DOCUMENT A/8771

Union of Soviet Socialist Republics: request for the inclusion of a supplementary item in the agenda of the twenty-seventh session

Letter to the Secretary-General dated
8 August 1972

On instructions from the Government of the Union of Soviet Socialist Republics I have the honour to request the inclusion in the agenda of the twenty-seventh session of the General Assembly of a separate item entitled "Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting".

The transmission of television programmes by means of satellites directly to home television receivers (direct television broadcasting) is one of the most promising potential uses of space to meet man's needs. The development of this form of communications system would help to draw the peoples of the world closer together, to widen the exchanges of cultural values and to enhance the educational level of people in various countries.

At the same time, the introduction of direct television broadcasting by means of satellites will raise serious legal problems connected with the need to establish conditions under which this new form of space technology will serve only the lofty goals of peace and friendship between peoples. The first requirement is to protect the sovereignty of States from any external interference and to prevent the conversion of direct television broadcasting into a source of international conflicts and of aggravation of the relations between States.

The Soviet Union, which at all stages in the conquest of space has unwaveringly supported the progressive development of international space law, considers that the creation of such conditions would be facilitated
The Government of the Union of Soviet Socialist Republics trusts that the General Assembly, at its twenty-seventh session, will devote due attention to the item entitled "Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting"

I would request you, Sir, to regard this letter as an explanatory memorandum within the meaning of rule 20 of the rules of procedure of the General Assembly and to circulate it, together with the text of the accompanying draft Convention, an official United Nations document.

(Signed) A. GROMYKO
Minister for Foreign Affairs of the Union of Soviet Socialist Republics

Draft convention on principles governing the use by States of artificial earth satellites for direct television broadcasting

The States Parties to this Convention,

Inspired by the prospects for direct television broadcasting by means of artificial earth satellites for the purposes of strengthening peace, friendship, cooperation and mutual understanding among peoples and in the interests of the further social and cultural progress of mankind,

Convinced that the use of direct television broadcasting by means of artificial earth satellites requires broad international co-operation on the basis of special legal principles governing that activity,

Recognizing that such co-operation must be for the benefit of all States and free from discrimination of any kind,

Considering that the transmission by a given State to other States of programmes using artificial earth satellites may give rise to political, legal, social and other problems of an international character,

Mindful of the fact that the misuse of such mass communication media as direct television broadcasting by means of artificial earth satellites could be detrimental to the legitimate interests of States,

Desiring to contribute to the prevention of friction and conflict between States as a result of direct television broadcasting by means of artificial earth satellites,

Recognizing the applicability to the activities of States in the field of television broadcasting of the generally recognized principles and norms of international law, including the United Nations Charter and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, of 27 January 1967,

Considering that the use by States of artificial earth satellites for the purpose of direct television broadcasting must be governed by international law,

Have agreed on the following:

Article 1

1. All States shall have an equal right to carry out direct television broadcasting by means of artificial earth satellites. Such broadcasting shall be carried out exclusively in the interests of peace, progress, the development of mutual understanding and the strengthening of friendly relations between all States and peoples.

2. All States shall have an equal right to enjoy the benefits arising from direct television broadcasting by means of artificial earth satellites, without discrimination of any kind.

Article II

States Parties to this Convention agree to base themselves, in their television broadcasting activity using artificial earth satellites, on the generally recognized principles of international law, including the United Nations Charter and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

Article III

States Parties to this Convention shall carry out direct television broadcasting by means of artificial earth satellites for the purposes of enhancing the educational level of the population, developing culture and expanding international exchanges.

Article IV

States Parties to this Convention undertake to exclude from television programmes transmitted by means of artificial earth satellites any material publicizing ideas of war, militarism, nationalism, racial and national hatred and enmity between peoples, as well as material which is immoral or injurious in nature or is otherwise aimed at interfering in the domestic affairs or foreign policy of other States.

Article V

States Parties to this Convention may carry out direct television broadcasting by means of artificial earth satellites to foreign States only with the express consent of the latter.

Article VI

1. Transmission of television programmes by means of artificial earth satellites to foreign States with the express consent of the latter shall be regarded as illegal and as incurring the international liability of States.

2. Transmissions made in violation of article IV of this Convention shall also be regarded as illegal and as incurring the international liability of States. In particular, the following types of broadcast shall be regarded as illegal and as incurring the international liability of States:

(a) Broadcasts detrimental to the maintenance of international peace and security;

(b) Broadcasts representing interference in intra-State conflicts of any kind;

(c) Broadcasts involving an encroachment on fundamental human rights, on the dignity and worth of the human person, and on fundamental freedoms for all without distinction as to race, sex, language or religion;

(d) Broadcasts propagandizing violence, horrors, pornography and the use of narcotics;

(e) Broadcasts undermining the foundations of the local civilization, culture, way of life, traditions or language;

(f) Broadcasts which misinform the public on these or other matters.

Article VII

States Parties to this Convention shall bear international responsibility for all unauthorized activities connected with the use of artificial earth satellites for the purposes of direct television broadcasting, irrespective of whether such broadcasting is carried out by governmental agencies or by non-governmental organizations and juridical persons and of whether it is carried out by States acting independently or through international organizations. Television broadcasting with artificial earth satellites to foreign States may be carried out only by organizations which are under the control of the Governments of the States concerned.

Article VIII

1. If any State Party to this Convention has reason to believe that activities connected with direct television broadcasting planned by that State will cause potentially harmful interference to other States or will lead to unintentional radiation of their territory, it shall hold appropriate consultations with the other States.

2. If any State Party to this Convention has reason to believe that an agreement on direct television broadcasting reached between other States there will be unintentional radiation of their territory, it may request that appropriate consultations be held.
Article IX

1. Any State Party to this Convention may employ the means at its disposal to counteract illegal television broadcasting of which it is the object, not only in its own territory but also in outer space and other areas beyond the limits of the national jurisdiction of any State.

2. States Parties to this Convention agree to give every assistance to stopping illegal television broadcasting.

Article X

1. States Parties to this Convention shall cooperate on a bilateral and multilateral basis in matters relating to the establishment of technical standards for direct television broadcasting by means of artificial earth satellites and, in particular, in matters connected with the assignment of frequencies for direct broadcasting and with the placing in geostationary orbit of artificial satellites for direct television broadcasting, with due regard to the pertinent recommendations and resolutions of the International Telecommunication Union.

2. When making direct television broadcasts by means of artificial earth satellites, States Parties to this Convention shall take all necessary measures in order to prevent interference with sea and air traffic.

Article XI

States Parties to this Convention shall cooperate with each other on a bilateral and multilateral basis in matters connected with the protection of copyright in television broadcasts by means of artificial earth satellites. The precise conditions for such cooperation shall be established in appropriate agreements between the interested States Parties to this Convention.

In such cooperation they shall give special consideration to the interests of those developing countries which have expressed an interest in the use of direct television broadcasting for the purpose of accelerating their national development.

Article XII

States Parties undertake not to include in international agreements which they conclude in connection with bilateral or multilateral co-operation in the field of direct television broadcasting by means of artificial earth satellites provisions which conflict with their obligations under this Convention.

Article XIII

In order to promote international co-operation in respect of direct television broadcasting by means of artificial earth satellites, States Parties to this Convention agree to inform the Secretary-General of the United Nations, Educational, Scientific and Cultural Organization to the greatest extent possible of the nature of television programmes transmitted by them or by their organizations for foreign States.

Article XIV

States Parties to this Convention shall endeavour to ensure that the international organizations in which they participate and whose activities are relevant to direct television broadcasting by means of artificial earth satellites carry on their activities in accordance with the purposes and principles of this Convention.

Article XV

1. This Convention shall be open to all States for signature. Any State which does not sign this Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of which are hereby designated the Depositary Governments.

3. This Convention shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under the Convention.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force upon the date of the deposit of the last of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Convention, the date of its entry into force and other notices.

6. This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XVI

Any State Party to the Convention may propose amendments to this Convention. Amendments shall enter into force for each State Party to the Convention accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party to the Convention on the date of acceptance by it.

Article XVII

Any State Party to the Convention may give notice of its withdrawal from the Convention one year after its entry into force in accordance with this Convention to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

This Convention, of which the Russian, English, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Convention shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

DOCUMENT A/8863

Report of the First Committee on agenda items 28 and 29

Original: English/Spanish
1 November 1972

moderating the effects of these destructive natural forces.

'Recalling its resolution 1721 (XVI) of 20 December 1961, 1802 (XVII) of 14 December 1962 and 2733 D (XXV) of 16 December 1970 and noting the work being undertaken and the progress achieved in response to them,'

'Taking into account the views expressed by the Committee on the Peaceful Uses of Outer Space at its resumed fifteenth session, held from 5 to 15 September 1972,'

'Bearing in mind the recommendations of the United Nations Conference on the Human Environment in the field of natural disaster prevention, and the measures adopted at the twenty-sixth session of the General Assembly with a view to improving the co-ordination and effectiveness of international efforts to deal with natural disasters, '

'2. Endorses the recommendation of the Committee on the Peaceful Uses of Outer Space that the plan of action should be brought to the attention of Member States;

'3. Requests the Secretary-General to invite Member States to co-operate to the fullest possible extent with the World Meteorological Organization with a view to achieving objectives laid down in resolution 2733 D (XXV);

'4. Requests the World Meteorological Organization to pursue actively the implementation of its tropical cyclone project, continuing and intensifying its other related action programmes, including the World Weather Watch and, especially,

Agenda items 23, 29 and 31
the efforts being undertaken towards obtaining basic meteorological data and discovering ways and means to reduce the adverse effects of tropical storms and to remove or minimize their destructive potential;

"5. Calls upon Member States concerned to undertake or intensify research, as well as operational projects, towards this end and requests other Member States to contribute and assist in these projects;

"6. Recommends integrated action through increased co-operation and co-ordination between the World Meteorological Organization, the United Nations Development Programme and the Office of the Disaster Relief Co-ordinator in the field of United Nations natural disaster assistance, particularly with regard to the prevention, prediction and control of natural disasters;

"7. Requests the World Meteorological Organization to submit a report, through the Secretary-General, to the Committee on the Peaceful Uses of Outer Space at its next session, to the Economic and Social Council and to such other United Nations bodies as may be appropriate on the progress achieved and on the co-operation measures and other steps taken pursuant to the present and other relevant resolutions."

Noting the work being carried out by the joint Typhoon Committee of the World Meteorological Organization and the Economic Commission for Asia and the Far East and the large degree of collaboration between the World Meteorological Organization and other national, regional and international organizations in matters relating to tropical cyclones,


2. Endorses the recommendation of the Committee on the Peaceful Uses of Outer Space that the plan of action should be brought to the attention of Member States;

3. Requests the Secretary-General to invite Member States to co-operate to the fullest possible extent with the World Meteorological Organization with a view to achieving the objectives laid down in resolution 2733 D (XXV);

4. Requests the World Meteorological Organization to pursue actively the implementation of its tropical cyclone project, continuing and intensifying its other related action programmes, including the World Weather Watch and, especially, the efforts being undertaken towards obtaining basic meteorological data and discovering ways and means to mitigate the harmful effects of tropical storms and to remove or minimize their destructive potential;

5. Calls upon Member States concerned to undertake or intensify research, as well as operational projects, towards this end and requests other Member States to contribute and assist in these projects;

6. Recommends integrated action through increased co-operation and co-ordination between the World Meteorological Organization, the United Nations Development Programme, the Office of the Disaster Relief Co-ordinator and the United Nations programme for the environment, the field of United Nations natural disaster assistance, particularly the preparedness for, and the prediction, detection, prevention and control of, natural disasters;

7. Requests the World Meteorological Organization, through the Secretary-General, to the Committee on the Peaceful Uses of Outer Space at its next session, to the Economic and Social Council and to such other United Nations bodies as may be appropriate on the progress achieved and on the co-operation measures and other steps taken pursuant to the present and other relevant resolutions."

At the 1870th meeting the representative of the Philippines, on behalf of the sponsors, announced revisions in the sixth preambular paragraph and in operative paragraph 6 of the draft resolution. (For the revised text, see para. 12 below, draft resolution 11.)

A draft resolution was submitted on 17 October by Argentina, Austria, Belgium, Brazil, Canada, Egypt, France, Iran, Italy, Japan, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.608) and introduced by the representative of Austria at the 1865th meeting. Subsequently, Czechoslovakia, Ghana, Hungary, Lebanon, Poland, Romania and the Union of Soviet Socialist Republics joined as sponsors of the draft resolution. At the 1870th meeting the representative of Austria announced that the Food and Agriculture Organization of the United Nations should be added to the specialized agencies collaborating in paragraph 24. (For the revised text, see para. 12 below, draft resolution 11.)

A statement of administrative and financial implications of the recommendations contained in the draft resolution was submitted by the Secretary-General on 19 October (A/C.1/L.610).

At its 1871st meeting the Committee proceeded to vote on the draft resolutions before it.

Draft resolution A/C.1/L.606/Rev.1, as orally revised, was adopted unanimously.

Draft resolution A/C.1/L.608, as orally revised, was adopted unanimously.

Recommendations of the First Committee

12. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution 1

International action for the mitigation of the harmful effects of storms

The General Assembly,

Aware of the continuing harmful effects of storms and the devastation they cause, particularly to developing countries, whose economies and developmental efforts are thereby seriously impeded,

Concerned over recent calamities inflicted by storms resulting in tremendous losses of life and property in various parts of the world,

Believing that recent advances in science and technology have opened up new avenues towards mitigating the effects of these destructive natural forces,

Recalling its resolutions 1721 (XVI) of 20 December 1961, 1802 (XVII) of 14 December 1962 and 2732 D (XXV) of 16 December 1970 and noting the work being undertaken and the progress achieved in response to them,

Taking into account the views expressed by the Committee on the Peaceful Uses of Outer Space at its resumed nineteenth session, held from 5 to 15 September 1972,

Resolving its resolutions 1721 (XVI) of 20 December 1961, 1802 (XVII) of 14 December 1962 and 2732 D (XXV) of 16 December 1970 and noting the work being undertaken and the progress achieved in response to them,

Believing that the recent advances in science and technology have opened up new avenues towards mitigating the effects of these destructive natural forces,

Recalling its resolutions 1721 (XVI) of 20 December 1961, 1802 (XVII) of 14 December 1962 and 2732 D (XXV) of 16 December 1970 and noting the work being undertaken and the progress achieved in response to them,

Taking into account the views expressed by the Committee on the Peaceful Uses of Outer Space at its resumed nineteenth session, held from 5 to 15 September 1972,

Bearing in mind the recommendations of the United Nations Conference on the Human Environment in Stockholm and the resolutions and recommendations adopted through the United Nations General Assembly, to the Committee on the Peaceful Uses of Outer Space at its next session, to the Economic and Social Council and to such other United Nations bodies as may be appropriate on the progress achieved and on the co-operation measures and other steps taken pursuant to the present and other relevant resolutions.

At the 1870th meeting the representative of the Philippines, on behalf of the sponsors, announced revisions in the sixth preambular paragraph and in operative paragraph 6 of the draft resolution. (For the revised text, see para. 12 below, draft resolution 11.)

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Recommendations of the First Committee

12. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution 1

International action for the mitigation of the harmful effects of storms

The General Assembly,

Aware of the continuing harmful effects of storms and the devastation they cause, particularly to developing countries, whose economies and developmental efforts are thereby seriously impeded,
5. Calls upon the Member States concerned to undertake or increase research, as well as operational projects, towards this end and requests other Member States to contribute and assist in these projects.

6. Recommends integrated action through increased co-operation and co-ordination between the World Meteorological Organization, the United Nations Development Programme, the Office of the Disaster Relief Co-ordinator and the future environmental programmes of the United Nations, particularly with regard to the preparedness for, and the prediction, detection, prevention and control of, natural disasters.

7. Requests the World Meteorological Organization, through the Secretary-General, to the Committee on the Peaceful Uses of Outer Space at its next session, to the Economic and Social Council and to such other United Nations bodies as may be appropriate on the progress achieved and on the co-operation measures and other steps taken pursuant to the present and other relevant resolutions.

Draft resolution II
International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 2776 (XXVI), 2777 (XXVII), 2778 (XXVII) and 2779 (XXVII) of 29 November 1971;

Having considered the report of the Committee on the Peaceful Uses of Outer Space;

Reaffirming the common interest of mankind in furthering the exploration and use of outer space for peaceful purposes;

Recalling its resolution 1721 (XVI) of 20 December 1961, in which it expressed the belief that the United Nations should provide a focal point for international co-operation in the peaceful exploration and use of outer space;

Believing that the benefits deriving from space exploration can be extended to States at all stages of economic and scientific development on an expanding basis if Member States conduct their space programmes increasingly with a view to promoting maximum international co-operation, including the widest possible exchange of information in this field,

Convinced of the need for increased international efforts, particularly through the United Nations, to promote and expand practical applications of space technology,

Reaffirming the importance of international co-operation in developing the rule of law in the peaceful exploration and use of outer space,

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space;

2. Invites States which have not yet become parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the Agreement on the Return of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space to give early consideration to ratifying or acceding to those agreements so that they may have the broadest possible effect;

3. Expresses its satisfaction at the recent entry into force of the Convention on International Liability for Damage Caused by Space Objects and invites States that have not yet become parties to it to give early consideration to ratifying or acceding to it so that it may have the broadest possible effect;

4. Notes that the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space has achieved significant progress in approving a substantial part of the draft treaty relating to the Moon, observing at the same time that some issues are still unresolved;

5. Notes further that the Legal Sub-Committee has made notable progress in preparing the draft convention on registration of objects launched into outer space, observing at the same time that some issues are still unresolved;

6. Agrees that the Legal Sub-Committee should, at its next session, pursue, as a matter of priority, its work on the draft treaty relating to the Moon and the draft convention on registration of objects launched into outer space;

7. Notes that, because of lack of time, the Legal Sub-Committee was not able to consider in any detail the remaining issues on its agenda, as mentioned in paragraph 19 of the report of the Committee on the Peaceful Uses of Outer Space, and expresses the hope that early consideration will be given to those matters;

8. Welcomes efforts of Member States to keep the Committee on the Peaceful Uses of Outer Space fully informed of their space activities and invites all Member States to do so;

9. Welcomes also the continuing progress achieved by the Committee on the Peaceful Uses of Outer Space and the Secretary-General in Earth Space Applications, in their efforts to develop the United Nations programme on space applications into a significant means of promoting international co-operation in this field and commends to the attention of Member States, the specialized agencies and interested United Nations bodies the programme contained in the report of the Committee's Scientific and Technical Sub-Committee on the work of its ninth session (A/AC.105/102);

10. Endorses the United Nations programme on space applications for 1973 and the guidelines for the programme for 1974 and recommends the continuing development of the programme, taking especially into account the needs of the developing countries;

11. Notes with appreciation that several Member States have launched scientific and training facilities, under United Nations sponsorship, in the practical application of space technology and draws the attention of Member States and the developing countries, to these opportunities as outlined in paragraphs 28 to 32 of the report of the Scientific and Technical Sub-Committee;

12. Notes with appreciation that data from experience in testing the feasibility of the future exploitation of the earth from space platforms will soon be made available to the Working Group on Remote Sensing of the Earth by Satellites;

13. Welcomes the fact that the Working Group on Remote Sensing of the Earth by Satellites plans to begin its substantive work in January 1973 and notes that the Working Group has requested the Secretary-General to prepare, in accordance with General Assembly resolution 2778 (XXVI) of 29 November 1971, a background paper assessing the documents and other data brought to its attention, including the data referred to in paragraph 12 above, and that it has set up a task force to assist the Secretary-General in this respect;

14. Looks forward to a comprehensive progress report on remote sensing to be submitted by the Committee on the Peaceful Uses of Outer Space;

15. Takes note with gratification of the consideration being devoted by the Committee on the Peaceful Uses of Outer Space to the potential of satellites and other space platforms in monitoring the human environment with a view to helping to achieve the objectives of the future environmental programmes of the United Nations;

16. Welcomes the efforts of a number of Member States to share with other interested Member States the practical benefits that may be derived from programmes in space technology;

17. Welcomes the further progress achieved in international co-operation among Member States in space research and exploration, including in particular the continuing exchange and analysis of lunar material on a broad international basis, experiments with resource surveying making use of the United States satellite ERST-1 and the agreement between the Union of South Africa and the United States of America on the development of compatible rendezvous and docking systems for manned spacecraft with a view to developing joint flight and improved rescue capabilities;

18. Notes that the Committee on the Peaceful Uses of Outer Space has recommended that its Working Group on Direct Broadcast Satellites, in view of its interdisciplinary character and its co-ordinating function, should be reconvened to study the substantive matter concerned, pending the subject's reappearance, should it become accelerated since the Working Group's last session, in accordance with the relevant paragraphs of the Committee's report;

19. Reiterates the importance of the role of making satellite communications available to all, which includes providing a discriminatory basis, as expressed in General Assembly resolution 1721 B (XVI) of 20 December 1961;

20. Takes note of the progress achieved in implementing agreements relating to space communications and recently concluded among a number of States and reiterates the desirability of keeping the United Nations currently informed concerning activities and developments in this field;

21. Approves continuing sponsorship by the United Nations of the Thumba Equatorial Rocket Launching Station in India and the CELPA Mar del Plata Station in Argentina, expresses its satisfaction at the work being carried out at these ranges in relation to the use of sounding rocket facilities for international co-operation and training in the peaceful and scientific exploration of outer space and recommends that Member States should continue to give consideration to the use of these facilities for space research activities;

22. Welcomes the announcement by Sweden that the ESRANGE-Kiruna range will also be made available for international co-operative projects;

23. Notes that, in accordance with General Assembly resolution 1721 B (XVI) of 20 December 1961, the Secretary-General continues to maintain a public registry of objects launched into orbit or beyond on the basis of information furnished by Member States;

24. Notes with appreciation that a number of the specialized agencies, particularly the World Meteorological Organization, the International Telecommunication Union, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, have continued to take an active part in the United Nations programme for the promotion of international co-operation in the practical application of space technology, including the organization of technical panels;

25. Takes note of the programmes currently being undertaken by the United Nations Educational, Scientific and Cultural Organization and the International Telecommunication Union in satellite broadcast programs for the purpose of enhancing the advancement of education and training, including consideration by the United Nations Educational, Scientific and Cultural Organization of the draft Declaration of Guiding Principles on the Use of Satellite Broadcast for the Free Flow of Information, the Speed of Education and Greater Cultural Exchange (see Agenda items 28, 29 and 37)
Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

"Believing that the activity of States in the field of direct television broadcasting should be based on the principles of mutual respect for sovereignty, non-interference in domestic affairs, equality, cooperation and mutual benefit, and recognizing that the use by States of artificial earth satellites for direct television broadcasting and calls upon States to become parties to it:

1. Considers it necessary to conclude a convention on principles governing the use by States of artificial earth satellites for direct television broadcasting in the fields of exploration and use of outer space that would serve to define the scope of such activity for the benefit of all States and for the development of friendly relations and mutual understanding among them;

2. Requests the Committee on the Peaceful Uses of Outer Space to pursue its work, as set out in the present resolution and in previous resolutions of the General Assembly, and to report to the Assembly at its twenty-eighth session.

(Texts adopted by the General Assembly without change; see below "Action taken by the General Assembly")."

DOCUMENT A/3864
Report of the First Committee on agenda item 37

Original: English/Spanish
1 November 1972

1. The item entitled "Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting" was included by the Secretary-General in the agenda of the twenty-seventh session of the General Assembly on the basis of a request dated 8 August 1972 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics (A/8771). The text of a draft international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting was attached to the request.

2. At its 2307th plenary meeting, on 23 September 1972, the General Assembly, on the recommendation of the First Committee, decided to include this item in the agenda and to allocate it to the First Committee for consideration and report.

3. The First Committee considered this item, jointly with agenda items 28 and 29.

4. The debate on the three items was held at the 1861st to 1871st meetings, from 12 to 20 October.

5. During the debate two draft resolutions and several amendments were submitted.

6. A draft resolution submitted on 12 October by the Union of Soviet Socialist Republics (A/C.1/L.605) was introduced by the representative of that country at the 1861st meeting. It read as follows:

"The General Assembly,

Recalling its resolution 2222 (XXI) of 19 December 1966, in which it stressed the importance of international co-operation in the field of activities in the peaceful exploration and use of outer space and the importance of developing the rule of law in this new area of human endeavour,

Recalling further its resolution 2453 (XXIII) of 20 December 1968, in which it stated that the benefits of space exploration can be extended to States at all stages of economic and scientific development,

Reaffirming the common interest of all mankind in furthering the peaceful exploration and use of outer space for the benefit of all States and for the development of friendly relations and mutual understanding among them,

Considering at the same time that the introduction of direct television broadcasting by means of satellites will raise significant legal problems connected with the need to establish conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples,

Mindful of the need to prevent the conversion of direct television broadcasting into a source of international conflicts and of aggravation of the relations among States and to protect the sovereignty of States from any external interference,

Desiring to further the elaboration of specific rules of international law governing the activities of States in this field on the basis of the Charter of the United Nations and the Treaty on Principles

and the importance of developing the rule of law in this new area of human endeavour,

Taking into account the fact that the preamble of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which was adopted by the General Assembly in its resolution 2222 (XXI), stipulates that General Assembly resolution 110 (II) of 3 November 1947, dealing with freedom of information, is applicable to outer space,

(2) Insert the following new paragraph as operative paragraph 1. and number the subsequent paragraphs accordingly:

1. Expresses the hope that speedy action will be taken to finalize the draft convention on freedom
of information, taking into account at the same time the need to widen its scope to cover the problems arising from the advent of space communications for information purposes:

(3) Amend the present operative paragraph 2 to read as follows:

"3. Requests the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee to take into account as soon as possible the provisions of the present resolution on freedom of information in the preparation of a draft convention or any other international instrument based on principles governing the use by States of artificial earth satellites for direct television programmes.

The amendments were later revised so that they would apply to the revised text of the draft resolution. The new amendments (A/C.1/L.607/Rev.1) read as follows:

(1) Insert the following new second preambular paragraph:

"Taking into account resolution 2448 (XXIII) of 19 December 1968, dealing with freedom of information, and the preamble of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, adopted by the General Assembly in its resolution 2223 (XXI), which stipulates that General Assembly resolution 110 (II) of 14 November 1947 is applicable to outer space.

(2) Insert the following new paragraph as operative paragraph 2 and number the subsequent paragraphs accordingly:

"2. Takes note that the work done on the draft Convention on Freedom of Information and delimitation of their area in the General Assembly may be useful in the discussion and elaboration of a draft convention and/or other international instruments or United Nations arrangements relative to direct television broadcast services.

(3) In the present operative paragraph 2, after the word 'convention', insert the following words: and/or other international instruments or United Nations arrangements.

The amendments were withdrawn in view of the fact that their substance had become the subject of a separate draft resolution (see para. 8, below).

8. On 19 October Saudi Arabia drafted a resolution (A/C.1/L.612), the text of which appears in paragraph 23 below (draft resolution II).

9. On 19 October Austria and Sweden submitted amendments (A/C.1/L.609) to draft resolution A/C.1/L.605/Rev.1, which were later withdrawn and below (see para. 10). These amendments were reintroduced at the 1870th meeting by the representative of Belgium, on behalf of the following sponsors: Australia, Belgium, Canada, Italy, Japan, the Netherlands, and the United Kingdom of Great Britain and Northern Ireland (A/C.1/L.613). The amendments read as follows:

(1) Replace the fifth preambular paragraph by the following:

"Considering at the same time that the introduction of direct television broadcasting by means of satellites could raise significant problems connected with the need to balance legitimate sovereign interests against the importance of the free flow of communications,"

(2) Change the operative paragraphs to read as follows:

1. Considers it necessary to elaborate principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements;

2. Requests the Committee on the Peaceful Uses of Outer Space to undertake the elaboration of such principles as soon as possible.

11. At the 1870th meeting the representative of Brazil introduced a sub-amendment (A/C.1/L.614) to the first of these amendments, whereby the last part of the fifth preambular paragraph would read as follows: "to the extent connected with the need to ensure the free flow of communications and would become the last preambular paragraph of the draft resolution.

12. At the 1871st meeting the representative of Brazil proposed an oral amendment to this sub-amendment, whereby the words "on a basis of" would be replaced by the words "while fully preserving"

13. At its 1871 meeting the Committee proceeded to a vote on the proposal before it.

14. The Committee first voted on the Belgian oral amendment (see para. 12, above). The oral amendment was rejected by 24 votes to 31, with 34 abstentions.

15. The subamendment contained in document A/C.1/L.614 (see para. 11 above) was adopted by 80 votes to none, with 15 abstentions.

16. The preambular paragraph proposed in document A/C.1/L.613, as abrogated, was adopted by 72 votes to none, with 14 abstentions.

17. By a rolle-vote, the operative paragraphs proposed in document A/C.1/L.613 were adopted by 30 votes to 27, with 44 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Greece, Guatemala, Honduras, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Kibar Republik, Netherlands, New Zealand, Norway, Pakistan, Philippines, South Africa, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Algeria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakian, Democratic Yemen, Egypt, Hungary, Iraq, Libya, Libyan Arab Republic, Madagascar, Malta, Mexico, Mongolia, Nepal, Poland, Romania, Saudi Arabia, Syria Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Zambia.

Abstaining: Afghanistan, Argentina, Bhutan, Burma, Cameroon, Chad, Cyprus, Dahomey, El Salvador, Ethiopia, Finland, France, Ghana, Guyana, Haiti, Indonesia, Jamaica, Jordan, Kuwait, Lebanon, Laos, Liberia, Malaysia, Maldives, Malta, Mauritius, Nicaragua, Niger, Nigeria, Panama, Peru, Portugal, Senegal, Sierra Leone, Singapore, Spain, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Zaire.

18. Following a proposal by the representative of the Union of Soviet Socialist Republics, the Committee voted to reinstate the fifth preambular paragraph of draft resolution A/C.1/L.605/Rev.1 by 77 votes to none, with 16 abstentions.

19. Following a proposal by the representative of Brazil, the Committee agreed, without a vote, that the preambular paragraph contained in document A/C.1/L.613, which had just been adopted as amended, would become the last preambular paragraph of the draft resolution.

20. Draft resolution A/C.1/L.605/Rev.1, as amended, was adopted by 68 votes to 12, with 18 abstentions (see para. 23 below, draft resolution I).

21. Finally, the Committee voted on draft resolution A/C.1/L.612. The preambular paragraph of the draft resolution was adopted by 47 votes to none, with 44 abstentions; the operative paragraph of the draft resolution was adopted by 33 votes to 8, with 44 abstentions.

22. The draft resolution as a whole was adopted by 46 votes to 10, with 39 abstentions (see para. 23 below, draft resolution I).

The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

Resolution I

Preparation of an International Convention on principles governing the use by States of artificial earth satellites for direct television broadcasting

The General Assembly,

Recommending its resolution 2222 (XXII) of 19 December 1966, in which it stressed the importance of international co-operation in the field of activities in the peaceful exploration and use of outer space, and the importance of developing the rule of law in this new area of human endeavour,

Recalling further its resolution 2453 B (XXIII) of 20 December 1968, in which it stated that the benefits of space exploration can be extended to States at all stages of economic and scientific development.

Recognizing the common interest of all mankind in furthering the peaceful exploration and use of outer space for the benefit of friendly relations and mutual understanding among them.

Bearing in mind that direct television broadcasting should help to draw the peoples of the world closer together, to widen the exchange of information and cultural values and to enhance the educational level of people in various countries.

Considering at the same time that direct television broadcasting by means of satellites should take place under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples.

Mindful of the need to prevent the conversion of direct television broadcasting into a source of internaional conflict on a basis of tension and to protect the sovereignty of States from any external interference.

Desiring further the elaboration of specific rules of international law governing the activities of States in the field of direct television broadcasting under the Charter of the United Nations, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

Believing that the activities of States in the field of direct television broadcasting must be based on the principles of mutual respect for sovereignty, non-interference in domestic affairs, equality, co-operation and mutual benefit.

Considering at the same time that the introduction of direct television broadcasting by means of satellites could raise significant problems connected with the need to ensure the free flow of cultural communications on a basis of strict respect for the sovereign rights of States.

1. Considers it necessary to elaborate principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements;
2. Requests the Committee on the Peaceful Uses of Outer Space to undertake the elaboration of such principles as soon as possible.

Draft resolution II
Preparation of international instruments or United Nations arrangements on principles governing the use by States of artificial earth satellites for direct television broadcasting

The General Assembly,

Recalling its resolution 2468 (XXIII) of 19 December 1968, dealing with freedom of information, and the preamble of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which stipulates that General Assembly resolution 11(I) of 3 November 1947 is applicable to outer space,

Notes that the work done on the draft Convention on Freedom of Information and deliberations thereon in the General Assembly may be useful in the discussion and elaboration of international instruments or United Nations arrangements relative to direct television broadcasts,

(See below for the action taken by the General Assembly.)

DOCUMENT A/682/Rev.1

Belgium, Iraq, Italy, Mongolia, Netherlands and Poland: revised amendments to draft resolution I submitted by the First Committee in document A/8864

Original: English
9 November 1972

1. After the sixth preambular paragraph insert the following new paragraph:

"Noting the draft convention on principles governing the use by States of artificial earth satellites for direct television broadcasting, submitted to the General Assembly by the Union of Soviet Socialist Republics (see A/677)".

2. Add an operative paragraph 3 reading as follows:

"Requests the Secretary-General to transmit to the Committee on the Peaceful Uses of Outer Space all documentation relating to the discussion at the twenty-seventh session of the General Assembly, of the item entitled 'Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting'."

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 2081st plenary meeting, on 9 November 1972, the General Assembly unanimously adopted the two draft resolutions submitted by the First Committee in document A/8863. For the final texts, see: Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 30, resolutions 2914 (XXVII) and 2915 (XXVII).

Before voting on the draft resolutions submitted in document A/8864, the General Assembly voted on the amendments contained in document A/682/Rev.1. The first amendment was adopted by 91 votes to none, with 7 abstentions, and the second amendment by 95 votes to none, with 7 abstentions. Draft resolution 1, as amended, was adopted by 102 votes to 1, with 7 abstentions, and draft resolution II by 63 votes to 0, with 32 abstentions. For the final texts, see resolutions 2916 (XXVII) and 2917 (XXVII).