. Vellodi, India)

I wish in particular to refer to paragraphs 43 to 50 of the report of the Expert. I think again that the reference he has made to the International Atomic Energy Agency and the technical assistance programme given by IAEA is important. My own delegation had referred to that during several meetings of this Committee in the past, but not because we felt that we should mount a programme of that magnitude. I think the IAEA technical assistance programme in all amounts to something over \$7 million per year, of which a little over \$3 million is provided by the Agency itself. We are certainly not thinking in terms of such a programme, but if the International Atomic Energy Agency started in 1958, or whenever it was, with \$250,000 -- a quarter of a million dollars -- for technical assistance, we believe that for this Committee or for the Scientific and Technical Sub-Committee to haggle over figures of \$100,000 or \$90,000 would be most unfortunate. I say this because we believe that there is certainly a comparison. One can compare in a sense the potential benefits in these two areas -- and I do not say this because I belong to the Department of Space in India. We certainly believe that the area of space application has as much, if not more, to offer to the people for national development purposes.

I have said that the comparison with the IAEA technical assistance programme is relevant. Although it might take five minutes, I should like to read out some paragraphs from this book that was given to us last time, entitled IAEA Services and Assistance. I shall read out four paragraphs, but in doing so whenever it states "nuclear" I shall refer to space. Members will see that what is indicated there for atomic energy is equally applicable to space. As I have said, I shall change all references made to the nuclear field to the space applications field. It reads as follows:

"Space training opportunities available under the Agency's fellowship programme include fellowships which have been made available to the Agency by various Member States at their own expense (Type II

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fellowships), as well as openings in those countries which have indicated their willingness to accept IAEA fellows for training, financed out of Agency (Type I fellowships) or UNDP funds.

"Scientific visits: A scientific visit, usually for not longer than two months, is awarded to a scientist from a developing country to enable him to visit space applications centres in more advanced countries for the purpose of studying the development of space sciences and technology, organizational aspects and functioning of special services, training programmes and schools in space applications and sciences, and observing research activities in his field of interest. Thus, these awards are intended to broaden the scientific qualifications of specialists from developing countries and enable them to contribute more effectively to scientific progress upon their return home.

"Inter-country projects: These activities are financed mainly from regular programmes and UNDP funds. The Agency organizes a number of training courses every year in co-operation with its Member States and other United Nations organizations. The courses are of a regional or interregional nature. The participants in these courses have the opportunity to study a definite range of questions connected with the peaceful applications of outer space in different fields, of doing laboratory work, of visiting research centres in the country where the course is being held etc.

"Depending on the programme, training courses may be divided into different groups: courses on general space applications, refresher courses, courses on an advanced level, and seminars. In addition, the Agency organizes study tours on specialized topics to space applications facilities in advanced countries for groups of scientists from developing countries. When it organizes such projects, the Agency takes the major responsibility for their actual administration: provision of a scientific adviser, visiting professors, fellowships and, sometimes, of equipment."

I read this out because it seems to me that on the basis of the suggestion made in the report of the Expert to the Scientific and Technical Sub-Committee while not necessarily following it entirely, we might take a lesson from the

(Mr. Vellodi, India)

programme which -- and I can say this also with some experience -- has worked very, very effectively in the International Atomic Energy Agency.

We believe, therefore, that the Scientific and Technical Sub-Committee should at its next session do what it was supposed to have done this year, that is, give in-depth consideration to the question of the space applications programme, to see what exactly we can do, and then to see how it can be done effectively. I think we have enough material for such an in-depth study.

I shall not refer to the question of interagency co-ordination now because, as I indicated this morning, I should like to do that when we have with us either Mr. Muller or someone else from the Office for Inter-Agency Affairs and Co-ordination, and after we have the answers to one or two minor points of clarification that we sought this morning. But we shall certainly have something to say on the matter of interagency co-ordination.

With respect to the other question, that is, of the United Nations conference, I think that the paper that my delegation and the delegation of Austria submitted Friday evening fairly well explains how we view the situation. We sincerely trust that this modest proposal, which we hope will not have any serious financial implications, will be accepted by this Committee and that we can make continuing progress with regard to the conference.

Lastly, we have very little to say on the section relating to the future role and work of the Scientific and Technical Sub-Committee. There is one proposal, that is the proposal of the representative of Austria, which we support, namely, that the question of the possible conference might be dealt with in the main Committee, as has been the case on previous occasions. Otherwise, we have little to say. We note that remote sensing and the space applications Programme will continue to be the priority items and we trust that the Scientific and Technical Sub-Committee will at its next session continue to make even more progress than was possible this year.

Mr. MAIORSKI (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation would like in turn to give its views on some of the issues associated with the reports of the Legal Sub-Committee and the Scientific and Technical Sub-Committee which are before the Committee.

With respect to the work of the Legal Sub-Committee, of the statements that we have recently heard in that regard we should like to single out the statement made today by the representative of Kenya. I should like to congratulate the representative of Kenya, who is a relatively recent arrival in our Committee, upon his profound analysis of the situation, and of the questions associated with remote sensing and television broadcasting. Many of the views expressed by him are entirely shared by the Soviet delegation.

(Mr. Maiorski, USSR)

With regard to the draft treaty relating to the moon, we should like to make the following comments. During the past four years of discussion of this draft a good deal of ground has been covered, a good deal of effort has been expended, and the draft may be considered as relatively ready. We would say that there is no representative -- including those representatives who two or three years ago expressed certain doubts in this respect -- who does not now feel that completion of the work on the draft treaty relating to the moon is an important matter and that that would not represent substantial success for this Committee. The draft treaty relating to the moon in its present form is a useful document.

We also agree with those delegations which have said that the basic obstacle to completion of work on that treaty is the question of the legal status of the natural resources of the moon.

It is difficult for us -- and we are perfectly sincere in saying this because it is a very serious matter -- to agree with those delegations which maintain that the only approach to achieving a compromise in this respect is for some delegations to yield to the position of others. I will not repeat all the well-known arguments on this matter. Several years' work has outlined for us two opposing positions, and it would be difficult to expect those positions to coincide now. Thus, a solution of this problem must be found somewhere in between those two opposite positions, we are willing to look for it. If there is any concept supported by some delegations but not acceptable to others and if we are to achieve constructive successes, it will be necessary to develop a new formulation or one partly reflecting the Convention but more or less incorporating those two positions.

Having said that, I should like to reiterate the readiness of the Soviet delegation to do everything incumbent upon it, formally or informally, to develop such a formulation. We believe that such a compromise is possible and we call upon all other delegations to join us in this.

(Mr. Maiorski, USSR)

With regard to the work of the Scientific and Technical Sub-Committee, we naturally have to speak first about the work done by that body on the question of remote sensing. We heard many sharp arguments here about what is more important or which question should be given first priority: the establishment of legal infrastructure for the future development of international co-operation in this area or, on the contrary, the development of co-operation without the elaboration of any specific legal rules -- because, of course, general standards do exist -- and then the translation of what has been achieved by that co-operation into the form of legal standards. Again, the Soviet delegation's position on these matters is well known and I need not repeat it, since there is a special document submitted by the Soviet delegation in co-operation with the French delegation and there are other documents submitted by other delegations.

I should like, however, to call the attention of representatives to the fact that the concrete proposals that are before us on the organizational structure of international co-operation with regard to remote sensing, and in particular international co-operation under the aegis of the United Nations, are based primarily on the legal standards applicable to remote sensing that we have so far succeeded in elaborating. They do not as a rule go beyond this -- and this is no accident -- because we are occupied here in a very complex process. The United Nations does not speak in its own name and for itself. The United Nations is an instrument of international and intergovernmental co-operation, and when States want to co-operate with each other they always try to determine the rules by which they will be governed in such co-operation. So it is a question of co-ordinating the sovereign desires of States, and, furthermore, since they are States with different organizational structures, it is necessary to display a great deal of patience in accurately devising ways in which the desires of the various States are to be co-ordinated.

In this connexion, it would seem incorrect to separate one issue entirely from the other. They have to be developed in creative harmony. But we cannot ourselves imagine developing organizational forms of international co-operation on remote sensing without basing them on rules agreed to by States.

(Mr. Maiorski, USSR)

Of course the objection can be raised that, while everything I am saying is correct when applied to international co-operation as a whole in which many countries are involved and in which the efforts of dozens of States have to be co-ordinated, it is still not quite true when it is a question of co-ordinating the policies of one or two States on a bilateral or trilateral basis. Some might even tell me that we are now coming upon cases where the information obtained by remote sensing is being freely circulated and that any State can acquire any information of interest to it without observing any particular agreed rules.

(Mr. Maiorski, USSR)

We understand that perfectly well, and we are realistic enough to see what is involved. However, we would still like to say that States participating in such co-operation must do so at their own risk, if we may use that term, and the consequences, both long-term and short-term, of such interaction are not entirely clear.

I am not a prophet, but I think it would be much better if this form of State co operation embodied some generally agreed principles.

In that connexion I should like to make one specific comment.

At the request of the Scientific and Technical Sub-Committee, which has certainly vitalized its work on remote sensing, some important studies were prepared and submitted to the Sub-Committee at its session this year. We see now that in paragraph 29 of the Sub-Committee's report it is proposed that the United Nations Secretariat be requested to prepare a whole series of additional studies and reports. That is a perfectly legitimate request. One must never rest on one's laurels. But we think, on the one hand, that it is necessary to give States the facilities required to make use of what has already been achieved and to assess the information already produced and, on the other hand, that it is very important for all of us to take a sober look at what really needs to be done in this field in the coming year; specifically we should consider whether all of these proposed studies and reports are really necessary -- for instance, the one suggested in sub paragraph (a) (4) of paragraph 29.

I should now like to make some comments on the programme on space applications. We know that States would like to make use of that programme to solve all or most of the problems that have arisen with regard to the dissemination of information and the possibility of the application of space technology. But it seems to us that we have to be realistic, in the best sense of the word. Taking too great strides in this area could militate against the programme itself.

We have ourselves witnessed one very important step in this domain. The Scientific and Technical Sub-Committee was the first to adopt a new way of approving the programme on space applications. I shall not go into details regarding the advantages of the various approaches. That has already

(Mr. Maiorski, USSR)

been done. But we cannot lose sight of the fact that even during this transition period there was a substantial increase in the budgetary allocations for the programme. Perhaps the increase was not as substantial as some representatives might have wished, but this new approach did involve an increase in the allocations. Clearly it is necessary to make an appropriate assessment of that fact.

In their statements at both this session and the last session, many representatives stressed the need for the Sub-Committee to seek maximum effectiveness in the programme on space applications. That thought is reflected in paragraph 48 of the Scientific and Technical Sub-Committee's report, which states that

"there was agreement in the Sub-Committee that everything should be done to ensure the most effective use of all means placed at the disposal of the Expert". (A/AC.105/150, para. 48)

It seems to us that it would be very useful, both for the programme and for the Sub Committee itself, if the draft programme were drawn up at least six months before the session of the Sub-Committee, if that draft programme were then distributed to States for their reactions and if the Secretariat were to communicate those reactions to members before the Sub Committee session began. In that way the Sub-Committee would have before it at its session both the proposed programme and States' reactions to the programme. The USSR delegation made that proposal to the Sub-Committee at its last session, and I think it deserves some attention.

Finally, I turn to the question of a possible United Nations conference on space. We have studied the documentation on this subject, including the replies by States to the Secretary-General's questionnaire. We have listened to the opinions expressed during the general debate here as well as during the present discussion on agenda item 4. There are differing opinions on this matter. One could draw the conclusion that there was not yet any unanimity of views. To be perfectly frank ... and I find it very hard to say what I am about to say because you, Mr. Chairman, represent a country that has submitted an official proposal on this subject ... the Soviet delegation cannot understand

(Mr. Maiorski, USSR)

at all how the establishment of a special working group on this matter, or the deletion of this point from the Sub-Committee's agenda and its inclusion as a special item on the main Committee's agenda, would serve to solve the problem. We do not see why the main Committee cannot discuss this question without making it a special item on its agenda, or why the Sub-Committee has to delete the item from its agenda. We do not see what prevents the Sub-Committee and the main Committee from discussing all the problems that would be discussed in a working group. We think that those existing bodies could do that within the time allocated for their own sessions. We do not think that the establishment of a special subsidiary body, with all that this involves in additional expense and additional efforts by delegations, is justified unless there is a real necessity for it. We are not at all sure that any such necessity exists in the present case.

That does not mean that the Soviet delegation feels that these matters should not be discussed. Quite the contrary: we are prepared to participate most actively in any such discussion, in any forum. However, we feel that this is a question of general policy for our Committee. We should try not to create an additional infrastructure, not to generate additional expense when that can be avoided.

Mr. KATO (Japan): I should like to offer a few comments in connexion with the report of the Scientific and Technical Sub-Committee.

My delegation can in general endorse the report of the Scientific and Technical Sub-Committee. We welcome in particular the recommendations contained in paragraph 29 of the report calling for further study of remote sensing in its organizational and financial aspects, which, in our view, would not only be desirable but necessary to ensure balanced consideration of problems relating to remote sensing, including its legal implications.

Included in the recommendations, in this connexion, is "a preliminary study on the organizational and financial requirements of a future operational space segment of global coverage to be internationally operated, owned and financed", which appears in paragraph 29 (a) (4) of the report.

The view of my delegation on this question is as given in its general statement of 11 June. We believe it would be premature at this stage to consider the possibility of an international organization or a similar international venture which would own, finance or operate on its own an earth satellite for remote sensing purposes. However, that does not, of course, mean that my delegation sees no purpose in the kind of study that is recommended be undertaken, and we would be ready to consider and carefully study all the suggestions that will be made available to us by the Secretariat.

I should like to turn briefly to the proposal made by Austria and India on the question of convening a United Nations conference on space. As stated in the reply of the Japanese Government to the Secretary-General's inquiry seeking the views of Member States, my delegation supports in principle the idea of holding a second United Nations conference on space matters. We see great merit in holding such a conference towards the end of this decade, because we believe that by that time space technology, even that which is at present in an experimental stage, will have become fully operational in a number of fields. We believe it will be opportune, therefore, to take stock of the technological developments and possibly to chart a future course of action that may be required in the field of space applications, including making space technology and its benefits more available to developing countries.

(Mr. Kato, Japan)

For these reasons my delegation listened with great interest to the statement made by the representative of India last Friday introducing the joint proposal and the statement just made by the representative of Austria on the establishment of a working group to consider the conference question. We are grateful to the two delegations for their positive initiative in this regard. Indeed, we welcome any procedural or organizational proposals and suggestions on the conference question which will assist in focusing the Committee's attention in concrete terms as to the objectives, the necessary preparatory work and so forth for the conference. The establishment of a special working group of the whole will, in our view, greatly facilitate our addressing ourselves to these matters in a direct manner, and therefore my delegation supports the proposal made jointly by Austria and India.

We hope that at the current session of this Committee a firm step will be taken in formulating a positive recommendation for a decision by the General Assembly along the lines indicated in document A/AC.105/L.84.

Finally, I should like to express the continued support of my delegation concerning the necessity to increase the budgetary appropriations for the United Nations Programme on Space Applications..

Mr. KEVIN (Australia): I have asked to speak for two reasons; first, to offer some comments on the report of the Scientific and Technical Sub-Committee, and, secondly, to introduce to the Committee the blue-print document that has just been distributed.

First of all, some comments on the report of the Scientific and Technical Sub-Committee. As we stated in the general debate, we were very pleased with the work of the Sub-Committee this year. We ourselves were particularly glad that for the first time this year we were able to send a scientific administrator and consequently my own delegation was able to take rather more part in the discussion of scientific, technical and organizational questions than in previous years. Indeed, when one looks at the record of the Scientific and Technical Sub-Committee's discussions and recommendations in the field of remote sensing one wonders whether one might not expand the title of that Sub-Committee. One might perhaps call it "the Scientific, Technical and Organizational Sub-Committee", because it is very clear that that Sub-Committee is covering important organizational ground.

(Mr. Kevin, Australia)

At this session of the Committee it has been suggested that its role might be regarded as that of a sort of scientific adviser giving advice on particular questions such as the scientific aspects of the definition of outer space. While not wishing to oppose this idea, my delegation feels that the Scientific and Technical Sub-Committee has a potentially much broader role, and that is, I would suggest, one of giving advice on organizational aspects of the international organization of outer space activities.

Let me take up first the question of remote sensing. Australia is in favour of the development of the fullest international co-operation in the expansion of this new technology. We believe that such co-operation is the only practical means of ensuring that the interests of the developing countries in the application of the technology are met. Both the legal and the organizational aspects of the development of remote sensing networks must be considered with a view to establishing a system that meets the needs of the developing countries.

Looking at the results of the scientific Sub-Committee's discussions, I would feel that they have given us some very clear guidelines on the sort of organizational frameworks that perhaps might be established with a view to achieving these desirable ends. When we look at the Scientific and Technical Sub-Committee's report we see in paragraph 27 (iii) that the Sub-Committee has expressed the hope that countries planning to set up remote sensing stations would associate with them data storage, data dissemination and training facilities that could be made available on reasonable terms to other countries in their regions. Moreover, the scientific Sub-Committee felt that

"countries contemplating the establishment of stations might ... at an early stage in their planning consult with other countries in their region in order to examine the feasibility of setting up such stations on a basis of regional collaboration ...". (A/AC.105/150, para. 27)

(Mr. Kevin, Australia)

Moreover, the Sub-Committee expressed the view that countries setting up receiving stations should endeavour now to co-operate to the maximum extent feasible with the United Nations, with its regional economic commissions and with other United Nations bodies and specialized agencies, and that they should operate their stations in such a manner as to maximize their contribution to scientific research concerning problems of a global nature. Moreover, in subparagraph 27 (x) "the Sub-Committee felt that it would be extremely useful to have reports from countries that had established national centres on their experience with these centres, and from countries planning to establish centres on the proposed scope of the centres and the schedule for commissioning them .

Now, I have only singled out subparagraphs (iii), (iv) and (x) of paragraph 27 of the Sub-Committee's report, but I suggest that we already have here a remarkable degree of international consensus, at least in the Scientific and Technical Sub-Committee, on the sort of organizational lines along which we should be proceeding. We are not operating in a legal vacuum. We are operating according to a generally established legal framework, that of the Outer Space Treaty. Admittedly it needs to be refined, but this is not to say that we should not be proceeding at the same time with progress in developing an appropriate international organization of remote sensing.

If I might just refer to the work of the Legal Sub-Committee briefly, we consider that a promising approach to the problem of national sovereignty, which is being handled in that Sub-Committee, is that of seeking to establish a principle of privileged access to imagery for the sensed State. I recall that this approach was suggested by the delegation of Canada. This would remove much of the concern of States over the potential commercial value of information or the misuse of information about their natural resources derived from this source.

As we made clear, we believe that the practical guarantee of the legal right of national sovereignty is the establishment of better regional and international co-ordination of receiving-station establishments. We believe that the decision of the Economic Commission for Africa to establish a regional centre to serve African countries is a very good one, which might be examined by the other regional economic commissions.

(Mr. Kevin, Australia)

For our part we will be willing to examine means of offering practical assistance, if and when a receiving station is established in Australia, to countries of our own region. We believe that details of the optimal form of international co-operation in this field are dependent to a large extent on evolving technology. Therefore, we support the continued close study by the Scientific and Technical Sub-Committee of this matter.

I turn now to the second main topic of the Scientific and Technical Sub-Committee, the United Nations space applications Programme and the question of co-ordination. Australia supports the Programme, budgeted at \$ US 110,000 for the next financial year. So far as co-ordination is concerned, we have been very interested in the proposals that have been made, both at the last meeting of the Scientific and Technical Sub-Committee and at this meeting. We still do not consider that a case has been made out for the establishment of a permanent United Nations space agency, but we do support the establishment on a permanent basis of a special committee of ACC or, alternatively, the proposal which was submitted for a joint programme committee as contained in the paper of Austria, Belgium, Egypt, India, Kenya, Pakistan and Romania, which was included as an annex to the Scientific and Technical Sub-Committee's report. We believe that for the time being this sort of approach should provide adequate co-ordination.

Finally, I should like to take up the question of the possible United Nations conference on space applications. Here I have a number of points to make. First of all, on the procedural level, we are rather inclined to favour the proposal of the representatives of Austria and India to set up a working group answerable to the parent committee. And our reason is the following. If it is to be a useful conference, it will have to transcend scientific and organizational questions. It will have to look at the area of space applications as a whole, and this includes legal aspects, we believe.

If I could just briefly refer to the terms of the Australian reply on the question of the conference, we suggested, that the principal objective of such a conference should be the discussion and dissemination of information about the demonstrated results and practical applications of space technology applicable to developing countries. We felt that the

(Mr. Kevin, Australia)

topics for the conference could include the legal problems of using space, such as sovereignty; machinery for launching, operating and receiving data from vehicles; environmental monitoring and the development of natural resources; education and communications. These are all very broad subjects that go beyond the Scientific and Technical Sub-Committee's mandate. We think it would be useful, therefore, to have a working group to meet just prior to the convening of the Scientific and Technical Sub-Committee, answerable to the parent Committee.

Now my delegation is a little bit disappointed that we have not had more discussion of the substance of the issues pertaining to a conference at this meeting of the Outer Space Committee. We would have liked to see a little more discussion of the very interesting paper which was prepared by the Secretary-General (A/AC.105/142/Add.2) on the United Nations Conference on Science and Technology and how it might relate to our own interest in a space applications conference.

Reading through that document, I am struck by the remarkable appropriateness of some of the issues involved in that projected Conference on Science and Technology to our own subject. If I may just pick out some of the salient points in this document, the Science and Technology Conference is going to be recommending the adoption of concrete decisions on ways and means of applying science and technology in establishing a new international economic order; the adoption of effective means for the utilization of scientific and technological potential in the solution of the problems of development of national, regional and global significance and the provision of instruments of co-operation to developing countries in the utilization of science and technology for solving socio-economic problems that cannot be solved by individual action.

The agenda includes science and technology for development; new science and technology aimed at overcoming obstacles to development; mechanisms for the exchange of scientific and technological information; promotion of co-operation among developing countries and the role of developed countries.

(Mr. Kevin, Australia)

Now it seems to me that those are all the kinds of issues which we are talking about here in the area of space applications. They suggest for the Conference on Science and Technology that there should be a limited number of subject areas, namely five, and that these should be defined as problem areas with socio-economic implications, that can be solved utilizing science and technology that they should require an integrated and interdisciplinary approach and an interagency approach; that they should have clear relevance to the problems of development of all countries; and that they should be clearly delineated and limited in scope.

It seems to me that space applications would be a very strong candidate for being one of these five subject areas. And I think the question we should ask ourselves is whether space applications will get a proper hearing if it is excluded from that Conference. In other words, are we perhaps relegating ourselves to the periphery of concerns of science and technology if we do not make an attempt to have our subject included in that Conference.

It is all very well to say, yes, we should have our own conference because in that way our subject has more prominence. But is this necessarily true? Are we not perhaps giving our subject more prominence by including it as one of these five key areas that are going to be talked about in the context of the Conference on Science and Technology? My delegation has no firm views on this question, but we think it is a question that should be posed and should be thought about very seriously: whether we are doing our subject the greatest service by opting for a conference in isolation or by opting for its incorporation within this broader framework.

(Mr. Kevin, Australia)

I have just one further remark in that regard, and it is the following: I note that the Committee on Science and Technology will be considering the draft resolution I have described here at its third session, to be held from 2 to 20 February. Our own session of the Scientific and Technical Sub-Committee will be held in March and April. This means that it would be open to us to make some inquiries of the Committee on Science and Technology for Development as to how it would view the incorporation of the space applications item as one of its key problem areas, if we decided on that. If we were to send such a letter to the Committee on Science and Technology for Development, we might be able to have a reply in time for our own meeting of the working group on the space applications conference, and this might be a useful piece of documentation for us.

I should like to turn now to the working paper which my delegation has just submitted. The purpose of this working paper is to suggest possible language for the section of our report dealing with the report of the Legal Sub-Committee and the mandate of the Legal Sub-Committee for next year. We have no pretensions as to the ultimate value of this document; it is put forward simply as a basis for argument -- as something on which some of us might like to focus our arguments.

I think the situation we want to avoid is the situation that the representative of Egypt has warned us of -- namely, that if we do not define the mandate of the Sub-Committee on remote sensing more precisely, we might very well have a repetition of what happened last year: that is to say, a very long and rather useless procedural debate as to what we should be doing.

What I have tried to do in this draft working paper is to set out as precisely as possible, in paragraphs 1 and 2, the position that was reached earlier this year. In paragraph 3 I have tried to suggest a consensus view on how we all might see the role of the legal framework governing remote sensing. And I might add at this point that I was very impressed by the remarks of the representative of Kenya.

In paragraphs 4 and 5 I have tried to specify with greater precision than was possible with the wording used last year what we may be doing in the Legal Sub-Committee at its next session. In drafting this blueprint, I have tried to adhere very closely to the language that appears in the report of the Legal Sub-Committee, and in particular in annex III, the report of the Chairman of Working Group III on remote sensing.

(Mr. Kevin, Australia)

Now, as the Chairman correctly points out in that report, a number of concepts were subject to detailed examination, and certain common elements were found in the three drafts submitted and in the views expressed; and these common elements are listed. On the other hand, there were a number of issues on which there were substantial differences of approach, and obviously these present two separate categories. So what I have tried to do in paragraph 4 is to divide up the tasks of the Legal Sub-Committee -- to suggest a division of tasks which might approximate to the realities which we experienced at the previous session.

Hence in subparagraph 4 (a) we would request the Legal Sub-Committee to continue its detailed consideration of the legal implications of remote sensing of the earth from space, taking into account the various views of States expressed on the subject, including views advanced in proposals for draft international instruments.

Now, I might add that there are three words there -- "views advanced in" -- which were not in the original mandate, and they have been deliberately included here in order to make it clear that under subparagraph 4 (a) I would envisage that we would be talking about legal implications and views and opinions. In other words, we would be talking about the sort of issues that were identified in paragraph 8 of the report of the Chairman of Working Group III.

In subparagraph 4 (b) I have suggested that we would proceed to the drafting of legal principles in regard to those particular areas of the subject where common elements in the views of States have been identified. And here we would be talking about the sorts of subjects which are identified in paragraph 7 of the report of the Chairman of Working Group III.

Finally, in paragraph 5 I have expressed a view, which I think has been a fairly widespread view here, regarding the need for co-ordination of the work of the two Committees; and in this particular case, that the Legal Sub-Committee should take full account of the discussions and recommendations concerning organizational aspects of remote sensing, as contained in paragraphs 27-29 of the Scientific and Technical Sub-Committee's report.

As I said, I have put this forward as a basis for consideration and discussion, in the hope that it may prove useful when we come to draft our report later in the week.

Mr. CHRISTIANI (Austria): I apologize for speaking again this afternoon, but I should like to make a few brief comments in answer to the representative of the Soviet Union concerning the question of the space conference and the proposals submitted by the representative of India and my delegation.

Of course, I stand to be corrected if I am mistaken, but I recall his two remarks as being the following: first, why should this question be put on the agenda of the main Committee rather than on the agenda of the Scientific and Technical Sub-Committee, when it could be discussed in both Committees; and, secondly, we should discuss the conference, but there does not seem to be any necessity for establishing a subsidiary body.

I will try to answer the questions individually, but before doing so perhaps I might be permitted to make a remark of a more general nature.

I do not wish to prejudge the views of representatives on the matter -- and, in passing, I might say that the representative of the Soviet Union has not indicated the stand of his delegation on the matter itself -- but I think that, whenever over the years the Outer Space Committee has taken up a proposal which perhaps was the basis then for concrete action, there have been basically two ways open to the Committee: to ask the Secretariat or the Secretary-General to prepare studies of various kinds, or to set up an ad hoc subsidiary body.

Now, in the present circumstances, we already took the first step last year, and the Secretary-General has sent out a questionnaire. Of course, I am the first one to admit -- and we have admitted this in the Scientific and Technical Sub-Committee -- that the number of answers was certainly not overwhelming; but this, I think, is a sort of common phenomenon in the United Nations, with a few exceptions. I think -- and many delegations hold the same view -- that those answers should not be construed as not being representative. I think the answers were a fairly good cross-section, and the overwhelming majority of them were in favour of a conference.

But we do not even want to go into that, because with our modest proposal we do not intend to prejudge the outcome but just to have us move a step forward; and I think it is in keeping with our Committee's reputation for seriousness to move a step forward on a matter on which there are of course divergences of opinion, but which is a serious one.

(Mr. Christiani, Austria)

Now I come directly to the questions asked and the statement made by the representative of the Soviet Union. Of course, the conference could be discussed in the main Committee without having a separate item. That goes without saying. But I submit, with all respect, that past experience has shown that, if we want seriously to consider a matter, we could better organize, or streamline, or whatever you want to call it, our discussion by having a separate item. We have not proposed having an item "Space conference", because this again could be construed as prejudging the question: the item should read "Question of convening a conference, ". If we do not have a separate item, of course, I must stress here, neither the delegation of India nor my own delegation is wedded to any specific proposal, as long as some progress is made. So, if we do not have a separate item, of course it can be discussed, but we are afraid -- and it is for this purpose that we tried to put the example of the first Conference on record -- if we are serious about the question of whether or not to have a conference we should discuss it seriously and we feel that it can be discussed seriously only if there is a separate item on the agenda.

Now, why take it away from the Scientific and Technical Sub-Committee? I think the representative of Australia has taken the words out of my mouth. He has given the main reason for it, and we have stated it in our general statements in April and now. We think that the scope of a possible conference should go beyond the scope of the Scientific and Technical Sub-Committee. It should have a broad interdisciplinary approach, encompassing or putting on the same level or even giving special emphasis to the legal questions, and this, of course, goes beyond the scope of the Scientific and Technical Sub-Committee. Secondly, we have two very important items on the agenda of the Scientific and Technical Sub-Committee: remote sensing and the Programme on Space Applications. We feel that the Scientific and Technical Sub-Committee would then be freed to devote more time to a more thorough discussion of those two items.

(Mr. Christiani, Austria)

Furthermore, the representative of the Soviet Union has said that we could discuss the conference but there is no necessity for an auxiliary body. To that I should like to reply as follows. First of all, the working group that is envisaged in our joint proposal should be an ad hoc working group. We discussed the question of the proliferation of auxiliary bodies two years ago at some length, and my delegation was among those that cautioned against the proliferation of auxiliary bodies. On the other hand, auxiliary bodies are, in our view, necessary for the study of a question in depth. We do not feel that we could possibly discuss this question next year without having a paper --- not a paper prepared by the Secretary-General, soliciting 10 more answers instead of 26, but a paper prepared by the delegations themselves, by an augmented working group. Otherwise it does not seem possible to us to make an intelligent judgement, first of all, on whether or not to have a conference. I think that is the first question. I cannot see, for our part, how we can make a judgement on the scope of the conference and whether the aim is strong enough to warrant such a conference, I do not see how we can discuss and decide on this question, without having a comprehensive paper before us. Again, I cannot see how such a paper can be prepared without the aid of an ad hoc working group.

Now, the representative of the Soviet Union has rightly referred to the financial implications, and my delegation is always to be found among those that are very conscious of costs. With your permission, Mr. Chairman, I would submit a question to the Secretariat and I hope this question can be answered either tomorrow or the day after. We should like a rough estimate of the costs for a one-week session of such a body, without records -- I feel that the working group would not need any records -- with interpretation, or perhaps not even with interpretation for all five days of the week but perhaps only at the beginning and at the end when the paper is finalized, and with a translation into the official languages of the paper, which in my view would be only two, three or four pages. I submit --- of course, without knowing the answers -- that the costs could not be overwhelming. If we decide to have a conference, I think that the financial implications would be of

(Mr. Christiani, Austria)

a much greater magnitude than the modest implications of seriously considering an important question in this way. So I submit, with all due respect, that this matter should not prevent us from seriously considering such preparation.

In concluding this part of my remarks, I should like to say that our proposal was intended to be a modest one. Without having the benefit so far of knowing from all countries where they stand on the conference itself, we know the divergencies of opinion and we do not want to prejudge the question itself. We only want to give the main Committee the means to make an intelligent judgement.

I should like to add one or two sentences on the statement by the representative of Australia. I would agree with much of what he says. I do not think that we should put the question in an absolute way -- whether to include space applications in the Conference on Science and Technology or to have another conference. It should not, in our view, be a question of "either-or". It should be a question of both. We even think that including the question of space applications in this Conference could be an excellent preparation for a larger space conference later on. So I think --- and I hope that this approach might commend itself -- that we should not talk about whether to include it in that Conference or to have another conference. In our opinion, both are possibilities, and a space conference could immensely benefit from a discussion of these questions in a different body. Those were the remarks I wanted to make about the statement of Australia.

Mr. VAN BRUSSELEN (Belgium) (interpretation from French): There are two sections of the report of the Scientific and Technical Sub-Committee on which I should like to make some brief comments, but for the time being I shall not refer to the problems of remote sensing of the earth.

I pointed out previously that we have no difficulty in accepting the recommendations contained in the report of the Scientific and Technical Sub-Committee but I should like to stress one of the recommendations made by the Sub-Committee on page 12. The Sub-Committee says that it would be advisable to request the Secretary-General to undertake

" to explore the feasibility of utilizing existing facilities and expertise to establish on an experimental basis an international centre which could train and assist persons from developing countries to make the most effective use of remote sensing information."

(A/AC.105/150, page 12)

(Mr. van Brusselen, Belgium)

This recommendation seems to my delegation to be of great importance, and we hope that our Committee will give it special attention.

Dealing now with the United Nations Programme on Space Applications, I do not think it is necessary to emphasize once again the fact that my delegation entirely supports this Programme as well as the work that Mr. Murthy has either co-ordinated or carried out. This Programme has existed for some years and has certainly given very good results. A large number of countries have participated directly either by organizing or welcoming to their territory study groups and seminars or by giving scholarships. But it seems to me that from the first years of the existence of the Programme, the wish was expressed to have it enlarged, to see it expanded and to have more funds available for the experts and even to see the Programme become a real technical assistance programme. Every year, as many delegations have pointed out, the scope of the Programme has been the subject of the same discussions and for some years now we have found in the report of the Scientific and Technical Sub-Committee a paragraph that is similar if not identical to paragraph 48 of document A/AC.105/150.

This situation, in our view, entails a danger, namely, that the international community will little by little become organized outside the United Nations. Furthermore, it is, in our view, a sign of a certain lack of authority on the part of our Committee, which apparently cannot go beyond a previously fixed plan. Or we should ask ourselves whether it is truly, as was suggested in previous years, a question of a lack of interest. I am struck by something in the part of the report devoted to the 1976 Programme, and that is the suggestion made to the Secretary-General that he draw the attention of Member States once again to the questionnaire of 19 August 1974. In passing, my delegation would express the wish that the report of our Committee to the General Assembly should contain a recommendation along these lines. But I sincerely wonder whether we shall have a larger number of replies next year, and if that were not to be the case, I do not believe that it would be because of a lack of interest.

It seems to me, on the contrary, that the reply to my question was given in a very clear manner by the representative of Kenya when he said -- and I should like to read out the part of his statement concerning this matter:

(Mr. van Brusselen, Belgium)

"It is the view of my delegation that participation and co-operation from the developing countries will not be readily forthcoming in the absence of adequate information. It has been implied in these discussions that the poor response to the questionnaire drafted last year is due to the fact that the developing countries were probably not interested. I should like to say that, for the developing countries, the problem is by and large one of inadequate co-ordinated information; ...". (147th meeting, p. 82)

I believe that this leads me to the proposal made by the representative of Egypt, which no doubt, Mr. Chairman, you would rather have discussed under the item entitled "Other matters". I shall return to it at that time.

I also wonder whether this year or next year we should not decide to include on the agenda of our Committee an item which could be entitled "Programme of United Nations assistance in the field of the application of space technology". A debate on this item could be held not at the level of one of the sub-committees, but in the plenary meetings, and that could probably be the beginning of a solution. If this were not the case or if no agreement were arrived at to enable a detailed study by our Committee of a revision of the Programme, my delegation would consider this as a bad sign.

I should like now to deal with the United Nations conference on space applications. My delegation is in favour of the convening of this conference and has already informed the Secretary-General of this. I should like to thank the Secretariat for having presented document A/AC.105/142/Add.2, which describes the situation, at least on the basis of the information now available.

I must confess, after a first study, that this document has the merit of strengthening the opinion of my delegation that it is necessary, if a conference is to be held, to organize it separately from the one envisaged by the Economic and Social Council. Many delegations have not yet taken a position with respect to this conference, nor have they expressed themselves with regard to the advisability of organizing it or with regard to the items that should appear on its agenda. That is why my delegation welcomes the publication of document A/AC.105/L.84, submitted jointly by Austria and India. We hope that the Committee will take the decision to create a working group so that its first meeting may take place next spring.

Mr. LINDENBERG SETTE (Brazil), Rapporteur: I should like to thank the representative of Australia for the draft paragraphs that he has suggested for inclusion in the report. They do bring up a question that I tried to raise before the Committee last week, and I shall raise it again, perhaps in a slightly different form, seeking the guidance of the members of the Committee, and of you, Mr. Chairman.

Like the members of the Committee, I have not had an opportunity to study the paper presented by the delegation of Australia with all the attention that it deserves, but it seems to contain two different types of material. Paragraphs 4 and 5, I suspect, are in the nature of proposed decisions by the Committee, while paragraphs 1, 2 and 3 seem to be paragraphs of a reporting nature.

As I have said, I welcome the initiative of any delegation in putting forward proposals of this kind on matters on which they feel strongly. I would suggest that other delegations having proposals on other items should also put them forward. If the Committee does not guide me otherwise, I would consider myself relieved of the duty of presenting my own drafts on points on which delegations have submitted proposals, with the proviso that, while not trying in any way to interfere in the matter of draft decisions or draft recommendations which are not within my province at all, I could feel free to propose amendments to those drafts that are presented by delegations in cases where there might be factual inaccuracies or possibly not enough balance or with respect to minor drafting matters.

As I have said, I am in the hands of the Committee. This is my first reaction, and if the Committee feels that I should proceed in a different manner, I would be most grateful to be so instructed by the Committee.

Mr. KEVIN (Australia): I should like to apologize to the Rapporteur if I have been guilty of any discourtesy towards him in putting forward this paper. What I was trying to do was simply to provide a chopping board on which we might focus our argument -- which quite obviously is still a very lively argument -- about what the Legal Sub-Committee might do in the forthcoming year. It was very far from my mind to attempt to do a job of rapporteurship, as it were. I was simply trying to put forward a working blueprint on which we might focus our argument. We have not yet solved the problem. As our Rapporteur correctly pointed out, paragraphs 4 and 5 are of a policy nature -- indeed, very much so. I felt that by setting down some suggested sentences on paper we might be able to identify just where the common ground of this Committee on the topic lay.

That was the sole and total object of my delegation in putting forward this paper.

Mr. LINDENBERG SETTE (Brazil), Rapporteur: I should like to explain to the representative of Australia that I do not at all resent the help he has given me and the Committee. I do understand that the initial paragraphs are a necessary lead-in to and explanation of the paragraphs that are of a policy nature, as he described it.

All I was saying was that it seemed unnecessary to duplicate drafts that had already been put before the Committee. If members submit these kinds of documents for the Committee's consideration, I shall let them stand as drafts proposed for that part of the report, making observations of my own if I have any within my sphere of competence.

The CHAIRMAN: Before I adjourn the meeting, I should like to ascertain the Committee's views on our schedule of work from tomorrow. I understand from the Secretariat that at tomorrow morning's meeting Mr. Muller, from the Office for Inter-Agency Affairs and Co-ordination, will be available to answer questions that were put to him this morning. We shall then resume our consideration of

(The Chairman)

agenda item 4 (a) and (b). I assume that we shall need only one further meeting -- that is, tomorrow morning's meeting -- to cover the ground that we have not yet covered. In that case, we should be able to consider item 5, "Other matters", tomorrow afternoon. I hope to be able by that time to report to the Committee on the reaction of the Committee on Conferences concerning certain matters that have been brought to their notice. I think that we shall need only one meeting to deal with agenda item 5 -- at least that has proved to be possible in the past. We could then begin consideration of the Committee's report on Wednesday morning, if the Rapporteur will be able by then to provide some portions of the report. In accordance with our tradition, we shall consider our report in closed meetings.

If I hear no objection to that proposed schedule, I shall take it that the Committee agrees to it.

Mr. VELLODI (India): I am in agreement with the schedule you have suggested, Mr. Chairman. I would merely ask this: Under agenda item 5, "Other matters", we have one issue to discuss -- that is, the venue of the sessions of the Legal Sub-Committee. Can you, Sir, or the Secretary of the Committee indicate whether any other matters are likely to come up under item 5? That information would help delegations to prepare for the discussion, by referring to previous documentation, and so forth.

The CHAIRMAN: As the representative of India has said, one matter is the venue of the sessions of the Legal Sub-Committee. There is another question that has been put before the Committee -- that is, the request of the European Broadcasting Union for observer status. Our consideration of that question is, however, contingent on the conclusion of the consultations that have been going on and that may perhaps make it possible for us to take a decision on the matter.

The Secretary of the Committee wishes now to answer a question put to him by the representative of Austria.

Mr. ROBINSON (Secretary of the Committee): The representative of Austria asked for information on the possible financial implications of the holding of meetings of an ad hoc working group one week before the session of the Scientific and Technical Sub-Committee. The Office of Conference Services has informed us that if the proposed working group were to meet from 15 to 19 March with interpreters but no records the services could be provided by the permanent staff of the United Nations Secretariat with no additional financial implications.

As a matter of procedure, however, if this Committee decided that such meetings of a working group should be scheduled, it would have to send that decision in writing to the Committee on Conferences, which is now in session.

The meeting rose at 5.50 p.m.