UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/AC.105/C.2/SR.187-191*
12 July 1972
ENGLISH
ORIGINAL: ENGLISH/FRENCH

COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUB-COMMITTEE

Eleventh Session

SUMMARY RECORDS OF THE ONE HUNDRED AND EIGHTY-SEVENTH TO THE ONE HUNDRED AND NINETY-FIRST MEETINGS*

Held at the Palais des Nations, Geneva,
from 2 to 5 May 1972

Chairman: Mr. WYZNER Poland

The list of representatives attending the session has been issued under the symbol A/AC.105/C.2/INF.4/Rev.1.

* In accordance with the decision taken by the Committee on the Peaceful Uses of Outer Space at its 108th meeting, on 20 December 1971, to the effect that the Legal Sub-Committee would be provided with summary records only for the last week of its eleventh session, no summary records have been prepared for the 170th to 186th meetings.

CONTENTS

ABBREVIATIONS

INTELSAT	International Telecommunications Satellite Consortium
ITU	International Telecommunication Union
NASA	National Aeronautics and Space Administration (United States of America)
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization

NOTE

The report of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space on its tenth session has been issued as document A/AC.105/94.

/...

SUMMARY RECORD OF THE ONE HUNDRED AND EIGHTY-SEVENTH MEETING

held on Tuesday, 2 May 1972, at 10.50 a.m.

Chairman: Mr. WYZNER Poland

GENERAL STATEMENTS

The CHAIRMAN recalled that the first three weeks of the present session had been mainly devoted to the consideration of items 2 (Matters relating to the registration of objects launched into spacefor the exploration or use of outer space) and 3 (Questions relating to the moon) of the agenda (A/AC.105/C.2/11), and that two Working Groups, which had been established for the article-by-article discussion of proposals made in connexion with those two items (A/AC.105/C.2/L.83 and Corr.1 and 2, and A/8391 and Corr.1, annex, respectively) had prepared draft texts of the various articles (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1, and PUOS/C.2/WG(XI)/15).

He invited the members of the Legal Sub-Committee to make general statements on the questions which had already been considered or on the other agenda items.

Mr. YOSHIDA (Japan) said that the draft treaty concerning the moon was an important contribution to the codification of space law based on the Outer Space Treaty of 1967.[1] His delegation still had some doubts, however, as to the usefulness of trying to prepare a new treaty in addition to the 1967 Treaty. If the new treaty was to be really meaningful, more new elements would have to be added to it than were contained in the draft treaty submitted by the Soviet Union (A/8391 and Corr.1,[2] annex). It would also be necessary to ensure that the new treaty in no way altered the Outer Space Treaty, and that none of the important provisions of that Treaty were omitted.

As to the scope of the new treaty, a question on which the Sub-Committee had not yet taken a decision, his delegation was of the opinion that at present the

---

1/ Treaty on principles governing the activities of States in the exploration and use of outer space, including the moon and other celestial bodies (United Nations, Treaty Series, vol. 610, p. 205).

2/ Official Records of the General Assembly, Twenty-sixth Session, Annexes, agenda item 92.

/...

treaty should relate only to the moon, and not to the other celestial bodies. It was too early to include in the treaty all the other celestial bodies, about which knowledge was still very limited compared with present knowledge of the earth's natural satellite, the moon.

With regard to article VIII of the draft treaty concerning the moon, which related to natural resources, his delegation, like the delegation of the United States felt that it was too early to try to solve the problems of sharing the benefits of the exploitation of the resources of the moon and other celestial bodies, and that arrangements should be worked out for that purpose when such exploitation became a reality.

His delegation did not share the view that the right to, and the arrangements for, the sharing of those benefits were directly derived from the concept of the common heritage of all mankind. Caution was necessary in applying that new and still ill-defined notion and in any case it would be valid only so far as the natural resources of the moon were concerned. That such a concept had been adopted by the General Assembly in a declaration relating to the sea-bed[3/] was not sufficient reason for adopting it in a treaty concerning another field where development was, and would continue to be, quite different.

With reference to the draft convention on registration of objects launched into outer space, submitted by Canada and France (A/AC.105/C.2/L.83 and Corr.1 and 2), he said that the urgent necessity of preparing an international instrument of that kind had long been felt, because, with the rapid progress in space research, the number of space objects already launched or to be launched into outer space was steadily increasing, and it was essential to be able to identify them for the purposes provided for in the Convention on International Liability for Damage Caused by Space Objects[4/] and in the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.[5/]

3/ Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction (General Assembly resolution 2749 (XXV) of 17 December 1970).

4/ Annex to General Assembly resolution 2777 (XXVI) of 29 November 1971.

5/ Annex to General Assembly resolution 2345 (XXII) of 19 December 1967.

/...

His delegation had always favoured a compulsory international registration system whose modalities would be standardized and co-ordinated at the international level. It also thought that the United Nations should keep a central register which would be accessible to all countries. It noted with satisfaction that those principles, which were already included in the original proposal by Canada and France, had also been retained in the text prepared by the Working Group (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1), and that there seemed to be a broad consensus in the Sub-Committee on the utility of establishing an international system of registration.

His delegation approved of the changes made by the Working Group in article IV concerning markings on space objects, because it was of the opinion that the new international system of registration should be conceived in such a way as not to create too heavy an economic or technological burden which would slow down the exploration and use of outer space.

His delegation was of the opinion that the information with which the State of registry was to furnish the Secretary-General on each space object (article V, para. 1) was too detailed. Instead, the information to be furnished compulsorily should be limited to the absolute minimum because, in the case of damage, the Secretary-General could obtain the relevant additional information under article VII. The items on the compulsory list should, however, be furnished within a reasonable time.

Mr. PERSSON (Sweden) recalled that, on the initiative of the Canadian and Swedish Governments, the Committee on the Peaceful Uses of Outer Space had set up a Working Group to study the legal, political, social and other implications of direct broadcast satellites.

The Working Group had already held three sessions, and its findings had been unanimously approved by the United Nations General Assembly at its twenty-fifth session (resolution 2733 A (XXV). The Group had been able to achieve its excellent results because it had approached its work from an essentially pragmatic standpoint and had laid stress on the importance of practical co-operation in the planning and transmission of programmes. When however, the Sub-Committee had discussed, together with related matters, legal questions

/...

concerning the use of satellites for broadcasting programmes of specific content to countries other than the country of origin, differences of opinion had emerged. In his delegation's view, it was essential that, in its future work on the question, the Sub-Committee should rather strive to establish, by consensus, a legal framework of a general nature than try to formulate too detailed and rigid a set of regulations. In the field of direct broadcasting from satellites it seemed that organized co-operation would be more fruitful than detailed legal regulation. The Working Group was perhaps a more suitable forum for accomplishing that task than the Sub-Committee itself.

Since the Sub-Committee would not have time to consider the Working Group's latest report (A/AC.105/83), it should merely take note of it.

It should be noted that UNESCO was at present working on a draft declaration of guiding principles on the use of space broadcasting for the free flow of information, the spread of education and greater cultural exchange. The draft was to be submitted at the seventeenth session of the UNESCO General Conference. The Swedish Government had informed the Director-General of UNESCO of its view that work in that field should be co-ordinated to the greatest possible extent with that of the United Nations, and that UNESCO should not adopt the final text of the declaration before the competent United Nations bodies had been consulted. The Swedish Government had subsequently been informed that the text of the draft declaration would be submitted to the United Nations for comment as soon as it had been formulated by the experts and that the report to be prepared for the UNESCO General Conference would be circulated to Member States well in advance of the Conference.

Sweden was one of the countries which had proposed the convening of the Working Group on Remote Sensing of the Earth by Satellites. Earth-resource remote-sensing technology would lead to considerable progress in the study and utilization of a wide variety of natural resources at the national, regional and world levels. Even if the technological progress was due to national initiatives, the results concerned a large number of countries, which, unless their interests were taken into account, might fear that the technology was being used to the detriment of their sovereignty.

/...

It was essential that, even at the present stage, projects should take account of the international implications of the use of remote-sensing satellites. As the beginning of the operational phase was now only a question of years, the Working Group should proceed without delay to a detailed study of the organizational problems which arose, with a view to making recommendations relating to possible international complications. There was little that the Working Group could do from the technical standpoint, but it had a sufficient basis on which to consider the legal and organizational implications of the main existing remote-sensing systems.

The Group should analyse possible types of remote-sensing systems and find out how they could be used for common international undertakings, bearing in mind particularly the needs of developing countries. The study should determine what parts of such systems could remain under national jurisdiction and what parts should, in the general interest, be administered internationally. The Group should then assess the detailed proposals concerning those parts of the system which should be administered internationally, and make recommendations as to the organizational framework which would best promote the interests of all countries.

In that regard, Sweden wished to state that it was prepared to study the possibility of giving the United Nations or a similar body a central role in the international use of earth-resource remote-sensing satellites.

The Group should also consider the financial aspects of international co-operation, taking account in particular of the activities undertaken by UNDP for the developing countries.

In addition, it should also study what steps should be taken on a regional or national basis to make possible the use of, or participation in, various types of earth-resource remote-sensing systems, and that would require a detailed survey of the state of preparation of countries wishing to participate in those activities, and of their needs in the matter of information and education.

Sweden hoped that countries which had already succeeded in solving some of the difficult problems involved would share their experience with other interested countries, for example by participating in panels and seminars on the application of remote-sensing techniques.

/...

In a letter to the Chairman of the Working Group on remote sensing (A/AC.105/C.1/WG.4/CRP.2), the Swedish Government had expressed the view that the Group should, without letting itself be held up by a study of technical problems, consider without delay the political, legal and organizational problems involved in the remote sensing of earth resources by satellite, i.e. problems relating to the protection of national interests and suitable arrangements for international participation and management, including project control and access to data received from the satellites.

Sweden hoped that the Group would be able to discuss the organizational aspects of the question at the meeting to be held shortly in New York. If it achieved satisfactory results, a number of legal problems relating to State sovereignty might be solved more easily, or even be eliminated.

Mr. PIRADOV (Union of Soviet Socialist Republics) said he was glad of the important work done by the Sub-Committee during the first three weeks of the session.

Referring to the recent exploits in the conquest of outer space, he said that those extraordinary scientific and technical achievements were also a concrete manifestation of co-operation among States. It was now essential to formulate international legal rules to ensure that the activities of States in space were carried out in the interests of all peoples and would strengthen international co-operation.

That was precisely the purpose of the draft international treaty concerning the moon proposed by the USSR (A/8391 and Corr.1, annex). The moon, earth's only natural satellite, played a very important part in the conquest of space and should therefore be the subject of a treaty which would ensure its utilization for purely peaceful purposes, for the good of all mankind. It would be preferable not to extend the field of application of the treaty concerning the moon to other celestial bodies; the latter could be the subject, as they were discovered, of legal rules appropriate for each specific case.

So far as concerned article VIII of the draft treaty, the Soviet delegation preferred the original text; it seemed premature to seek to regulate the use of the natural resources of the moon before the problem arose.

/...

As to the registration of objects launched into space for the exploration and use of outer space, his delegation thought that the existing system, whereby States voluntarily provided information on objects launched into space, was better suited to the present conditions of the conquest of outer space and the specific needs of each State. Nevertheless, in a spirit of co-operation, it had no objection to the Sub-Committee's considering the proposal submitted by Canada and France. Such consideration should relate to the general clauses of the draft rather than the technical and detailed provisions, which required first of all a thorough study by experts.

Mr. PALACIOS (Mexico) said that the registration of objects launched into outer space, which he regarded as essential, could be effective only if it was complete, compulsory and public. National registers and the central register complemented one another and constituted a valuable source of data for the monitoring and identification of objects launched into outer space. Since the adoption of General Assembly resolution 1721 B (XVI), the need to create a registration system had been reaffirmed in the three treaty texts adopted by the Sub-Committee. It was all the more urgent to adopt an international agreement establishing an appropriate system and specifying the legal ties existing between the launching State and the space object, since Man's activities in space would undoubtedly be intensified. To deny the usefulness of an agreement would be tantamount to repudiating the three treaties on space law, which would then have to be revised in order to provide other foundations for international law in that field.

There were of course political, legal and technical difficulties, but goodwill and full co-operation on the part of all countries would surely make it possible to reach a satisfactory solution. The praiseworthy initiative of Canada and France, for example, constituted a first step towards the conclusion of an agreement.

Mr. MILLER (Canada) said he welcomed the results achieved during the session. While some points had not been the subject of unanimous agreement, and while some clauses were still of a provisional nature, the technique used had enabled substantial progress to be made in the two areas of registration and

/...

of regulations relating to the moon. A solid basis already existed for the formulation, at forthcoming meetings, of a generally acceptable text. The essential point was that most of the important questions of principle relating to the treaties concerning the moon and registration had already been settled.

In its preliminary comments on the Soviet Union draft treaty concerning the moon in the Committee on the Peaceful Uses of Outer Space and in the First Committee, the Canadian delegation had expressed the wish that the Legal Sub-Committee should consider in detail to what extent the Soviet draft repeated, expanded or omitted the corresponding provisions of the 1967 Outer Space Treaty. In particular, it had referred to the need for more specific provisions concerning scientific research, liability for damage and consultative procedures. The scrupulous examination which had been made by the Working Group of the Whole had greatly improved the text. Delegations should examine it, giving particular attention to the sections within brackets, so that they would be able to comment on outstanding points of principle at the forthcoming sessions of the Committee and the General Assembly. At its session in 1973, the Legal Sub-Committee would then be able to put the finishing touches on the text for submission to the General Assembly at its twenty-eighth session.

So far as concerned the immediate future, the proposed treaty should apply to the moon and also to other celestial bodies, but a provision should be included to the effect that treaties governing man's activities on other celestial bodies could be drafted and concluded subsequently, and that such future treaties would take precedence over the treaty concerning the moon with respect to the particular celestial body concerned.

Furthermore, it was important not only to elaborate upon article II of the Outer Space Treaty so as to ensure that the moon was not subject to national appropriation, but also to include specific provisions for the purpose of guaranteeing that the benefits derived from the exploitation of the moon's natural resources were distributed equitably. Before the session of the plenary Committee to be held in September, the Canadian authorities intended, on the basis of the experience gained in working out an international legal régime governing the sea-bed, to find out what provisions could be repeated in the

/...

régime applicable to the moon. It would be necessary to state in the treaty that the natural resources of the moon and other celestial bodies were the common heritage of all mankind. It was true that, even after the successful completion of the "Apollo 16" mission, man still had only a very vague idea of the nature of the resources that might be found on the moon, but it would be prudent to agree now on the principle. While the operational meaning of the expression "common heritage of all mankind" would have to be left vague for the present, an international régime providing for generally acceptable institutional arrangements would eventually have to be worked out to govern the exploitation of those resources.

Having regard to the differences of views existing between the United States of America and the USSR on the question of the provision of information on moon missions, Canada suggested, as a possible compromise, that the expression "completed mission" should not be used - in article III, paragraph 3, of the Working Group's text - but rather only the word "mission", so that the States concerned could exercise their own discretion in deciding when to provide information.

As to liability for damage caused on the moon, the Soviet Union delegation was of the view that the scope of article III of the Convention on International Liability should be broadened so that the State concerned would be liable for damage caused on the moon unless it was able to establish that the damage occurred through no fault of its own. The United States had asked for article XI of the draft treaty to be placed in square brackets, since it had not yet decided whether the liability should be absolute or not. The Canadian delegation would also like to reflect on that point, and it hoped to be able to comment on the subject in September.

The French and Canadian delegations were gratified by the progress made with the draft convention on registration. Although many questions remained to be settled, it had been possible to set forth most of the essential principles in their final form, thanks to the co-operative spirit displayed by the members of the Working Group of the Whole. Canada, like the USSR, hoped that delegations would submit the draft adopted on first reading to their technical officials so that agreement could be reached in consultations among interested countries

/...

before the Sub-Committee's session in 1973. His delegation noted with satisfaction that the principle of furnishing information to the Secretary-General on each space object had given rise to no objection, even though it had not been possible to reach agreement on the type of information to be provided.

A few delegations were still not convinced that there was a priority need for a compulsory international system of registration. One or two delegations had expressed doubts concerning the cost benefit of such a system. In order to keep the cost down, article VI, paragraph 2, provided that States Parties should have full access to the information in the register maintained by the Secretary-General, but it did not request the Secretary-General to circulate the possibly copious information received. The Secretary-General might perhaps follow his usual practice of issuing an annual report summarizing the trends and statistics. If the frequency of launches increased, it might be necessary for the Secretary-General to use electronic data-processing methods, but the costs, if reasonable, would be justified. In any event, some form of compulsory international registration system should be created to serve as a basis for the establishment of an international legal régime for space activities. Such a system would, of course, have to be improved in future years. In any case, he hoped that the Legal Sub-Committee would be able in 1973 to submit to the plenary Committee and the General Assembly a recommendation based on the Franco-Canadian draft.

Turning to the question of the remote-sensing satellite surveys of earth resources, he noted that the Working Group on Remote Sensing of Earth by Satellites of the Scientific and Technical Sub-Committee would shortly be holding its first substantive meeting in New York. In his view, the Sub-Committee's first task must be to determine its scientific and technical capability, to define the priority areas and to decide upon the most appropriate form of co-operation. It was essential to ensure that the Sub-Committee did not lag behind the Scientific and Technical Sub-Committee in the matter. The Sub-Committee should therefore give consideration in the not-too-distant future to the question of the legal framework which would govern international remote-sensing activities. At its September session, the Committee on the

/...

Peaceful Uses of Outer Space might assign a high priority to the question, starting in 1973 if it appeared that the work of the Working Group had progressed sufficiently by the time the Legal Sub-Committee met next year.

The task of reaching agreement upon an international legal framework to govern remote-sensing activities would obviously not be easy. A number of difficult questions arose: whether a State's consent should be required for remote sensing to be applied to its territory; whether a State should have exclusive proprietary rights over data during the receipt and analysis stage; and whether the dissemination of data to the international community should be automatic and unrestricted or whether a State should have the right to withhold data which it considered to be inimical to its national interests.

Obviously, the legal principles developed would have to be realistic. Remote-sensing activities would certainly continue, and it was essential not to inhibit the use of that new technique by placing too many restrictions on the acquisition and dissemination of data. For example, since satellites would often obtain data covering, simultaneously, a number of countries, it might be practical to separate data as between countries. In general, it was essential to seek a realistic balance between national and international interests.

On the question of summary records, he said he thought the Sub-Committee's work had not so far been unduly hampered by the fact that there had not been any. Indeed, it semed that representatives, aware that their statements were not being recorded, had expressed themselves more openly, and it had thus been possible to make substantial progress in the two priority areas with which the Sub-Committee was concerned. Delegations still had time to place on record any points of interpretation of special interest to them. He therefore hoped that the practice would be continued next year. In his view, that would be justified, not only on financial grounds, but also because of the workman-like atmosphere which it helped to create.

Mr. HARASZTI (Hungary) said that, although Hungary was a small country, it was keenly interested in the questions with which the Sub-Committee was concerned. It had submitted a draft convention on damage caused by objects launched into outer space (A/AC.105/19, annex II), several points in which had subsequently been used by the Sub-Committee.

/...

Hungary was of the opinion that the Sub-Committee should study the questions which were ripe for codification and leave aside those on which practical knowledge was still lacking. The rules that were formulated should not be based on mere assumptions, but should take due account of real needs. Otherwise, they might hamper scientific and technical progress or simply be ignored.

In that connexion, it seemed that the time had come to settle questions relating to the moon. Men had landed on the moon several times and had brought back important findings. With regard to the moon, however, the provisions of the 1967 Outer Space Treaty were not very explicit. They needed to be clarified on the basis of present knowledge. That was the purpose of the draft treaty submitted by the USSR (A/8391 and Corr.1, annex), an initiative which Hungary welcomed. In particular, the USSR text set forth the rights of States which were not in a position to carry out activities on the moon. Hungary would urge, however, that the treaty under consideration should be confined to the moon, because not enough was yet known about the other celestial bodies.

He also wished to thank the Bulgarian delegation for the draft article III which it had submitted (A/AC.105/C.2(XI)/Working Paper 25).

The question of the exploitation of the natural resources of the moon was not of immediate interest. It was too soon to deal with it in a convention. The draft under consideration should, however, repeat the appropriate clause of article IX of the 1967 Outer Space Treaty and affirm that the interests of States which were not in a position to exploit those resources must be taken into account.

His delegation would also accept the United States of America proposal contained in document A/AC.105/C.2(XI)/Working Paper 21, for it was of the opinion that that text took due account of recent scientific and technical progress.

The draft convention on registration of objects launched into outer space, submitted by Canada and France (A/AC.105/C.2/L.83 and Corr.1 and 2), was useful, and he appreciated its logical presentation; he did not think, however, that compulsory registration was at present necessary. Voluntary registration with the Secretary-General of the United Nations was already possible. The only use

of registration at present was that it provided a means of identifying objects which were in outer space or which fell on the earth. Generally speaking, that question was of a very technical nature, and before it could express any views on the subject Hungary would need expert opinion. For the time being, he would merely point out that, in a recent recommendation,[6/] the Scientific and Technical Sub-Committee had expressed the view that the identification of objects launched into outer space did not for the time being give rise to any foreseeable difficulties. Hungary was therefore inclined to think that national registration was at present sufficient. An international system of registration might be necessary later. Like a number of other delegations, his own was awaiting with interest the views of the Scientific and Technical Sub-Committee on that question.

Mr. SZYDLAK (Poland) said he first wished to thank the Soviet Union, on the one hand, and France and Canada, on the other, for the drafts they had submitted.

With regard to the first of those drafts, concerning the moon, there had been agreement on most of the proposed provisions. Among the outstanding questions, the most important one was whether the envisaged treaty should relate only to the moon, or to other celestial bodies as well. His delegation thought that that text should be confined to the moon. Too little was known about the other celestial bodies, in comparison with present knowledge of the moon, for it to be possible, without the risk of error, to adopt the same principles for those other bodies. Besides, to do so would be to exceed the terms of reference given to the Sub-Committee by the General Assembly in resolution 2779 (XXVI). In his delegation's opinion, the draft international treaty concerning the moon submitted by the USSR should occupy the central place in the Sub-Committee's work.

With regard to objects launched into outer space, it was important that they should remain under the control of the launching State. Article IX of the text prepared by the Working Group (PUOS/C.2/WG(XI)/15) confirmed that principle,

---

6/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 20 (A/8020), para. 34.

which was embodied in the original Soviet Union draft (A/8381 and Corr.1, annex). Moreover, it had never been suggested that the launching State should not remain the owner of objects launched into space.

With regard to natural resources, it was necessary to make a distinction between the question of their utilization on the moon and the question of their transfer to the earth. It was still too early, however, for such questions to be resolved.

Some of the provisions of the draft convention on registration of objects launched into outer space, submitted by Canada and France (A/AC.105/C.2/L.83 and Corr.1 and 2), were in his opinion dependent on technical data which were not yet available to the Sub-Committee. Moreover, the respective positions of the Soviet Union and the United States of America on that question were of fundamental importance. Before drawing up regulations on that matter, it would be necessary to carry out more detailed studies.

In conclusion, he stated that the time had come to make great efforts to develop space law on the basis of the progress of space research, in accordance with the principle set forth in Article 13, paragraph 1, of the United Nations Charter, relating to the progressive development of international law and its codification. The codification of international law should lead to rapid legal solutions in fields such as space telecommunication, the definition or delimitation of outer space, and activities carried out through remote-sensing satellite surveys of earth resources.

TWELFTH SESSION OF THE SUB-COMMITTEE

The CHAIRMAN informed the Sub-Committee that he had just received a telegram from Headquarters indicating the dates when the Sub-Committee could hold its session in 1973. In addition to the period from 29 May to 22 June, which had already been considered, two other periods would be suitable, namely, the period from 26 March to 20 April and the period from 7 May to 1 June. Headquarters hoped that the Sub-Committee would make its choice at the present session. The Sub-Committee could have summary records during those three periods at no extra cost, but its working groups would have to do without summary records.

Mr. MILLER (Canada) noted that summary records would not entail additional expense in New York. He wondered whether the same was true at Geneva. The practice of having summary records only for the last week of a session should become general, for it would increase the efficiency of the United Nations, which should not be allowed to drown in a sea of paper. He was not, of course, questioning the value of summary records.

The Sub-Committee should not, in the present case, be influenced in the choice of place for its session by the availability or non-availability of summary records. It was his delegation's wish that summary records should systematically be kept to the absolute minimum.

The CHAIRMAN thought that the Sub-Committee should not take a decision on the matter at that moment. Members should consult with each other so that a unanimous decision could be reached by the end of the session.

The meeting rose at 12.40 p.m.

SUMMARY RECORD OF THE ONE HUNDRED AND EIGHTY-EIGHTH MEETING

held on Wednesday, 3 May 1972, at 10.30 a.m.

Chairman: Mr. WYZNER Poland

GENERAL STATEMENTS (continued)

Mr. ISMAIL (Egypt) noted with satisfaction that, at its present session, the Sub-Committee had begun serious negotiations with a view to the early conclusion of an agreement on the question of the registration of objects launched into outer space. Such an agreement would be an important step towards the effective implementation of the rights and obligations arising from agreements which had already been concluded with regard to outer space, such as the Convention on International Liability for Damage Caused by Space Objects. A compulsory registration system would make possible prompt identification of the owners of space objects which caused damage. Such protection was particularly useful to the developing countries. The voluntary registration provided for in General Assembly resolution 1721 B (XVI) was inadequate, as had been pointed out by many delegations and by the Scientific and Technical Sub-Committee. He thought that if the Legal Sub-Committee did not lose time over technicalities, the draft submitted by Canada and France (A/AC.105/C.2/L.83 and Corr.1 and 2) could be finalized at the next session.

The draft treaty concerning the moon submitted by the USSR (A/8391 and Corr.1, annex) provided a good basis for the final drafting of a treaty concerning the moon at the Sub-Committee's next session.

With reference to the text prepared by the Working Group for various articles of that draft (PUOS/C.2/WG(XI)/15), he said that his delegation preferred that the draft should apply only to the moon. If, however, a consensus emerged in favour of its application to the other celestial bodies, it would not object.

His delegation also hoped that the limited prohibition provided for in article II, paragraph 2, would be extended to all weapons. Regarding article III, he regretted that the Sub-Committee had not unanimously agreed to the inclusion

/...

of a stipulation in paragraph 1 to the effect that the exploitation of the natural resources of the moon should be carried out in the interests of all mankind. He would have liked the obligations laid down in article IV with regard to the protection of the lunar environment to be spelled out in clearer terms, and he had some doubts as to the advisability of using the words "scientific preserves" in paragraph 4 of that article. He was sorry that some delegations had been unable to accept the provisions of article VIII; he hoped they would reconsider their position and agree that the natural resources of the moon should be regarded as the common heritage of mankind. As to article IX, he was not sure that it was possible to speak of ownership with reference to stations and installations on the moon, for to do so would not be consistent with the concept of the common heritage of mankind. He hoped that that matter would be clarified.

With reference to agenda item 4 (Other questions), he affirmed his country's interest in remote-sensing satellite surveys of earth resources. As a developing country, Egypt hoped to benefit from those new techniques, which would help to promote the economic and social development of all mankind. The time had therefore come for the Sub-Committee to codify the legal rules governing such activities.

Mrs. LAKSHMANAN (India) said she hoped the principle that the natural resources of the moon were the common heritage of mankind would be accepted in the draft treaty concerning the moon. Most delegations, including the delegation of one of the space Powers, had already accepted it. Since, however, the relevant provision was still in brackets in the present text, her delegation suggested that article VIII, paragraph 2, proposed by Egypt and India (A/AC.105/C.2(XI)/Working Paper 20), should remain in the draft treaty with the same numbering.

Article IV, paragraph 1, of the text formulated by the Working Group rightly provided for measures to prevent the contamination of the moon and other celestial bodies. Moreover, she thought that space exploration had made it necessary to preserve the moon and other celestial bodies from rivalries and conflicts. To that end, the interests of mankind, and not narrow national interests, should be the guiding principle.

/...

With reference to the equally important question of the registration of objects launched into outer space, she thanked Canada and France for their draft (A/AC.105/C.2/L.83 and Corr.1 and 2) which had been excellently presented and submitted in a very short time. The purpose of that text was to complement the Convention on International Liability for Damage Caused by Space Objects. The registration of all space objects would facilitate their identification, which was necessary in presenting claims for damages under that Convention. She noted with satisfaction that the principle of registration was not in brackets in the text submitted by Canada and France.

Mr. CHOUERI (Lebanon) said that guidelines for the formulation of space law were laid down by actual achievements. Some basic principles, however, were already contained in the Convention on International Liability for Damage Caused by Space Objects. Three of those principles were particularly important. First, outer space should be used exclusively for peaceful purposes; weapons should therefore not be placed on the moon and the other celestial bodies. Second, the moon and the celestial bodies should be regarded as the common heritage of mankind. Third, the exploration and exploitation of the resources of the moon and the celestial bodies should be carried out as part of an international effort; the entire international community should be able to benefit from them and to exercise control over those activities.

The recent "Apollo-16" moon landing confirmed the value of space law. The task carried out by the Sub-Committee was relevant and timely because it had a bearing on the near future.

Mr. NETTEL (Austria) thanked the delegations which had helped to produce the texts that had provided the basis for the Sub-Committee's discussions.

Referring first of all to the draft treaty concerning the moon, he noted that, although it had been unanimously agreed that such a treaty was necessary, there were differences of opinion as to whether it should apply only to the moon, or to the other celestial bodies as well. It was difficult for Austria, which for a long time to come would remain a passive spectator of space activities, to take sides in the matter. A treaty concerning the celestial bodies might seem

/...

rather futuristic, but it would perhaps be wise to plan now for situations that would arise when those celestial bodies were reached. In fact, several principles could apply to the moon as well as to the celestial bodies, namely, the principle of their use for peaceful purposes, the principle of the exploitation of their resources for the benefit of all mankind, the principle of freedom of scientific research, the principle of the protection of the environment, and so on.

A difficulty arose, however, in applying the concept of the common heritage of mankind. That concept was derived from the discussions on the sea-bed and the ocean floor. Although it seemed logical to consider the sea-bed and the ocean floor as the common heritage of all mankind, he wondered whether the same could be said of the moon and the other celestial bodies. The truth was that, owing to incredible technological developments, man had reached the moon and had claimed it for himself, not for one nation or a group of nations, but for all mankind. It was therefore not, strictly speaking, a question of heritage.

With reference to article III bis, paragraph 3, of the draft treaty (PUOS/C.2/WG(XI)/15), he pointed out that it was not sufficient to talk of the "desirability" of exchanging scientific and other personnel. It should either be stipulated that the parties would exchange personnel of that kind, or the question should not be mentioned at all.

Turning to the draft convention on registration of objects launched into outer space, he noted that its necessity had been questioned. There again, Austria was not directly concerned, but he was of the opinion that the arguments advanced against the draft were not convincing. The draft attached legal consequences to the registration of space objects, whereas no such consequences resulted from voluntary registration, which was inadequate for that purpose. He thought, in fact, that if a convention of that kind served to identify a single space object, it would be useful, if not indispensable. For the time being, such a convention would place obligations on only a very few States. It was therefore necessary to ensure that the duties imposed on those States were kept to a reasonable minimum. In addition, it was necessary to avoid giving even the slightest impression that such a convention could be used for purposes other than those stated in its preamble. From that point of view, articles IV and V,

/...

in particular, should be most carefully drafted, and each delegation should, where necessary, consult technical experts. The problems that might arise were difficult, but with goodwill on the part of all delegations a fair solution could be found.

Mr. DARWIN (United Kingdom) said that since the adoption of the outer space Treaty (1967) immense progress had been made, particularly in the exploration of the moon. Samples of great scientific value had been brought back, and the recent expedition by the United States of America had yielded unprecedented results in that respect. In that context, a treaty concerning the moon was therefore timely.

Many of the principles in the 1967 Treaty were to be found in the present draft (PUOS/C.2/WP(XI)/15), but there were also some new points. First of all, the draft was more precise concerning the emplacement of nuclear weapons. With reference to the provision concerning the prohibition of the use of force on the moon (article I, para. 2), he recalled the distinction made in the United Nations Charter between the lawful and unlawful use of force. In view of the reference to the Charter as a whole, the Working Group had not thought it necessary to specify that the prohibition related to the unlawful use of force.

Secondly, the provisions concerning freedom of scientific investigation had been reaffirmed and strengthened. The status of samples brought back had been established as well as the "desirability of making a portion of such samples available to other interested States Parties" (article III bis, para. 2). It had also been specified that the information to be communicated should include scientific results and not just a description of the mission. Those were points to which his delegation attached importance, and it had joined with the Swedish delegation in making them the subject of proposals (A/AC.105/C.2(XI)/Working Paper 10/Rev.1) which the Sub-Committee had accepted.

On the other hand, there had unfortunately not been full agreement on the question of the natural resources of the moon. His delegation was prepared to support a suitable wording providing for a sharing of benefits derived from any commercial exploitation of the moon's natural resources; however, the immense costs of any such operations would make it difficult to determine the point at

/...

which any benefit accrued. His country was also in favour of the concept of the "common heritage of mankind", which, though not a precise concept, had served as an inspiration in the work on a régime relating to the sea-bed and ocean floor. The possibility of a worth while industrial exploitation of the moon was still far off, however, and that point was not an essential element in the draft treaty.

Fourthly, together with a number of other delegations, the United Kingdom had submitted a proposal concerning verification and consultations (A/AC.105/C.2(XI)/Working Paper 18/Rev.1). His country was in favour of procedures for strengthening international agreements. In the present draft, the right of access to installations and equipment on the moon had been reaffirmed in a more precise form than in the 1967 Treaty. A clearly-defined procedure of consultations had been established, in conjunction with which the Secretary-General of the United Nations would have a useful role to play.

With reference to the important question of the scope of the treaty, he pointed out that all the provisions so far adopted could also apply to other celestial bodies. It was therefore desirable that the treaty should, in one form or another, apply to other celestial bodies.

Referring to the draft convention on registration of objects launched into outer space (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1), he recalled that in 1970 the Committee on the Peaceful Uses of Outer Space had requested the Legal Sub-Committee to take into consideration the findings of the Scientific and Technical Sub-Committee,[1/] which had on the whole been unfavourable to the establishment of a registration system simply for the sake of identifying any space objects that might fall on the earth. The French delegation, however, had advanced interesting arguments in favour of a system of national registries, while the Canadian delegation had stressed the need for the identification of objects by an international register. The United Kingdom, too, shared that concern, in view of the damage which might be caused by space objects falling on so closely populated a territory as its own. But anxiety was not in itself

1/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 20 (A/8020), para. 36.

/...

sufficient justification: it must be clear that a system of registration would in fact help to identify objects falling on the earth, and that was essentially a technical question. In particular, it would perhaps be necessary to separate the registration of satellites from that of launch vehicles. Marking also raised technical problems.

The question of international organizations was important in that regard. According to article VIII of the Working Group's draft convention, the traditional pattern of the application of outer space treaties to international organizations should be maintained. The members of some organizations participating in the exploration and utilization of space, however (in particular INTELSAT) might ask that those organizations should be invited to participate in the work of the Committee and its sub-committees, as ITU had done from time to time.

Space activities were advancing on all fronts. In the autumn of 1971, the United Kingdom had launched its first satellite, "Prospero". In addition, a number of United Kingdom satellites had been placed in orbit for scientific or technical purposes, and a programme for the launching of "Skylark" sounding rockets was under way. Much of his country's space activity was carried out in conjunction with other countries; and co-operation with other States, more or less advanced in space research, had proved to be beneficial.

Mr. CHARVET (France) thanked the delegations which had participated in the first reading of the Franco-Canadian draft relating to registration, particularly the USSR delegation, which, in a spirit of co-operation and setting aside special interests, had made it possible to take the first steps towards a solution. The most difficult task, however, still lay ahead, for it was necessary to find a balanced solution to the problems of the marking of vehicles, and of the information to be furnished to the Secretary-General of the United Nations. The principles having been laid down, it would no doubt be possible to arrive quickly at a formulation that was satisfactory both to the space Powers and to other countries.

The draft treaty concerning the moon submitted by the USSR was an important contribution to space law. With the amendments proposed by various delegations,

/...

including that of France, there should be no difficulty in adopting the draft in the plenary Committee, for it was in concordance with the Outer Space Treaty (1967), to which it made some very useful additions.

Idealists would perhaps claim that the draft was incomplete. The requirements of law were too specific, however, to allow of ventures into areas that were still unexplored, and the first thing to do was to put some order into the existing situation without being prematurely concerned with what was probable and what was possible. Thus, while the convention should indeed refer to natural resources, the question of materials from the moon should be the subject of a specific convention when the exploration of the moon had assumed such proportions that the need for a convention became pressing.

The text prepared by the Working Group (PUOS/C.2/WG(XI)/15) posed a number of problems, some of which should be capable of solution at the present session. One concerned the concept of "circumlunar space" (article I), which his country could accept only when the Sub-Committee had agreed on the meaning to be given to the term "outer space". For the present, the expression "around the moon" would be quite satisfactory.

When the question had arisen whether or not the treaty concerning the moon should or should not apply to the whole cosmos, the French delegation, thinking that the convention would not perhaps be as perfect an instrument as might be desired, had considered that its imperfections had better not be extended to the universe at large. If it appeared that there was a majority in favour of the adoption of a convention relating exclusively to the moon, his country would probably adopt the same position.

The French delegation continued to attach great importance to the questions already included in the agenda, in particular the definition of the terms "outer space" and "space object". Furthermore, as soon as the technical experts had completed their work, an international convention on remote-sensing satellite surveys of earth resources should be concluded.

Lastly, the Sub-Committee should study the question of the legal principles governing direct television broadcasts, which, unless their development was regulated, could constitute a formidable weapon in politics and trade. In his

/...

country's view, it was desirable to set forth the main guiding principles on the subject, as had been done when the Outer Space Treaty was adopted; they might subsequently be made more flexible by special agreements within the framework of regional co-operation.

On the subject of the organization of work, he said there seemed to be some justification for the decision regarding summary records, for the course adopted made it possible to limit the volume of documentation without sacrificing the substance. Furthermore, his country hoped that the points in the two drafts which still had to be cleared up would be the subject of a number of exchanges of views before the session of the Committee and, in any case, before the next session of the Sub-Committee. The latter would thus be able to continue its work at the rate imposed by advances in space technology, and to build up space law on harmonious and balanced foundations, taking into account the interests of the international community as a whole.

Mr. MENZIES (Australia) said that his delegation had welcomed the draft treaty concerning the moon, which, in its opinion, should meet two requirements: it should represent an advance on the rules set out in the three existing treaties relating to space, and in particular the Treaty on Outer Space; and it should be worded in such a way that, despite the existence of other treaties in the same general area, there would be no uncertainty as to what rule of law applied.

The first of those requirements now appeared to have been satisfied, since some articles in the present text represented a development of the rules in the earlier treaties. Article VI, which governed the establishment of stations on the moon, limited the area used and provided that the Secretary-General of the United Nations should be notified of the location and purposes of stations, and article VIII, paragraph 2, which provided that the placement of stations did not create a right of ownership, were cases in point. Article III bis, concerning the conduct of scientific investigation on the moon and the removal of samples, had a similar effect.

Nevertheless, many points of practical significance remained to be worked out, in particular those covered by article III, paragraph 3, relating to information on activities. While appreciating the difficulties involved in any

/...

system of advance notice, his delegation considered that the principle of giving reasonable advance notice should be encouraged, even if not made mandatory. In any event the word "completed", in paragraph 3, should be deleted.

His delegation doubted whether the second requirement had been met, although article XIII represented an attempt to solve the problem. According to article 30, paragraph 3, of the Vienna Convention on the Law of Treaties,

> "When all the parties to the earlier treaty are parties also to the later treaty but the earlier treaty is not terminated or suspended in operation under article 59, the earlier treaty applies only to the extent that its provisions are compatible with those of the later treaty."2/

In its present form, article XIII could be regarded as intended to contravene the rule embodied in the Convention on the Law of Treaties, and it would be better to add at the end of article XIII the words "so far as those provisions are not inconsistent with the provisions of this Treaty".

There was also the question whether the treaty concerning the moon should be extended to other celestial bodies. On balance, his delegation saw some advantage in extending the treaty to other celestial bodies forthwith, but an article should be added to the present text to facilitate variation of its provisions in relation to particular celestial bodies. Having said that, his delegation wished to pay a tribute to the Soviet delegation for its important contribution to the Sub-Committee's work.

Some mention should also be made of the outstanding work done by the delegations of Canada and France in connexion with the treaty on registration. The value of such a treaty largely depended on the extent to which it could facilitate the identification of a space object by States other than the launching State. It would no doubt seem logical that some system should be devised which would enable a State suffering damage covered by the Convention on International Liability for Damage Caused by Space Objects to identify the State

---

2/ Official Records of the United Nations Conference on the Law of Treaties, Documents of the Conference (United Nations publication, Sales No. E.70.V.5), p. 293.

/...

responsible; but it might well be asked to what extent the treaty would really facilitate identification, what information would be needed, what relation the cost of the system would bear to its practical benefits, and what burdens and restrictions the system would impose on countries conducting space activities.

The Franco-Canadian text provided a very useful basis for the consideration of those problems. The questions which it raised could not be answered, however, without scientific and technical assistance, and his delegation reserved its position on that subject for the time being.

Mr. GRINBERG (Bulgaria) thanked the USSR delegation for its initiative, which should make possible further progress in the codification of space law. The results obtained with regard to the formulation of the treaty concerning the moon were extremely encouraging, and his delegation was particularly pleased with the Sub-Committee's favourable response to the text of articles III and III bis, submitted by the Working Group and sponsored by his delegation.

There were still some points to be settled, however. The treaty should not be extended to celestial bodies other than the moon, firstly because of the restrictive nature of the terms of reference set forth in General Assembly resolution 2779 (XXVI), and secondly because, at the present stage of space exploration, all that could be done was to clarify to a certain extent the general principles set forth in the 1967 Treaty on Outer Space. Attention should be concentrated on the practical application of those principles to the only celestial body relatively well known to man, i.e. the moon.

At the present preliminary stage of space conquest, it was not essential to declare that the natural resources of the moon constituted the common heritage of all mankind. Articles I and II of the Outer Space Treaty and articles III and VIII of the USSR draft adequately safeguarded the right of all countries to participate in the benefits of the exploration and use of space. As to the exploitation of the moon's natural resources, the adoption of a principle susceptible of different interpretations could only complicate the Sub-Committee's work. Because of its importance, the question should be covered by a special convention regulating the rights and obligations of the States Parties in detail.

/...

His delegation was fully aware of the difficulties involved in the interpretation of the term "circumlunar space", in article I, paragraph 1 of the Working Group's text. Yet the fact that it was difficult to define the limits of "outer space" had not prevented the Committee from drafting and adopting several international instruments concerning space activities. The brackets could be deleted and the expression retained, or it could be clearly stated that for the purposes of the treaty the word "moon" meant not only the moon itself, but also the surrounding space and any orbits that might be described around the moon.

His delegation hoped that those details could be settled and that the text could be completed before the twenty-seventh session of the General Assembly.

With regard to the draft convention on registration of objects launched into outer space, he acknowledged that it was essential to establish an appropriate system of registration of artificial space objects with a view to establishing a legal link between States and such objects, and expediting the application of the various treaties concerning space activities. His delegation unreservedly endorsed the principles set forth in Geneval Assembly resolution 1721 B (XVI), and recalled that the system established by that resolution on a voluntary basis had hitherto functioned in a perfectly satisfactory manner. The Franco-Canadian draft, the purpose of which was further to improve the present system, should be given careful consideration by the Sub-Committee.

Serious difficulties remained to be overcome before the new convention could be regarded as completed, in particular those relating to articles IV and V, the financial implications of the system, and the definition of the term "space object".

Mr. JACHEK (Czechoslovakia) expressed satisfaction at the work accomplished by the Sub-Committee during its session, and, in particular, at the elaboration of the almost complete text of a draft treaty on the moon, on the basis of the Soviet Union draft.

As far as the scope of the treaty was concerned, the Czechoslovak delegation considered that it would be wise to limit it to the moon for the time being, for that would not preclude the possibility of widening it in future in the light

/...

of the results of outer space exploration. As to the problem of the exploitation and utilization of moon resources, his delegation well understood the concern of the Egyptian and Indian delegations to ensure the equitable participation of the developing countries in the future exploitation and utilization of the resources of the moon in conformity with the Charter. It would, however, be premature to attempt to regulate the sharing of such resources when the possibilities of their exploitation were not yet known. He was convinced that when they were known, a generally acceptable solution could be found on the basis of the text drawn up by the Working Group and taking into account the ideas contained in the text submitted by Egypt and India (A/AC.105/C.2(XI)/Working Paper 20).

As to the draft convention on the registration of objects launched into outer space, submitted by Canada and France, his delegation considered it generally acceptable, but certain technical provisions concerning registration (article III, para. 2 and article IV) required to be examined by specialists. The Czechoslovak delegation would have to consult its experts, in particular on the question of the information to be furnished to the United Nations Secretary-General (article V); it therefore reserved its position until a later session. Like the Hungarian delegation (187th meeting), it considered that it would be advisable to ask the opinion of the Scientific and Technical Sub-Committee on the creation of the envisaged system, and also to have an approximate indication of what the financial implications of the draft would be.

Mr. REIS (United States of America) said he welcomed the positive results achieved by the Sub-Committee at its current session. General agreement had been reached on a large number of provisions to be included in a draft treaty on the moon and other celestial bodies. After having regarded the Soviet Union draft with some scepticism initially, for it had been hard at that time to see how the 1967 Outer Space Treaty could be substantially improved, the United States Government had concluded that the negotiation of a new treaty offered opportunities, especially in the field of co-operation in scientific investigation of the planets and the sharing of the results of such exploration. The United States delegation had consequently introduced at the beginning of the current session a series of

/...

amendments to the draft, the most important in its view being those concerning freedom of scientific investigation, international co-operation in such investigation, exchange of personnel, advance reporting, scientific preserves, free and unimpeded access as a means of verification of compliance with the treaty, and consultations in the event of differences between Parties, with an option for unilateral recourse to the good offices of the Secretary-General of the United Nations (A/AC.105/C.2(XI)/Working Paper 3).

The United States delegation had also submitted a detailed proposal on the natural resources of celestial bodies (A/AC.105/C.2(XI)/Working Paper 12/Rev.1), since it considered the Soviet Union's draft on that point to be inadequate. While it was not at present foreseen that lunar mineral resources would be found to be commercially exploitable, any new treaty should provide for such an eventuality. Paragraph 1 of the new text stipulated that the natural resources of the moon and other celestial bodies were the common heritage of all mankind; the same formula had been proposed by the United States of America for the resources of the sea-bed two years previously. Paragraph 2 provided for the possibility of using the resources of celestial bodies for purposes of scientific research, and paragraph 3 envisaged the convening of a conference with a view to negotiating arrangements for any international sharing of the benefits of such utilization of the resources of the celestial bodies, bearing in mind not only the goals of economic advancement, but also the need to encourage investment and the efficient development of those resources.

All of the provisions proposed by the United States of America applied equally to the moon and to other celestial bodies, while the draft treaty submitted by the Soviet Union related only to the moon. The United States did not see why provisions suitable to lunar exploration would not be equally valid in respect of activities concerning other celestial bodies. Such activities had already begun so far as Mars, Venus and Jupiter were concerned; international co-operation in the scientific investigation of those three planets and of other celestial bodies and the sharing of the results of such exploration were no less desirable than sharing the results of the exploration of the moon.

Other questions concerning the draft treaty were still in suspense, especially that of notification of and reporting on celestial body missions, with regard to

/...

which the Soviet Union delegation had not yet been able to accept the United States proposals. Nevertheless, the Sub-Committee had made considerable progress with the elaboration of the treaty, for a substantial amount of agreement had been reached on a good number of provisions.

On the subject of the registration of vehicles launched into outer space, he reminded the Sub-Committee that his delegation had been unable to join the Working Group set up to deal with the question, and that it did not consider itself bound by the results achieved. He wished to remind delegations, however, that at the sixteenth session of the United Nations General Assembly, it had been the United States of America which had suggested that States should furnish the United Nations Secretary-General with information on objects they launched into orbit or beyond. The purpose of that voluntary registration system had been to provide an orderly census of orbiting vehicles and debris. The practice was now well established; the Secretary-General published the information as it was transmitted to him, so that, with an inevitable delay of a few months, the census was reasonably up-to-date and was available to the public without restriction.

The draft convention proposed by Canada and France (A/AC.105/C.2/L.83 and Corr.1 and 2) was a complex one and called for comprehensive study, especially of the technical aspects. The Government of the United States had been making such a study, but it would take some time, since it was only on 21 April 1972 that the draft had first been submitted. The United States Government was prepared to consider the desirability of transforming the existing voluntary registration system into an obligatory system by means of an international treaty.

Even a preliminary analysis of the Franco-Canadian text revealed some problems, particularly in relation to the marking and identification of space objects. In his delegation's view, marking did not provide the means of ensuring accurate identification; at the current stage of the technique, marking would be so expensive and would so complicate the design and manufacture of space objects, that the development of space activities would be seriously impeded. Moreover, the Scientific and Technical Sub-Committee had reached the same conclusion in 1970; and that conclusion had been accepted by the Committee on the Peaceful Uses of Outer Space.[3/] His delegation would, however, be prepared to agree that

---

3/ Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 20 (A/8020), para. 34.

/...

the Scientific and Technical Sub-Committee should be requested to review the matter if other members of the Legal Sub-Committee considered that desirable.

His country was willing, on request, to assist any State party to the Convention on International Liability for Damage caused by Space Objects to identify any fragment in connexion with possible damage. It was in a position to identify with a high probability of accuracy the origin of any fragment returning to earth. Other developed countries, in particular the Soviet Union, also possessed the technically-complicated tracking and data acquisition facilities required to aid in, or confirm, such identification.

The United States of America was prepared to envisage a space-object registration treaty as a step in the development of a positive and orderly law for governing man's activities in space.

The United States delegation did not share the view that the Sub-Committee should in future give rather high priority to the question of remote-sensing earth-resource survey satellites. The fact was that the technology of remote sensing by satellite was still at an experimental stage, and it seemed premature to elaborate international rules to govern satellite earth-resource survey activities when the form and scope of such activities were still indistinct.

The United States delegation agreed that the Working Group on Remote Sensing of the Earth by Satellites should consider the possibility of drawing up guidelines in that field when individual country needs and capabilities were more fully known; a first step in that direction had been taken by NASA, which was to launch an experimental satellite during the summer of 1972. A detailed study of the legal and institutional aspects of the question would, however, be premature. His country, for its part, would certainly not be in a position to make a useful contribution to any such study. Moreover, satellite applications had already made a useful and important contribution to human knowledge; the development of a technology which, in the long term, might be very useful to all mankind should not be hampered by an attempt to provide it with a restrictive legal framework.

The meeting rose at 12.55 p.m.

/...

SUMMARY RECORD OF THE ONE HUNDRED AND EIGHTY-NINTH MEETING

held on Wednesday, 3 May 1972, at 3.40 p.m.

Chairman: Mr. WYZNER Poland

GENERAL STATEMENTS (continued)

Mr. PERSSON (Sweden) said that his delegation wished to pay a tribute to the delegations of the Soviet Union, Canada and France, whose preparatory work on the draft texts of a treaty concerning the moon and a convention on registration of objects launched into outer space had formed an excellent basis for the Sub-Committee's deliberations. Thanks were also due to the United States delegation for its many valuable proposals for amendments, which had proved very helpful.

His delegation's views on the questions covered by the draft texts had been expressed on a number of occasions and were reflected in the records of the previous sessions of the Sub-Committee, the Committee on the Peaceful Uses of Outer Space and the First Committee of the General Assembly. The discussions which had taken place at the current session would enable his Government to make a full assessment of the texts now under consideration.

His delegation wished to make some observations on the question of the definition and/or delimitation of outer space and outer space activities, which had been considered at the Sub-Committee's eighth session (1969). Delegations had suggested a lower boundary for outer space, at various altitudes ranging from 80 to 150 kilometres above the earth. The shortest possible time for a satellite to revolve on its own in a durable orbit around the globe was 88 minutes, in a circular trajectory at an altitude of approximately 160-180 kilometres. If the path of a satellite was elliptical, it could momentarily descend as low as 80 kilometres, but then it needed a rocket thrust to stay in orbit. Below that altitude the density of the air and its heating effect would quickly slow down the speed of a satellite and cause it to spiral downwards and disintegrate. In 1967 the Scientific and Technical Sub-Committee had expressed the view that

/...

it would be impossible to draw an undisputed and lasting line between inner space (air space) and outer space on the basis of scientific and technical criteria;[1] any line must be a conventional one. The Scientific and Technical Sub-Committee had given no further consideration to that question since 1967, although in 1969 the Legal Sub-Committee had had before it two background papers on the question prepared by the Secretariat.[2]

It was clear that the problem was a complex one and that States placed varying degrees of emphasis on its different aspects. To find an all-purpose delimitation of outer space seemed impossible at present and, in any case, the rapid progress in science and technology was likely to make a definition or boundary line obsolete before long. His delegation had already expressed the view that further detailed studies were needed and that it was premature to seek a definitive solution. Since no new technological advance had been made and no new factors had arisen since 1969, his delegation considered that the question should remain on the Sub-Committee's agenda pending further scientific, technical or other developments.

He wished to draw attention to a few aspects of the problem which had hitherto received comparatively little attention. The introduction of an upper boundary to national air space and a lower boundary to what might be termed international - not outer - space could, by implication, nationalize the inner and internationalize outer reaches of the physical atmosphere for purposes other than those for which it had been used hitherto.

In addition to its life-supporting lower layer at altitudes below 8 kilometres, the earth's physical atmosphere contained two other layers of great importance to human life: the ozone layer at altitudes between 25 and 35 kilometres and the ionosphere at altitudes above 60 kilometres. The ozone layer was essential to all life on earth since it prevented harmful components of the sun's radiation from reaching the surface of the earth. The existence of the ozone layer was ensured by natural processes, but any future hostile or accidental manipulation of those processes would cause great potential danger. The ionosphere reflected radio waves back to earth and was therefore of great importance for international radio communication. However, its role in such

---

1/ See Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 32, document A/6804 and Add.1, annex II, para. 36.

2/ One document without symbol and one issued as A/AC.105/C.2/7.

/...

communication could be significantly altered - permanently, by the introduction of layers of space objects or temporarily, by nuclear explosions in the outer atmosphere. The importance of the ozone layer and the ionosphere was therefore obvious and they should be protected from the possibility of interference by any single State at will.

Some aspects of the problem of the definition of outer space were at present being studied by the competent Swedish authorities and it was hoped that within the next few years the Swedish Government would be able to submit the results of those studies to the Sub-Committee. The Swedish studies would probably relate to such problems as the sovereignty over air space of the subjacent territories, the lower boundary of outer space, the possible usefulness of establishing a contiguous zone between national air space and outer space proper, aspects of the functions of the ozone belt, the functions of the electrified layers of the ionosphere which reflected long-distance higher-frequency radio communications back to earth, and the use which mankind made, or should be allowed to make, of those belts.

Mr. MELESCANU (Romania) said that, although the Sub-Committee was not yet in a position to submit to the plenary Committee draft texts of a treaty concerning the moon and a convention on registration of objects launched into outer space, it had nevertheless achieved outstanding results. In that connexion, particular thanks were due to the delegations of the Soviet Union, Canada and France for the texts they had prepared.

His delegation had on a number of occasions expressed its interest in the progressive development of international law in the sphere of outer space. The new branch of law dealing with space could and should constitute a model for the application of the most progressive principles of international law concerning co-operation between States - principles which included the independence and equality of States, non-interference in internal affairs, and mutual benefit. The purposes of such provisions would be to promote the conquest of space and to protect mankind as a whole from the dangers involved in that process. In the opinion of his delegation, the legal instruments formulated thus far constituted an important contribution to efforts to achieve those ends.

/...

One of the priority questions considered at the current session had been the formulation of a treaty concerning the moon, on the basis of the draft submitted by the Soviet Union. As a result of the work done and the informal consultations held, the Sub-Committee now had before it a text which, although it contained some passages in square brackets, represented an important step forward in the progressive development of space law. His delegation believed that such a treaty, which would constitute a basis for co-operation between States on the moon, should provide for the free access of all countries to the exploration and exploitation of the moon, without discrimination, in accordance with the general principles of international law, and should enable all States to benefit in an equitable manner from the results of that process.

On the question whether the principles of the outline Outer Space Treaty (1967) should be incorporated in the treaty concerning the moon, his delegation considered that the best solution was to reproduce the relevant provisions of the former in the latter. His delegation was in favour of making the 1967 Treaty applicable to the moon as well. It also favoured the idea that the principles embodied in the treaty concerning the moon might be applied to other celestial bodies. One possible solution might be to include in the treaty concerning the moon a provision to the effect that the principles embodied in it were applicable to other celestial bodies in so far as an analogy was possible and until such times as separate agreements governing the activities of States on such bodies were concluded.

On the question of the use of the natural resources of the moon, his delegation considered that, in the light of present scientific and technical knowledge, the best solution was to include in the agreement a generally acceptable formula providing for the right of all States to benefit from the exploitation of the moon, on the understanding that that problem would subsequently be covered by a separate agreement.

The joint text submitted by the French and Canadian delegations represented a contribution towards a better understanding of the problems raised by the registration of objects launched into space and provided a basis for an acceptable solution. His delegation, like that of a number of other countries, thought that the best course would be to submit the question to the Scientific and Technical Sub-Committee.

/...

At the eighth session (1969) of the Legal Sub-Committee (113th meeting), his delegation had supported the idea that it was necessary to draw up an international instrument setting out the purposes to be served by radio and television programmes transmitted via direct-broadcast satellites. The Sub-Committee should endeavour to find an appropriate legal setting for that question. An acceptable approach might be to draft a declaration of principles providing that all such programmes must be aimed at promoting ideas of peace, friendship for propaganda in favour of war, racial hatred and discrimination of any kind among States and peoples was prohibited.

Mr. DELROT (Belgium) said that his delegation welcomed the Soviet delegation's initiative in preparing a draft treaty concerning the moon and wished to pay a tribute to the United States delegation for its constructive amendments to the USSR text. His delegation did not oppose the incorporation in the treaty of an article providing that the parties might agree to apply its provisions to other celestial bodies in the absence of specific regulations relating to them.

It also supported the convention prepared by the Canadian and French delegations concerning registration of objects launched into outer space. It hoped that the substance of the convention would be acceptable to both large and small States which possessed technological expertise in space matters. The information to be included in a national or international register should be decided by expert opinion; that would be a matter of consultations between national technicians and would in no way call in question the principle of a treaty on registration or the legal principles which had been established at the current session.

The results achieved by the Sub-Committee were promising, but not entirely satisfactory. Certain concepts had been strengthened and clarified, but no really new concepts had emerged. Indeed, it had been impossible to achieve unanimity on certain matters, as was indicated by the presence of square brackets in the draft texts. Other concepts were still imprecise and had not been put on a legal basis. With regard to the question of the creation of preserves, for example, it was not clear which States would decide to establish such preserves and consideration might possibly be given to the system of a weighted majority.

/...

The treaty concerning the moon should be regarded as subordinate to a treaty concerning space as a whole. If it was not, the different treaties relating to celestial bodies would contain many overlapping provisions, which could lead to absurdities.

In the report on the Sub-Committee's proceedings, it would be advisable to give some explanation of the square brackets contained in the texts under consideration, since the problems involved were of varying importance.

Despite the difficulties which remained to be overcome, the session had been marked by a spirit of co-operation and a genuine desire to achieve practical results.

The meeting rose at 4.10 p.m.

/...

SUMMARY RECORD OF THE ONE HUNDRED AND NINETIETH MEETING

held on Thursday, 4 May 1972, at 11 a.m.

Chairman: Mr. WYZNER Poland

DATE OF THE TWELFTH SESSION

The CHAIRMAN announced that, as a result of informal consultations, delegations had decided to request the plenary Committee to arrange for the Sub-Committee to meet from 26 March to 20 April 1973.

PROVISION OF SUMMARY RECORDS AT THE TWELFTH SESSION

The CHAIRMAN said that if there was no objection, the Sub-Committee would request that summary records should be provided for all the meetings of its twelfth session, since that procedure would not entail any additional expense and would not set a precedent for the Sub-Committee's future work.

It was so decided.

QUESTIONS RELATING TO THE MOON /agenda item 3/ (PUOS/C.2/WG(XI)/15/Rev.1) /conclusion/

The CHAIRMAN said that the Working Group established to consider the draft treaty concerning the moon had prepared a final revised text containing a preamble and 21 articles. He read out the changes which had been made in the preceding text.

The Chairman stated that, if there was no objection, he would consider the new draft (PUOS/C.2/WG(XI)/15/Rev.1) as adopted.

It was so decided.

GENERAL STATEMENTS (concluded)

Mr. DELPECH (Argentina) said he thought it had become urgently necessary to formulate legal rules for the sea-bed and the ocean floor and for outer space and the celestial bodies. That was a difficult and fascinating task for the international community. Despite some difficulties, the general tendency was to consider those spaces as the common heritage of mankind.

Two main texts could be used as a basis for the formulation of outer space law, namely the Declaration of Legal Principles Governing the Activities of States

/...

in the Exploration and Use of Outer Space /General Assembly resolution 1962 (XVIII)/ 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. The draft convention on principles governing the exploitation of the natural resources of the moon and other celestial bodies would clarify the provisions of the latter Treaty.

At the 158th meeting of the Sub-Committee, the representative of Argentina, Mr. Cocca, had stressed the urgent need to provide legal rules for man's activities on the moon, since the surface and subsoil of the moon had already begun to be explored. In addition, at a seminar on the regulation of ownership on the moon, held at Madrid in October 1971 under the chairmanship of Mr. Cocca, the Argentine Government had expressed the hope that the following principles would be included in the future convention on the exploitation of the natural resources of the moon and other celestial bodies: those resources were the common heritage of mankind; all matter from the moon or other celestial bodies was to come under the heading of natural resources; all space vehicles and their parts and any object launched into outer space towards the moon or the other celestial bodies would be governed by the legal régime in force prior to the launching; vehicles, stations, equipment and objects built on the moon or on another celestial body would be the property of their builders, even if matter from the moon or other celestial bodies had been used; the on-the-spot use and development of the natural resources of the moon and other celestial bodies would be lawful, provided that they were effected for licit purposes and without prejudice to the exercise of the same rights by others; all profits derived from the exploitation of the natural resources of the moon and other celestial bodies brought back to earth would be shared, taking into account the need to promote the attainment of higher standards of living and conditions of economic and social progress and development, pursuant to Article 55 a of the Charter of the United Nations, and bearing in mind the interests and requirements of the developing countries and the rights of those carrying out the activities; the use and development of the natural resources of the moon and other celestial bodies would be subject to an international authority which, in the name of mankind, would apply laws and jurisdiction designed to solve possible conflicts.

/...

His delegation would support proposals which, like the text of article VIII submitted by Egypt and India (A/AC.105/C.2/(XI)/Working Paper 20), called for the inclusion in the future convention of the principles he had just enumerated.

Mr. MAGNO (Italy) said that the formulation of international regulations concerning space had started with the 1967 Outer Space Treaty, which embodied the basic principles that should govern man's activities in outer space. The first of those principles was that space and the celestial bodies belonged to all mankind. It was now necessary, through successive international conventions, to develop and complete the principles of the 1967 Treaty, which was, so to speak, the "Magna Carta" of space law.

An Agreement on the Rescue of Astronauts and a Convention on International Liability for Damage Caused by Space Objects had already been concluded. At present, the Sub-Committee was preparing two other conventions, one on the identification and registration of space objects, and the other on the particular legal rules to be applied to the moon, and possibly to the other celestial bodies.

A certain number of the clauses of those two conventions had already been approved, but other points still required careful thought and clarification. For that reason, it was desirable that the work should continue at the Sub-Committee's next session. A particular difficulty had arisen over means of identifying space objects to be registered, and the legal definition of those space objects. That difficulty showed the importance attached to such questions by all delegations.

His delegation hoped that the two conventions would be included in the "space charter" which was gradually being formulated. Divergent interpretations or applications of the principles already adopted must at all costs be excluded. Since space law had the advantage of being new and original, care must be taken to avoid a proliferation of texts on the same subject. To that end, the unity of principles and methods, which had so far made space law the clearest, though the youngest, of all legal disciplines, should be maintained in preparing international conventions.

Mr. CHOINKHOR (Mongolia) expressed satisfaction at the progress made in preparing the draft treaty concerning the moon and the draft convention on registration, and thanked the sponsors of the two drafts and the delegations which

/...

had actively and usefully participated in their formulation. His delegation hoped that at subsequent sessions of the Committee, the Sub-Committee and the General Assembly, the last difficulties would be removed and general agreement reached on the two texts. Because of its importance, the question of natural resources should be the subject of a separate agreement.

Mr. AZIMI (Iran) said he also wished to thank the USSR delegation, the sponsor of the draft treaty concerning the moon, as well as the United States delegation, which had submitted useful amendments to that draft. Canada and France also deserved thanks for the text they had submitted. Despite the problems which remained to be solved, the texts that had been adopted provided a useful basis for future work. Iran wished, however, to make some reservations, particularly to the treaty concerning the moon. While that treaty should of course relate primarily to the moon, the only body on which detailed information was available, it should be possible to study the possibility of applying some of the principles it contained to other celestial bodies.

His delegation subscribed to the principle that the resources of the moon were the common heritage of mankind, and that their exploitation should benefit every country in the world. Neither the enormous amounts of capital invested nor the scale of the efforts to be made should be invoked in opposition to that principle.

In addition, he hoped the technical experts would reach agreement on the concept of outer space and be able to lay the foundation for a solution to the delicate problem of the registration of space objects.

ADOPTION OF THE REPORT OF THE LEGAL SUB-COMMITTEE (PUOS/C.2/72/1 and Add.1)

The CHAIRMAN drew the attention of the Sub-Committee to the text prepared by the Working Group on registration (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1), and suggested that the Sub-Committee should take note of it.

Miss CHEN (Secretary of the Sub-Committee) said that, in that case, it would be necessary to add to the report a new paragraph 25, which would read:

"The Sub-Committee noted the /...7 text prepared by the Working Group on Registration (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1) and was of the opinion that the draft convention on registration of objects launched into outer space required further consideration."

/...

Mr. CHARVET (France), supported by Mr. MILLER (Canada), proposed that the words "as a matter of priority" should be added at the end of the proposed paragraph.

The CHAIRMAN said that if there was no objection, he would consider that the new paragraph 25, as amended by the representative of France, was adopted.

It was so decided.

In reply to a question by Mr. PIRADOV (Union of Soviet Socialist Republics), the CHAIRMAN explained that paragraph 16 of the Sub-Committee's draft report (PUOS/C.2/72/1/Add.1) would be amended in order to take account of the decision the Sub-Committee had taken at the beginning of the meeting on the subject of the revised version of the text of the Working Group on the treaty concerning the moon and the other celestial bodies. That text and the text of the draft convention on registration of objects launched into outer space, which was mentioned in the new paragraph 25 of the report, would be reproduced in the report.

Mr. NETTEL (Austria) proposed that the Chairman should be requested to present the report of the Legal Sub-Committee at the next session of the Committee on the Peaceful Uses of Outer Space, since the report contained many references and phrases in brackets, and that made it rather difficult to understand at first glance without further explanation.

Miss CHEN (Secretary of the Sub-Committee) said that it was impossible for her to say immediately what the financial implications of that proposal would be, but in order to give a rough idea of them, she pointed out that the same decision had been taken at the last session, and the corresponding expenses had amounted to $1,500.

Mr. MELESCANU (Romania), Mr. PIRADOV (Union of Soviet Socialist Republics), Mr. CHARVET (France) and Mr. MILLER (Canada) supported the Austrian representative's proposal.

/...

Mr. REIS (United States of America) also supported the proposal, on the understanding that the financial implications would depend on the actual length of the Committee's session.

The proposal of the representative of Austria, subject to the reservation made by the representative of the United States of America, was adopted.

The meeting rose at 12.5 p.m.

/...

SUMMARY RECORD OF THE ONE HUNDRED AND NINETY-FIRST (CLOSING) MEETING

held on Friday, 5 May 1972, at 11.15 a.m.

Chairman: Mr. WYZNER Poland

TRIBUTE TO THE MEMORY OF SIR KENNETH BAILEY

The CHAIRMAN said it was his distressing duty to inform members of the Sub-Committee of the death of Sir Kenneth Bailey, a former representative of Australia in the Sub-Committee. Not only had Sir Kenneth been an eminent jurist and diplomat, but he had also possessed very great human qualities. On behalf of the Sub-Committee, he expressed his condolences to Sir Kenneth's family and to the delegation and Government of Australia.

On the proposal of the Chairman, the members of the Sub-Committee observed a minute's silence in tribute to the memory of Sir Kenneth Bailey.

Mr. MENZIES (Australia) thanked the Chairman and members of the Sub-Committee for their sympathy on the occasion of the death of Sir Kenneth Bailey.

ADOPTION OF THE REPORT OF THE LEGAL SUB-COMMITTEE (PUOS/C.2/72/1 and Add.1 and 2) /conclusion/

The CHAIRMAN invited the Sub-Committee to examine paragraph by paragraph the Sub-Committee's draft report, contained in documents PUOS/C.2/72/1 (paras. 1-11), PUOS/C.2/72/1/Add.1 (paras. 12-24), and PUOS/C.2/72/1/Add.2 (paras. 7, 9a, 10a, 10b, 16, 16a, 16b, 25 and 26).

Paragraph 1

Paragraph 1 was adopted.

Paragraph 2

Mr. PERSSON (Sweden) suggested that, in the tenth line, "1972" should be inserted before the word "Convention", since dates were given for the other international agreements listed in the same sentence.

It was so decided.

Paragraph 2, as amended, was adopted.

/...

Paragraphs 3-6

Paragraphs 3-6 were adopted.

Paragraph 7

The CHAIRMAN drew attention to the new sentence to be added at the end of paragraph 7 (PUOS/C.2/72/1/Add.2, I, A).

Mr. MAIORSKY (Union of Soviet Socialist Republics), referring to the first sentence of paragraph 7, said he did not see any need to specify in the report the amount of the saving made on summary records of meetings.

Mr. REIS (United States of America) proposed that, in order to take account of the USSR representative's objection, the words "a saving of approximately $46,000" should be replaced by the words "a substantial saving", with a foot-note reference to the meeting at which the Chief Editor of the United Nations had informed the Committee that the saving would be of the order of $45,000.

It was so decided.

Mr. GRINBERG (Bulgaria), referring to the new sentence to be added at the end of paragraph 7 (PUOS/C.2/72/1/Add.2, I, A), said that the decision to prepare and issue summary records of all the meetings of the twelfth session would inevitably have financial implications, even if they consisted only of the cost of the paper; he therefore suggested that the word "additional" should be inserted before the words "financial implications".

It was so decided.

Paragraph 7, as amended, was adopted.

Paragraphs 8-10

Paragraphs 8-10 were adopted.

Paragraphs 9a, 10a and 10b

Paragraphs 9a, 10a and 10b were adopted.

Paragraphs 12-14

Paragraphs 12-14 were adopted.

/...

Paragraph 15

Mr. CHARVET (France) noted that in the case of most of the proposals listed in the paragraph, not only the relevant document number but also the subject to which they related had been indicated; he suggested that in cases in which only the number was indicated the subject covered by the proposal should be added.

It was so decided.

Paragraph 15, as amended, was adopted.

Paragraph 16

The CHAIRMAN noted that the full text of paragraph 16 was contained under the heading II, A of document PUOS/C.2/72/Add.2.

Paragraph 16 was adopted.

Paragraph 16a

The CHAIRMAN drew attention to paragraph 16a, which stated that the proposals referred to in paragraphs 13-15 were to be found in annex I. Those proposals included two documents already issued by the United Nations, namely the draft treaty concerning the moon submitted by the Soviet Union (A/8391 and Corr.1, annex) and the proposal submitted by Argentina at the ninth session of the Sub-Committee (A/AC.105/C.2/L.71). Under General Assembly resolution 2836 (XXVI), paragraph 3d, "texts available in easily accessible documents should not be incorporated in or annexed to the report". The Sub-Committee might, however, consider that the usefulness of its report would be enhanced if the two proposals were annexed thereto.

Similarly, the Sub-Committee might also consider it advisable to include in an annex to its report the draft convention on registration, submitted by France (A/AC.105/C.2/L.45), which had already been issued in a United Nations document. Paragraph 25 of the draft report was based on the assumption that the draft convention would be annexed to the report.

It was so decided.

Paragraph 16a was adopted.

/...

Paragraph 16b

Mr. MAIORSKY (Union of Soviet Socialist Republics), noting that the Sub-Committee had recommended that further consideration should be given to the draft convention on registration of objects launched into outer space as a matter of priority, suggested that similar wording should be used in paragraph 16b, so that the texts relating to the moon should retain the priority they had previously been accorded.

Mr. DARWIN (United Kingdom) proposed that the words "on which work should be pursued as a matter of priority" should be added after the document number in the second line of paragraph 16b.

It was so decided.

Paragraph 16b, as amended, was adopted.

Paragraphs 17-26

Paragraphs 17-26 were adopted.

Paragraph 11

Paragraph 11 was adopted.

The CHAIRMAN put to the vote the draft report of the Sub-Committee (PUOS/C.2/72/1 and Add.1 and 2), as a whole, as amended.

The draft report, as amended, was adopted unanimously.

CLOSURE OF THE SESSION

Mr. REIS (United States of America) suggested that the September session of the plenary Committee should begin on Tuesday, 5 September, at 3 p.m. instead of 10.30 a.m., since participants might have difficulties in reaching United Nations Headquarters in the morning owing to the heavy air traffic after the week-end.

/...

The CHAIRMAN said that the Secretariat would bear that suggestion in mind. Before declaring the session closed, he wished to express his gratification at the outstanding work done in a relatively limited period of time, as a result of the goodwill and co-operation of all delegations and the diligence of the Secretariat. Lastly, he paid a tribute to space technicians in general, and in particular to the crew of "Apollo 16" and the Soviet technicians in charge of the "Lunokhod" programme, who had been responsible for considerable progress in space science.

The meeting rose at 12.10 p.m.
