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Chairman: Mr. Milko TARABANOY (Bulgaria).

AGENDA ITEMS 33 AND 92 (continued)

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (A/8420, A/C.1/L.569, 570, 571, 574, 575 and 576)
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GENERAL DEBATE (continued)

1. Mr. SHARIF (Indonesia). Although representing the Government of a non-space Power and a non-member of the Committee on the Peaceful Uses of Outer Space, my delegation attaches great importance to items 33 and 92, which have been under consideration in this Committee since Thursday, 4 November.

2. Ever since 1957, when man succeeded in launching objects into orbit, our interest in space affairs has grown steadily. With great admiration we have witnessed each year the spectacular achievements of science and technology unfolding ever further the mysteries of the universe, including outer space. The past year was no exception.

3. The world has noted the hitherto inconceivable further achievements of scientists of the United States and the Soviet Union, who have made it possible to bring to a successful conclusion such moon probes as Apollo 14 and 15, Lunokhod, Mars and others. We share with the United States and the Soviet Union the pride of man's ability in his search for a better knowledge of the universe, which at the same time opens new prospects and possibilities in space science and technology. On a sadder note, we also share the grief and sorrow of the Soviet Union at the loss of cosmonauts Dobrovolsky, Volkov and Patsayev.

4. We have also noted the launching of national satellites by France, Japan, Italy and China, and the multilateral launchings by the European Space Research Organization and the United States National Aeronautics and Space Administration (NASA). Contacts for exchange of information and experiences, as well as co-operation between NASA and the Soviet Academy of Sciences, are most gratifying indeed. My Government applauds the continued trend towards bilateral and multilateral co-operation in space research and exploration and is looking forward to an increasing role by the United Nations in space matters.

5. The use of outer space offers to mankind new technical advantages. To benefit from them we all must seize every opportunity for peaceful co-operation and agreement. Conflicts in space have not yet broken out, but its problems are urgent. Thus, in addition to the programme for space applications, which my country as a non-space Power believes should have first priority, we also feel equally the urgency of a progressive development of the law governing activities in outer space.

6. My Government believes in the principle of equal opportunity for peaceful scientific initiatives, but we are also aware of the extremely contrasting stage of development between space and non-space Powers, which also brings with it differences of interest and approach. In these circumstances we hope that the United Nations will be in a position to play an increasing role to meet the needs of all, space and non-space Powers alike.

7. With reference to the report of the Committee on the Peaceful Uses of Outer Space contained in document A/8420, my delegation would like to express first of all its deep appreciation to the members of the Committee who have laboured relentlessly on behalf of us all to complete the difficult task entrusted to them in General Assembly resolution 1348 (XIII) of 13 December 1958. We are most grateful, further, for the concise but clear introduction presented to this Committee at the 1819th meeting by the Chairman of the outer-space Committee, Ambassador Walheim of Austria, and by Mr. Wyznzer of Poland, Chairman of the Legal Sub-Committee.

8. This year the report of the Legal Sub-Committee presents a brighter outlook. Considering the Assembly's disappointment during past years, expressed Inter alia last year in its resolution 2733 B (XXV), at the Committee's failure to produce a draft convention on liability for damage caused by objects launched into outer space, my delegation is now happy and would like to congratulate the Committee most sincerely for presenting, in paragraph 32 of its report, the draft convention on international liability for damage caused by space objects. We know that that draft has been achieved only as a result of patient and painstaking negotiations of give and take for no less than eight long years.

9. For a country like Indonesia—a non-space Power but nevertheless a potential victim of space accidents—this draft
convention is of the utmost importance. With the ever-growing development of science and technology in outer space and with the constantly increasing number of objects in artificial orbit, there is also a growing danger of objects falling to the earth and causing loss of life, injury and loss of property. A liability convention is, in our view, indispensable. We consider it to be infringement of the rights of individuals and property owners who are unaware of the harmful intentions of others. We are of the opinion that the document should be adopted in accordance with the principles of justice and equity. No references are made to the lex loci defecti commitment that has been burdened with many, including the difficulties that may arise in the interpretation of the relevant provisions. The document is drafted in such a way that a binding character for the decisions of the claims commission is avoided.

15. We shall be able, no doubt, to find a more suitable formula, which will reflect more clearly our principle of absolute liability and an adequate balance between the interests of the发射国 and the potential victims of outer space objects, based on the lex loci and the victim-oriented character of the commission. In addition, the text as it stands today would provide for the claims commission to be a strong and independent instrument in the settlement of such disputes. Moreover, we believe that the proposal of the representative of Canada, which is now contained in document A/C.1/1757, is in accordance with the spirit of the 1932 Convention and merits a careful study.

16. On the question of participation in the convention, our delegation, believing in the principle of universality and the adherence of the greatest possible number of States to international treaties and conventions, if they are to be made effective, is completely satisfied with the "all States" formula in article XXIV of the draft convention.

17. Concluding our remarks on the draft convention, our delegation believes that, in spite of its shortcomings, the present draft seems to establish a certain extent of certain kind of responsibility of the launching State in the interest of potential victims of space objects, and could be regarded as a basis for further developments. The importance of the need for such an instrument as the Special Committee, which will be co-sponsored by the United States, in safeguarding the interests of mankind is obvious. It should continue to develop the principles which would ensure the payment of a full measure of compensation to victims and effective procedures which would lead to the prompt and efficient execution of the claims decisions. It is therefore, most important that the Committee should ensure that the payment of the compensation is made in full and in a timely manner. This is of particular importance in the case of damage caused to the United States. Our delegation believes that the certification of the Secretariat should be an essential part of the claims procedure.

18. With the completion of the draft convention, our delegation agrees that the Committee should immediately proceed to the study of the question of the payment of compensation and the establishment of a mechanism for the prompt and efficient execution of the claims decisions. It is therefore, most important that the Committee should ensure that the payment of the compensation is made in full and in a timely manner. This is of particular importance in the case of damage caused to the United States. Our delegation believes that the certification of the Secretariat should be an essential part of the claims procedure.

19. Our delegation wholly subscribes to the arguments of the delegation of Canada [1821st meeting] and therefore supports its proposal, already endorsed by others, to make the new payment of the registration of objects launched into outer space for the exploration or use of outer space as an independent subject for separate consideration. For the balanced programme that I stressed earlier, my delegation believes that matters relating to activities carried out domestically and remotely should be covered in an additional sum of $500,000 to the budget of the Outer Space Affairs Division of the United Nations Secretariat for the purpose of promoting activities in countries in the field of space science.

20. In view of the constantly increasing number of new objects in outer space and the progress in the launching of manned spacecraft, our delegation further believes that the rules which govern the launching of spacecraft, and the possibility of a preparation of a matter of urgency. We are grateful to have already been before the draft treaty concerning the matter of space activities. Our delegation believes that the Outer Space Affairs Division of the Secretariat is to become the most suitable organ for the protection of the rights of States and of the interests of mankind in this field of outer space.

21. In conclusion, we should like to express our appreciation for the successful work of the members of the Committee. We have been impressed by the quality and the efficiency of the work of the Committee. We are confident that the Committee will continue to work with the same determination and dedication as it has done in the past.

22. In this context, my delegation has noted with special interest paragraphs 9 to 29 of the report of the Committee on the draft convention. In this context, the work of the Special Committee is of the utmost importance. We do not expect that the developments in this field will overnight replace our present methods of surveying space resources. Remote sensing is still in its formative stage. We believe, however, that the limited possibilities of such surveys, and that, if fully developed and carefully undertaken, remote sensing by satellites could indeed facilitate and accelerate the tremendous work that still remains to be done in this field in the developing countries.

23. The training of personnel and the procurement of the necessary equipment are no doubt the main direct issues to be studied carefully.

24. In conclusion, I should like to express my appreciation to the work of the Special Committee and to the support given to the Committee by the other States Members. I should like to thank the Committee and its Chairman, Ambassador Waldheim, our warm congratulations on the work done.

25. Unquestionably, the most important aspect of the report is that it relates to the draft convention on international liability for damage caused by space objects. Our delegation is aware of the arduous work that was required to obtain agreement on this point, which is of the highest importance. The eight years of negotiations and work, in which it is equally clear to us, has been achieved through compromise.

26. In the preamble—specifically, in the fourth paragraph—we find the crux of the whole draft convention, that is to assure the prompt and full payment of compensation to victims of such damage. If we relate that to the provisions contained in the Special Committee, the launching State shall be wholly liable and shall pay compensation for damage caused by its space object, we are in fact in the desire of the Committee in these recent years have been met.

27. Notwithstanding the language of the declaration in the preamble referred to, the text of the draft convention would be weakened, in its operative part, if we did not establish clearly and categorically the manner in which the compensation is to be determined and complete payment of the amount of the payment to be made, in order to restore the persons, who have been damaged, to the status that he would have presented, to the condition which would have existed had the damage not occurred. It is understandable, therefore, that certain delegations have expressed reservations concerning the solutions presented to the two most important problems raised by the draft convention: the measures for
time delegation, concerning the legal nature of the natural resources of the moon and principles that should govern States in the utilization of those resources [A/AC.105/C.2/3, L.71 and Cor.1].

34. Mr. OSMAN (Egytp): Mr. Chairman, the delegation of Egypt is once again pleased to be taking part, once more, in this discussion. It is our firm conviction that the Conference is a most important international co-operation in the peaceful uses of outer space for the benefit of mankind.

35. One of the main achievements this year has been the conclusion of the agreement, in the plenary, for the text of a draft convention on international liability for damage caused by space objects [see A/64/4842, para. 5]. This agreement, after all, was the result of years of intensive work by the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space approved the draft convention of its first draft meeting at General Assembly this year. The draft convention as presented to us here is by no means perfect nor is it fully satisfactory. But, in a spirit of cooperation, my delegation, like many other delegations, has made important concessions to accommodate different points of view presented in the Committee. It is to be hoped that the draft convention will help to promote the rule of law in the area that it seeks to cover.

37. My delegation would like to pay tribute to the Secretary General, Ambassador Waldheim of Austria, and the Chairman of its Legal Sub-Committee, Mr. Wynnair of Poland, without whose continuous support and efforts the draft convention could not have reached this stage.

38. International law is still a self-regulating mechanism operating in a decentralized community. Therefore, there is a limit to what goals can be achieved and to the extent of that achievement. The International Telecommunication Union, which is the only body with full status as an international organization, is the body that has the competence to propose a convention that should contain the text of all space activities and the legal principles. My delegation considers it a paramount importance that States conducting such activities should be guided by the letter and spirit of the principles laid down in the Charter concerning friendly relations among States. My delegation therefore hopes that if for any reason the efforts of the Legal Sub-Committee are not successful, the two items listed in its priority list are being delayed, the Legal Sub-Committee should turn immediately to the rest of the list, and particularly the question of cooperation in direct broadcast satellites.
tion necessitates the development of international legal norms that are consistent with the ultimate goal of such exploration—namely, improving the quality of human life by making economic, cultural and scientific benefits attainable for both developed and developing countries.

47. My delegation will support all efforts to seek an elaboration of the first stage of the Report of the Committee of experts to the Assembly for the development of further firm legal bases to govern all kinds of activities of States on the moon. I also express my delegation's hope that the Legal Sub-Committee during its next session will concentrate its attention on this subject in order to be able to report positive results to the twenty-seventh session of the General Assembly. Such positive results are badly needed to narrow the gap between the scientific and technical development of outer space, on the one hand, and the legal provisions and rules to organize such scientific and technical activities in outer space, on the other.

48. Early in my intervention I dealt with the legal aspects of the remote sensing of the earth by satellite. With your permission I should now like to say a few words on the technical aspects.

49. The main feature of the 1971 session of the Scientific and Technical Sub-Committee was its response to the General Assembly request contained in its resolution 2733 (XXV) of 1970, which invited the Group on Remote Sensing of the Earth by Satellites. The purpose of the new Working Group is to study the use of satellites for remote sensing, with the objective of promoting the utilization of this application of space technology for the benefit of individual States, groups of States and of the international community as a whole, as the above resolution foresees. The study will take into account, as may be relevant, the several rights of States. The Working Group is also to look into the potential benefits of such space applications for development purposes.

50. My delegation welcomes the decision of the Scientific and Technical Sub-Committee to set up that Working Group. We attach great hope to the outcome of the work of that body under the able chairmanship of Mr. Franco Fiorio. If the work is carefully planned and undertaken, and if the co-operation of all States, including the space Powers, is ensured, it is certain that the contributions which could be made to the economic development of developing countries, and to the position of the United Nations as the focal point for international cooperation in this field of space application would consequently be strengthened.

51. My delegation notes also with satisfaction the present programmes undertaken by UNESCO and ITU in satellite broadcasting for the purpose of contributing to the advancement of education and the development of mass communication by satellite has been the subject of specific recommendations by the United Nations, UNESCO and ITU. In this connection, I should like to quote the words of General Assembly resolution 2733 (XXV) of 16 December 1970, in which the General Assembly unanimously recognized the importance of the contribution of satellites to television, for educational and training purposes, and particularly in the developing countries, and in many instances contributes towards national programmes of integration and community development in economic, social and cultural development in such areas as formal and adult education, agriculture, health and public health, and others.

52. The UNESCO General Conference, at its sixteenth session, in 1970, reaffirmed its conviction that space communication offered great possibilities for contributing to education and national development through educational television and radio broadcast reception. It was decided at that time that broadcasting via satellites to receivers in remote areas would be of particular importance in bridging the gap between the developed and the developing world, in both linguistic and cultural respect, as well as for urban and rural populations. In that regard I wish to mention the commendable action taken by both UNESCO and ITU in furthering the programme of the use of satellites for education and training throughout the developing world. The activities that my delegation would like to make a few brief comments on the question of international cooperation in the peaceful uses of outer space and on the report of the Committee on the Peaceful Uses of Outer Space [A/48420] in particular.

53. First of all, I should like to address myself briefly to the draft convention on international liability for damage caused by space objects which appears in the report. The draft convention, which represents the main achievement of the outer space Committee, was obtained as the result of long negotiations for nearly eight long years. After the most comprehensive and lucid introduction of the draft convention given at the 1971 meeting by Ambassador Waldron-Windsor of the United States, my delegation congratulates the United States on the draft convention which my delegation would like to make a few brief comments on the question of international cooperation in the peaceful uses of outer space and on the report of the Committee on the Peaceful Uses of Outer Space [A/48420] in particular.

54. Despite the errors of the error in the present draft convention on international liability for damage caused by space objects, which appears in the report, the draft convention, which represents the main achievement of the outer space Committee, was obtained as the result of long negotiations for nearly eight long years. After the most comprehensive and lucid introduction of the draft convention given at the 1971 meeting by Ambassador Waldron-Windsor of the United States, my delegation congratulates the United States on the draft convention which my delegation would like to make a few brief comments on the question of international cooperation in the peaceful uses of outer space and on the report of the Committee on the Peaceful Uses of Outer Space [A/48420] in particular.

55. The role of the outer space Committee in this field should be accelerated—probably through its Working Group on Direct Broadcasts, which was established by the resolution of Mr. Rydecky, the representative of Sweden.

56. Even since the question of education and training has been under discussion in the outer space Committee, my Government has always advocated the strengthening of international co-operation in this field with the view that the space Powers may benefit from space research. The full participation of the developing countries depends on adequate training in this field from these countries. It is in this context that my Government is grateful at the establishment of internationally sponsored education and training programmes outside of these countries. The committee, as the above resolution foresees. The study will take into account, as may be relevant, the several rights of States. The Working Group is also to look into the potential benefits of such space applications for development purposes.

57. My delegation notes also with satisfaction the present programmes undertaken by UNESCO and ITU in satellite broadcasting for the purpose of contributing to the advancement of education and the development of mass communication by satellite has been the subject of specific recommendations by the United Nations, UNESCO and ITU. In this connection, I should like to quote the words of General Assembly resolution 2733 (XXV) of 16 December 1970, in which the General Assembly unanimously recognized the importance of the contribution of satellites to television, for educational and training purposes, and particularly in the developing countries, and in many instances contributes towards national programmes of integration and community development in economic, social and cultural development in such areas as formal and adult education, agriculture, health and public health, and others.

58. At the same time, my delegation is well aware of the draft convention is neither absolutely perfect nor do i shall address each and every one. The draft convention, of the present draft convention on international liability for damage caused by space objects, which appears in the report, the draft convention which my delegation would like to make a few brief comments on the question of international cooperation in the peaceful uses of outer space and on the report of the Committee on the Peaceful Uses of Outer Space [A/48420] in particular.
opportune basis for the outer space Committee, more precisely for its Legal Sub-Committee, to engage actively in the urgent work of elaborating a final treaty comprising the specific rules of law governing the activities of States on the moon.

68. With these considerations in view, we, together with other like-minded delegations, sponsored the draft resolution contained in document A/C.1/L.572, which inter alia requests the outer space Committee and its Legal Sub-Committee "to consider, as a matter of priority, the question of the elaboration of a draft international Treaty concerning the Moon in accordance with the recommendations contained in paragraph 38 of the report of the Committee on the General Assembly's work at its twenty-seventh session".

69. Turning to the matters on the agenda of the Scientific and Technical Sub-Committee, I should like to make some very brief observations on certain aspects of the application of space technology. In this connection, I should like to say that my delegation has examined with great interest the report of the Secretary-General on the assessment of the requirements for assistance in connexion with practical space applications [A/AC.105/C.1 (L.37 and Add.1)]. As may be seen from the report, practical applications of space research and technology can assist in the solution of a number of economic and social problems. Mongolia, being as it is economically a developing country, takes a live interest in the benefits of such applications in the economic, educational, health service and other fields. Our stakes in this regard is still augmented by the fact that Mongolia is a country with a fairly large territory and an adverse continental climate, whose whins often (end) to cause great damage to the national economy, especially to animals, an important branch. As a matter of fact, Mongolia has made a modest beginning in receiving the benefits of satellite meteorology, which is expected to increase its productivity. But these are, of course, a modest beginning so far.

70. The use of remote sensing of the earth from space platforms for the discovery, management and conservation of resources clearly represents one of the promising areas where space research and technology could be used for the benefit of all countries, especially the developing ones. Therefore, the fully shared concern expressed by many delegations at the fact that remote sensing as well as satellite broadcasting for education may seriously infringe the rights of individuals to take, on the whole, a positive view of those projects. My delegation therefore endorses the decision of the outer space Committee to establish a Working Group on Remote Sensing of the Earth by Satellites and looks forward to early substantive results in the work of the Group. In this spirit my delegation is fully prepared to support this draft resolution contained in document A/C.1/L.571, which inter alia requests the Committee on the Peaceful Uses of Outer Space to bring about an early initiation of the Working Group's substantive work.

71. Mr. ADENIJI (Nigeria): Mr. Chairman, permit me first of all, to convey to you and to the officers of the Committee, the appreciation of the delegations who supported my delegation's position on this issue. You have already shown that the confidence of the members of this Committee was not misplaced. 81. It seems to my delegation that article XII contains all the elements which should enable a common set up under the carefully balanced conditions in articles XVI, XVII and XVIII to make binding decisions. As it stands, articles XIX, XX and XXI, have an implication of space technology, particularly the potentials in the use of remote sensing for the discovery of earth resources. Therefore, we put forward with great interest the activities of the Working Group on Remote Sensing of the Earth by Satellites, and we share the hope of the Scientific and Technical Sub-Committee that the Working Group would be able to "promote the optimum utilization of this space application including the monitoring of the total earth environment from space of individuals and States and of the international community, taking into account, as may be relevant, the sovereign rights of States and the provisions of the Treaty on the Law of the Sea," Activities of States and the Treaty on the Law of the Sea, including the Moon and other Celestial Bodies" [A/820, para. 10.]

72. The past year has been quite productive both from the point of view of individual country activity and of the Committee on the Peaceful Uses of Outer Space. The achievements of Apollo 14 and Apollo 15, launched by the United States, have considerably increased man's know ledge of the moon's surface. The establishment of the first manned scientific station on the moon by the Soviet Union constitutes an important milestone in orbital manned flights. That such a breakthrough should have ended tragically in the deaths of the astronauts undeniably affected the close proximity of success and disaster in these sophisticated endeavours of mankind. While we regret the accident, we salute both the United States and the USSR for their achievements, and we salute those brave men represented here by Rear-Admiral Alan Shepard, who made the first small steps for the advance ment of human knowledge. It is our hope that the two foremost countries in the exploitation of space will bear constantly in mind the need to ensure, as stated in General Assembly resolution 1427 A (XIV), "that the exploration and use of outer space be for the benefit of mankind and to the benefit of States irrespective of the stage of their economic or scientific development".

73. This year is making a modest effort in the application of space technology. In less than a month from now the launch of the ground station in Lantvue for official purposes. We hope, in the near future, to explore the use of direct satellite broadcast and television for educational purposes. We shall occasion ally recall to ourselves the various training opportunities generously offered by countries with advanced space programmes.

74. Turning to the activities of the Committee on the Peaceful Uses of Outer Space at its twenty-seventh session, in document A/8420, my delegation has noted with satisfaction the increasing efforts to interest developing countries in the practical applications of space technology. In this respect, my delegation is particularly pleased with the attention which the Committee has paid to the Secretary-General's report on the assessment of the requirements for assistance in connexion with practical space applications [A/AC.105/ C.1 (L.37 and Add.1)], and the consequent adoption by the Committee of a draft resolution calling on the General Assembly to allocate an additional sum of $70,000 to the Outer Space Affairs Division for the implementation of the programme of promotion of the applications of space technology.

75. My delegation believes that the activities of the Outer Space Affairs Division and of the Expert on Space Applications are of great importance in bringing home to developing countries the tremendous possibilities in the applications of space technology to alleviate some of the economic and social problems faced by these developing countries. In connexion with the machinery to non-nations—and these are mostly advanced nations—are aware of the developments and the potentials in outer space technology which, by their nature, are quite complex and expensive.

76. Nigeria has the benefit of a visit in June of this year by the Expert on Space Applications, Professor Ricciardi, during his trip to some African countries. In his short stay in the country Professor Ricciardi had very useful discussions with the Nigerian people in such aspects of space technology and on the activities of the Committee on the Peaceful Uses of Outer Space. As a result of his visit, bilateral agreements, especially in the field of application of space technology, the potentials in the use of remote sensing for the discovery of earth resources. We therefore see forward with great interest the activities of the Working Group on Remote Sensing of the Earth by Satellites, and we share the hopes of the Scientific and Technical Sub-Committee that the Working Group would be able to "promote the optimum utilization of this space application including the monitoring of the total earth environment from space of individuals and States and of the international community, taking into account, as may be relevant, the sovereign rights of States and the provisions of the Treaty on the Law of the Sea," Activities of States and the Treaty on the Law of the Sea, including the Moon and other Celestial Bodies" [A/820, para. 10.]

77. Nigeria has decided to send a technically qualified representative to participate in the forthcoming United Nations Panel on the Establishment and Implementation of Research Programmes in Remote Sensing, which will meet in Brazil later this month.

78. I wish at this juncture to express the gratitude of my delegation to Professor Ricciardi and the officials of the Outer Space Affairs Division for their kindness and cooperation which they have approached their responsibilities.

79. While still on the subject of the promotion of the application of space technology, particularly in developing countries, my delegation wishes to suggest to the Committee on the Peaceful Uses of Outer Space to consider the idea of an increase in the number of developing countries participating in that Committee. My delegation hopes that, in submitting its next report to the twenty-seventh session of the General Assembly, the Committee will include a recommendation for a modest increase in the number of developing countries participating in that Committee. In keeping with the interest which, as the Committee itself has constantly underlined, must be shown by developing countries in its work.

80. The Committee on the Peaceful Uses of Outer Space, especially its Legal Sub-Committee, has been able to submit a draft convention on international liability for damage caused by space objects [A/8420, para. 32]. Since my country is a member of the Committee on the Peaceful Uses of Outer Space, especially its Legal Sub-Committee, it is not prepared to comment on the draft convention and to raise a few questions.

81. Like the representative of the Philippines, who spoke at the 1823rd meeting yesterday, my delegation has not the slightest intention of criticizing the valuable work of the Committee on the Peaceful Uses of Outer Space, and especially of its Legal Sub-Committee, in drafting the convention. In making the statement that this idea that there would not be the first time that deliberations on a draft treaty or draft convention may provide useful guidance for the settlement of future international disputes, which may arise in the implementation thereof after it has entered into force.

82. First of all, however, I wish to express my delegation's satisfaction at the successful conclusion of several years of work in the Legal Sub-Committee, resulting in the draft convention now before us, which has the characteristics of a compromise but, as has been said before, a reasonable and generally acceptable compromise.

83. Turning now to the text of the draft convention, I should like to draw to the attention of the Committee to article I in conjunction with article III and paragraph 1 of article IV. The provisions in those articles apply to damage to persons on the surface of the earth caused by aircraft in flight and on board a space object. However, there is no provision regarding liability for damage caused, for instance, to scientific instruments placed on the moon
or to persons operating there. The general question has already been raised in this Committee and we feel that the Legal Sub-Committee should study this problem when dealing with questions relating to man’s activities on the moon and the draft treaty concerning the moon.

88. The definition of the term "damage" in Article I(e) could be read as applying also to nuclear damage. If that were to be the case the provisions of the draft convention might, in the opinion of my Government, be at variance with the treaties of Paris and Vienna on liability for nuclear accidents.

89. Article I (d) defines the term "space object". My delegation wonders whether there should not be a parallel with the widely accepted principles of liability for damage caused by civil aircraft, which include damage caused by passengers, crew and baggage as damage for which compensation can be claimed.

90. In Article XI 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 (Resolution 2223 (XXI), Annex), States Parties to that Treaty agreed to inform the Secretary-General of the United Nations, as well as the public and the international scientific community, if they were to have evidence of violations of the provisions of the Convention by a Party to the Convention.

91. Articles XII and XIX are interrelated in various ways. Proceeding speakers have already elaborated on the dilemma with which the Legal Subcommittee was faced in this connexion. In such circumstances one should not easily reject, or even criticize, the compromises that have been found; yet my delegation cannot take some of the arguments in this respect. The provisions of Article XII, with regard to the measures of compensation, are not, in our view, completely satisfactory. We feel strongly that they ought to be balanced with provisions concerning binding arbitration. However, as no other solution than that formulated in the present draft convention seems to be possible, my delegation would express the hope that the amendment contained in Document A/C.1/L.574, introduced by the delegation of Canada, will receive general support.

92. Article XXII of the draft convention states that the convention shall be deemed to apply to any international intergovernmental organization which conducts space activities, provided certain conditions are fulfilled. That implies that acceptance of the convention by such organizations is not a voluntary act. Consequently, the possibility remains that damage might be caused by space activities of an organization that had not accepted the convention. In that case one could assume that the members of that organization which were parties to the convention would be liable for the damage. All this is a mere presumption but, in view of the provisions of Article XXII, member States of international intergovernmental organizations which conducted space activities might feel tempted not to ratify the convention as long as the organization concerned had not declared its acceptance of the rights and obligations provided for in the convention. In its turn, that organization would not be able to declare its acceptance because the majority of its members were not parties to the convention. We earnestly hope that time will prove this presumption to be unfounded and not a reality which would oblige us to amend Article XXII.

93. One can safely say that whereas the Agreement on the Reuse of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (Resolution 2345 (XXII), Annex) was in the prime interests of the launching States, the draft convention now before us is of the utmost importance for all those States which conduct space activities. My delegation therefore wonders why article XXIV, paragraph 3, of the draft convention does not contain a provision similar to that contained in article 7 of the aforementioned Agreement, stipulating that ratification by the space Powers is necessary before the convention enters into force.

94. The provisions concerning amendments to the convention, which are contained in article XXV, might lead to a situation in which States parties having accepted amendments that had already entered into force would be bound by other provisions than States parties that had not accepted those amendments. That could lead to injustice and inequity.

95. Moreover, the provisions of article XXV, in conjunction with the procedure for review set out in article XXVI, might lead, especially in the future years, to enormous disputes regarding the question whether a proposal to alter provisions of the convention was an amendment or a proposal for review.

96. The final text of the draft convention was published shortly before the beginning of this session of the General Assembly. The remarks I have just made therefore reflect only the conclusions reached by my Government since then. Although my Government has not doubts with regard to some of the provisions of the draft convention—doubts which we submit for consideration—I wish to restate that as a compromise the draft convention is acceptable to us.

The meeting rose at 12.20 p.m.