



UNITED NATIONS
GENERAL
ASSEMBLY



PROVISIONAL
For participants only
A/AC.105/C.2/SR.201
13 April 1973
ORIGINAL: ENGLISH

COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUB-COMMITTEE

Twelfth Session

PROVISIONAL SUMMARY RECORD OF THE TWO HUNDRED AND FIRST MEETING

Held at Headquarters, New York,
on Wednesday, 11 April 1973, at 10.50 a.m.

Chairman: Mr. WYZNER Poland

CONTENTS

Draft convention on registration of objects launched into space
for the exploration or use of outer space (continued)

Organization of work

Corrections to this record should be submitted in one of the four working languages (English, French, Russian or Spanish), preferably in the same language as the text to which they refer. Corrections should be sent in quadruplicate within three working days to the Chief of the Official Records Editing Section, Office of Conference Services, Room LX-2332, and also incorporated in one copy of the record.

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DRAFT CONVENTION ON REGISTRATION OF OBJECTS LAUNCHED INTO SPACE FOR THE
EXPLORATION OR USE OF OUTER SPACE (continued)

Mr. COCCA (Argentina) said that certain substantive points had given rise to lengthy exchanges in Working Group II and in informal meetings. The terms "launching State" and "State of registry" were two different concepts, and accordingly both would have to be used. Furthermore, they should be used as widely as possible, since the identification of objects launched into space would improve the implementation of the Convention on International Liability. The same was true for the terms "launches" and "registers". As to whether there should be one or various States of registry, his delegation was in favour of the traditional single concept. Registry arose from sovereignty, and it established nationality. Under present international law, an international registry would be merely a collection of national registrations, since it could not determine the nationality of, or impose international law upon, space objects and vehicles or persons on board. States might, however, sign agreements concerning the consequences of inscription in a national registry for the bearer of the registration in question. His delegation had therefore proposed the inclusion in the convention of a new article which corresponded to article XXIII of the Convention on International Liability, to the effect that the provisions of the convention on registration would not affect other international agreements in force in so far as relations between the States Parties to such agreements were concerned and that no provision of the convention would prevent States from concluding international agreements reaffirming, supplementing or extending its provisions.

The additional assistance provided for in article V in the identification of a space object should be as broad as possible and should not be confined to the matter of damage. The assistance extended to the requesting State by States Parties to the convention on registration should enable the former to comply with any obligations it had assumed under international law, and particularly under existing instruments. Such assistance should not be free but should be extended on fair and reasonable terms, as had been agreed in principle in Working Group II.

The term "central register" in article IV, together with the proposed international register, would create great difficulties in the interpretation

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(Mr. Cocca, Argentina)

of the convention. In order to bring the text into line with existing instruments, his delegation was submitting a proposal to Working Group II that the words "shall maintain a central register" should be replaced by "shall register" and that all States, whether or not they were Parties to the convention, should have full access to the information deposited with the Secretary-General.

The question of markings was even more important. The presence of a growing number of unidentified objects in earth orbit and beyond was a cause for serious concern and was not compatible with the law of outer space. All objects launched into space had a purpose. Manned craft, for example, returned to earth on completion of their task, and the rest fell to earth as useless objects or fragments, thereby causing certain risks. The greatest damage might be caused on earth, but there could be damage to space vehicles or to persons or property on board. In articles III and IV of the 1972 Convention on International Liability, such contingencies were governed by the system of subjective liability based on fault. But how could fault be established if it was not possible to identify the space object that caused the damage? In addition, there were other situations in which space objects had to be identified in accordance with the provisions of the Treaty on Outer Space and the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

ORGANIZATION OF WORK

The CHAIRMAN announced that Egypt had become a sponsor of Working Paper PUOS/C.2(XII)/WG.I/WP.3, which related to article 5 of the moon treaty.

The Sub-Committee had now concluded the present stage of its consideration of the draft convention on registration and would proceed to take up the draft treaty relating to the moon. He read out a schedule of meetings for the various subsidiary groups of the Sub-Committee and suggested that, at its next meeting on Friday, 13 April, the Sub-Committee should give further consideration to the organization of its work.

It was so decided.

Mr. CAPOTORTI (Italy) said that, although the Sub-Committee would now consider the draft treaty relating to the moon, members should not be precluded from making statements concerning the draft convention on registration.

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The CHAIRMAN suggested that, in view of the advanced stage of the Sub-Committee's work, members should be free to make statements on any agenda item.

It was so decided.

The meeting rose at 11.10 a.m.



UNITED NATIONS GENERAL ASSEMBLY



PROVISIONAL

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17 April 1973

ORIGINAL: ENGLISH

COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUB-COMMITTEE

Twelfth Session

PROVISIONAL SUMMARY RECORD OF THE TWO HUNDRED AND SECOND MEETING

Held at Headquarters, New York,
on Friday, 13 April 1973, at 10.50 a.m.

Chairman:

Mr. WYZNER

Poland

CONTENTS

Date of the next session of the Sub-Committee

Draft treaty relating to the moon

Draft convention on registration of objects launched into outer space

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