Chairman: Mr. Milko TARABANOV (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)

Preparation of an international treaty concerning the Moon (A/8391, A/C.1/1017, A/C.1/L.568 and 572)

GENERAL DEBATE (continued)

1. Mr. RAMAMONJISOA (Madagascar) (interpretation from French): The Malagasy delegation, at the twenty-fifth session of the General Assembly, has already had an opportunity of expressing in this Committee its interest in the preparation of an international convention on liability for damages caused by space objects [179th meeting]. Space activities in recent years have proved that Madagascar is on the orbit and in the recovery zone of some satellites and it is therefore particularly vulnerable to dangers resulting from the accidental falling of these satellites on the surface of the earth.

2. My delegation recognizes that the draft convention now being considered by the Committee [see A/8420, para. 32] is a result of praiseworthy work on the part of the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee, to whom we extend our congratulations, and that it is most timely after the entry into force of the Space Treaty of 1967 and the 1968 Agreement on the Rescue of Astronauts1 to which Madagascar adhered.

3. However, this draft convention, to our disappointment, does not fully reflect the wishes we had expressed concerning the applicable law in case of compensation

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1. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex).
2. Agreement on the Rescue of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex).

because my delegation considers, like that of Sweden in particular, that in determining the amount of compensation, it is the law of the place where the damage was caused that should be applied and not that of the country responsible for the damage, taking into account the principles of international law, in order to ensure effective protection for the interests of the victims.

4. My delegation also feels concerned as to the effectiveness, vis-à-vis those responsible for damage, of the decision rendered by the claims commission as stipulated in paragraph 2 of article XIX of the draft convention, according to which: "the decision of the Commission shall be final... if the parties have so agreed" and that, in the event of disagreement between the parties, the decision of the commission would only be considered as a recommendation. Such provisions, in the view of my delegation, are likely to prejudice the victims of damage, in the event that those responsible for the damages should refuse to apply the decision of the commission, despite the publicity given to this decision among States parties to the convention and its communication to the Secretary-General of the United Nations. Furthermore, the draft convention, whose article XIX in its present draft can give rise to disputes, does not contemplate recourse to an international jurisdiction for a victim State against a State responsible for damages which ignores the decision of the claims commission.

5. My delegation, being concerned for the interests of the victims of damages caused by space objects, in a spirit of compromise, welcomes the amendment in A/C.1/L.574 to paragraph 2 of article XIX of the draft convention submitted by Canada, which advocates a procedure of voluntary declarations on the binding nature of the decision of the commission, in cases of disputes among States in the matter of compensation.

6. Finally, in connexion with the convention on international liability for damages caused by space objects, and in conformity with the recommendations of the outer space Committee in paragraph 38 of its report [A/8420], my delegation thinks it is useful that the Legal Sub-Committee grant some priority to the consideration of questions relating to the registration of space objects. An international convention in this field would do away with any ambiguity as to the origin of space objects and on the source of liability of launching States.

7. I should like now to say a few words about the treaty on the moon. The draft worked out and presented by the delegation of the Soviet Union [A/C.1/L.568] is intended to complete the Treaty on the exploration and utilization of outer space and the Agreement on the rescue of astronauts. Further, it intends to strengthen co-operation

A/C.1/PV.1825
among States. This initiative of the Soviet Union therefore deserves our full attention.

8. Indeed, it is too early for us to have a complete idea and detailed view of this draft but, taking into account the forthcoming meeting of the outer space Committee, my delegation has been engaged in the preliminary observations of our Government on this very important question.

9. My delegation considers that the idea of prohibiting any national appropriation of the moon which has already been formally adopted by the Treaty on the exploration of space should be developed. Indeed, we see it as sanctifying the concept of the “common heritage of mankind”, which guided the General Assembly when it was called upon to act on the sea-bed and ocean floor. Therefore, my delegation regrets that the draft presented to us should be timid and even restrictive with regard to the consequences of this concept which has been accepted by all.

10. Nothing in point of fact should prevent the rich resources of the moon from being exploited in the interests of mankind in the near future and according to the same principles as those which guide us now in the exploitation of the sea-bed. Therefore there is a definite need to enlarge the scope of cooperation among States mentioned in this draft, taking into account the interests of technically less-advanced countries.

11. My delegation, being convinced that there is nothing to prevent exploitation of the earth’s resources by activities for the benefit of all peoples, considers that within the treaty one should envisage the idea of setting up an international body dealing with the resources later on, when more technology will be possible, contrary to the utterly restrictive concept of article VIII of the draft of the Soviet Union, to grant this body concessions within precise limits determined by the international community.

12. Concerning the procedure of consultations between the States parties, mentioned in particular in articles III, IV and V of the Soviet Union draft, my delegation considers that, as the only way for the parties to settle possible disputes, this procedure is insufficient. It does not lead to any international recourse, and one may wonder whether, in the case of a third state directed against the earth from the installation on the moon or its environment by a State party, the Security Council would be competent.

13. One may also wonder whether the case of the obstacle mentioned in articles V and VI may lead to recourse to the International Court of Justice or any body of arbitration. It seems to us that consultations are insufficient. It so happens that the development of space techniques compels us to go further with the treaty and not to be content with consultations among States.

14. Finally, my delegation would venture to hope that the Committee will devote special attention to article XI of the draft. In fact, whereas the framework of activities and undertakings which contain inherent risks and dangers, we must be very careful and precise when defining the concepts of fault and responsibility, whereas we may provide for judicial or arbitral procedures which would be able to be raised of and to remove any possible legal ambiguity.

15. Mr. KOMATINA (Yugoslavia): This year has been a very successful one in the domain of outer space activities. New and far-reaching advances in outer space technology and exploration have considerably increased the achievements of space exploration. Space Powers deserve our full recognition and especially our greatest admiration for those bold men who have sacrificed their lives for the advancement of science and space exploration. Thanks to these men the conquest of space has now reached the point of practical application of space science in a growing number of domains. After the historic exploits of the first decade in space the time has now come for reflection on how to organize international co-operation and how to develop a balance of interests which will ensure that the peaceful benefits of space exploration will be shared by all nations, be they major, minor, developed or under-developed. In this sense, we have always been of the opinion, and the Soviet Union clearly has been the first to adopt this point of view, that the hard-won compensations reflected in the proposal submitted to the Assembly for a draft convention on international liability for damage caused by space objects should not be lost sight of.

16. The Committee on the Peaceful Uses of Outer Space has indeed made important progress in adding another key to the progressive construction of the juridical framework of outer space activities and in ensuring that these activities are based upon international co-operation. The report of the Committee 1/A/8420 indicates that it has made significant efforts for the carrying out of its tasks. In its main recommendations it outlines, as had been proposed in the report submitted to the Assembly for a draft convention on international liability for damage caused by space objects, the principles of the right of States to explore outer space for peaceful purposes, of the right of States to process the peaceful benefits of outer space, and of the right of States to enjoy and to benefit from the resources of outer space for peaceful purposes. These principles should be included in a draft convention to be submitted to the General Assembly in the near future.

17. My delegation fully appreciates the importance of this document, which the United Nations model proposes that it be the product of difficult negotiations carried out over a period of several years, and that perhaps it was the only possible text based upon the agreement of the major space Powers. This document embodies some essential concepts, such as absolute liability for damage caused by space objects, the conditions which would have to be fulfilled, as well as the fact that the damage would not be assessed and so on. Nevertheless, it does not fully represent our views on important questions, such as assessment of compensation and settlement of disputes in case of damage.

18. It has always been our view that any liability convention should guarantee any victim full compensation. That means that the legal question for further negotiations is how to put it in the picture, jurisdiction and procedures in general. It is true that the proposal refers to ensuring prompt payment of a full and adequate compensation, which is necessary and important, and that article I(5) provides for restitution in general. However, we believe that the law of the place where the damage occurs must be the criterion on which to base the liability, and that the damage should determine the measure of compensation. Otherwise one creates different legal systems, especially for the countries of particular countries depending upon the source of damage.

19. On the other hand, we are concerned, as are many other delegations, by the fact that the arbitration decisions have a recommendatory character unless the States concerned do not provide for judicial or arbitrations procedures. That is difficult to accept that States creating risks for other States should not be bound by the decision of international arbitration. In addition to that, the omission of binding arbitration makes it quite possible for States to be unharmed by, or contributors to, the victims of their actions on other subjects. Therefore we support the idea that the procedure of the claimant's nation made binding. However, taking into account the fact that the draft convention is a considerable achievement, we expect the Committee to support the adoption of the draft convention in its present form, even though it is not entirely satisfactory to us.

20. My delegation considers that the question of the registration of space objects launched from the earth should be taken up on a priority basis, this subject having a direct bearing on the question of the implementation of the commitments taken by the United Nations to help to prevent the proliferation of outer space objects for other than peaceful purposes. Nobody is unaware of the fact that there are, as mentioned by the Brazilian representative yesterday, developments which do not quite follow the spirit 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 2222 (XXII), annex). We take note with pleasure of the announced intention of the Council of the General Assembly to submit a draft convention on registration.

21. My delegation also attaches great importance to and is very interested in the various implications of space communication, regarding it as a source of very fruitful international cooperation, which quality could be a constant source of interference in the sovereign rights of States.

22. We also welcome the decision taken by the Scientific and Technical Sub-Committee to convene a Working Group on Registration of Rendezvous Satellites. This new field of science can be very meaningful for the economic development of the countries through a more accurate, adequate, and more efficient, the fact that there is an insurance that the activities will be programmed so as to respect the sovereign rights of every country.

23. My delegation regards the initiative of the Soviet Union in introducing the draft treaty concerning the moon (A/C.1/ L.586) as another contribution to the development and completion of the whole system governing outer space activities. This draft treaty contains a number of important and significant rules and principles, irrespective of the fact that the most of them have already been adopted in one form or another, such as the use of the moon for exclusively peaceful purposes, the prohibition of national acquisition, and so on.

24. The creation of new norms of international law and the establishment of new legal rules for activities in exploration of the moon and for international co-operation in the utilization of the moon and the resources of the moon is indispensable and the Soviet Union is sure that all States are interested and that we shall support all steps towards this end. We share the view that the Committee on the Peaceful Uses of Outer Space should be united with considering and further elaborating this draft treaty. My delegation is of the opinion that there is need for a closer examination of the provisions regarding the exploitation of the resources of the moon and it also strongly feels that these resources should be regarded as the wealth of mankind and not subject to any form of appropriation.

25. The Yugoslav delegation attaches great importance to the whole problem of the peaceful uses of outer space and is convinced that the new technology offers immense potential, which can make a decisive contribution to the whole of mankind, having in view also the interests of the developing countries. We consider that these countries should participate more extensively as objects of the creation of new international co-operation in this field. We ask ourselves, for example, whether the Committee should not take advantage of the opportunities for a broader participation of these countries in its future work.

26. Mr. HOVEYDA (Iran) (interpretation from French): As the representative of Yugoslavia has just said, in the past year we have witnessed spectacular progress in the development of technology in the exploration and use of outer space. But before making some remarks on behalf of my delegation on the report before us, I, with some of my colleagues who preceded me in the debate, should like to recall two major events of the past year. First of all, there was the success of the Apollo 14 and Apollo 15 missions —I wish to take advantage of the presence here of the representative of the United States, Rear-Admiral Alan Shepard, who personally contributed to that success, to express on behalf of my delegation the most sincere congratulations of mine.
give two examples, which, furthermore, have been men-
tioned by many speakers who have preceded me. As the
representative of Canada said a few days ago, the provisions
regarding liability are too vague as at present. They are not
noted in the course of the debate by the representative of
Canada, in the draft treaty there are no provisions for
multilateral and international outer space. States might bene-
fit from the results of the exploration and exploitation
of the moon. In regard to the draft treaty, my colleague
delegation emphasized the clear statement of the
representative of Madagascar. Obviously, however, this
draft treaty is only a preliminary text and will be examined
in the course of the work of the Committee on the
Peaceful Uses of Outer Space. We completely agree that
priority be given to its consideration, as it is requested in
one of the draft resolutions submitted to our
Committee (A/C/L.572).

33. This leads me to speak on the texts on which we shall
have to vote. As I indicated earlier, we cannot accept the
draft treaty on liability as worded at present, and we shall
probably have to abstain on the draft resolution contained
in document A/C/L.570. My delegation is in favour of the
amendment submitted in this connexion by the delegation
of Canada (A/C/L.574). But it seems that many delega-
tions, although agreeing with the substance of this draft
amendment, hesitate to vote for it. If I have correctly
understood the explanations given earlier by the represen-
tative of Yugoslavia, many other delegations take the view
that the result of the text that we would accept would be
that it would be best to vote for it. I find myself caught between
opposing currents. I have already stated the position of my
delegation in connexion with the resolution of one of the
Committee to the fact that in our programme for the use of
communication satellites we have taken practical measures in
particular, to closely follow the studies and efforts being made by UNESCO in this field.

34. In general the report of the Committee, like those of
the Sub-Committees, meets with my approval of the
draft.

35. Having said that, I should now like to make some
general preliminary remarks on problems relating to the
moon. Having in mind that it occurred to me in connexion with the
draft international treaty submitted in this connexion by the
Soviet Union (A/C/L.569), and we should like to
avail ourselves of this opportunity to congratulate the
delegation of the Soviet Union on its initiative. At first
sight the draft treaty seems to contain many encouraging
elements, some of which I should like to emphasize here: it
reiterates the basic principle of the Treaty on outer space
regarding demilitarization and demilitarization of the
moon. We have to hope that very good resolutions of the
Committee will be carried out in this connexion. But
"but"—it cannot be denied that the draft treaty there are
what I might call certain gaps which should be filled.

36. The explanation given at the 1820th meeting by the
representative of the Soviet Union also contains an
example of this norm—because there is always a
"but"—it cannot be denied that in the draft treaty there are
what I might call certain gaps which should be filled. I

37. In conclusion, I may be allowed to repeat myself—and
I do so all the more willingly since it will be neither the first
nor the last time that a representative repeats himself. I
should once again like to emphasize the importance which my
Government attaches to the question of the peaceful
uses of outer space. This is a field that is as yet almost
uncharted, and it is of the utmost importance that it be
approached in a purely peaceful spirit of mutual co-
operation and understanding. I shall not embark upon the
discussion of all the various subject of scientific and
technical interest of this field, but the possibilities for the use of outer space are
beyond imagination. That is why we should avoid excessiviely rigid legalistic cases. On the
contrary, in this new field we should go step by step with the
science of outer space itself.

38. Mr. ORTIZ DE ROZAS (Argentina) (interpretation
from Spanish): Mr. Chairman, speaking for the first time in
the First Committee, allow me to say, first of all, that we congratulate you on your election as Chairman. To express
these feelings to you is for me a source of double satisfaction, because I am honored to be connected with your
own personal qualities, which shows that you are an outstanding diplomat capable of guiding us towards a successful
onclusion; and furthermore the second reason it gives me
much pleasure is because, as you know, at the start of my career I had the privilege of serving in your country, in
Sofía, for three years. All these means that the sentiments I have just expressed are for me a source of even greater
satisfaction, and I would like to congratulate you, Sir, Mr. Rappland, and my good friend Minister Migliudno, the
Rappporter.

39. The delegation of Argentina is aware of the significant
advances which have taken place this year in the field of
the exploration of outer space, and it appreciates the efforts
made in this direction by the space Powers, the successes
they have achieved and also—there is no reason to hide
it—the sorrow we feel when we remember the Soviet
consmomats who added their names to the roster of those
who have given their lives for progress. I also wish to
express my satisfaction at seeing in this room, participating
in our work, one of the protagonists in this advance
wards space, Rear-Admiral Allan Shepard.

40. The Committee on the Peaceful Uses of Outer Space has
successfully discharged its mandate, and this encourages us in the very substantial achievement that the
necessities of the work in future will enable us to realize the
which the delegates were left somewhere in the field of
our Committee. Perhaps if the author of the amendment,
result, the Canadian delegation, wishes it, it might be
possible to come to an agreement upon it. The question of the
meaning which would be acceptable to the majority or even
to the whole Committee and which could be included in
draft resolution A/C/L.570.

41. In this connexion, my delegation notes that important
decisions were taken by the Committee on outer space at
its last session. Among these, we wish to emphasize in the
first place, that the Committee gave a final text to the
programme to promote the practical applications of
outer space technology, see A/48420, para. 15. We believe
in the benefits of this programme, because we know of the
successes which it has achieved so far, despite the fact that
the funds available are insufficient to meet the needs for
assistance in technology which most countries have in
this field, and in particular the developing countries. We
trust not only that this programme will be continued, but
that it will be intensified and broadened so as to demon-
strate that the benefits of international cooperation are
real. We also declare that Argentina supports resolution A/C/L/
569, which the delegation of Argentina supports. This
resolution contains a specific provision to this effect in its
operative paragraph of its programme and its imple-
mentation. I should like to recall the very wise decision to
appoint an expert of the Organization to carry out the tasks
related to assessment of the applications of outer
technology. We have been able to note in a little more
than one year how fruitful that measure has been and we
trust in the full discharge of its missions of apprecia-
tion extended to Professor Ricciardi. His valuable con-
tribution, we believe, should be ensured for the future so as to

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consolidate and broaden the efforts made so far. As we see it,
this is a priority interest for the developing countries, and
the role which the United Nations should play in this regard is very important. It is necessary to clothe
the special opportunities with the sphere of
their special competences.

42. The Committee on outer space recommended the
continuation of United Nations sponsorship of the Thumba
rockers-landing station in India and of the CELPA station
in Argentina. We trust that this measure will be approved by
the General Assembly, as proposed in paragraph 12 of the
draft resolution we have just mentioned. We are convinced
that this vote is a vote of confidence in the work of the
Committee and it is expected to offer us clear examples of what international cooperation undertaken by the
Organization means.

43. The delegation of Argentina attaches great importance
to the recent decision to set up a Working Group on the
Remote Sensing of the Earth by Satellites, and we
appreciate the initiatives taken on that matter by the
delegations of Sweden and Italy. My delegation hopes that
the draft resolution A/C/L.571, of which we are a sponsor,
will receive the unanimous approval of this Committee, so
that in this way the Working Group can start its substantive
work in an auspicious manner during 1972. We feel sure
that this organ will soon carry out its work successfully and
that the results which it will obtain will be of great
importance for the development of the international
multilateral system which will make possible the acquisition
and processing of data and the later distribution of
information. We believe that the experience gained by
in the use of advanced techniques and the study of the resources of the earth will be to the benefit of mankind. This is precisely what is intended by the draft international agreement on
activities carried out by means of remote sensing
satellites of the resources of the earth, which was submitted
to the attention of the Committee in connexion with the
Legal Subcommittee (A/AC.105/C.2/23). We hope that
this draft will be considered in due course by the
competent organs of the Organization, and we will be
reflected in a future international agreement. We
believe, indeed, that it will be necessary to draft rules of
law which will be accepted by all countries, and which
in this field to be of benefit to all countries, and which, at
the same time, will ensure that these activities will be
placed under the supervision of the United Nations. In this
connexion, we share the views expressed by,
among others, the delegations of Brazil at the 1821st
meeting, and by Iraq and Ghana at the 1823rd meeting.

44. With regard to the draft treaty on international
liability for damage caused by space objects (see A/48420, para. 32), I must first of all emphasize the merits of the
agreement which has been reached, even though this, like
other agreements, does not contain all the aspira-
tions of those who participated in its drafting, including,
among others, those of my own delegation.

45. Bearing these merits in mind, we confirm at this
time our support and approval of the draft in its attitude of confidence in it. We believe that this agreement
will make a significant contribution to the victim to the victims by means of effective procedures which will
make possible the prompt and just payment of claims. That purpose was stated several times in the
General Assembly and it is clearly expressed in resolution
As for activities designed to promote the practical applications of the United Nations system in the context of development of nations, we consider that the results achieved within the framework of the United Nations are encouraging. They are described in detail in the reports of the Committee. In my decision the Scientific and Technical Sub-Committee to set up a Working Group on Remote Sensing of the Earth by Satellites. We are, of course, aware of the potential advantages of remote sensing of the earth by means of satellites, and we shall most actively participate in the work of that Group. In our opinion, the activities of the Working Group should start after final experiments on the possibility of remote sensing from space begin to produce reliable results.

Likewise, in view of the Romanian delegation, it would be appropriate, in order to facilitate the task of the Working Group, to ensure the widest possible dissemination internationally of the results of these experiments. Having clarified this matter, the Romanian delegation is ready to support the draft resolution A/C.1/L.571 concerning the convening of the Working Group submitted by the delegation of Sweden at the 182nd meeting.

61. Without wishing at present to go further into other aspects of the applications of space technology, I would like to note that, generally speaking, the Committee on the Peaceful Uses of Outer Space has been consistently active during the past year. We believe that the progress and to define the new field of activities in the context of the Committee on the Peaceful Uses of Outer Space, including the Moon and Other Celestial Bodies (resolution 1422 XXII, annex), which was concluded within the framework of the Committee in 1966.

62. Romania is ready to make its contribution to the study and solution of this problem.

63. Kenya has followed with great interest the remarkable feats that have been accomplished by the two great space powers in their endeavour to conquer space. As a result of the cooperation between the two great states, it has been possible to establish many new space activities. We wish the two space powers, and all others that are contributing actively to space technology, every success in the future, in the hope that their conquests of space will, in the last analysis, be in the interest of mankind as a whole. The achievements so far achieved are a demonstration of the possibilities open to man if nations of the world are prepared to co-operate and work together for the common good.

64. Kenya's interest in space technology lies primarily in the fields of satellite communication, weather forecasting and meteorological research. In this connection, it is important to note that the Government in Kenya has for some time now been actively cooperating with Italy in the atmosphere exploration of the equatorial belt. The "San Marco" project, which involves
the University of Nairobi, has achieved great successes in the training of students in space. The data that has been acquired, is, however, of great use not only to Kenya but to the world as a whole. We are indeed aware of the great importance of training in the field of space science and technical and scientific research. The African space effort and the space activities of all countries are often given to the whole of mankind. The legal regulation of the activities of States in this field started quite correctly with the laying down of fundamental principles in the Treaty of 1967 and is continuing with the development of those principles into more concrete norms as the various aspects of space activities progress.

70. Kenya's stand regarding the draft convention should not be considered negative. Kenya has always been interested in and supported United Nations efforts in this field. We greatly appreciate the United Nations programme on space technology to national development in general and to economic, educational and cultural developments of the third world in particular. We believe that the dispatch of United Nations experts to advise interested countries on the utilization of space technology is a commendable idea. This is one way of achieving the minimum level of information regarding developments which are taking place in the international space. We believe that it would be commendable if all countries were to send Government delegations at management level to attend meetings that might be convened under the auspices of the United Nations on this subject from time to time.

71. My delegation believes that the Soviet Union's request that a treaty concerning the moon should be prepared as soon as possible [see A/4969] is a timely one. We would therefore go along with the draft resolution [A/C.1/L.572] which suggests that the draft treaty as submitted by the Soviet Union should be referred to the Committee on the Peaceful Uses of Outer Space, whose Legal Sub-Committee should study its implication and report to the General Assembly at its twenty-seventh session.

72. Mr. KOSTOV (Bulgaria) (interpretation from French): As has been stressed several times before, the year 1970 was particularly notable in the field of spectacular achievements in science and technology in the exploration and peaceful use of outer space. We recall some of the most recent events in this area to have an idea of the scope of the tremendous progress achieved by human ingenuity in particular. We refer to the launching of the automatic station Lunokhod 1, the launching of the first orbiting manned scientific station Salyut, as well as the docking of the first manned Soyuz, carried out by the Soviet Union, the successful achievements of the Apollo 14 and Apollo 15 missions by the United States, are only a few examples of the tremendous enterprise represented by the conquest of outer space.

73. The exploration and utilization of outer space have given rise to many legal phenomena. The just and adequate solution of the problems raised by this activity will facilitate the explorers and will serve the interests of science and of mankind as a whole. As my delegation has said on other occasions, the activity of the United Nations should be conducted in accordance with the local laws of that State which has suffered the damage, wherever and when the laws are in accordance with the principles of international law. This, in the view of my delegation, is fair and just. As a result, procedures for settlement of such claims can be visualized all sorts of complications if the decision of the claims commission is not made final and binding.

68. Although my delegation recognizes and appreciates the great task undertaken by the Legal Sub-Committee in proposing a new draft Convention for the Peaceful Uses of Outer Space, we should all be grateful, we thank you with the content of the amendment proposed by Canada in document A/C.1/L.574, aimed at improving the Convention in order to make voluntary declarations.

74. The primordial role of this new section of international law is to prevent the arms race from encompassing these new areas where technical and scientific perspectives are opened to the whole of mankind. The legal regulation of the activities of States in this field started quite correctly with the laying down of fundamental principles in the Treaty of
possibilities opened up by the development of space technology in this field.

84. During the same session of the Scientific and Technical Sub-Committee, special attention was devoted to the question of cooperation in the exploration and development of space in the field of the applications of space technology and the capacity of the United Nations to fill those needs. The resolution of Bulgaria is of the view that the United Nations, and its specialized agencies especially, could play a considerable role in the search for and discussion of solutions which the development and perfection of space technology could offer to the solution of various problems in the economic, cultural and social life of all countries, including the developing countries. In this connection, the activities of the Outer Space Affairs Division of the Secretariat, as well as those of Professor Ricciardi, who was specially appointed as the Expert on Space Applications, deserve our full approval. However, we must note that it would be necessary for the implementation of the programme started by the United Nations in this field to be organized in such a way as to be better able to meet the real needs of States and avoid a situation where those different understandings would become an end in themselves. This programme would help States to find the optimum solution to their internal economic, social and cultural problems.

85. The increasing activities in the field of space technology, including the problem of organization and co-ordination within the United Nations. There are many institutions, bodies and committees dealing with these activities, but it is absolutely indispensable to ensure better co-ordination and to avoid any rivalries in the competence of those bodies. The Committee on the Peaceful Uses of Outer Space continues to play the main co-ordinating role in any such activity within the family of the United Nations organizations. We should avoid any problem which would lead to a wasting of efforts and financial resources without leading to any tangible results. In this regard, it is necessary to strengthen the activities of the Council of the Outer Space Affairs Division as a centre for the co-ordination of efforts within the United Nations Secretariat. In view of the development and the expansion of international space cooperation, the appearance of new activities in this field, a re-organization of this division and the strengthening of its staff would seem desirable and fully justified to make it better able to meet the new needs.

86. To conclude, I should like to reiterate the determination of my delegation to contribute, as in the past, to the implementation of fruitful co-operation among all States in the field of space, in the interest and to the advantage of the whole of mankind.

87. Mr. GONZALEZ GALVEZ (Mexico) (interpretation from Spanish). At the 182nd meeting, the delegation of Mexico made some preliminary remarks on the item we are dealing with today.

88. Basically, the preliminary remarks made by my delegation referred specifically to the draft convention on liability which we now regard as having been adopted, after having heard the representatives who have spoken, has been the main topic in the general debate. Therefore I shall not revert to this subject in my remarks. Another reason not to do so is, doubtless, the admirable statement made by the representative of Belgium /182/3rd meeting, dealing fundamentally with the interpretation and scope of some of its provisions. I think that his statement reflects the interpretation that my delegation accepts in this matter. It is, therefore, with the leave of the representative of Belgium, we should like to endorse it word for word.

89. To conclude my comments on the draft convention on international liability, may I refer to the amendment submitted by the United Kingdom [A/C.1/L.574]. This is an amendment which we could describe as an optional clause which has been submitted by the delegation of Canada to amend the draft convention prepared by the Legal Sub-Committee.

90. However, the delegation of Iran made an interesting suggestion at the present meeting. He said that, although he endorsed the proposal made by Canada, he thought that perhaps it might be more appropriate if it were reflected in the draft resolution covering the draft convention [A/C.1/L.569], thus maintaining the integrity of an agreement which, as has been said repeatedly in this general debate, is the result of a compromise.

91. In this spirit, my delegation would like to make a specific suggestion, basically to the delegation of Canada which has raised this interesting point. Taking up the interesting idea submitted this afternoon by the delegation of Iran, my delegation is supporting an operative paragraph 4 which would read as follows:

"Urges States, when signing the present convention, to consider the desirability of recognizing as binding, vis-a-vis any other State which accepts the same obligation, the decision of the competent authority referred to in article X, in respect of any dispute to which they may be a party."

If it is felt that this operative paragraph would be incomplete without the second sentence of the amendment submitted by Canada, we could include that sentence. I repeat that I am making this suggestion so as to facilitate the adoption of the draft resolution.

92. This suggestion for an additional operative paragraph in the draft resolution would be an alternative procedure to the strengthening of the amendment referred to in article X, as in the 182nd meeting, in respect of any dispute to which they may be a party.

93. As for the report of the Committee on Outer Space (A/8420) that the Mexican delegation cannot but warmly congratulate the delegations of the Soviet Union and the United States for their successes in outer space, and congratulates other delegations and international organizations in the field of space, we fully support the Committee on the beneficial results they are achieving in the development of space technology, and we hope in the near future that the cooperation between them and other space powers will be increased.

94. In the opinion of my delegation, the most important task before us is to supplement 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 2222 (XXII), annex], and the draft convention on international liability for damage caused by space objects. We have pointed out, this can be done by giving priority consideration to a treaty on the registration of objects launched into outer space. We believe that the Agency should continue to give full priority to the examination of this item as early as possible.

95. Although this is what we consider to be the desired priority, and we believe it is reflected in the draft resolution which has been submitted, the Mexican delegation continues to support the establishment of the draft convention on the moon submitted by the delegation of the Soviet Union [A/C.1/L.569] and in due course we shall make the relevant comments on it.

96. For Mexico, as a developing country, perhaps one of the most important paragraphs submitted is operative paragraph 8 of draft resolution A/C.1/L.569, to which the representative of Argentina referred a few minutes ago. That paragraph endorses the resolution of the Committee on the Peaceful Uses of Outer Space and recommends the continuation and development of this programme for the exploitation of outer space essentially taking into account, as a matter of priority, the needs of the developing countries.

97. Likewise, my delegation believes that it is most important to set up a working group on systems on remote sensing, with the intention to focus on satellites, and we therefore congratulate the delegations of Italy and Sweden on their happy initiative, which will of course have the support of my delegation.

98. These are the basic comments of the delegation of Mexico in connection with this item, to be considered together with the preliminary remarks made at the 182nd meeting.

99. Mr. TURKMEN (Turkey): The progress achieved in the field of outer space has opened new horizons for the programmes and development of mankind that are indistinguishable only a decade ago. Special tribute should be paid to the astronauts of the United States and the Soviet Union, who through their achievements have inspired new hopes and aspirations for the future of mankind. The presence among us of Rear-Admiral Shirvani—the commander of the Apollo 12 lunar mission—serves as a symbol of the fact that the human capability is not confined within the limits of this planet and the importance and urgency of the problems which beset our international community. Indeed the accomplishments in the field of outer space, particularly during the last decade, emphasize more than ever the need for promoting international co-operation not only among the Space Powers but also between space and non-space Powers.

100. The problems we are facing are twofold. On the one hand we seek to foster a system of effective international control of space technology for the benefit of all countries, particularly the developing countries; on the other hand, we should be able to define the legal norms to address the important aspects of outer space. We hope the positive achievements of the outer space Committee in the past 12 months will create a considerable momentum towards finding effective solutions to the new problems we are facing and towards promoting international co-operation in the peaceful uses of outer space.

101. It is a source of satisfaction to my delegation that we have been able to achieve a great deal in this year, the complete text of a draft convention on international liability for damage caused by space objects [see A/8420, part XI]. Eight years is a long time to achieve the establishment of legal norms for space activities. Considering the gap between the rapid technological developments that have taken place in the past decade and the legal norms defining the uses of space, it is a step forward for progress in this field. However, my delegation's satisfaction is due to the consideration that the draft convention is a step which we hope will pave the way to the establishment of a legal system covering all the aspects of space activities, rather than having a fully effective convention. Indeed, we share the opinion of many of the representatives who have preceded me that the convention suffers from many drawbacks. In the statement my delegation made last year in this Committee [179/3rd meeting] we emphasized the fact that the victims should receive full protection both in respect of applicable law and settlement of disputes. Thus it should be observed that the provisions of the draft convention regarding applicable law and settlement of disputes are unsatisfactory. The draft convention would be more effective if it ensured the application of the law of the place where the damage occurred and if the arbitration decisions were binding. Although article XXVI of the draft convention leaves the way open for reviewing the convention 10 years after its entry into force, it is by no means a remedy for the defects it has touched upon.

102. We believe the promotion of the application of space technology in different fields such as communications, education, broadcasting, earth resource surveys and meteorology, is of great importance to improve the living conditions of the developing countries if the measures to transfer space technology from space Powers to non-space Powers are fully exploited. Having in mind, we wish to support recommendations in paragraph 15 of the report of the Committee on the Peaceful Uses of Outer Space [A/8420] on the implementation of the programme for promotion of the applications of space technology. In this connexion, my delegation would like to express its appreciation for the invaluable work done by Mr. Riccardi in implementing the resolutions of the General Assembly relating to this subject.

103. My country is particularly interested in methods of remote sensing of the earth's resources. We have decided to participate in the Earth Resources Technology Satellite (ERTS) experimental programme. We have prepared a project on the application of this programme in my country. It is our earnest hope that this experimental programme will help us to understand better the field of earth resource surveying from satellites, which may become an important tool for the development of many countries. We believe the conclusions of the ERTS programme will be further strengthened by the training of adequate local personnel for processing and
interpreting the data collected by the satellite. The ERTS experiment may create a valuable opportunity to initiate in the shortest possible time the substantive work of establishing a framework of resource surveys and thus give a new impetus to promoting international co-operation in this field.

104. At this moment the Central Treaty Organization's remoulding seems to be heading at Ankara, and it is the task of the Committee of the whole Conference to look into the question and to review the aforementioned information on this subject and to clarify the questions regarding the implementation of the remote sensing methods. The seminar is a good example of co-operation between the space and the non-space Powers and will be of a lasting interest and will intensify the space-activities of the States in the region.

105. Almost all the space activities that are being carried on are multifaceted, and different aspects of the same question may fall within the purview of different organs of the United Nations. Consequently an effective co-ordination between different bodies of the United Nations not only will bring about more rapid progress but will also prevent duplication and save considerable time and money. In this respect, my delegation finds operative paragraph 2 of draft resolution A/C.1/L.571, which endorses "the request of the Scientific and Technical Sub-Committee that the Working Group solicit the views of appropriate United Nations bodies and specialized agencies and other relevant international organizations and to conduct a study in a timely fashion to ensure a meaningful co-ordination within the United Nations bodies and specialized agencies.

106. The approach adopted in the operative part of General Assembly resolution 2733 (XXV) is not quite the same as that taken by us. Operating paragraph 8 of that resolution refers to the convening of "a working group on earth resources surveying, with special reference to satellites, which shall be convened in due course to examine the importance of appropriate co-operation with the Committee on Natural Resources". It is clear from that resolution that these two bodies are being considered and worked upon in parallel. The question of appropriate co-operation with the Committee on Natural Resources, which is omitted from draft resolution A/C.1/L.571, is to be considered in the report of the Scientific and Technical Sub-Committee. The Working Group should solicit the views of the Legal Sub-Committee, appropriate specialized agencies and other international organizations and agencies, and other bodies, particularly the Committee on Natural Resources." [See A/AC.105/93, para. 19.]

107. Earth resources surveying in its entirety is a capital question for the developing countries. Much valuable work is being carried out by the Committee on Natural Resources in this field, and it is a well-known fact that a clear-cut organization is needed for surveying between satellites and aircraft and ground operations is not feasible.

108. My delegation believes that we should be able to give priority consideration to achieving the best results from the work in this field and ensuring the most effective means to serve earth resources. With this in view, we say that the opinion of the United Nations that it is important to maintain effective co-ordination with the Committee on Natural Resources, as well as other bodies of the United Nations, as envisaged in the General Assembly resolution and to a certain extent in the report of the Scientific and Technical Sub-Committee. If this concept of co-ordination is accepted, not only should it be included in the draft resolution before us, but so should the means to achieve such co-ordination be explicitly spelled out.

109. All the efforts to benefit the developing countries from the achievements in the field of outer space will be futile unless they are also accompanied by technical and educational assistance. In this respect, we appreciate the educational assistance granted by the United Kingdom and France as indicated in the report of the Committee. The panels on the applications of space technology are also significant contributions to this end.

110. My delegation believes in principle in the importance of defining the objective norms regulating activities on the moon. We think the draft treaty prepared on this problem deserves the careful consideration of the Legal Sub-Committee in accordance with the recommendations contained in paragraph 38 of the report of the Committee on Outer Space. At the same time, we are of the opinion that the Legal Sub-Committee should also study other proposals relating to the legal regime governing activities in the use of natural resources and substances of the moon and other celestial bodies.

111. Mr. LEGNANI (Uruguay) [interpretation from Spanish]: Our delegation, in making a few remarks on the item of international co-operation in the peaceful uses of outer space, wishes to pay tribute to the cosmopolitans of the Soviet Union and the astronauts of the United States—one of whom, Rear-Admiral Shepard, is amongst us. We would also like to pay our respects to men of different nationalities who, on the basis of scientific knowledge and modern technology and their own outstanding qualities, have taken into account the degree of the abilities of mankind, have made possible successive and astonishing progress in the use of outer space. We include in this group its most concrete form: the tribute which my delegation pays to the memory of the three Soviet cosmonauts who died tragically on returning to earth after completing the space experiment entrusted to them.

112. The intelligence, the courage, the tenacity and the self-confidence of man are enabling him, perhaps not to unveil the mystery, the reason for the forces and mechanisms which surround him, but to know how these forces and mechanisms function in the universe and how to master them for the purposes of human progress and well-being.

113. We are grateful for the submission of document A/4824, which is a report on the important tasks discharged by the Committee on the Peaceful Uses of Outer Space. Among these tasks is the draft convention, which was adopted by the Committee, on international liability for damage caused by space objects.

114. We are with many of the observances made in this room with regard to the above-mentioned draft convention. Thus, we would have wished that any decision of the claim commission be binding in all cases and not leave its being final and binding to what is agreed by the parties, as is done in article XIX. This solution provides the certain possibility that in practice decisions will have the character of executive decisions on the part of States and that there will be an undue delay in the payment of the compensation owed.

115. We also would have preferred shorter terms for the appointment of the claims commission and that the chairman of the commission be the Secretary-General of the United Nations without the prior requirement of being selected by agreement between the claimant and the claimant State or the third State. We would also have considered it appropriate that the procedure to govern the work of the claims commission be specified in the text of the conventions in a manner which is finally decided.

116. These remarks are basically inspired by the purpose that liability for damage caused by space objects be made effective in as short a time as possible without any procedural difficulties hampering the speedy payment of just compensation. Any excessive delay in this subject would be to the detriment of justice itself in the compensation solution which is finally decided.

117. We are not unaware of the undeniable merits of the draft convention on international liability. We know that this is the result of careful study and very lengthy negotiations. The questions raised in connexion with the adequate form of regulations for international liability are. We are bound to admit that in so far as these other observations do not seem to be appropriate, they will lead to essential amendments which will be presented as amendments to improve on the draft convention.

118. Our delegation still ventures to consider the possibility that, instead of the claims commission created under this draft convention, in the future preference will be given to the International Court of Justice for settling cases of international liability. The International Court of Justice, in accordance with article 26 of its Statute, may "from time to time form one or more chambers, composed of three or more judges in the Court may determine, for dealing with particular categories of cases", and in accordance with articles 28 and 29 of the same Statute these chambers might be set up with the purpose of facilitating a prompt decision of cases, the Court shall annually form a chamber composed of five judges which will, upon request of a State, hear and determine cases by summary procedure. It follows that these statutory mechanisms, when assigned to the study and determination of questions of international liability which are provided for in the draft convention, would function to a large extent and make it possible for the International Court of Justice to exercise its competence normally.

119. On the other hand, the solution we advocate would contribute to alleviating the functions of the International Court of Justice by having the highest authority, whose strengthening and influence in the United Nations is the only requirement derived from the principles concomitant by the present deliberations. By correcting or amending what has to be corrected or amended, our delegation considers that, in accordance with the above-mentioned principles, there is a need for a permanent effort to strengthen the International Court of Justice.

120. It is fitting to recognize that the equal sovereignty of States, enshrined in Article 2 of paragraph 1 of the Charter, requires the International Court to guarantee that equality by rising above the existing inequalities. We consider that this work should be reached in this field, but that treatment of cases, justice, legal equality and legal power condi- tion one another indissolubly. While in the present state of evolution of cases of international liability. We did not achieve that ideal, my delegation considers that it is the duty of the United Nations to strengthen the functioning of the International Court of Justice, we would not do at the same time be strengthening international security.

121. Our delegation views with the greatest interest the promotion of the application of space technology, which doubtless will be of enormous importance for the economic development of all countries, whether developed or developed, and also the preservation and use of the environment of the earth for the benefit of each and every State. The development of satellite broadcasting for the advancement of education and training; the use of meteorological satellites and sounding rockets to improve weather forecasting; the application of means to mitigate the harmful effects of tropical storms and their destructive potential; the application of space technology to use the human environment and its resources successfully to fight against food shortages, ignorance, the lack of communications and understanding among peoples—all constitute factors which contribute to make possible the real progress and well-being of peoples.

122. The resources involved in acquiring and experimenting with scientific and technological knowledge in space experiments, in interplanetary voyages, which in a way are resources that cannot be used in any other sphere of industrial enterprise intended for the immediate and direct development of peoples, will nevertheless be well used and most soundly invested if the components and achievements benefit all segments of mankind.

123. We must be watchful so that principles of justice on the international level are observed as faithfully as they must be internally within each country. To provide social justice is indispensable in co-operating international life as it is in social relations within each country.

124. It is true—and it is almost commonplace to empha- size—that scientists and others, who are engaged in modern science and technology from actually benefiting only a limited nucleus of countries and in each country that scientific and technological progress are making a profound mark on our times when the world we live in is rapidly being transformed. This same rapidity of change should be speeded up to ensure that the benefits of modern science and technology from actually benefiting only a limited nucleus of countries and in each country that scientific and technological progress are making a profound mark on our times when the world we live in is rapidly being transformed. This same rapidity of change should be speeded up to ensure that the benefits of modern science and technology from actually benefiting only a limited nucleus of countries and in each country that scientific and technological progress are making a profound mark on our times when the world we live in is rapidly being transformed.
126. For those reasons my delegation attaches the greatest importance to the question of establishing criteria whereby the benefits obtained by the rapid progress of space technology will reach all sectors of mankind. Unless we find these criteria and comply with them—for example, by generously enlarging scholarship plans and providing incentives for the progress of the developing countries—space research, which in an immediate and direct manner will be peaceful, might lead to a situation whereby the separation between the developed and developing countries will be ever deeper and wider. That in turn would lead to enormous and painful conflicts, in so far as the achievements of space research were to benefit only a limited nucleus of human beings as compared to the vastness of the community of peoples.

127. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translation from Russian): The Soviet delegation would first of all like to express its gratitude to all delegations which in their statements have spoken favourably of the initiative taken by the Soviet Union in connexion with the question of the elaboration of an international treaty concerning the moon and, in particular, those delegations which have joined us in sponsoring resolution A/C.1/L.572, namely the delegations of Austria, Belgium, Bulgaria, Czechoslovakia, Hungary, India, Mongolia, Poland, Romania, Sierra Leone, and Sweden.

128. We should like to express the hope that the First Committee, and subsequently the General Assembly, will take a decision to instruct the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee to consider, as a matter of priority, the elaboration of a draft international treaty concerning the moon and to report on its deliberations to the twenty-seventh session of the General Assembly.

129. We are sure that the elaboration and subsequent conclusion of a treaty concerning the moon would open up prospects for further fruitful legislative work in keeping with the interests of all countries. A treaty concerning the moon could undoubtedly serve as a basis for the elaboration, at an appropriate time, of instruments of international law governing man’s activities on other celestial bodies.

130. We are very happy to note that a significant majority of delegations spoke very favourably of the draft convention on international liability for damage caused by space objects (see A/8420, para. 52). Representatives who have spoken here have stressed that this draft convention is the outcome of many years of collective efforts by members of the space Committee, the outcome of a reasonable compromise between States with different legal and social systems. It was also rightly pointed out—and the Soviet delegation is in full agreement with this—that, like any compromise, this draft is of course not 100 per cent ideal for every participant. In our first statement (172nd meeting) we had the opportunity of stating this with regard to the Soviet Union. But that, as we all know, is the logic of any international agreement, any compromise. Consequently, any attempts to amend the text of the draft convention would upset the compromise achieved after many years of determined, painstaking and persistent effort, which could result in the convention being unacceptable for some States and thus have the effect of setting back the work of those many years. The Soviet delegation would therefore like to express its fervent hope that no such attempt will be made at this final stage of the consideration of the draft convention on damage.

131. Finally, the Soviet delegation would like to express its deep and heartfelt gratitude to all those delegations which have expressed to us their sympathy on the occasion of the death of the three Soviet cosmonauts who carried out a historic mission on the orbiting space station Salyut, Comrades Dobrovolsky, Volkov and Patsayev. The memory of these heroes shall forever remain enshrined in our hearts and in the hearts of all mankind.

132. The CHAIRMAN (interpretation from French): The list of speakers for the general debate on agenda items 33 and 92 has now been completed. Tomorrow we shall begin consideration of the draft resolutions which have been submitted regarding those two items. Delegates wishing to explain their vote before the vote will have an opportunity to do so tomorrow morning. Finally, I should like to inform members that the delegation of Sierra Leone has indicated its intention to become a sponsor of draft resolutions A/C.1/L.569 and 571.

133. I should also like to inform the Committee that tomorrow, at the request of some delegations, and if the Committee agrees, we shall resume consideration of the agenda item on international security. That will permit the sponsors of draft resolution A/C.1/L.573 to introduce it officially.

134. Tomorrow afternoon, in accordance with the timetable we adopted, we shall begin consideration of the question of disarmament. We shall endeavour to organize our work in such a way as not to spend too much time on voting on the draft resolutions and on explanations of vote.

The meeting rose at 5.30 p.m.