recent United Nations study shows that only about 6 per
cent of the land surface of the world is covered by
topographic mapping at the mile-to-the-inch scale or larger.
But maps are needed now more than ever to maintain a
current reliable inventory of the physical factors that affect
the air we breathe, the water we drink, the lands and forests
we cultivate, the mineral resources we mine, the industries
we operate, the arteries we use for transportation and
communication and the communities we live in.

4. In many parts of the world the rate of energy
consumption is growing twice as rapidly as the population.
This additional energy is being consumed in processing
ever-increasing quantities of mineral raw materials needed
to accommodate demands which undoubtedly will continue
to grow, even if the population were to be stabilized or its
growth rate reversed. The difficulty in meeting the growing
demand, for instance for primary ore materials, will be
compounded by the fact that only a fraction of 1 per cent
of the earth's surface yields readily available high-grade ore
materials. Most of the mineral wealth is hidden beneath the
surface and not easily detectable.

5. The task of supplying food for a constantly growing
world population involves several important subordinate
steps. We need to seek out the productive lands, and then
guide human use in a manner that will preserve the
agricultural productivity as far as possible. We must supply
water to sustain agricultural operations on which we
depend for food supplies. Water must also serve as a raw
material, as a process fluid, and as a waste carrier for our
industries. It is also necessary to note that much of the
water on this planet is not in the right place, or of the
proper quality needed.

6. Many scientists and specialists agree that remote sensing
could be one of the most important tools in our endeavours
to solve the problems I have just outlined in very broad
terms.

7. Satellites will play an important monitoring role in
man's battle against pollution, as well as assisting him in
achieving a balance between the discovery and exploitation
of natural resources on the one hand, and the ecological
management of the environment on the other. Earth-sensor
satellites could be adopted not only to observe and collect
data of scientific interest—on weather, fish and mineral
location, for example—but also to predict the long-term
behaviour of these and other related phenomena, thereby
assisting in achieving ecological balances on local, regional
and global bases.

8. It is against this background that my Government
welcomes and attaches the greatest importance to the
decision by the Scientific and Technical Sub-Committee at

A/C.1/PV.1822
its eighth session this summer to convene a Working Group on Remote Sensing of the Earth by Satellites.

9. Already at last year’s session of the Scientific and Technical Sub-Committee, together with the delegation of Italy, raised the question of convening a working group on remote sensing. There were several reasons why Italy considered important to have the United Nations become actively involved in the matter of earth resource satellites (ERS). First it is obvious that we are witnessing the infancy of a most important tool of economic and technical development, which is bound to have an impact on most nations, even if today the technology as such is within the grasp of only a very few countries. Remote sensing, like so many of the applications of modern science and technology, is the result of a combination of technical skills and the two great space Powers, one reason being that it is related to their competition in military technologies. They alone can harness the prodigious economic, technical and organizational capacity to pursue the kind of ventures typified by ERS. A country like Sweden may well have reached the industrial and technical level necessary to realize the implications of the technique but, clearly, it would be difficult or practically impossible, for us to embark on any more significant space application activity of our own. Our situation, certainly, is not unique and it is even more pronounced in the case of countries with a lesser degree of development. For the vast majority of all the other countries the way towards greater knowledge and participation in new technology is naturally through United Nations activities. That is why the need for a focal point in the ERS field could be carried out in other organizational set-ups. But the United Nations, to our mind at least, is obviously the best suited place to start and receive worldwide attention and backing, where general rules of use should be established by common consent in the context of the Organisation of countries smaller and weaker by the stronger. Surely the time has now come to plan much more effectively for the internationalization of Earth Remote Sensing and the problem of organization of ERS on the international level.

10. We have frequently deplored the fact that so far the United Nations has largely been limited to some legislative work in itself important—into itself important—into itself important—into itself important—into itself important. The time seems long overdue when certain operational activities should also come under more active United Nations organization and become a part of our policy. In any case, we believe that the development of the space systems is already today in many developing countries (see A/AC.105/90, paras. 23-25).

11. International co-operation in the complicated field of outer space activities entails many problems and will not come about by itself. We feel that we must make a start now and that ERS may be as propitious a chance to get started as we shall ever have.

12. What is necessary is clearly, among other things, a change in attitude towards United Nations involvement in hitherto largely national activities. Any progress will be wholly contingent upon the co-operation we can expect from the United States and the Soviet Union and a few other industrially advanced States. In our conclusion with great interest the important agreements concluded this year between the United States National Aeronautics and Space Administration and the Royal Academy of Sciences. These agreements provide for cooperation between the two in various fields—including the ERS field—and it is hoped that this cooperation will undoubtedly be of direct interest to the international community. We for our part hope that the results of this cooperation will be applicable to the specific circumstances of the moon and to the present stage of the conquest of the moon. We think that some interest could further develop the firm legal basis for the activities of States on the moon that was laid down in the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies (resolution 2223(XIX)), among others. We welcome the fact that, in addition to the 1967 Treaty, the Soviet draft treaty regarding the moon contains an article which prohibits the placement of weapons of mass destruction in the moon orbit or in the subsurface of the moon.

13. Having said this, I should like to introduce the draft resolution contained in document A/C.1/L.571, concerning the convening of the Working Group. As you will note, this special draft resolution on the Working Group is sponsored by a group of States that is very representative from all points of view. That the special draft resolution has been carefully negotiated among the members of the Committee on the Peaceful Uses of Outer Space so as not to prejudice anybody's basic position on this matter, especially with regard to what operational system to implement on the international level. It will be for the Working Group to make recommendations on the possible development, provisions, organization and operation of the systems in the United Nations or another international framework, taking into account the economic, social and legal implications that further work on this subject might arise as a result of selecting any particular system.

14. I trust that this important decision to convene a Working Group will meet with approval from all the members of the Committee so that the draft resolution in document A/C.1/L.571 before you may be adopted by acclamation.

15. Having spoken at some length about our aim of making the United Nations a focal point for space applications, I must of course use this occasion to commend Mr. Ricciardi, our eminent Expert on Space Applications, for the very interesting and ambitious programme he has presented to us all on how to develop and maintain in your knowledge that exists today in many developing countries (see A/AC.105/90, paras. 23-25).

16. I should also like to point out in passing on the draft resolution contained in document A/C.1/L.569, the so-called passive resolution on space activities of which the benefit of this country is a sponsor, and should like to draw your attention to operative paragraph 5 of that draft resolution, which is in our opinion a most important point in the development of outer space activities. The Apollo 15 mission, thanks to which man acquired a new perspective on the structure and dynamism of our planet and the nature of our space flight of the three unidentified craft, among which are included in such tragic circumstances, are brilliant examples of the numerous exploits of the two space Powers.

21. Space research, however, and in particular its many practical and important aspects, is not the exclusive preserve and interest of only a few space Powers. These activities by their very nature are of general importance and they have already given rise to an increasing political-technical inter- dependence among nations, and will require considerably intensified collaboration among them. Collaboration at all levels of space activities and collaboration between nations and peoples of the world are now realities which are becoming increasingly necessary for our survival. It is the Committee's task to ensure that the resolution has not failed to recognize the important role which should and could devolve upon the Organization in this connexion.

22. The most striking fact in the past year in the outer space Committee was beyond question the completion by the Soviet Union of the first heavy satellite, on 18th November. We should have had an opportunity to express our satisfaction in this connexion in the course of the 182nd plenary meeting of the Committee. The two principal questions which for a long time stood in the way of the completion of the convention are well known. On the one hand, there was the question of the ratification of the law applicable to determining the indemnity payable to the victim of the damage and, on the other, the procedure for the settlement of claims for damages which are dealt with in articles XII and XI respectively. Since these articles were drafted after lengthy negotiations among countries with different legal systems and disciplines, they obviously represent a common denominator of all the opinions expressed and of all the proposals advanced in the course of the negotiations (see A/8420, para. 32). We have therefore already had an opportunity to express our satisfaction in this connexion in the course of the 182nd plenary meeting of the Committee. The two principal questions which for a long time stood in the way of the completion of the convention are well known. On the one hand, there was the question of the ratification of the law applicable to determining the indemnity payable to the victim of the damage and, on the other, the procedure for the settlement of claims for damages which are dealt with in articles XII and XI respectively. Since these articles were drafted after lengthy negotiations among countries with different legal systems and disciplines, they obviously represent a common denominator of all the opinions expressed and of all the proposals advanced in the course of the negotiations (see A/8420, para. 32).
important and constitute a major improvement of the text as compared with previous drafts.

25. For all the reasons that I have just adduced my delegation has decided to join the authors of the draft resolution in recommending to the General Assembly that an amendment to the draft resolution be completed by the Legal Sub-Committee and adopted by the outer space Committee [A/41/L.570]. At the same time we express the hope that the draft resolution will receive the widest possible support.

26. Turning now to the other legal issues, we note that the order of priorities established for questions on the agenda of the Legal Sub-Committee, as it appears in paragraph 38 of the report [A/42/492], provides the Sub-Committee with a clear and sufficiently flexible guideline for work as to adapt it to future developments.

27. We cannot deny that there is another aspect of international cooperation in space matters, namely the problem of allowing all nations to benefit from the advantages derived and which may be derived from the exploration of outer space. We note with increasing interest that the example of space technology inevitably increases the gap in technology and participation, between the countries that have established a space programme and those that have not in a position to do so. This gap is important in the light of its economic implications and is even more so when it is a question of understanding the future world, the advances opened up by the space age. In this connection my delegation has always attached great importance to the activities of the Committee of Outer Space and the expert on its work, Professor Ricciardi, and the Division of Outer Space. We give our support to the pursuance of the programmes carried out in the past year to benefit all the developing countries, whether they involve the organization of meetings of technical groups, the granting of fellowships and the arrangements for the organization of meetings, points of contact or travels by the expert. We very sincerely hope that it will be possible to provide and make available for these activities the necessary funds in respect of which agreement was reached within the outer space Committee.

28. The creation of a Working Group on Remote Sensing of the Earth by Satellites has also been one of the important achievements of the outer space Committee during the past year. My delegation is grateful to the Swedish delegation for all its enthusiasm within the Committee in the past year. My delegation, in particular, will be of primary importance in assisting the developing countries. We hope that the draft resolution on this subject, of which my delegation is a sponsor, will receive unanimous support.

29. In concluding my comments on technical and scientific questions, I should wish to express our appreciation to the many organizations and organs within the United Nations system who are contributing to the work of the outer space Committee during the past year. My delegation is grateful to the Swedish delegation for all its enthusiasm within the Committee in the past year. My delegation, in particular, will be of primary importance in assisting the developing countries. We hope that the draft resolution on this subject, of which my delegation is a sponsor, will receive unanimous support.

30. May I be permitted now to make a brief comment concerning the new agenda item proposed by the Soviet Union: "Preparation of an international treaty concerning the Moon". I do not believe that this proposal is of genuine concern to the Committee except to a very limited extent, and a detailed study by the Legal Sub-Committee would appear to be useful. Referring to the draft to that Sub-Committee, where those questions should have priority, in accordance with the decision in paragraph 38 of the report of the Committee on the Peaceful Uses of Outer Space, we believe that the draft resolution deals with the recommendations and decisions of the Committee on the Peaceful Uses of Outer Space, with the exception of those concerning the draft convention on liability and the Working Group on Remote Sensing of the Earth by Satellites, which are dealt with in two separate draft resolutions. I hope that the draft resolution will commend itself to the Committee and that it will be adopted unanimously.

31. Mr. SIKOFFENKO (Ukrainian Soviet Socialist Republic) (translation from Russian): The delegation of the Ukrainian Soviet Socialist Republic supports the resolution. It has been expressed here in our Committee at the progress made in the exploration of outer space. It is indeed impressive. For almost a year the Soviet atomic vehicle Lunokhod worked on the Moon and during that time it explored more than 10 kilometers of the surface of our natural satellite. Everyone remembers too the unmanned space station Salyut by the Soviet cosmonauts Georgii Dobrovolskii, Vladislav Volovol and Viktor Patsay, whose self-sacrificing feat enabled mankind to make a significant step forward in the exploration of the universe.

32. The problem of manned missions in space is one of the most important aspects of space exploration. The exploration of outer space is not only a search for scientific knowledge, but it is also a test of human ability to adapt to new environments. This is especially true for the exploration of the Moon, which is a very remote and unexplored body. The development of new technologies and systems is necessary to ensure the safety and success of such missions. The United States has already made significant progress in this area, and continues to lead the way in this field.

33. In conclusion, we support the resolution on the exploration of outer space and encourage the Committee to continue its work on this important issue.
of outer space and in international co-operation in this field. This is evidenced also by the report which the Committee of Experts of Outer Space has submitted to the General Assembly [A/8420], which was introduced so excellently by the Chairman of the outer space committee, at the outset of the First Committee. Indeed, we could witness grandiose events and results: experiments with the self-propelled remote-controlled lunar module, with the automatic interplanetary station Venus 7, as well as with the Soviet orbiting scientific station, and man's successful landings on and return from the moon with Apollo 14 and Apollo 15.

50. But our joy over the successes is mingled with sorrow when we recall the tragedy of three valiant Soviet cosmonauts. After setting a 24-day endurance record for space flight, those three died in the early hours of 30 June on their return to the earth from the orbiting space laboratory Salut. The three heroes, Lieutenant-Colonel G. T. Dobrovol'sky and his two civilian crew mates, flight engineer V. N. Volkov and test engineer V. I. Patrany, will live on in the recollection of posterity, together with the pioneers of space exploration.

51. The exploration of outer space, started by the Soviet Union, has helped men a great deal in his efforts to penetrate the secrets of the universe and obtain a deeper understanding of the laws of nature. Space exploration has also opened up new possibilities for solving a number of important practical problems facing mankind—for example, in the field of medical and meteorology. Considerable results have been achieved in placing the experiences of cosmonauts and the results of their work, which is so difficult to exist in this respect, especially as far as the developing countries are concerned.

52. International co-operation in the study and use of outer space has already reached a high level. In this connexion I wish to refer specially to the close and fruitful co-operation which has developed between the Soviet Union and the other socialist countries.

53. Although space exploration is primarily a technolog-ical, astronomical and natural scientific activity, it still poses problems which need legal consideration and legal regulation, especially with respect to artificial objects and artificial satellites in the second half of the 1950s brought into being space law as a new branch of international law, just as the appearance of flying machines in the early years of this century led to the development of air law. In this respect it is worth bearing in mind that on 30 June last the Legal Sub-Committee adopted a draft recommendation affirming the need to define clearly the scope of the law of outer space and expressing the desire to continue its work of preparing a chapter of international law [see A/AC.105/94, para. 29].

54. The International Law Commission at its twenty-third session had before it a valuable working paper, entitled "Survey of International Law", prepared by the Secretariat. The Survey devotes a separate chapter to the law of outer space.

55. Legal problems arose as soon as the first artificial satellites were placed in orbit, and these problems were manifold.

56. We can note with satisfaction that the General Assembly, in its resolution on the peaceful utilisation of the outer space, thanks to the well-considered and considered initiatives of Member States, succeeded in concentrating in its attention and comments on the problems which were most acute and ripe for solution.

57. The advance of space research and the expansion of co-operation in this sphere naturally raise the issue of international legal regulation of the space activities of States, including the co-ordination of related activities. When the results of space exploration create new requirements, it is obvious for the resort to the device of international agreements. A few important steps in that direction have already been taken.

58. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Cosmic Bodies (resolution 2222 (XXII), annex), which was drawn up on the initiative of the Soviet Union, entered into force in 1967. It covers all technical aspects of the early stage of space exploration.

59. It may well be that serious problems will not arise in the next few years, but the time will certainly be the time for the problem to be considered as one of paramount importance in view of the rapid progress in space exploration. In this respect it is worth remembering that the Soviet proposal for the preparation of a treaty concerning the moon in complete harmony with Article 13, paragraph 1 (a), of the Charter.

60. The Government of the Hungarian People's Republic, just like the Governments of other Member States, has from the very beginning supported the principle that the outer space activities be conducted in such a fashion as to ensure the complete freedom of the exploration and use of outer space for the benefit of all mankind. The treaty, however, has not been brought into force.

61. We believe that the International Law Commission is not in a position to expect practice to develop to the rules of liability, since the countries, by acting as either, and the enormous diversity of the principles of liability in civil laws is inconsistent with the new legal order of affairs, confronting law in respect of the exploration of outer space.

62. The promotion of the peaceful exploration and use of outer space is in the common interest of mankind, Space activities should be pursued only for the benefit and in the interest of all mankind. As space research itself can be conducted only in the framework of a global system of rules, the regulation of particular branches of space activities is necessary and the principle that only activities that are effective and real in that this activity is conceived, from the point of view of legal obligations also, as a global undertaking of the international community—of all mankind.

63. Now that, as the result of trying negotiations which often seemed hopeless, we have before us the text of the draft convention on liability, the Hungarian delegation extends its gratitude to the Committee of the General Assembly on the Peaceful Uses of Outer Space, Ambassador Waldheim of Austria, and to the Chairman of the Legal Subcommittee, Mr. Wyzner of Poland, for their unifying expert guidance.

64. I began my statement by saying that the last year has been one of success in the exploration and peaceful uses of outer space and in international co-operation in this field. The Hungarian delegation hopes that this will be duly reflected in the draft resolutions that our Committee is recommended for adoption by the General Assembly.

65. Mr. JAMESON (United Kingdom): The principal feature of the report of the Committee on the Peaceful Uses of Outer Space (A/8420) is, of course, the draft convention on international liability for damage caused by space objects. The presentation of this draft marks the completion of the negotiation. In my opinion, the text (A/11/L.570) of which the United Kingdom is a signatory, that the Committee is invited to consider and to accept this draft convention. We hope that it will do so, and that the convention will enter into force at an early date.

66. A number of delegations have voiced dissatisfaction with certain features of the draft convention. It would indeed be surprising if these were not fully satisfied to all draft convention and, as a result, that the development of the international legal order of affairs between space objects and space activities to make effective precautions for preventing any damage that might result from such activities.

67. Like other delegations, we in the United Kingdom delegation would have preferred provisions which would have made the awards of claims commission binding upon States parties. We nevertheless consider that the settlement procedures now embodied in the draft convention have considerable advantages by giving a binding effect to the development of the draft convention as a whole a more adequate and valuable development of space law. Under the draft convention, States parties will be entitled to have recourse to settlement procedures decided by the Assembly. There will be in detail and a set of rules concerning the modes of inquiry concerning the moon and the subject of the registration of space objects, while not overlooking the importance of the draft convention to attach to a number of other issues. In this connexion I cannot say that my delegation has no difficulty with the draft resolution sponsored by the Soviet Union and certain other countries (A/11/L.572) in connexion with the draft treaty concerning the moon prepared by the Soviet bloc. As it did not form part of the draft treaty itself, I am bound to say that in our preliminary study we found rather few provisions which addition to the two existing treaties relating to outer space. We can agree in principle that it might be useful to develop new rules with respect to the moon and consider that it would be appropriate for the
Committee on the Peaceful Uses of Outer Space, when considering questions relating to the menace within the framework of the United Nations, the legal work laid down in paragraph 38 of its report, to have the Soviet draft treaty before it, in so over draft which has been or may be presented to the Committee, the question of the present proposal by Mr. ANTONIO (A/C.105/2/2/1 and 2/2).

I turn now to the other side of the work of the Committee on the Peaceful Uses of Outer Space and I welcome first the establishment of the Working Group on the Draft Convention. It is the case that the Working Group has already held a first organizational meeting and has elected a particularly distinguished and well-qualified team of experts to this Commission in Italy. My delegation looks forward to an orderly and thorough organization of the Working Group of the activities of the Conference, the experiments in such remote sensing, the first of which is scheduled by the United States Government to take place some six years from now. I view with the whole interest aroused by the potential applications of this promising development in space technology, it is clearly right that the Committee on the Peaceful Uses of Outer Space should be invited to keep the Assembly comprehensively informed of the progress of the Working Group. My delegation is happy to reaffirm the draft resolution introduced by the representative of Sweden (A/C.1(137)).

The outer space Committee has a special role in promoting more widespread knowledge of the applications of outer space to the development of the developing countries. We accordingly welcome the decision of the outer space Committee to expand its programme in this field. We have a very great interest by the United Nations in the developing countries and for the holding of meetings of "points of contact" nominated by Members of the Committee. In the light of the examination of the programme as now envisaged, it should be possible for the Committee in due course to assure the extent to which these activities are meeting the needs of the Members, and particularly the needs of the developing countries, for whose benefit it is primarily concerned.

43. A closely related function of the outer space Committee is to formulate, on behalf of Member States of the training and education of nationals of other countries training and technical applications of space technology, and in particular to inform the public of the Committee’s report that such assistance is being rendered by the Governments of Argentina, Brazil, France, India, Japan and the United States of America, as well as by the United Kingdom. My own Government has announced its willingness to make available to suitably qualified candidates from the developing countries a number of scholarships, of the order of 10 each year, for the courses on the principles and practice of satellite earth station operations which are run by the United Kingdom’s Post Office. And we trust that other Governments will come forward to assist the space Committee in the same way.

Mr. MORENO-SALCEDO (Philippines): I must have intended to take the floor this morning but was up of view of the fact that there is no other speaker I thought perhaps I would take advantage of the time of the Committee to say a few words about the draft convention on international liability for damage caused by space objects, which is before us in paragraph 31 of document A/4679.

76. I shall speak very briefly and I shall address myself exclusively to the draft convention. As far as that part of the treaty I should like to express an opinion, it should not be interpreted as a criticism of the work of the Legal Sub-Committee, which I think is excellent and which deserves the commendation of all the participants. On the contrary I should like to submit that my comments, which I elaborated are meant to clarify certain aspects of the draft convention, not to express an opinion, which the words of their author meant to clarify certain aspects of the draft convention, as it is intended that they be incorporated in the text with which I am at the present time.

77. I should like to call attention to article 1, paragraph 2, with regard to the term "damage" in sub-paragraph (2) says:

"The term 'damage' means loss of life, personal injury or other impairment of health, or loss or damage to property of States or of persons, natural or juridical, or profit of international intergovernmental organizations or any of their agents or members."

I should like to emphasize the phrase "international intergovernmental organizations." As the representative of the United Kingdom had a few minutes ago, the draft convention on space objects is reminiscent of a declaration on the term "international intergovernmental organizations," as it means, for example, an organization like INTELSAT, which is owned by different Governments. In this case it would properly be an international intergovernmental organization and it would seem to me that article XXII would be particularly applicable to such an organization as INTELSAT. On the other hand, does the term "international intergovernmental organization" refer to international organizations such as the United Nations and the World Meteorological Organization, for example, and other specialized agencies?

78. It seems to me that there is a vacuum in the draft convention with regard to international organizations in the intergovernmental organizations may not have the same privileges as States in claiming damages directly. I say this again in the light of article XXII which says:

"In this Convention, with the exception of articles XXIV to XXVII, references to States shall be deemed to apply to say that international personality as State, and their agents or members, are the only persons entitled to establish in claiming compensation, I shall be happy to accept that interpretation. I repeat that it would seem that there is a gap filled in this Convention, with regard to the States of members of the organization are States Parties to this Convention."

In other words, before an international intergovernmental organization may qualify for the treatment accorded to States under this draft convention, three conditions must be fulfilled. The first condition is that the international intergovernmental organization should conduct space activities; the second is that the organization should accept the liability fixed for in the draft convention; and the third is that a majority of the States members of the organization should be States parties to the convention.

79. Assuming that an international intergovernmental organization engaged in space activities damaged because of a space object launched by it, there is no question but that such an international intergovernmental organization would (i) accept the liability, and (ii) comply with the provisions of the convention the organization would be subject to its provisions. But with regard to an international organization such as the World Meteorological Organization, what would happen if it suffered damage as a result of a space object that fell on its property or, for example, damaged its buildings? Would it fall under this article? I do not think so. In that case, there would be a gap in the sense that international organizations, unless they conducted space activities, would not have the privilege conferred by States for claiming compensation.

Moreover, it will be noted that although under article XXII international intergovernmental organizations may claim compensation, they may not be directly but must make their claim through a State which caused the damage. This appears in paragraph 4 of article XXII which states:

"Any claim, pursuant to the provisions of this Convention, for compensation in respect of damage caused to States parties to the Convention may be made by a State or a State or a State of the Organization which is the State Party to this Convention."

This means, therefore, that an international organization with a direct general seat in general may not claim compensation directly from the States which cause the damage. That will have to be done by one of the States parties to the convention which is a member of the international organization. Why should an international organization have less favourable treatment than other States on that for that matter, does any juridical persons of a certain State? It will be of the same advantage that there is an enunciation of parties that may claim compensation. The principle of "national and private" is not always applicable, which is not included in article 10 international organizations are not included among those which must claim compensation, intergovernmental organizations are excluded. This is one of the aspects in this treaty which I should like to bring to the attention of this Committee.

81. My delegation does not oppose the draft convention. If it is the consensus of this Committee that international organizations should be given the right to participate in the debates of the United Nations, and its specialized agencies, it would seem to me that the proper way to make the claim should be the highest official of that organization and in turn the highest party that should be paid the claim should likewise be the same official.

82. Incidentally, I should like to call attention to article XII, in article XI the first line as the draft convention itself the term "international organization" is used without the word "intergovernmental." This could be a more literal "international organization" in all cases in which article XII should be a more literal reading.

83. The second point to which I should like to call attention is in reference to articles II, IV and VI. Article II says that "A launching State shall be absolutely liable to pay compensation for damage caused by its space object to property of States or to aircraft in flight," Article IV says: "In the event of damage being caused by an object that falls on the surface of the earth..." and then goes on to state in sub-paragraph (2) that, "If the damage has been caused to the third State on the surface of the earth or to aircraft in flight, their liability to the third State shall be absolute.

84. English is not my mother tongue, but my understanding is that the word "absolute" means "total," "complete," "without exception." So if we say "you are absolutely exempt," we mean to say "you are totally exempt," you exempt, you are not subject to that article, there is no exception about it, there is no exception. If there is an exception, then it is not a stringent condition, it would be relative. That is my interpretation of "absolute." Article XVI states the liability is absolute, and this is reiterated in article IV (a), but in article VI we read:

"Subject to the provisions of paragraph 2, exemption from absolute liability is denied to the extent that a launching State establishes that the damage has resulted wholly or partially from gross negligence or from an action or omission on the part of a claimant State or of its natural or juridical person responsible for it."
from an act or omission done with intent to cause damage on the part of a claimant State ... I think words are entitled to be respected. I believe that we would be impairing the credibility of this document if we used words which we ourselves do not respect. If we say that the liability is absolute, let it be absolute. If, on the other hand, the liability is not absolute, let us say so from the very beginning, so that no one will be misled into thinking that we hold a certain State absolutely liable when it causes damage, only to withdraw that affirmation later on by saying that after all there is such an exception from the liability.

86. I repeat therefore that we are impairing the credibility of this document in emphasizing so categorically that the liability of a State is absolute, when later on we deny its absoluteness. It would be far better, in my view, if after article II we were to say that, although a State is liable for any damage which it may cause, it may, however, be exonerated from liability under the exceptions mentioned in article VI.

87. I am sorry to have taken up so much of the time of this Committee. It is, however, a standard rule in statutory construction that whenever a treaty is interpreted, the discussions and the interpretations given by the parties to it during the discussions of the treaty itself form part of the intent and meaning of said treaty. Hence my only intention in bringing this to the attention of the Committee is to make sure that in the future there is no misunderstanding concerning the phraseology and meaning of the convention.

88. The CHAIRMAN [interpretation from French]: At the end of our meeting yesterday afternoon, I suggested a provisional work programme to the Committee for consideration of the agenda items allocated to us by the Assembly. This provisional schedule was circulated this morning as document A/C.1/1016.

89. I should also like to recall that the list of speakers, as we decided last evening, will be closed at 6 p.m. this evening. Therefore I would ask those who wish to take the floor in the general debate on the items under discussion to be good enough to put their names down on the list before 6 p.m. this evening.

The meeting rose at 12.15 p.m.