

### 37/92. Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting

#### *The General Assembly,*

Recalling its resolution 2916 (XXVII) of 9 November 1972, in which it stressed the necessity of elaborating principles governing the use by States of artificial earth satellites for international direct television broadcasting, and mindful of the importance of concluding an international agreement or agreements,

Recalling further its resolutions 3182 (XXVIII) of 18 December 1973, 3234 (XXIX) of 12 November 1974, 3388 (XXX) of 18 November 1975, 31/8 of 8 November 1976, 32/196 of 20 December 1977, 33/16 of 10 November 1978, 34/66 of 5 December 1979 and 35/14 of 3 November 1980, and its resolution 36/35 of 18 November 1981 in which it decided to consider at its thirty-seventh session the adoption of a draft set of principles governing the use by States of artificial earth satellites for international direct television broadcasting,

Noting with appreciation the efforts made in the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee to comply with the directives issued in the above-mentioned resolutions,

Considering that several experiments of direct broadcasting by satellite have been carried out and that a number of direct broadcasting satellite systems are operational in some countries and may be commercialized in the very near future,

Taking into consideration that the operation of international direct broadcasting satellites will have significant international political, economic, social and cultural implications,

Believing that the establishment of principles for international direct television broadcasting will contribute to the strengthening of international co-operation in this field and further the purposes and principles of the Charter of the United Nations,

Adopts the Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting set forth in the annex to the present resolution.

*100th plenary meeting  
10 December 1982*

#### ANNEX

#### Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting

##### A. PURPOSES AND OBJECTIVES

1. Activities in the field of international direct television broadcasting by satellite should be carried out in a manner compatible with the sovereign rights of States, including the principle of non-intervention, as well as with the right of everyone to seek, receive and impart information and ideas as enshrined in the relevant United Nations instruments.

2. Such activities should promote the free dissemination and mutual exchange of information and knowledge in cultural and scientific fields, assist in educational, social and economic development, particularly in the developing countries, enhance the qualities of life of all peoples and provide recreation with due respect to the political and cultural integrity of States.

3. These activities should accordingly be carried out in a manner compatible with the development of mutual understanding and the strengthening of friendly relations and co-operation among all States and peoples in the interest of maintaining international peace and security.

##### B. APPLICABILITY OF INTERNATIONAL LAW

4. Activities in the field of international direct television broadcasting by satellite should be conducted in accordance with international law, including the Charter of the United Nations, the Treaty on Principles

Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>19</sup> of 27 January 1967, the relevant provisions of the International Telecommunication Convention and its Radio Regulations and of international instruments relating to friendly relations and co-operation among States and to human rights.

##### C. RIGHTS AND BENEFITS

5. Every State has an equal right to conduct activities in the field of international direct television broadcasting by satellite and to authorize such activities by persons and entities under its jurisdiction. All States and peoples are entitled to and should enjoy the benefits from such activities. Access to the technology in this field should be available to all States without discrimination on terms mutually agreed by all concerned.

##### D. INTERNATIONAL CO-OPERATION

6. Activities in the field of international direct television broadcasting by satellite should be based upon and encourage international co-operation. Such co-operation should be the subject of appropriate arrangements. Special consideration should be given to the needs of the developing countries in the use of international direct television broadcasting by satellite for the purpose of accelerating their national development.

##### E. PEACEFUL SETTLEMENT OF DISPUTES

7. Any international dispute that may arise from activities covered by these principles should be settled through established procedures for the peaceful settlement of disputes agreed upon by the parties to the dispute in accordance with the provisions of the Charter of the United Nations.

##### F. STATE RESPONSIBILITY

8. States should bear international responsibility for activities in the field of international direct television broadcasting by satellite carried out by them or under their jurisdiction and for the conformity of any such activities with the principles set forth in this document.

9. When international direct television broadcasting by satellite is carried out by an international intergovernmental organization, the responsibility referred to in paragraph 8 above should be borne both by that organization and by the States participating in it.

##### G. DUTY AND RIGHT TO CONSULT

10. Any broadcasting or receiving State within an international direct television broadcasting satellite service established between them requested to do so by any other broadcasting or receiving State within the same service should promptly enter into consultations with the requesting State regarding its activities in the field of international direct television broadcasting by satellite, without prejudice to other consultations which these States may undertake with any other State on that subject.

##### H. COPYRIGHT AND NEIGHBOURING RIGHTS

11. Without prejudice to the relevant provisions of international law, States should co-operate on a bilateral and multilateral basis for protection of copyright and neighbouring rights by means of appropriate agreements between the interested States or the competent legal entities acting under their jurisdiction. In such co-operation they should give special consideration to the interests of developing countries in the use of direct television broadcasting for the purpose of accelerating their national development.

##### I. NOTIFICATION TO THE UNITED NATIONS

12. In order to promote international co-operation in the peaceful exploration and use of outer space, States conducting or authorizing activities in the field of international direct television broadcasting by satellite should inform the Secretary-General of the United Nations, to the greatest extent possible, of the nature of such activities. On receiving this information, the Secretary-General should disseminate it immediately and effectively to the relevant specialized agencies, as well as to the public and the international scientific community.

##### J. CONSULTATIONS AND AGREEMENTS BETWEEN STATES

13. A State which intends to establish or authorize the establishment of an international direct television broadcasting satellite service shall without delay notify the proposed receiving State or States of such intention and shall promptly enter into consultation with any of those States which so requests.

14. An international direct television broadcasting satellite service shall only be established after the conditions set forth in paragraph 13 above.

<sup>19</sup> Resolution 2222 (XXI), annex.

have been met and on the basis of agreements and/or arrangements in conformity with the relevant instruments of the International Telecommunication Union and in accordance with these principles.

15. With respect to the unavoidable overspill of the radiation of the satellite signal, the relevant instruments of the International Telecommunication Union shall be exclusively applicable.

### 37/93. Comprehensive review of the whole question of peace-keeping operations in all their aspects

*The General Assembly,*

*Recalling* its resolutions 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of 8 December 1970, 2835 (XXVI) of 17 December 1971, 2965 (XXVII) of 13 December 1972, 3091 (XXVIII) of 7 December 1973, 3239 (XXIX) of 29 November 1974, 3457 (XXX) of 10 December 1975, 31/105 of 15 December 1976, 32/106 of 15 December 1977, 33/114 of 18 December 1978, 34/53 of 23 November 1979, 35/121 of 11 December 1980 and 36/37 of 18 November 1981,

*Awaiting* the issuance of the report of the Special Committee on Peace-keeping Operations to the General Assembly at its thirty-eighth session,

1. *Reaffirms* the mandate given to the Special Committee on Peace-keeping Operations by relevant resolutions of the General Assembly;

2. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

*100th plenary meeting  
10 December 1982*

### 37/94. Questions relating to information

#### A

*The General Assembly,*

*Recalling* its resolutions 34/181 and 34/182 of 18 December 1979, 35/201 of 16 December 1980 and 36/149 A of 16 December 1981,

*Recalling* the relevant provisions of the Mexico City Declaration on Cultural Policies,<sup>20</sup> adopted by the World Conference on Cultural Policies, held at Mexico City from 26 July to 6 August 1982,

*Recalling* the relevant provisions of the Final Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979,<sup>21</sup> which stressed that co-operation in the field of information is an integral part of the struggle for the creation of a new world information order, of the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi from 9 to 13 February 1981,<sup>22</sup> and of the Fifth and Sixth Meetings of the Intergovernmental Council of Ministers of Information of Non-Aligned Countries, held at Georgetown in May 1981 and at Valletta in June 1982,

*Recalling* the relevant resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981,<sup>23</sup>

*Recalling* article 19 of the Universal Declaration of Human Rights,<sup>24</sup> which provides that everyone has the right to freedom of opinion and expression and that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers, and article 29, which stipulates that these rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations,

*Recalling* the relevant provisions of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975,

*Recalling also* the relevant provisions of the Declaration on the Preparation of Societies for Life in Peace,<sup>25</sup>

*Recalling* resolutions 4/19 and 4/21 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-first session, held at Belgrade from 23 September to 28 October 1980,<sup>26</sup>

*Considering* that the publication of the final report of the International Commission for the Study of Communication Problems<sup>27</sup> is a valuable contribution to the study of information and communication problems and that its recommendations also constitute valuable encouragement for the continuing examination, analysis and study of information and communication problems,

*Considering* that international co-operation in the field of communication development should take place on the basis of equality, justice, mutual advantage and the principles of international law,

*Conscious* that the development of communication infrastructures, including national and regional capacity for indigenous message production and dissemination, is one of the important factors of genuine participation by a large majority of developing countries in international exchanges,

*Recognizing* the central role of the United Nations Educational, Scientific and Cultural Organization in the field of information and communications within its mandate, as well as the progress accomplished by the Organization in that field,

1. *Takes note with satisfaction* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the International Programme for the Development of Communication and the Establishment of a New World Information and Communication Order;<sup>28</sup>

2. *Underlines* the importance of efforts for the implementation of the principles set forth in the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, *Apartheid* and Incitement to War,<sup>29</sup> adopted on 28 November 1978 by the General Conference of the United Nations Educational, Scientific and Cultural Organization;

3. *Calls upon* all Member States and all organizations of the United Nations system, international, governmental and non-governmental organizations and professional organizations in the field of communications to exert every

<sup>24</sup> Resolution 217 A (III).

<sup>25</sup> Resolution 33/73.

<sup>26</sup> See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session*, vol. I, *Resolutions*, sect. III.

<sup>27</sup> Published in 1980 by the United Nations Educational, Scientific and Cultural Organization under the title "Many Voices, One World".

<sup>28</sup> A/37/453 and Corr.1, annex.

<sup>29</sup> United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twentieth Session*, vol. I, *Resolutions*, pp. 100-104.

<sup>20</sup> See A/37/453 and Corr.1, annex, paras. 40-42.

<sup>21</sup> See A/34/542, annex, sect. I, paras. 280-299.

<sup>22</sup> See A/36/116 and Corr.1, annex.

<sup>23</sup> See A/36/534, annex II.