

VERBATIM RECORD OF THE ONE HUNDRED AND SIXTH MEETING

Held on Friday, 10 September 1971, at 10.30 a.m.

Chairman:

Mr. WALDHEIM

(Austria)

## CONSIDERATION OF THE REPORT OF THE COMMITTEE TO THE GENERAL ASSEMBLY

The CHAIRMAN: In the course of its informal meetings yesterday the Committee was able to agree informally on the text of its draft report to the General Assembly. Only one question was left open, that of the place and dates for the forthcoming meetings of the Legal Sub-Committee.

I would therefore suggest that the Committee start the formal debate on the draft report so that it may then be adopted. In this connexion the only outstanding question can of course be discussed.

Therefore, I now invite the Rapporteur of our Committee to present the draft report to the Committee.

Mr. SOUZA E SILVA (Brazil), Rapporteur: The draft report, contained in document A/AC.105/L.62, was presented at an informal meeting of the Committee. We went through the draft report, and suggestions were made either for deletions from or for additions to the original wording informally presented to the Committee. At that informal meeting, we agreed informally on the draft report to be submitted to this formal meeting. There is just one question left open -- as you mentioned, Mr. Chairman -- the question of the place and dates of the forthcoming meetings of the Legal Sub-Committee.

What I therefore propose to do is to go through the report indicating those parts to which either deletions or additions have been made. If that procedure is agreeable to you, Mr. Chairman, and to the Committee, I shall start with the first addition that was made to the draft report -- on page 3, under chapter II, Recommendations and decisions, and the heading, the Convening of a Working Group on Remote Sensing of the Earth by Satellites. In that part of the draft report note is taken of the decision of the Working Group and of the election of its Chairman. The wording of this new paragraph is as follows -- it will come after the present paragraph 10.

"In the course of the resumed fourteenth session of the Committee, the Working Group on Remote Sensing of the Earth by Satellites held its organizational meeting. The Committee welcomed, in this connexion, the election of Mr. Franco Florio of Italy as Chairman of the Working Group."

(Mr. Souza e Silva, Brazil)

Then on page 4 in the last sentence, in the line beginning "Secretariat for 1972" the words "not exceeding" should be substituted for the word "of".

On page 5, the following words are added at the end of paragraph 13:

"Some delegations noted their view that activities in this field should be carried out taking into account the sovereign rights of receiving States."

On page 6, the following sentence is added to paragraph 19:

"It also welcomed the statement by the representative of Argentina at the present session that his Government had decided to call for a meeting of experts on the application of remote sensing for the discovery, assessment, utilization and administration of material resources to be held either at the end of 1972 or beginning of 1973."

With regard to paragraph 28, on page 9, it was agreed that the last words "at its twenty-fifth session", of that paragraph should be deleted.

With regard to paragraph 29, it was decided that the text of the draft convention should be included in the body of the report. So that text will be included at the end of paragraph 29.

With regard to paragraph 31, there is a typographical error in the second line: "article III" should read "article XII". On the third line after the word "preamble" there is a comma and the words "article II" are added. On the seventh line after the word "cases", the word "of" should be inserted.

In paragraph 34, the letters (a), (b), (c), (d), (e) and (f) are deleted.

In paragraph 35 there are blanks to be filled in. On the fifth line we delete the words "on the one", which are the last words in page 10, and then add the following:

"to matters relating to the registration of objects launched into space for the exploration or use of outer space, and to questions relating to the moon."

Then we substitute for the first three lines of page 11 the following:

"At the same time, the Committee took note of the preference expressed by several delegations that priority be also given to: the various implications of space communications in the light of the reports of the Working Group on Direct Broadcast Satellites and the work undertaken in that field, in particular, by the International Telecommunication Union.

(Mr. Souza e Silva, Brazil)

the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization; matters relating to the definition and/or delimitation of outer space and outer space activities; and matters relating to activities carried out through remote sensing satellite surveys of earth resources."

Then on the fourth line of page 11 we start with the words:

"The Committee also recommended to the Legal Sub-Committee to take these views into consideration in the programming of its future work."

(Mr. Souza e Silva, Brazil)

Then we come to paragraph 36, at the end of which we should put a comma and add the following words: "on which members made observations".

Then, in paragraph 38, we have deleted the first reference to the meeting of the panels. We have added, in the blank next to "Scientific and Technical Sub-Committee" under "Place of Meeting", "New York", and under "Date of Meeting", "3-12 May 1972". We still leave a blank for the place and date of the meeting of the Legal Sub-Committee. As for the Working Group on Remote Sensing of the Earth by Satellites, we add "New York" under "Place of Meeting", and for the date we put "concurrent with the meetings of the Scientific and Technical Sub-Committee". Then, as regards the Committee on the Peaceful Uses of Outer Space, we add "New York" for the place, and "5-15 September" for the date, and we add a note at the end of this paragraph saying that:

"In regard to the meeting of the Working Group on Remote Sensing of the Earth by Satellites it was further agreed that its meeting could, if necessary, be extended for two to three days beyond the time scheduled for the meeting of the Scientific and Technical Sub-Committee."

Those are all the changes that were proposed and, in my understanding, accepted by the Committee in its informal meeting.

The CHAIRMAN: As members know, we tried yesterday in our informal meeting to settle also the question of the place and date of the next meetings of the Legal Sub-Committee. That was not possible; we could not agree, and therefore we have to reopen the debate on this question here in this Committee and try to find a solution. I apologize in this connexion for the delay in beginning our deliberations this morning, but the reason is that we were having a number of private consultations in connexion with this problem. A number of ideas were put forward, such as, for instance, the adoption of a rotation system; but on that, too, we could not agree. I therefore invite delegations to make another effort, and perhaps it will be possible to find a common ground for the solution of this problem.

Mr. FIORIO (Italy): My delegation did not take part in yesterday's discussion on this subject, for the simple reason that we are completely neutral in the matter, and my delegation would gladly go to Geneva or New York.

In view of the fact that there has been so much discussion on this matter -- and this is a very familiar discussion because, in each of the past twelve or thirteen sessions we have had, this same matter of where either the Legal or Scientific and Technical Sub-Committee should meet has come up -- I should like to make some comments.

Of course, the first comment is this: that we are again at an impasse on this subject, and I believe that even if it takes a little more time than usual -- and perhaps it would have to be after the close of this Committee meeting -- a permanent solution should be found. In other words, we should try to find a mechanism by which we could avoid coming back to this question in the future. Whatever that solution may be -- a rotation system, or whatever -- it should be a permanent solution to the problem of the venue of the two Sub-Committees.

The second observation is that I do not think the venue of the main Committee should enter into the considerations relating to going to Geneva, because the main Committee is closely connected with the General Assembly, and its natural meeting place is New York; so the matter of balancing, in the opinion of my delegation, relates exclusively to the two Sub-Committees.

Now, if we examine the matter from a very cold, calculating, economic point of view, my delegation does not question the figure the Secretariat has put forward showing the higher cost of holding meetings in Geneva to be \$85,000 to \$90,000. We shall listen with interest to the detailed breakdown of that figure, but from experience we know that the higher cost is due mainly to the fact that in Geneva we have to hunt for interpreters for the meetings, and interpreters come very high there; whereas here we have a quota of interpreters on whom we can count. So the higher cost in Geneva is pretty well a reality.

(Mr. Fiorio, Italy)

Now, to justify that higher cost by the claim of greater efficiency and so on, as the representative of France did yesterday, is rather hard. In general, when you have a team of interpreters, that team costs the same, whether it serves a large committee or a small committee. Therefore the cost per capita increases the smaller the committee or group is. Since the Legal Sub-Committee is a relatively small group, its cost efficiency is low; in addition, it meets for a long time, and its cost efficiency is therefore even lower. So purely on the basis of economy, we would say that the best place for the Legal Sub-Committee to meet would be in New York in order to avoid undue, major expenses and high cost to the United Nations.

But when it comes to consideration of the venue, other matters enter in which are not subject to purely economic considerations, just as in love and war sometimes other factors come into play aside from the purely materialistic consideration of money. That is the case, in particular, with the meeting in Geneva of one of the Sub-Committees.

(Mr. Fiorio, Italy)

I believe, therefore, that a solution will be found only when we try to achieve a true balance between the two Sub-Committees and between Geneva and New York -- to which many speakers made reference yesterday. By way of example, the Legal Sub-Committee always meets for a longer period than the Scientific and Technical Sub-Committee; the former uses many more facilities and incurs more expenses than the latter. It is therefore possible to envisage the Legal Sub-Committee meeting at Geneva half of the time, so as to balance the Scientific and Technical Sub-Committee's stay here; in other words, since the former meets for twice as long as the latter, we could subdivide that longer period every two years -- for instance, making it a permanent policy that the Legal Sub-Committee should meet at Geneva every two years.

I do not present the foregoing as a formal proposal, but it is one idea. The only thing I would recommend is that a decision be taken as soon as possible, as advocated by the Chairman of the Legal Sub-Committee, who is directly interested in this matter; and that the decision be on a permanent basis and not on an annual one, because the latter results in loss of time for all the delegations participating in the work of this Committee.

Mr. FRUTKIN (United States of America): I wish to say at the outset that we particularly welcome the objective and reasoned intervention by the representative of Italy, and I hope to comment further on it after a few brief remarks.

I should like, first, to review our position on this matter. We are very much attracted by the dollar savings represented by meeting in New York rather than in Geneva, and we are still operating on the basis of the report given us by the Committee Secretary last year, indicating that the savings are some \$95,000 a year.

Secondly, we are very much attracted by the opportunity which these savings offer us to assist the Secretary-General in finding the funds required to support the programme in which the Expert on Space Applications will be active during the coming year. We do not say that this must be the only source of such funds; but we do think it is an attractive source, easily established.

(Mr. Frutkin, United States)

Thirdly, we are attempting to operate under the guidance given us by the General Assembly, which urges us to conduct all meetings at United Nations Headquarters in New York unless there are circumstances which require that the meetings be held abroad. In this case we see no reason to account for the Legal Sub-Committee meeting necessarily in Geneva. We imagine that this stricture would apply to some sort of technical group which required the use of technical facilities.

Fourthly, we note that in the current situation the balance of organs of this Committee -- with respect to the duration of their meetings -- results in a situation in which the Legal Sub-Committee will spend twenty working days in Geneva next year, while the combined efforts of the Scientific and Technical Sub-Committee and this parent Committee will account for only eighteen days in New York. We find that this flies directly in the face of the guiding principle given us by the General Assembly.

Fifthly, we recall in this connexion the Chairman's statement made last year on this question (97th meeting) in which he said that he wished to make clear for the record that the decision taken then was only for the forthcoming year -- in other words, that it would be an ad hoc decision for the forthcoming year -- and that we would not then decide the matter on a basis of principle.

Sixthly, I want to take note of the very broad support expressed in the informal meeting yesterday for holding the next meeting of the Legal Sub-Committee in New York and not in Geneva. I do not think that broad support should be ignored.

Seventhly, this combination of points and support in the Committee leads us to conclude that it is essential that there should be a substantive compromise on this matter, for this period and for the succeeding periods, so as to dispose of this issue and not plague this Committee with an annual quibble over a rather small matter in view of the savings to be achieved. In his regard, we strongly support the point made by the representative of Italy that the solution we find should be one that takes care of this debate for several years to come. I wish to add that my delegation is operating under instructions on this point, and there should be no confusion on this matter.

(Mr. Frutkin, United States)

I want to make clear that we are open to any substantive proposal to find a compromise on this issue: it should have long-term value. At the same time, we do not consider it a compromise for us to wait for the report on conferences now being prepared. That, to us, would be a delay and not a compromise. Further, we do not expect that report, when issued, to tell us which meetings should be held where. We doubt that it will be that specific. We shall still have the problem of interpreting guidelines. We should like to dispose of this issue now because of the savings which may be effected.

We also would not consider it an adequate compromise were we to alternate meetings of the Scientific and Technical Sub-Committee with meetings of the Legal Sub-Committee in Geneva and New York in alternate years. The reason we do not consider that a compromise is as follows. We would still end up with one Sub-Committee meeting each year in Geneva and we would not have advanced the situation one bit, particularly in view of the fact that the Scientific and Technical Sub-Committee does frequently meet in association with working groups which increases the number of people who would have to be accommodated and serviced in Geneva. We would realize no savings, and we do not regard that as a compromise.

We are open to discussion of the proposal made by the representative of Italy that the Legal Sub-Committee meet alternately in Geneva and New York. We are prepared to discuss that further if representatives so wish. We do consider that such a compromise should begin with a first meeting this year in New York, so as to realize the savings that have been indicated in good time to be of assistance to the Secretary-General in his search for funds to support Professor Ricciardi's programme.

In conclusion, I want to say that my delegation is open to compromise on this issue but that we remain firm, and will remain firm, that a compromise to this matter must be found in a substantive way.

Mr. DEJAMET (France) (interpretation from French): I think that much has been made of this figure of \$95,000 which could be saved if the Legal Sub-Committee did not meet in Geneva. The representative of Italy mentioned the explanations given by the Secretary. These explanations are contained in last year's records, since this year we do not yet have the detailed figures with which the Secretary of the Committee could, I am sure, furnish us. Be that as it may, and I refer only to last year's document, I reach the conclusion once again that that document in fact did not contain any justification, any substantive explanation, for these increased costs. What should be compared is not only the cost in Geneva but also the cost in New York. In other words, there should be two columns, and for each item a detailed explanation of extra costs.

I do not think that explanations that the Legal Sub-Committee has few members and that one would need many interpreters for a few members are valid. The Secretariat, thank God, never came up with such explanations, as it is very easy to reply that the members of the Legal Sub-Committee are the same as the members of the Committee as a whole, at least in numbers. That is the reason why my delegation has always wished to see the General Assembly undertake a general review of the matter of savings. This was not flying in the face of concrete questions to be dealt with in this Committee.

Recently, the General Assembly adopted a resolution asking for a report about ways and means to ensure a better and more rational utilization of the conference services of the United Nations. Therefore, what we were saying yesterday was completely in keeping with the concern of the delegation of the United States, which I certainly share. All of us want to effect savings, but we cannot just adhere to one figure and cling to this outer space object, as it were.

I have the greatest respect for the representative of the United States and for the American dollar, especially when it is multiplied by \$95,000. But it is not only a matter of brandishing that figure; we have to tackle the whole matter of savings in the conference services of the United Nations. That is why

(Mr. Dejammet, France)

we were saying yesterday that a study was in progress and that it was in the light of that study that savings could be effected. That is the answer that comes to mind when we hear the argument that it is necessary to follow the directives of the General Assembly. The General Assembly did give guidelines and asked for a report on savings. I think that one should remind the Committee of that resolution, because if we took a decision it might prejudice the results of the study undertaken for the General Assembly, and this would be especially harmful since we would alter an established tradition.

What then are the reasons, other than savings, which could justify a meeting in Geneva? The representative of the United States told us that he did not see how we would be adhering to the resolution of the General Assembly which says that if there are circumstances justifying it, we could meet in Geneva. Personally, I see no better reason than that put forward by the permanent representative of the United States, Ambassador Bush, in the well-known speech he made on 13 May to the International Law Association, when he very clearly showed that the best way to reinvigorate the United Nations was to see to it that United Nations bodies could meet outside New York. Of course, there is no question of changing the Headquarters, but Ambassador Bush was quite insistent in asking that United Nations bodies meet elsewhere: in Africa, Asia, Latin America, Paris, London and Geneva. Those were his words. Since this speech is well known to the representative of the United States, I think that even he will see, when reading it, that Ambassador Bush was saying that substantive matters should not be taken into account and should not prevent the United Nations from carrying out such measures to reinvigorate this Organization by associating various countries and continents with the activities of the United Nations through meetings held on their territory. I think that the reasons adduced by the permanent representative of the United States are quite weighty and my delegation fully shares those views.

I think that those reasons were shared by many other delegations here. I am not going to start gauging the kind of support given yesterday to the very simple idea that we should not overturn a tradition. I am not going to say that there is wide support, but what is important is that it is well-founded support, support based on the arguments that the Committee knows well.

(Mr. Dejammet, France)

The representative of the United States said that he hoped that a compromise formula could be found, and I think that we must all be grateful to him for that remark. I thought that I brought forward yesterday this compromise formula when I asked the Committee not to prejudge the results of the study made pursuant to a request of the General Assembly, when I asked the Committee not to try to take the place of the Fifth Committee or the General Assembly by its decision. But this morning the representative of Italy alluded to other possibilities. He spoke of rotation, and he mentioned a rotation not only between New York and Geneva, but also among the different Sub-Committees. He mentioned the Legal Sub-Committee and the Scientific and Technical Sub-Committee. A compromise solution relating to the venue -- Geneva or New York -- of various bodies of this Committee could indeed be studied.

It is in that spirit that my delegation, which raised no objections yesterday when we started debating the venue of the meetings of the Legal Sub-Committee and the Scientific and Technical Sub-Committee, will now reserve its position about all the proposals in order to make it possible to study the general compromise suggestions made by the Italian delegation.

(Mr. Dejammet, France)

It could very well be that we might come up with a formula including rotation of the place and the Sub-Committees. As long as no such compromise formula has been found -- and I share the views of the representative of the United States that we must hope that it will be worked out as soon as possible -- we should probably reserve our position on the various proposals discussed yesterday unofficially, which my delegation did not object to then because it thought that there would be no new element in the case of the Legal Sub-Committee. In view of a new debate relating to the Legal Sub-Committee we have to raise anew the whole of these proposals. We have to come back to all this and we hope, like other delegations, that a compromise formula will be found based on the very useful ideas submitted by the Italian delegation.

Mr. RYBAKOV (Union of Soviet Socialist Republics) (interpretation from Russian): We regret that for several years the same problem has arisen which we do not seem to settle and to a certain extent, with all due respect, we think that all of this is rather artificial: I have in mind the problem of the meetings of the Sub-Committees of this Committee.

We heard the arguments of the representative of Italy, especially about the need to find a permanent decision -- although we thought that we had and have a permanent decision. We have not changed the existing practice that has been established in recent years and we do not think that it would be useful to change this practice. We support the idea that it is necessary to take measures to avoid the same debates every year since it prevents us from doing real work.

I stress once again that for us this is to a very large extent an artificial problem. Like the representative of Italy we doubt the reliability of the figures given by the Secretariat. We doubt that the question should have been presented as it has been, but we should like to stress again that in our view -- and here we fully agree with the representative of France -- the problem also has a political side since it is a matter of balance between meetings of bodies dealing with international co-operation in the exploration

(Mr. Rybakov, USSR)

and exploitation of outer space. We are talking about the meetings of such bodies in Europe or New York.

I think that it is quite clear that we are trying to find a practical solution which would make it unnecessary for us to deal with this in the future. Like the representative of France, in principle we support the idea of rotation as expressed by the representative of Italy. As the representatives of Italy and France have said, that would mean rotation concerning the Legal Sub-Committee and the Scientific and Technical Sub-Committee and their bodies. The question of the main Committee is probably more complex although the question of rotation between sessions of the Sub-Committees could also be raised. But if we speak of justice we must speak of rotation for both Sub-Committees. We think that it would be just if the Scientific and Technical Sub-Committee and the Legal Sub-Committee met one year in Geneva and the next in New York --- in other words if the next session of the Legal Sub-Committee be held in Geneva, then the meetings of the Scientific and Technical Sub-Committee would be held in New York and the next year the converse would be true. We think that this would indeed be a compromise solution which could serve as a basis for an agreement.

Our delegation is very much in favour of the saving of United Nations resources. One idea that came out of the statement of the representative of the United States seemed to us to be particularly interesting. Indeed if as a result of a meeting of a body not in Geneva but in New York a saving was effected -- and we doubt this because of the arguments made by our colleagues -- we might come up with the following solution: if the Legal Sub-Committee meets in New York and \$95,000 is saved we could study the possibility that the funds for the application of science and space techniques would not come out of the regular budget but out of these savings. If we really want to save money, if we are all convinced that these are real savings and that the Legal Sub-Committee would not be replaced in Geneva by some other body, then indeed why should we ask for additional appropriations for this problem of the applications of space technology? We could then ask that this programme be financed out of such savings. The idea expressed in the statement of the representative of the United States seems to us to be worthy of attention.

(Mr. Rybakov, USSR)

We fully agree with the ideas of the representative of France that if we look for a compromise solution we must bear in mind the question of all the meetings of all the bodies of this Committee. Like the representative of France we hope that a compromise solution can be found -- perhaps not today -- through consultations between the Chairman and the members of the Committee, as was the case last year. Since we do not have sufficient time today, it will be difficult to settle this matter; however, this is a serious question. It not only has financial implications but also political ones. There is the matter of balance, the interests of States in various geographical areas. This is a serious problem which can be settled only on the basis of a reasonable compromise and not on the basis of a unilateral decision.

Mr. WILLIAMS (United Kingdom): The position of my delegation is the same as the position of the delegation of the United States. The representative of the United States has explained very comprehensively the arguments which persuade his delegation. The same arguments persuade my delegation. I shall therefore abstain from reading into the record the views which my delegation expressed at our informal meeting yesterday, and merely associate myself in general terms with the views which the representative of the United States expressed today.

We need to take a decision as soon as possible on the pattern of meetings for next year and, in the view of my delegation, it is necessary to do this on the basis of the facts as presented to us. The facts as presented to us are the financial implications as stated by the Secretary of the Committee. We should proceed on the basis of the General Assembly's guidelines on the question of the pattern of conferences in general. The General Assembly has laid it down that the subordinate bodies of this Committee should meet at Headquarters in New York, unless the exigencies of their work require them to meet elsewhere.

Now of course there may sometimes be a case why the United Nations should hold some of its activities away from New York. Cases one could cite are, for example, panel meetings which this Committee organizes. These panel meetings have an educative function. They are not an internal exercise for the Committee. Their function is to educate citizens, from developing countries in particular. Clearly there is a case in matters of that kind for meetings being held away from Headquarters, at a location convenient and attractive to those we are seeking to educate and interest in our work.

My delegation does not think the same considerations could be held to apply to the Sub-Committees of the Committee. The Sub-Committees engage in internal discussion amongst themselves and in a process of negotiation. This is something for which the facilities at Headquarters are entirely sufficient and appropriate. My delegation does not think that balance should be one of our aims. The proper course is to proceed on the basis of the guidelines laid down by the General Assembly with regard to the pattern of conferences. The proper course, in the view of my delegation, would be for the main Committee and all its subordinate bodies to meet permanently in New York.

(Mr. Williams, United Kingdom)

Nevertheless, if we can by some compromise achieve a long-term settlement of this annual problem, my delegation would be prepared to contemplate some departure from the strict interpretation of the guidelines laid down by the General Assembly. We would be prepared to contemplate a compromise whereby the Legal Sub-Committee, and only the Legal Sub-Committee, would meet alternately in New York and in Geneva. In our view, in the interests of providing the Secretary-General with the savings which will compensate for the sums we have decided to expend on the work of the Expert on Space Applications, it would be desirable that any such process of alternation should begin with the meeting next year in New York.

Mr. BUDAI (Hungary): My delegation expressed its views on this question at our informal meeting yesterday. In listening again to the debate here this morning, I merely wish to reiterate the position of my delegation on this question. This is not a new debate in the Committee. It is one in which we have participated for a number of years. In the view of my delegation, the question of holding meetings of the Sub-Committees either in New York or in Geneva is not merely a financial question. I do not believe that anybody would venture to assume the role of not being eager to consider savings and the rational work of the United Nations. That is the common concern of all the delegations represented here. We also feel that the guidelines of the General Assembly must be followed. However, those guidelines have a very general meaning and they do not provide any specific regulations for any of the Committees. The guidelines contain nothing with respect to the point made by the representative of the United States and others that any kind of savings in the expenditure of conference services can be utilized elsewhere. Therefore, I do not think in this connexion that we can consider any savings to be utilized in projects or programmes of the Committee on Outer Space.

I wish to join those representatives who this morning expressed their concern and doubt about the amount of savings that would occur if the meetings were held in New York. Perhaps there can be some few thousand

(Mr. Budai, Hungary)

dollars in savings, but considering the rational and balanced work of the Committee and the Sub-Committees, referred to very picturesquely by the representative of Italy this morning, I think that that reason overcomes the matter of small savings in expenditures.

My delegation, of course, is also in favour of the consideration of a compromise which would settle this almost perennial debate in our Committee. My delegation can fully support a compromise along the lines of the proposals made by the representative of France this morning.

Mr. WARREN (Canada): My delegation listened attentively to the debate yesterday at our informal meeting and to the debate at this morning's meeting. We have heard no reason why the primary consideration of financial savings, which governs the General Assembly rule for the pattern of conferences, should be supplanted in this case in favour of Geneva. Accordingly, I should like to place my delegation on record as agreeing with the statements made this morning by the representatives of the United States and the United Kingdom.

Mr. CORREA (Brazil): I should like to put on record our position, which we stated at our informal meeting yesterday, in favour of convening the meeting of the Legal Sub-Committee in New York. In this sense we fully support the position stated this morning by the representatives of the United States, the United Kingdom and Canada.

Mr. GARVALOV (Bulgaria): I should like to place on record the views of my delegation on this matter. We have favoured Geneva as the venue for the meetings of the Legal Sub-Committee. We have very good reasons, just as other delegations have such reasons, for supporting that view. My delegation is not fully convinced of the financial implications which have been raised in this connexion, and we are certainly looking forward to receiving some additional information in that respect.

(Mr. Garvalov, Bulgaria)

At the same time, we have been impressed by the statement of the representative of the Soviet Union that if it is really a matter of \$95,000, it could very well be shifted to help the programme itself. My delegation supports the position expressed by the representative of France, the representative of the Soviet Union and others, that the question of the rotation of the meetings deserves careful attention and should be looked into if we are to arrive at a compromise decision.

Mr. MOTT (Australia): The views of my delegation are known -- we expressed them yesterday during our informal meeting; we expressed them last year at about this time in formal meetings of the Committee; we expressed them again in November last year when we resolved this problem for 1971. It is therefore only necessary for me to repeat now that, in regard to the immediate problem that confronts us, my delegation is in favour of holding the meetings of the Legal Sub-Committee in New York next year.

We noted in the informal meeting yesterday, and we note again today, a balance of opinion in favour of that proposition.

It is not my objective to put large amounts of repetitive arguments into the record. Clearly, the constructive thing to do is to address ourselves to the longer-term solution of this annual problem. It should be our objective to try to dispose of this question for several years to come in a rational manner. We should try hard, with the resources at our disposal, to remove the necessity for what one might be justified in calling an annual charade, which, as we all know, plagues the final stages of our annual meetings and delays the adoption of our reports.

From that point of view my delegation finds much to commend in the initiative taken by the representative of Italy. We hope it will be pursued.

The CHAIRMAN: As there are no further comments on this question, I would suggest that the discussion on it be concluded. It is my impression that we cannot solve it here and now and that further consultations will be necessary. I would therefore propose to leave open paragraph 38 of the draft report as was done last year. I shall start informal consultations with the members of the Committee as soon as possible, in order to come to an agreement on this question. Thereafter I shall call another meeting of the Committee formally to decide on the calendar of work for 1972.

If I hear no objection, I shall take it that the Committee agrees with that procedure.

It was so decided.

The CHAIRMAN: We can therefore now proceed to the adoption of the draft report of the Committee to the General Assembly.

I shall take it, if there is no objection, that the Committee adopts the draft report presented by the Rapporteur, on the understanding that paragraph 38 will be left open.

It was so decided.

Mr. VALLARTA (Mexico) (interpretation from Spanish): I should like to make a number of remarks on the report we have just adopted, and I shall try to be brief.

In paragraph 10 of the report the main objective of the Working Group on Remote Sensing of the Earth by Satellites is included. It reads as follows: "to promote the optimum utilization of this space application, including the monitoring of the total earth environment for the benefit of individual States and of the international community, taking into account, as may be relevant, the sovereign rights of States and the provisions of the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies."

My delegation interprets that reference to the sovereign rights of States as meaning that any activity touching on the assessment of the natural resources of Mexico will require previous authorization from the Mexican Government. My Government is interested in preserving outer space not only from the arms race but also from any type of unfair trade competition similar to that which sometimes takes place on earth and which is marked by the constant and solely commercial character of its objectives. That speaks eloquently against excess and in favour of the international control of outer space.

I should also like to take note of the fact that my delegation finds itself among the very many delegations that supported the inclusion of the last sentence of paragraph 13 of the report, which concerns the use of satellite broadcasting for the advancement of education and training. My delegation wishes to stress the view that in this field of activity the sovereignty of States must be duly taken into account. We appreciate the technical assistance given by the developed countries, but we stress the fact that that assistance should be requested by the beneficiary and never imposed on him. The advancement of education and training is within the domestic competence of the Mexican State, and that fact must be borne in mind.

(Mr. Vallarta, Mexico)

In the economic field it has already been demonstrated that freedom per se does not correct the errors of freedom. The old formulas of laissez faire and laissez passer no longer carry any weight on land, on sea or in the skies.

The same might be said of satellite broadcasting. International control of satellite broadcasting, suggested by the delegation of Brazil, warrants careful study by the Committee.

With regard to the order of priorities to be followed by the Legal Sub-Committee, my delegation wishes to state that the item entitled "Matters relating to the moon" includes those subjects that the Legal Sub-Committee has entitled "The rules which should govern man's activities on the moon" and "Matters relating to the legal régime governing substances coming from the moon and from other celestial bodies, including the principles governing activities in the use of the natural resources of the moon and other celestial bodies".

The coincidence that exists between the wording of the item "Matters relating to the moon" and the item suggested by the Soviet Union, "Preparation of an international treaty concerning the moon" should not be interpreted as meaning that only those subjects to which the Soviet draft refers are to be included in the future work of the Sub-Committee. My delegation considers that the question of the moon is a single and indivisible subject.

Mr. FRUTKIN (United States of America): I am not certain this is the proper time to make the remarks I had in mind, but since the officers of the Committee and the Secretariat of the Outer Space Affairs Division have laboured so hard in connexion with the preparation of the report, I should like to express now my delegation's appreciation of their efforts, in particular those of the Rapporteur and the Chief of the Outer Space Affairs Division and their associates.

The CHAIRMAN: I am happy to note that the Committee has adopted the report, which will now go to the General Assembly. Before closing the resumed fourteenth session of our Committee, I should like to make a few brief remarks.

For the first time in a number of years our Committee has achieved a major success in a matter which was, as we all know, most complicated. In my opening statement I placed on record my deep satisfaction at the fact that the Legal Sub-Committee was able to present to our Committee a complete draft convention on liability for damages caused by space objects. I think I shall be speaking on behalf of all members of the Committee when I say that it is equally satisfactory to note that this Committee is now in a position to submit the draft to the forthcoming session of the General Assembly for consideration and final adoption.

As almost every representative in the Committee has said during our session, the convention is certainly not perfect in all matters. We have to respect the positions of some delegations that have put forward reservations concerning certain provisions of the draft convention. I think that those reservations are properly reflected in our report and that this report presents a clear and balanced picture to the whole membership of our Organization in that respect.

The second set of questions in the legal field -- I refer to the problem of establishing priorities for the future work of the Legal Sub-Committee -- also found a satisfactory solution which, on the one hand, provides our Sub-Committee, under its distinguished Chairman, with a clear guideline but, on the other hand, is flexible enough to be adapted to any situation in which the Legal Sub-Committee may find itself during its next session in 1972.

In the scientific and technical field it was also possible to solve the problems before us. The compromises and solutions achieved here are realistic and reasonable and will certainly enable the Sub-Committee, and in particular the Expert on Space Applications, Mr. Ricciardi, to continue their important work in the field of practical applications of space technology. The Working Group on Remote Sensing of the Earth by Satellites was convened for its first meeting as scheduled and will come together next in May 1972. I think the discussion the Group had yesterday was fruitful and points the way from the preliminary stage to the substantive and, it is hoped, successful work of the Group in the years to come.

(The Chairman)

I wish to take this opportunity to thank all members of the Committee for their co-operative attitude regarding all matters on our agenda and in particular concerning those questions whose resolution required understanding and compromise. I should like especially to thank the members of our Bureau, our Vice-Chairman, Mr. Diaconescu of Romania, and our Rapporteur, Mr. Souza e Silva, for their close co-operation. Likewise, I wish to express my appreciation to the Secretary of the Committee, Mr. Abdel-Ghani, and to all the members of his division for their efforts, for their skill and for the devotion they have shown in our common task. My thanks go also to the conference officers, the interpreters and the verbatim reporters. We all appreciate the assistance they have given us.

In concluding, let me say that it has been a personal pleasure for me again to work with you in this year's session of our Committee, and I would add my best personal wishes for the well-being of all members.

Mr. FYBAKOV (Union of Soviet Socialist Republics) (interpretation from Russian): Speaking on behalf of my delegation and also on behalf of the delegations of other socialist countries that have entrusted me with this task, I should like to express my deepest appreciation to you, Mr. Chairman, for the very competent and wise leadership you have given the present session of our Committee. This has enabled us once again to contribute significantly to the solution of many problems concerning questions of co-operation in the peaceful uses of outer space. I think it only fair to note that under your enlightened leadership the Committee has been able to approve a draft of very great importance in international law, namely, the draft treaty on compensation for damage caused by objects launched into outer space. We can only echo what you yourself said on this matter. We understand too that this is one of the most difficult steps in international law that could be taken and it was also one of the hardest pieces of work given to the Legal Sub-Committee. We are also gratified that other important decisions were taken in the Committee's work, particularly concerning the Working Group on Remote Sensing of the Earth's Resources. Again, we adopted important decisions on the reasonable drafting of a programme on the application of earth-space techniques.

(Mr. Rybakov, USSR)

I should like also to thank our Vice-Chairman, Mr. Diaconescu, and our Rapporteur, Mr. Souza e Silva, both of whom contributed greatly to the success we have been able to achieve at this session. I should like also to extend my thanks to the Outer Space Affairs Division of the United Nations, presided over by Mr. Abdel-Ghani and his colleagues, and to the members of the Secretariat, who have given us such valuable assistance in the course of our meetings. I should like to thank all delegations and all our colleagues for the spirit of co-operation and serious compromise they have shown during our discussions, which has led us to achieve these important solutions acceptable to all.

Mr. DEJAMMET (France) (interpretation from French): Mr. Chairman,

I think it would have been preferable for a French representative who had been associated with the Outer Space Committee for a long time and who had participated in the elaboration and successful submission of the treaty on liability to be expressing to you and to the other officers of the Committee the sincere congratulations of the French delegation. But it so happens that that representative was unable to come to New York for this session, and therefore, on his behalf, I should like to express to you the congratulations and the thanks which he has asked me to convey.

Mr. REBAGLIATI (Argentina) (interpretation from Spanish): First of all, Mr. Chairman, I should like expressly to state the appreciation of my delegation for the Committee's decision to recommend the continued sponsorship of the Mar del Plata base. Once again my delegation wishes to express its thanks for the confidence which that bespeaks. We consider it to be one of those measures that prove the benefits of international co-operation under the guidance of the United Nations.

The Argentine delegation also wishes to express its appreciation for the work that the Committee has been able to complete at the present session. Important decisions have been adopted, and even though they did not always fulfil the aspirations of all members of this body, we know that the agreements arrived at do have tremendous advantages. We trust in the continued and fruitful co-operation of the Committee, and we trust that we shall be able to participate in its work.

Finally, the delegations of Brazil, Mexico and Argentina wish to express their appreciation to you, Ambassador Waldheim, for the many qualities you have brought to bear in the guidance of the Committee in its work. Once again we have been able to draw on your admirable talent. We are grateful to you.

We also wish to express our appreciation to the Vice-Chairman, Ambassador Diaconescu, to our Rapporteur, Mr. Souza e Silva, and to Mr. Wyzner, the Chairman of the Legal Sub-Committee, who also have given us important assistance. All this, added to the help from the Secretariat, has allowed us to do work which we believe to be both effective and promising.

Mr. WILLIAMS (United Kingdom): Mr. Chairman, I should just like, on behalf of the delegations of Australia, Belgium, Canada, Italy, Japan, Sweden and my own delegation, to join those who have expressed their appreciation at the way in which you have conducted this session of the Committee, and also their appreciation of the assistance which the other officers of the Committee and the Secretariat have given both to you and to us.

Mr. CHAKRAVARTY (India): Mr. Chairman, I wish to associate my delegation with others in expressing thanks and gratitude to you for your leadership. Permit me to express my admiration for your commendable skill and patience and for your remarkable ability to work out compromises without being deterred by the almost diametrically conflicting views held by some delegations at the commencement of the discussions.

I take this opportunity to thank the members of the other delegations for the consideration and spirit of compromise they have shown and for the great interest they have taken in the substantive discussions. I also thank the members of the Secretariat for the hard work and assistance which they have rendered, efficiently and cheerfully, in order to make this conference a success.

Before concluding, I should also like to mention that it is a matter of considerable gratification to us that this Committee shares the Sub-Committee's satisfaction with the useful work being done at the Thumba Equatorial Rocket Launching Station in India, and that the Sub-Committee has recommended its continued sponsorship.

The CHAIRMAN: I thank you all for your friendly words and for your co-operation. I do so not only on my own behalf, but on behalf also of the other officers of the Committee. We will all certainly do our best to be helpful to all of you in the future, and I am sure that if this spirit of co-operation prevails we will certainly be able to continue our fruitful work.

The meeting rose at 12.45 p.m.