United Nations

GENERAL ASSEMBLY

TWENTY-SIXTH SESSION

Official Records

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Chairman: Mr. Milko TARABANOVA (Bulgaria).

AGENDA ITEMS 33 AND 92 (concluded)
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 and Rev.1, 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)

CONSIDERATION OF DRAFT RESOLUTIONS

1. The CHAIRMAN (interpretation from French): The Committee has before it draft resolution A/C.1/L.569. In regard to this draft resolution I draw your attention to the statement on financial implications submitted by the Secretary-General in document A/C.1/L.575. Secondly, there is the draft resolution contained in A/C.1/L.570. In regard to this draft resolution there is an amendment from Canada to the draft convention, contained in document A/C.1/L.574. Thirdly, there is the draft resolution in A/C.1/L.571, in connection with which I draw the attention of the Committee to the statement on financial implications submitted by the Secretary-General and distributed in document A/C.1/L.576.

2. Does any representative wish to explain his vote now on the draft resolutions or to make a statement?

3. Mr. VAN USSEL (Belgium) (interpretation from French): Draft resolution A/C.1/L.570 is a very simple draft resolution which follows the usual wording indicating the reasons for and formulating objectives with regard to recommending draft conventions or treaties. The preamble and the operative provisions contain the essentials. The preamble establishes the connexion between the draft convention and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. It lists the General Assembly resolutions which mark the essential stages in the difficult and eventful history of the negotiation of the Treaty. It highlights the last resolution, 2733 A (XXV) of last year, which affirmed with all the necessary force and persuasion that negotiations should above all be aimed at giving the draft convention two objectives, one, to guarantee to victims of space accidents full compensation as well as effective procedures which will lead to prompt and equitable settlement of claims by the victims or their next-of-kin.

4. I should like to dwell for a moment on the last paragraph of the preamble to emphasize the tribute which we pay to all the lawyers and diplomats who have worked to prepare the draft treaty. We have refrained from mentioning them personally, but we wish nevertheless here in the First Committee to pay special tribute to Mr. Haynriere and Mr. Waldheim, the former and the present Chairman of the Committee on outer space, and Mr. Wyzner, current Chairman of the Legal Sub-Committee. Those three gentlemen played a prominent part in the drafting of the convention, and I am certain that the Committee is very grateful to them.

5. As for the operative part, we have reduced it to the most simple expression, namely, the recommendation to adopt and sign the convention on international liability.

6. In the course of the general debate, some speakers have indicated their disquiet and made reservations in regard to the draft convention on international liability for damage caused by space objects. We listened with particular interest to the statements of the representatives of Canada, Sweden, Japan, Iran, and so many others, during which they expressed their regret that, in accordance with the provisions of article XIX, paragraph 2, arbitration decisions would have the value only of a recommendation unless the countries concerned agreed that they were binding.

7. In this connexion I would like to remind representatives that all the speakers, without any exception, in the debate emphasized that, after all, the draft convention was not totally satisfactory to them. Nevertheless, I would venture to appeal to those who have some doubts regarding the effectiveness of this international instrument and particularly to the delegation of Canada, to refrain at this stage from doing anything to jeopardize the difficult but constructive balance which the members of the Legal Sub-Committee have reached. Members of the Committee are aware that the negotiations were hard, and often a great deal of imagination and concessions, even sacrifices, were required to draft the articles of the convention. If we have reached an agreement after so many years of meetings, consultations and exchanges of views, it is because all the members of the Legal Sub-Committee, under the enlightened and efficient chairmanship of Mr. Wyzner, were inspired by a constructive spirit and a will to reach a text in accord with the sacred principles of international law.
convention on international liability for damage caused by space objects, which the sponsor of draft resolution A/C.1/L.570 recommended for signature and ratification, is not a signatory to the convention. It is by the United Nations, as a representative of a Commission which, as indicated in my statement at the 1823rd meeting, is the outcome of a happy marriage between law and diplomacy, I completely agree with Mr. St. Pierre that although the text may not be perfect, it is the best that is possible, given the sine qua non of agreement between the major space Powers." [1821st meeting, para. 49].

8. Nevertheless I have noted with great satisfaction the spirit of cooperation which has at all times guided the representatives of the countries that have made reservations in regard to the draft convention. In particular I should like to pay tribute to the representatives of Iran and Mexico in their constructive suggestions and proposals which they made yesterday. Furthermore, I am extremely grateful to the representative of Mexico because he did not insist on his amendment which he suggested yesterday in our Committee.

9. On the other hand, we know that the well-established Canadian tradition of co-operation within the United Nations will not be lacking this time either, and that the delegation of Canada will do everything in its power not to jeopardize the compromise we have reached.

10. Nevertheless, wishing to take account of the reservations expressed by certain delegations, and in order to obtain on any draft resolution a consensus acceptable for all the Committee, I propose on behalf of the sponsors the following changes: the insertion, as a new operative paragraph 3, of the following text:

"We wish that any State may be allowed to enter a party to the convention only if it has voted against the said binding in relation to any other State accepting the same obligation in order to reach the required threshold for the provision of the decisions of the Claims Commission concerning any dispute to which it may become a party."

... and the former operative paragraph 3 would then become operative paragraph 4.

11. The sponsors hope that they have thus to some extent covered the objections raised by the representatives of Sweden [1820th meeting], Canada and Japan [1821st meeting], and Iran [1823rd meeting]. I would like to think that in advance all the members of the First Committee who agree to the text of the draft thus modified that I have just read out [A/C.1/L.570 Rev.1].

12. Mr. SHARIF (Indonesia): I have asked for the floor in order to explain briefly the vote that my delegation is going to cast on the draft resolutions before us.

13. In the light of its statement at the 1824th meeting, my delegation cannot fail to note in favour of the most comprehensive draft resolution on the substance of international co-operation in the peaceful use of outer space, contained in document A/C.1/L.569 which ran as the text from the end of the report of the first outer space Committee to the encouragement of international programmes, the encouragement of international cooperation, the continuation of development programmes and the needs of developing countries, the maintenance of a public register of objects launched into orbit or beyond by the Secretary-General, and the co-ordination of activities with those under the auspices of the United Nations Scientific and Cultural Organization, the World Meteorological Organization and the International Telecommunication Union.

14. Draft resolution A/C.1/L.570, containing the draft convention on international liability for damage caused by space objects, sponsored by 13 countries members of the outer space Committee, including the two most outstanding space powers, the United States and the Soviet Union, poses some problems for us. Indonesia is not a member of the outer space Committee and since its report has only recently been made available to the course of the discussion, the departments concerned in my country have not had the opportunity to go over the draft thoroughly. We have stated our comments and misgivings on the main issues of exomeration of absolute liability, full measure of compensation, the absence of reference to loco operis and the final and binding character of the decisions of the claims commission. We should have liked to see some new efforts to accommodate the wishes of many on these issues. We had thought that the amendment proposed by Canada in document A/C.1/L.574 could be a way out, and we intend to vote in favour of it, if that draft amendment is going to be voted on.

15. In spite of its misgivings, my delegation does also realize that the draft convention in the form we find contains at least the understanding that it would be difficult to spend another eight years of negotiation on a new draft. We realize that the present draft has achieved the result that we can achieve at this time, in the spirit of co-operation and goodwill. Therefore, my delegation will cast its vote in support of the draft resolution, as revised by the provisions explained a few minutes ago by the representative of Belgium [A/C.1/L.570 Rev.1].

16. We should like, however, to make it clear that this vote should in no way be interpreted as an approval of the draft convention as such. In our view, as binding in relation to any other State accepting the same obligation in order to reach the required threshold for the provision of the decisions of the Claims Commission concerning any dispute to which it may become a party."

17. As to the remaining draft resolutions [A/C.1/L.572] on the preparation of a treaty on responsibility for liability in space submitted by 11 Powers, my delegation will vote in favour of it in view of the increasing number of moon flights and the programs in the planning and scientific stations, as we stated in our comments at the 1824th meeting. We hope that it will be possible for the outer space Committee to provide a draft text for the present for discussion at the forthcoming twenty-seventh session of the General Assembly.

18. Mr. WILLIAMS (Jamaica): Mr. Chairman, my delegation has had the opportunity to observe the skill and objectivity with which the Committee has prepared and submitted the text of the draft from the end of the report of the outer space Committee to the encouragement of international programmes, the encouragement of international cooperation, the continuation of development programmes and the needs of developing countries, the maintenance of a public register of objects launched into orbit or beyond by the Secretary-General, and the co-ordination of activities with those under the auspices of the United Nations Scientific and Cultural Organization, the World Meteorological Organization and the International Telecommunication Union.

19. Draft resolution contained in document A/C.1/L.571. We extend our thanks to the Member States that have contributed to the text of this resolution. It is useful, therefore, that the Working Group set up for the purpose should continue its work and that it should receive every assistance from member governments as well as from other international organizations, the specialized agencies and other relevant international bodies.

20. Finally, my delegation will also support the draft resolution contained in document A/C.1/L.569 which proposes that the Committee to take note of the initiatives undertaken by the Committee of Experts in preparing a draft convention for an International General Assembly to be held in April 1972. We will, in this spirit, continue to render every co-operation possible to the officers of the Committee to assist them in their arduous task.

21. The draft resolution contained in document A/C.1/L.570/Rev.1 seeks to commend the draft convention on international liability for damage caused by space objects. My delegation wishes to express its appreciation to the Committee on the Peaceful Uses of Outer Space for its work over the last month and for finally presenting a document for our endorsement. We appreciate the almost insuperable difficulties that were involved. With the increasing number of launches into outer space there was certainly an element of urgency in agreeing to some rules of conduct in the event that a space object should cause damage on earth. The Committee has sought to solve the outstanding problems by resorting to compromise. Very often we know that decisions can be taken in no continuous discussion. How aware, however, that there are certain shortcomings.

22. In saying this, it is not my intention to try to detract from the magnificent job performed by the outer space Committee. It is appreciated that they did the best that was possible in the circumstances. My delegation will therefore support the draft resolution, while reserving the right of my Government to take a decision one way or the other in its absolute discretion in the event of further opportunity to make a complete study of the draft convention and its possible implications.

23. The Jamaican delegation is fully in support of the draft convention contained in document A/C.1/L.571. We believe that recommendations on space debris and on debris damage, which were considered in the text of this resolution, which commends that particular draft to the General Assembly for approval.

24. However, I should like, if I may, to address myself to the document that we have submitted to the Committee in
an amendment (AC/1/L.578) to the liability convention. We made clear to the Chair on Monday morning that it was outside our intention, and never has been our intention, to delay unnecessarily the approval of the convention, despite the difficulties it has been. It was, indeed, precisely to avoid any delay that we refrained from proposing any substantive amendments to the text of the draft convention, in order to give it the final shape envisaged by the present provisions of articles XII and XIX. Instead, we decided to propose an amendment providing for the making of voluntary declarations and concluded as a result of several rounds of informal consultations that such an amendment would be non-controversial. We therefore regard it being proposed in good faith, as it would be completely within the discretion of any State whether or not to make a declaration that it agreed to, but if other States were to consider it contrary to the decision of a claims commission in advance of becoming party to a dispute.

31. We certainly did not believe that the incorporation of our amendment in the convention would disturb the delicate balance or upset the result of many years of constant, patient and arduous effort. However, it is now clear that some important countries have chosen to view our amendment differently. After a very careful consideration of these significant reactions our Government has decided to review the situation further. It is in light of this that I should now like to welcome the revision proposed a moment ago by the representative of Belgium on behalf of the European Communities. This, as we see it, is an extremely helpful attempt to capture the sentiment of what we had wanted to see contained in the text of the draft convention itself.

32. We felt, in advancing our textual amendment, that such an amendment would be approved by a substantial majority of this Committee. But we are conscious of the fact that the outer space Committee, and its Legal Sub-Committee, has so far not been charged by your Committee for many years now with the production of this draft. We were therefore receptive to those who said to us that the text should not be changed or improved.

33. It is for these reasons and, more particularly, because of the very helpful suggestion that Belgium has just made that my Government would not now wish to see the document amended, but we have proposed to this Committee a vote.

34. I should like to thank very sincerely those delegations that have spoken in the course of this debate in favour of the amendment we put forward, and indeed the many delegations that have not been spontaneously in encouraging terms. We regret that there will be no specific legislative provision within the convention for the making of voluntary declarations, for the effect of becoming a party to a dispute under the terms of the convention, although the option is open to acceding States. As recommended by the Iranian and Mexican representatives yesterday afternoon and as announced this morning by the representative of Belgium, our position is at least reflected in draft resolution A/C.1/L.570/Rev.1.

35. In conclusion, I wish to appeal strongly to States which will eventually become parties to this convention to make the kind of declaration that we were seeking to encourage them to do through our amendment, and thereby to express their faith in and their sincere commitment to the efficiency of international arbitration.

Mr. SEATON (United Republic of Tanzania): At this stage, in the first time that the Committee is called to consider a committee allow me, Mr. Chairman, to tender the congratulations of my delegation to you on your election to the Chair of the Committee. We have no doubt that under your distinguished chairmanship the work of this Committee will proceed smoothly to a very successful conclusion. The Committee has a great deal of representation of nations with Mr. Rambal, our Vice-Chairman, and Mr. Giovanni Migliuolo, the Rapporteur.

37. My delegation would like to take this opportunity of making a few comments on the draft resolutions before the Committee, and first with regard to draft resolutions A/C.1/L.569, 570 and 571, the three draft resolutions on the report of the Committee on the Peaceful Uses of Outer Space.

38. As we all appreciate, the role of the Committee on the Peaceful Uses of Outer Space is to promote international co-operation in the peaceful uses of outer space. If we are to be candid we must admit that for several years past the function of that Committee has tended to be one of arranging for the exchange of information between Member States regarding their individual efforts in such exploration. Certainly there are some important projects of joint exploration, but there have been mostly on a bilateral or regional basis and so far global or universal international co-operation has been an illusion. In particular, that reflects the great role played in outer space exploration by the military and defence establishments of some of the more advanced countries. It is a role which my delegation freely acknowledges has brought considerable benefit and inspiration to mankind as a whole.

In this connexion we wish to express our admiration to the great space achievements of the United States, one of whom, Reas-Admiral Shepard, we are pleased to have in our midst, to the great expense of the Soviet cosmonauts. The experiments conducted during their record-breaking space flight by the Soviet cosmonauts orbiting the earth have been a thrilling achievement, the tragic ending of which aroused the sympathy of the world but in no way diminished the triumph or significance of the cosmonauts' achievement.

39. Recently there has been a more promising trend, which started in 1967 when the Committee on the Peaceful Uses of Outer Space arranged for the United Nations Conference on the Exploration and Peaceful Uses of Outer Space, with particular attention to the developing countries. My delegation hailed the holding of that conference and expressed the hope that the future more attention would be paid to the peaceful uses of outer space, and particularly to the giving of training courses and workshops at universities and research centres for the benefit of developing countries.

40. We are pleased to note that the Committee on the Peaceful Uses of Outer Space is now embarking on the first stage of a programme of activities designed particularly for the benefit of developing countries. We also note with appreciation those developed countries which have opened their national institutions to the candidates for fellowships from the developing countries. We trust that other Governments will offer such assistance, which would greatly contribute to the development of a new gap in space technology between the developed and developing countries.

41. My Government has also noted with interest the joint Morocco-India under the joint sponsorship of the United Nations Educational, Scientific and Cultural Organization and the United Nations Development Programme. We note the initiative to explore the possibilities of using satellite technologies for educational radio and television broadcasts, as well as for forestry and health. We believe that those experiments in India will have great success and that the results will stimulate the development of similar programmes in other developing countries. My Government has also noted the proposed development in Iran of a community satellite system in the not too distant future, for the application of direct broadcasting satellites to educational requirements, with the hope of increasing the number of technical educational courses and ending illiteracy in that country. My delegation considers that such developments as those I have referred to illustrate that there is much scope for the imaginative uses of space satellites for the improvement of conditions of life in the developing areas.

42. We need not, of course, dwell on the uses to which space technology has been put by the developed countries, particularly in the Western European countries, which have been co-operating in space exploration programmes including launching of satellites and the carrying out of space research, sometimes in co-operation with the United States. Similarly, in Eastern Europe co-operation is to be found among the socialist countries.

43. From all of these activities in outer space we can consider two major groups: the first, the space stations of peace. From the stage of peaceful exploration into that of consolidation and expansion. Most countries in the world, including my own, have already benevolently benefited from space satellite programmes and we have no doubt that in due course of time space programmes and research will be as common a feature of the world as the aeroplane and telegraphic communication are today.

44. For all of those reasons, my delegation supports the draft resolutions contained in documents A/C.1/L.569 and 571.

45. With regard to the draft resolution contained in document A/C.1/L.570, my delegation wishes to congratulate the Committee on the Peaceful Uses of Outer Space on its agreement on a draft convention regarding international liability in outer space. Most countries, however, would also recommend that careful study be given to the reasons adduced by Canada and other countries for their inability to support the draft convention; for the reasons that have been advanced by many delegations during the general debate, my delegation will abstain on that draft resolution.

46. I should like now to say a few words concerning the draft resolution on item 92, contained in document A/C.1/L.568, that proposes the conclusion of an agreement by the Soviet Union, with the hope of supplementing the earlier agreements concluded under United Nations auspices for the peaceful purposes of outer space. My delegation has no desire and determination that outer space should be an area of conflict but of peaceful co-operation. My delegation is prepared to support the title of the draft treaty proposed by the Soviet Union A/C.1/L.568. We note the determination expressed in the preamble "to promote research and exploration of space and States in the exploration and use of the Moon and its subsoil and of circumlunar space".

47. In the view of my delegation the provisions of the draft treaty have been designed to give positive effect to the intentions of the signatories. One might ask whether the provisions of the draft treaty add anything to the obligations already contained in Article 2, paragraphs 3 and 4, of the United Nations Charter. The answer would be that they do, since the obligation in Article 2, paragraph 3, of the Charter is limited to disputes between nations on earth. Also, the obligation under Article 2, paragraph 4, of the Charter refers specifically to actions against the territory of Member States, not against the area of the moon, other planets or space objects.

48. My delegation has also noted that, although by implication the threat or use of force on the moon or on the earth by the use of the moon is prohibited under existing law, it is not clear whether there is no express prohibition. The provisions of the draft treaty proposed by the Soviet Union would therefore to that extent fill a gap in the existing body of law.

49. My delegation notes that the draft treaty proposed by the Soviet Union would leave the free access to the moon to the moon to the world to use the moon as he does the earth, and also to act as he pleases in circumlunar space. What that latter area comprises is nowhere defined. How far does it extend? This is an obvious question. Perhaps it is obvious, requires more precise definition. My delegation would also wish that the draft treaty should not go forward without some further definition of the jurisdictional disputes.

50. We might also wish to know whether the provision in article VIII of the draft treaty that no one owns the moon and no one has a right to use it would not give an owner of property or everybody? Should we not proceed to declare it to be the common heritage of mankind as we have declared the outer space? This is another moon explosion? Supposed valuable minerals are discovered them. To whom can the proceeds go? These are future careful consideration before the next steps are taken in the space age.

51. For those reasons my delegation will support draft resolution A/C.1/L.572 and particularly the request in operative paragraph 2 that the Committee on the Peaceful Uses of Outer Space should, and request the Committee on the Peaceful Uses of Outer Space should, as a matter of priority, the question of the elaboration of a draft international treaty.

52. Mr. KHATTABI (Morocco) (interpretation from French): I should like to explain my delegation's vote on
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draft resolutions A/C.1/L.570/Rev.1 and 572. Like all multilateral agreements, the convention on liability is far from perfect, but it does, without any doubt, to borrow the expression of His Excellency, the Chairman of the Committee on the Peaceful Uses of Outer Space, constitute "the best possible convention one can realistically expect at the present time" (see, for example, paragraph 6). That is why my delegation will vote for the draft resolution and we hope that the draft convention will be adopted by the General Assembly and opened for signature and ratification by States.

53. We would, however, like to enter a reservation concerning article XX. As my delegation pointed out in Geneva at the last session of the Legal Sub-Committee, the provisions incurred by the claims commission might prove to be incommensurable with Morocco's domestic legislation. Accordingly, we feel that the expenditures should be borne by the launching State.

54. We would also like to make a comment about the decisions of the claims commission which it is proposed to establish under article XIV. We have always felt that nothing could bind a Member State to accept an award handed down by such a commission without the prior and explicit consent of its authorities in accordance with its constitutional legislation. Accordingly, we consider that paragraph 2 of article XIX represents an unacceptable commitment.

55. We listened with interest to the modified text just presented to us by the representative of Belgium. This seems to us worthy of consideration and we are ready to vote for it.

56. Lastly, my delegation welcomes the initiative taken by the Soviet delegation in submitting a draft treaty concerning the moon. Accordingly, my delegation will also vote for draft resolution A/C.1/L.572.

57. Mr. SMALLEY (New Zealand). Mr. Chairman, as this is the first time I have spoken in the Committee, I wish sincerely to congratulate you and all the other members of the Committee on your election.

58. In taking the floor at this stage, the New Zealand delegation wishes to indicate that it will vote in favour of draft resolution A/C.1/L.570/Rev.1, which commits the Powers to provide for the opening for signature of the convention on international liability for damage caused by space objects. In doing so, we pay a tribute to the outer space Committee for the labours it has carried out over a long period of years, and in particular to the officers of that Committee and the result of their work.

59. As has been generally agreed in the present forum, the draft convention itself represents a compromise which, in its present form, mitigates some of the more extreme proposals that have been put forward. It accepts the possibility of holding the States liable. It does, however, represent the most that could be achieved by way of agreement, particularly on the question of the use of the outer space Powers. We think it is important, after such long and patient negotiations, that the final instrument should be adopted without further ado.

60. We think that it would have been much better if article XII had been able to spell out specifically the necessity for full compensation. However, our own position is similar to that signified by the representative of Australia at the 1821 meeting; that is to say, on the basis of interpretative statements made here and in the outer space Committee, and on the basis of the link between the fourth preambular paragraph and articles II and XII of the draft convention, we consider the provisions relating to measures of additional payment, by payment of full compensation to innocent victims of damage caused by space objects.

61. As to article XIX, we again thought it a decided drawback that there is no special provision to render it obligatory on parties to comply with the decision of the claims commission provided for in the draft convention. We set considerable store, on the other hand, on the assurances given, for example, by the representative of the United States, that there is every reason to expect that parties will comply with awards in fact because they will recognize that it is in their self-interest to do so.

62. Because my delegation, however, has felt that there is a strong case for ensuring the compulsory nature of the decisions of the claims commission, we have proposed in the principle expressed in the Canadian amendment (A/C.1/L.574) and much regret that this text was not accepted by the Committee in paragraph 2 of the draft convention. Furthermore, it is our understanding that the States may agree to recognize the decisions of the claims commission as binding only in respect of the States represented by the representative of Belgium this morning and we are very grateful for that attempt—which I hope will be successful—to attain some form of consensus and we have had in mind. We shall be voting for that resolution.

63. As to the other draft resolutions before the Committee, my delegation is in favour of them and will vote accordingly.

64. Mr. MORENO-SALCEDO (Philippines): My delegation will vote for draft resolution A/C.1/L.570/Rev.1, with the understanding that said vote does not bind my Government to sign the convention. My delegation is liable for damage caused by space objects, which is attached to the draft resolution, and that my Government reserves the right to study further in the light of their considerations liability and to decide whether or not to sign it.

65. Mr. CAPOROUI (Italy) (interpretation from French): My delegation has already had the occasion to state its position with regard to the draft resolutions before the Committee. We have voted in favour of the draft resolution concerning the draft convention on international liability for damage caused by space objects.

66. I should like to add now that we cannot participate in this discussion of the draft convention at this time because we have been participating in the draft convention and the settlement of claims respectively.

67. This morning we listened to the statement made by the representative of Belgium, in which he suggested a change in draft resolution A/C.1/L.570, and to the statement made by the representative of Canada who, in a result of the change proposed by the representative of Belgium, stated that his delegation would not press for a vote on the Canadian amendment, one regarding the rigidity attitude taken by some States with regard to the texts of the draft convention and the Canadian amendment.

68. We regret that it was not possible to introduce in the draft convention such a text as the one now accepted at the last minute, on something which we consider to be an improvement. Nevertheless, we emphasize that we view the change in the draft convention as a step forward in the introduction of a new operative paragraph 3, as reflecting a genuine interpretation—a more or less authoritative interpretation—which the General Assembly asked for in paragraph 2 of the draft convention. Furthermore, it is our understanding that the States may agree to recognize the decisions of the claims commission as binding only in respect of the States represented by the representative of the British this morning and we are very grateful for that attempt—which I hope will be successful—to attain some form of consensus and we have had in mind. We shall be voting for that resolution.

69. Taking this into account and in the spirit of co-operation and compromise to which my delegation has always been faithful, we shall vote in favour of draft resolution A/C.1/L.570/Rev.1, which commits the Powers to provide for the opening of the draft convention. If the Committee considers to be more acceptable, we shall be voting for the Committee's report (A/8420, paragraph 10).

70. Mr. OSUMU JOHNSON (Liberia): The Liberian delegation did not participate in the general debate because we had nothing new to add to the statements already made by the Committee on the peaceful uses of outer space and its legal Sub-committee, as can be seen from the reports before this Committee. All that remains for us, therefore, is to thank them for their services and to assure them that their usefulness will be continued in the interests of all mankind.

71. At the same time, we should like to express our gratitude to the members of the Committee, and to express our sympathy to their Governments, their people and their families. They died, we believe, in the search for panaceas to apply the winds of dogmatism, and they had the good fortune to see the new tendency towards a more peaceful, freer and more harmonious society. May their souls rest in peace and may light perpetual shine upon them.

72. Mr. OSUMU JOHNSON (Liberia): We would like to express our gratitude to the Secretary-General for his technological developments in remote sensing of the earth from space platforms could be extremely meaningful to the economic development of developing countries, especially the newly developing countries, and to the preservation of the global environment. (A/8420, paragraph 10)

73. While we appreciate the Committee's observations regarding the programme of panel meetings for 1972, meetings of points of view and further work on articles of the draft convention, we should be chary of repaying too much confidence in the adequacy of such a plan. In our view it would be more meaningful if the States that are advanced in space technology and exploration would allocate annual scholarships to the students of developing countries who do not possess space research facilities to study in their space centers as a means of bridging the gap in this area of development in the interests, as they say, of all mankind. A few days' exposure in panel discussions would fall short of the depth of knowledge we must seriously guard against the iron law of space oligarchy.

74. Those of us whose space programmes are in the embryonic stage would welcome any gesture that would try to improve our knowledge of space. To go to these panel discussions for our briefing and to talk and move from place to place will not satisfy the needs of the developing countries. I repeat what I have just said: let the developed countries and the Private facilities and their space facilities give scholarships to students from developing countries so that they can study at home. If they cannot do it with their own space facilities, let the United Nations make provision for it, let them go to their centers, remain there for one, two or three years, and study space on the spot. Two or three people from the United Nations should not be sent there just to walk about, to see and then to come back and make a long report. That is what I have in mind. Our space programme is in the embryonic stage and we would welcome any gesture that would improve our status, in the interests of all mankind.

75. In our plans for space and all that that entails, we have always been aware of our knowledge and feel should be our guide. We see the confusion that the space and interplay of world politics and we also know the dangers of an armament race. So our experience here should give us a comparative guide to space, of which we know nothing.

76. The essence of my thoughts at this instance cannot be conveyed by summarizing, but the pressure of time demands an optimized presentation.

77. Spared by the sweet harmony among the Big Powers, including the Soviet Union and the United States, revealed by their co-ownership of the draft resolutions before us,
we should be induced by that posture of things to waive any opposition that we might have entertained against the conclusion. Wherever we situate the technical nature of those items, there are always political overtones to guide their course. Therefore, whenever we see the United States and the USSR on the same side on any issue in these committees and in the United Nations, we certainly have to say that happiness reigns supreme, especially when it is not an altogether non-threatening problem. If we believe in this, and if you believe in it as we do, there should be no further need for words in explaining the points of the debate. Therefore on documents of 1/L569, 1/L570/Rev.1 and 571—we need only ask you to vote unanimously in favour of their adoption.

78. As regards document A/C.1/572, it is a timely effort by the Committee to reserve the moon for peaceful uses to the benefit of mankind. We shall support the agreed revision of the draft text A/C.1/570/Rev.1.

79. As regards the draft convention it is our fervent wish that all Governments support its speedy ratification.

80. Mr. PEREZ DE CUELLAR (Peru) [interpretation from Spanish]: Since the draft convention on international law applicable to outer space objects was distributed only a comparatively short time ago, my Government has regrettably not had the time to study it as thoroughly as it deserves to be studied. Nevertheless, since it seems to represent the best that can be attained in this field after so much delay, my delegation will vote in favour of draft resolution A/C.1/570/Rev.1. However, for the reasons I have indicated, this does not commit the position of my Government in regard to the draft convention or its signature or accession thereto.

81. Mr. LEGNANI (Uruguay) [interpretation from Spanish]: My delegation will vote in favour of draft resolutions A/C.1/569, 571 and 572. My delegation will also vote in favour of draft resolution A/C.1/570/Rev.1, being a result of remarks which I made in my statement at the preceding meeting, now that it is understood that such remarks imply express reservation with regard to the final position of my Government on the actual draft convention. I should like to conclude by indicating that had the amendment proposed by the delegation of Canada been maintained we would have voted in favour of it.

82. Mr. SHAH (Nepal): Despite the fact that the draft convention on liability is not very-orientated, my delegation will vote in favour of draft resolution A/C.1/570/Rev.1. I wish to make it clear, however, that this vote does not necessarily commit my delegation.

83. Mr. THEODOROPOULOS (Greece): We sincerely appreciate the efforts which were made last these few days in various quarters to take into account the reservations which my delegation and many other delegations had formulated with regard to article XIX. We shall vote in

favour of draft resolution A/C.1/570/Rev.1, without prejudice, however, to the final decision of the Greek Government whether or not to adhere to or to sign the Convention.

84. Mr. ABDULLAH (Tunisia) [interpretation from French]: First of all, my delegation would like to congratulate you, Sir, and other officers of the Committee on your unanimous election.

85. As regards draft resolution A/C.1/570/Rev.1, my delegation will vote for it notwithstanding our reservations on articles XII and XIX of the draft convention. Our affirmative vote will be based on the premise that any country will ratify the convention on liability as submitted to us.

86. My delegation will vote for the draft resolutions contained in documents A/C.1/569, 571 and 572.

87. Mr. FARHANG (Afghanistan): The delegation of Afghanistan welcomes the efforts made by the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee. We commend also the spirit of compromise shown by the major space Powers, which has made possible the preparation of the draft convention on the international liability for damage caused by space objects. We will vote affirmatively, therefore, on draft resolutions A/C.1/569, A/C.1/570/Rev.1 and 571.

88. However, we should like to put on record the hope that the space Powers will act in accordance not only with the letter of the text, but also with its spirit and consider favourably the wishes of the non-space countries for making awards by the claims commission binding on both sides.

89. Mr. TOURK (Jordan): Though we believe that compensation should be borne by the launching Power for damages caused by space objects, my delegation will vote for draft resolution A/C.1/570/Rev.1. Also, my delegation will vote in favour of, or draft resolution A/C.1/571 because of my delegation's sincere belief in the necessity of international co-operation in the peaceful uses of outer space, having in mind the interests of all mankind.

90. My country notes with sincere appreciation the achievements of both the United States of America and the USSR in exploring outer space and the moon. It is with admiration that we acknowledge the courage of those astronauts who have reached the moon, with a special tribute to those who lost their lives in such an adventure. Though both Governments—the Soviet Union and the United States of America—are paying the price both in terms of technology and money, they should not monopolize the benefit or the information obtained. They should put this information and the benefits achieved at the disposal of all States. My delegation believes that all knowledge on this subject should be shared with the developing countries, which have the talents needed for such enterprises but are deprived of the means to make use of those talents.

91. So, my delegation having this in mind, will vote in favour of draft resolution A/C.1/572.

92. Members sitting in the audience may not be able to hear any objections to the adoption of draft resolution A/C.1/571.

93. Mr. HYERRA (United Republic of Tanzania): I apologize for having to leave the floor again on behalf of my delegation but it is only to make a clarification. In our statement, we mentioned from voting on the draft resolution contained in document A/C.1/570. That statement was made on the basis of the previous document. We have now received a revised document embodying a revision by Belgium and in a special way adopted by our delegation will support that draft resolution when it comes to the vote.

94. The CHAIRMAN [interpretation from French]: As there are no further speakers we will now vote on draft resolutions A/C.1/569, 570/Rev.1 and 571.

95. The revised text of draft resolution A/C.1/570 has just been distributed. However, upon any representative finds that the voting on this draft resolution needs to be deferred to allow a more careful study of it, we shall now proceed to the vote and shall vote first on draft resolution A/C.1/569.

96. There is any objection to this draft resolution? Does anybody insist on a formal vote or may we take it that it is unanimously adopted?

The draft resolution was adopted unanimously.

97. We turn now to draft resolution A/C.1/570/Rev.1. A roll-call vote has been requested.

A vote was taken by roll call.

Luxembourg, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Madagascar, Malawi, Malaysia, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, South Africa, Spain, Sudan, Swaziland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Kingdom of the United Nations, United States of America, Uruguay, Venezuela, Yugoslavia, Zambian, Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guyana, Hungary, India, Indonesia, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Korea, Liberia, Kuwait, Laos, Lebanon, Libya, Libyan Arab Republic.

Against: None.

Abeam: Sweden, Canada, Iran, Japan.

The draft resolution was adopted by 90 votes to none, with 4 abstentions.

98. In the absence of opposition, draft resolution A/C.1/570/Rev.1 is adopted unanimously.

99. We turn now to draft resolution A/C.1/571. If I hear no objections I shall take it that this draft resolution is unanimously adopted.

The draft resolution was adopted unanimously.

100. Mr. ESRAYED (Union of Soviet Socialist Republics) [interpretation from Russian]: If I understood correctly, my delegation would like to express its satisfaction that all three resolutions have in substance been adopted unanimously, as the Chairman has just announced. In doing so, I would also note the adoption of draft resolution A/C.1/570/Rev.1, approving the draft convention on international liability for damage caused by space objects in the version which, over a long period of time, was successfully drafted in the outer space Committee. We hope that, since the matter has now been included in the draft convention, many countries as possible will accede to this convention. We should also like to express our satisfaction at the statement made by the Canadian delegation explaining that it had considered it possible to withdraw its amendment A/C.1/574 to the text of the draft convention. We welcome this step by the Canadian delegation, because the text which had been drafted—I repeat, over a long period of time—was a compromise text and a balanced text: it was not only the Canadian delegation that had some doubts and reservations, as was clear from the statements of many delegations, and even today at the meeting of the First Committee some reservations were expressed. Nevertheless, we all voted unanimously to approve the text of the draft convention. In view of this, and only in view of this, we think that should be confirmed in the future, and we believe that the considerations of the Canadian delegation were reflected in the report of the First Committee to the General Assembly, just as we would be more correct reasons for reservations of other delegations which have spoken at meetings of the First Committee could be reflected there. We think this would be a more correct procedure of consideration of all delegations on the same footing. But we did not object to the revision submitted by the Belgian delegation, and we supported and voted for the draft as a whole.

101. So I think I can say that in our view an important stage has been reached in our efforts to conclude the Convention on International Liability for Damage caused by Spaced Objects, has been completed.

102. Mr. TURKEMEN (Turkey): My delegation has cast an affirmative vote, or, more correctly, has not objected to the unanimous adoption of draft resolution A/C.1/571, with the understanding that the draft resolution in its operative paragraph 2 covers co-ordination with the Committee on Natural Resources as expressed in operative paragraph 8 of General Assembly resolution 2733 C (XXV), adopted last year. We believe such co-ordination is essential not only to avoid complications, but also to increase the effectiveness of the work carried out in the field of earth resources survey.

103. It was my delegation's intention to submit an amendment to operative paragraph 2 of the draft resolution we have already adopted, to spell out the co-ordination between the Working Group and the Committee on Natural Resources in accordance with the General Assembly resolution adopted last year. However, in our consultations with the sponsors of the draft resolution, we found out that such
10. Mr. RYDBERG (Sweden): The Swedish delegation would like to point out that the draft conventions on national liability for damage caused by space objects and on international liability for damage caused by space objects create effective procedures for guaranteeing prompt and adequate compensation of victims of damage from a space object. For that reason the Swedish delegation was not ready to cast its vote in favour of the other draft conventions. It would have preferred the adoption of the present convention, which provides for the registration of objects of the outer space, as a basis for any further discussions in this field.

11. Mr. YOSHIDA (Japan): I should like to explain very briefly the vote of my delegation on draft resolution A/C.1/L.570/Rev.1, which concerns the draft convention on national liability for damage caused by space objects. My delegation abstained from voting on this draft resolution for the reasons it made clear in its statement at the 1821st meeting. However, I do not think it necessary to go into the details of our reservations on the draft convention, which I hope are now known to all members of the Committee. I only wish to stress that my delegation is pleased to see that the proposal for revision of the draft resolution made by the delegation of Belgium was incorporated in the final text. As a result, the draft convention is still not in a position to vote for draft resolution A/C.1/L.570/Rev.1, because the insertion of the new operative paragraph was not enough to satisfy the position of my delegation concerning the reservations on the draft convention.

12. Mr. BAVAND (Iran): I should like to take this opportunity to explain our position with regard to draft resolutions A/C.1/L.570/Rev.1. As the members of the Committee are aware, in my statement, I explained our position with regard to the draft convention and at the same time supported the amendment submitted by the representatives of Canada (A/C.1/L.574). However, my delegation maintained that, should the Canadian amendment be adopted, we would support the idea contained in it to be included somewhere in the draft resolution which the Committee adopted. We are pleased that our suggestion was accepted and that the Canadian amendment has been withdrawn. We would have abstained from voting on it.

13. The CHAIRMAN (from France): The Committee has now concluded its consideration of agenda item 33.

14. Mr. SOUZA E SILVA (Brazil): My delegation has carefully examined the draft treaty concerning the moon submitted by the Soviet Union (A/C.1/L.568) and the draft resolution contained in document A/C.1/L.572.

15. We shall now consider the following draft resolution, relating to agenda item 92:

16. Mr. AZZOUT (Algeria) (interpretation from French): I want to associate my delegation with the reservations expressed in particular by the delegation of Cuba on the paragraph concerning liability.
paragraph 2, in its turn, specifically mentions the fact that the Soviet treaty will be discussed in accordance with the priorities already agreed upon in the outer space Committee and endorsed in the consensus draft resolution contained in document A/C.1/L.569 which we have already approved.

131. It is thus with this understanding that my delegation will not oppose transmitting to the outer space Committee the procedural Soviet draft treaty concerning the moon, as provided for in the draft resolution contained in document A/C.1/L.572, and we shall vote in favour of it.

132. The CHAIRMAN (interpretation from French): Since no other representatives wish to make a statement or to explain their votes before the vote, the Committee will now proceed to vote on draft resolution A/C.1/L.572. There has been no proposal with regard to the manner of voting and, if I hear no objection, I shall take it that the Committee unaniously adopts the draft resolution.

The draft resolution was adopted unanimously.

The meeting rose at 1 p.m.