(Mr. Reis, United States)

regard to the urgency of the question of direct radio and television broadcasting by satellite or with regard to the interpretation of General Assembly resolution 2916 (XXVII).

Mr. DELROT (Belgium) said that he was aware of the importance of the questions of direct broadcast satellites and remote sensing of earth resources. Nevertheless, the Sub-Committee could not revise the order of priorities it had laid down until it knew what conclusions the appropriate working groups had reached.

Mr. PERSSON (Sweden) said that he shared the view expressed by the representatives of Australia and Brazil.

Mr. FREELAND (United Kingdom) suggested that the Sub-Committee should mention in its report merely that it had considered the possibility of making a recommendation concerning priorities and that the Committee could itself consider the question of priorities.

The CHAIRMAN suggested that the Committee should be recommended to consider the question of priorities in the light of the discussion in the Sub-Committee and of further developments.

It was so decided.

ATTENDANCE OF THE CHAIRMAN OF THE SUB-COMMITTEE AT THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

Mr. MAIORSKY (Union of Soviet Socialist Republics), supported by Mr. TUERK (Austria) and Mr. REIS (United States of America), said that particularly in view of the fact that the Sub-Committee had decided to recommend the Committee to complete, if it could, the elaboration of the drafts relating to the moon and to registration, it would be extremely useful for the Chairman of the Sub-Committee to attend the forthcoming session of the Committee.

Miss CHEN (Secretary of the Sub-Committee) said that attendance by the Chairman of the Sub-Committee at the Committee's session would cost $1,800.

The CHAIRMAN said that he could not accept the proposal himself without consulting his Government first. Nevertheless, he would do his best to ensure that he was able to attend the Committee's forthcoming session.

The meeting rose at 5.40 p.m.

UNITED NATIONS

GENERAL ASSEMBLY

PROVISIONAL

For participants only

A/AC.105/C.2/SR.207
24 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 SEVENTH MEETING

Held at Headquarters, New York,
on Friday, 20 April 1973, at 10.50 a.m.

Chairman: Mr. WYZNER Poland

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Draft treaty relating to the moon (continued)

Preparation of the draft report of the Legal Sub-Committee on the work of its twelfth session (26 March-20 April 1973) (continued)

Closure of the session

DRAFT TREATY RELATING TO THE MOON (continued)

Mr. COCCA (Argentina) said that the Argentine delegation wished to place on record the fact that, in stating at the previous meeting that it could not regard the texts prepared at Geneva as definitive and complete, it had done so on the basis of the position taken by its Government at Geneva. He recalled that his delegation had expressed its disagreement during the consideration of the draft treaty relating to the moon, prepared by the Working Group, and immediately after that text had been approved by the Sub-Committee. His country's very clear position was stated in the summary record of the 190th meeting (A/AC.105/C.2/SR.190). In concluding his statement, the representative of Argentina at that meeting had expressly indicated the proposals which his Government supported, referring to the documents by their reference numbers.

The Argentine delegation felt bound to make that statement because Argentina's attitude in the Committee on the Peaceful Uses of Outer Space had been coherent and consistent ever since that body had been established.

PREPARATION OF THE DRAFT REPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF ITS TWELFTH SESSION (26 MARCH-20 APRIL 1973) (PUOS/C.2(XII)/1 and Add.1-4; PUOS/C.2(XII)/WG.I/Working Paper 15, Working Paper 18 and Corr.1; Conference Room Paper 1) (continued)

The CHAIRMAN drew attention to the draft report of the Legal Sub-Committee on the work of its twelfth session (documents PUOS/C.2(XII)/1 and Add.1-4) and to the text of a USSR proposal for the amendment of paragraph 5 of the draft report (Conference Room Paper 1). He invited the Sub-Committee to approve the report.

Paragraphs 1-4

Paragraphs 1-4 were approved.

Paragraph 5

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that the addition to paragraph 5 proposed by his delegation in Conference Room Paper 1 was self-explanatory. During the first meeting of the current session, the representative of the Secretary-General had made a very important statement on a question which the USSR delegation regarded as affecting the policy and work of the Sub-Committee. His delegation wished the substance of that statement to be

(Mr. Maiorsky, USSR)

accurately reflected in the Sub-Committee's report, together with the attitude of delegations to it. He recalled that the views in question had been supported by the Canadian delegation, while his own and the Czechoslovak delegation had said frequently that they were unacceptable. The matter was one of some significance, and, as it would affect the Sub-Committee's future work, should be fully reflected in the report. A simple reference to the summary record would not be sufficient.

Mr. SLOAN (Representative of the Secretary-General) said that material relating to the points referred to in Conference Room Paper 1 had not been included in the draft report because it had not been the practice of the Sub-Committee to include in its report a summary of a discussion except where a specific decision to that effect was taken. For the reflection of views, reference was made to the summary records - as in paragraph 10 of the current draft report.

In particular, the USSR proposal seemed to present other difficulties as it appeared to be based on a misunderstanding of the statement at the opening meeting of the current session. That statement had noted that the Legal Sub-Committee and the Committee on the Sea-Bed and the Ocean Floor were meeting at the same time and that the Legal Counsel was interested in both meetings. It had then noted that one might detect a parallel development in the work of those two organs at the beginning, for the legal principles governing outer space activities and those governing activities in the area of the sea-bed and the ocean floor appeared to be very similar. The representative of the Secretary-General had added, however, that the elaboration of those principles was more complicated in the latter field than in the former. In no way should that be considered as advancing a legal theory or expressing an opinion on a matter which was primarily of a political character. As the opening statement had been intended only as a welcome to the Sub-Committee, inclusion of the proposed addition to paragraph 5 would not accurately reflect either its scope or its intent.

Mr. REIS (United States of America) observed that the USSR proposal made it appear that the point in question had been a principal issue of debate. Such was by no means the case. The United States delegation, for example, had not stated its position.

Mr. MAIORSKY (Union of Soviet Socialist Republics) could not agree with the United States representative or the representative of the Secretary-General.

(Mr. Maiorsky, USSR)

The statement at the opening meeting had not simply taken note of the point in question. In addition to being a welcoming statement, it had contained concrete ideas indicating a whole approach to the work of the Sub-Committee. It was natural that members of the Sub-Committee should have listened carefully to opinions coming from such a source. The proof that they had done so consisted in the later references to them by delegations which had supported or opposed them. For some delegations it was a substantive matter of principle. His delegation would not insist that the wording it proposed should be included in paragraph 5. It could be included in chapter III (Other questions), and it could be noted that some delegations had supported the view expressed while others had strongly disagreed.

The CHAIRMAN suggested that the Sub-Committee should consider paragraph 5 to have been tentatively approved, pending the outcome of further consideration of the USSR proposal in the context of chapter III of the draft report.

It was so decided.

Paragraphs 6-8

Paragraphs 6-8 were approved.

Paragraph 9

Mr. MATHERS (United Kingdom) wondered whether paragraph 9 was of value inasmuch as the Drafting Group to which it referred had not done any work.

Mr. TUERK (Austria) proposed that the report should state that the Drafting Group had never in fact met.

The CHAIRMAN suggested that the Secretariat should amend the paragraph as proposed by the Austrian representative and that the text should be approved on that understanding.

It was so decided.

Paragraph 10

The CHAIRMAN drew attention to the text proposed for inclusion in paragraph 10 in document PUOS/C.2(XII)/1/Add.4. If there was no objection, he would take it that paragraph 10 was approved with that addition.

It was so decided.

Paragraph 11

Paragraph 11 was approved.

Paragraph 12

Mr. MAIORSKY (Union of Soviet Socialist Republics) proposed that the words "at Geneva" should be added at the end of the paragraph.

Mr. REIS (United States of America) proposed the addition of a sentence reading: "The session would take place at Geneva as previously agreed".

Mr. YOSHIDA (Japan) said that, if the United States proposal was adopted, the heading of the paragraph should be amended to read "Dates and place of the next...".

The CHAIRMAN said that, if there were no objections, he would take it that the Sub-Committee approved the paragraph as amended by the representatives of the United States and Japan.

It was so decided.

Chapter I (Questions relating to the moon)

Paragraphs 13-15

Paragraphs 13-15 were approved.

Paragraphs 16-18

Mr. MAIORSKY (Union of Soviet Socialist Republics) proposed that, in paragraph 18, the word "draft" should be deleted from the sentence beginning "The Sub-Committee took note of the draft texts set out in paragraph 16 above" since paragraph 16 referred to "texts", not "draft texts".

It was so decided.

Mr. REIS (United States of America) proposed that it should be made clear that the texts referred to were those approved by the Legal Sub-Committee in 1972.

It was so decided.

Paragraphs 16-18, as amended, were approved.

Chapter I, as amended, was approved.

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

Paragraphs 19-22

Mr. COCCA (Argentina) wondered whether the title of chapter II should not be shortened in line with the Sub-Committee's decision to simplify the title of the draft Convention.

The CHAIRMAN explained that the title was based on the wording of item 3 of the Sub-Committee's agenda and that the shortened version of the title was used in the body of the text - for example, in paragraph 20.

Paragraphs 19-22 were approved.

Paragraph 23

Mr. CHARVET (France) pointed out that the French version of the sixth preambular paragraph of the text approved by the Working Group (PUOS/C.2(XII)/2) referred to "launching States" as opposed to "a launching State" in the English version. That discrepancy should be corrected.

The CHAIRMAN pointed out that, in accordance with an earlier decision by the Sub-Committee, the title of document PUOS/C.2(XII)/2 would be: "Draft articles approved..." as opposed to "Text approved...".

Mr. MILLER (Canada) proposed that the reference to "working papers" should be expanded to "informal and working papers" and that the words "particularly among the sponsors of documents A/AC.105/C.2/L.85 and L.86" should be inserted after "substantial informal consultations".

It was so decided.

Mr. GRINBERG (Bulgaria) pointed out that there had also been extensive informal consultations in the preparation of the draft text relating to the moon. To maintain the balance of the report, that fact should be noted in the appropriate section of the report.

Mr. REIS (United States of America) said that the text on the moon worked out in informal consultations was reproduced in annex I (C) of the report. The indication of that fact in paragraph 16 was a sufficient reference to the informal consultations.

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The CHAIRMAN said that, in the absence of a formal proposal for a reference to the informal consultations on the treaty relating to the moon, he would take it that the Sub-Committee approved paragraph 23, as amended by the representative of Canada.

It was so decided.

Paragraph 24

Mr. CHARVET (France) said that paragraph 24 (c) was not sufficiently explicit. In the debate, he had described the three currents of thought prevailing in the Sub-Committee. Some delegations, such as his own, thought that marking was absolutely essential; others thought that it was not essential but were not opposed to it, while other delegations considered it absolutely unacceptable.

Mr. MENEGATTI (Italy) stressed that the delegations referred to in the second sentence of paragraph 24 (c) had merely stated that marking would not be useful at the present stage. The words "at the present stage" should therefore be placed at the end of that sentence.

Mr. ZAHRAN (Egypt) said that he supported the suggestion made by the representative of Italy. In addition, in order to reflect the debate accurately, the word "feasible" in the fifth line of that subparagraph should be expanded to read "technically feasible".

Mr. CHARVET (France) read out the following text which his delegation was proposing as a replacement for the present paragraph 24 (c):

"Several delegations, believing that marking of space objects was an essential element of registration, requested that a specific article dealing with this question should be included in the text of the convention. Other delegations, while not attaching the same importance to marking, admitted none the less the possibility of including a reference to marking in the text of the convention. Some delegations, finally, considering that marking was not technically feasible and, furthermore, would not further the better implementation of the convention, were of the opinion that any reference to marking should be deleted from the text of the convention."

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Mr. MAIORSKY (Union of Soviet Socialist Republics) said that his delegation found the French proposal acceptable. However, in order better to reflect the three schools of thought on marking, the second sentence, relating to those delegations which regarded marking as feasible, should make it clear that they had in mind a voluntary rather than a mandatory system of marking.

The CHAIRMAN suggested that, while the text of the French proposal was being prepared for distribution, the Sub-Committee should go on to consider the other subparagraphs of paragraph 24.

Mr. MATHERS (United Kingdom) said he understood that paragraph 24 (e) satisfactorily reflected the discussion which had taken place in the Working Group. However, he felt that the first two sentences of that subparagraph were slightly contradictory. The text could be improved by adding the words "in principle" after the word "support" in the first line and again after the word "proposal" in the third line. Secondly, in the second line the depositary referred to should be described as "the sole depositary". That would emphasize that the other depositary system previously used involved three depositaries.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that he was opposed to the use of the word "substantial" in the first line of paragraph 24 (e) since it was shown later in the report that the support had not in fact been substantial.

Mr. REIS (United States of America) said that the word "substantial" reflected the fact that two of the three depositary Governments had expressed the view that the Sub-Committee should return to the traditional concept of a single depositary. Argentina, supported by Canada, had pressed that point several times. However, his delegation did not insist on the use of the word "substantial".

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that he wished to state for the record that his delegation did not recall having supported such a proposal; indeed, the contrary was the case.

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The CHAIRMAN said that, if he heard no objection, he would take it that the Sub-Committee decided to accept the United Kingdom proposals and add the words "in principle" in line 1 and line 3 and add the word "sole" in line 2.

It was so decided.

Mr. MAIORSKY (Union of Soviet Socialist Republics), replying to a question by Mr. COCCA (Argentina), said that the Sub-Committee could simply delete the word "substantial" or else replace it with the word "some". It was essential for the wording to reflect the serious and complicated political compromise which had been arrived at.

Mr. COCCA (Argentina) said that he could accept the deletion of the word "substantial". At the same time, he wished to point out that, in the seventh line of the Spanish text of paragraph 24 (e), the word "sistema" was used where the word "criterio" would be preferable.

The CHAIRMAN said that the Secretariat would deal with that matter.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that, on reflection, he felt that it might be preferable to replace the word "substantial" by the word "some" rather than simply delete it.

Mr. REIS (United States of America) said that, in paragraph 24 (d), it was reported that there had been wide support for the inclusion of a review clause in the draft convention; his delegation had not objected to that wording, although it did not itself favour a review clause. Accordingly, in paragraph 24 (e) it could not be reported that there had been "some support" for the proposal referred to when there had in fact been a good deal of support for it. His delegation would therefore prefer the proposal made by the USSR delegation and supported by the delegation of Argentina that the Sub-Committee should simply delete the word "substantial".

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that, in order to make the paragraph completely clear, a formula should be used which would explicitly enumerate the three different views which had been expressed. The first sentence should therefore be reworded to read: "Many delegations expressed support in principle...".

/...

The CHAIRMAN said that, if he heard no objection, he would take it that the Sub-Committee agreed to that formula.

It was so decided.

After a discussion in which Mr. DELROT (Belgium), the CHAIRMAN and Mr. TUERK (Austria) took part, the CHAIRMAN suggested that, in order to avoid a discrepancy between the English and French texts of paragraph 24 (e), the words "the depositary system" in the sixth line of the English text should be replaced by "the three-depositary system".

Mr. MILLER (Canada) suggested that the second and third sentences in the subparagraph could be run together; the second part of the combined sentence would refer to the view of other delegations that "this system" had intrinsic merits.

The CHAIRMAN suggested that the formula to be used in the third line could be "the three-depositary system previously used...", after which the reference in the sixth line could be simply to "such a system". If he heard no objection, he would take it that the Sub-Committee agreed to that wording.

It was so decided.

The CHAIRMAN observed that the new text of paragraph 24 (c) proposed by France had now been circulated to members; he invited comments on it.

Mr. CHARVET (France) said that his delegation accepted the USSR proposal to include in the second sentence of the proposed text a reference to the voluntary nature of the system of marking.

Mr. REIS (United States of America) expressed appreciation to the representative of France for his contribution to the consideration of a potentially difficult problem. He felt that in the last sentence of the proposed paragraph, the word "finally" should be deleted. In addition, the sentence should be rearranged to read: "Some delegations, considering that marking would not further the better implementation of the convention and was not technically feasible, were of the opinion...". Finally, the formula "any reference to marking should be deleted from the text of the convention" should be replaced by "no reference to marking should be included in the text of the convention".

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Mr. PERSSON (Sweden), supported by Mr. REIS (United States of America) and Mr. CHARVET (France), said that the word "article" in the first sentence should be replaced by the word "provision".

The CHAIRMAN said that, if he heard no objection, he would take it that the Sub-Committee agreed to approve the new text of paragraph 24 (c), as amended.

It was so decided.

Paragraph 24, as amended, was approved.

Paragraph 25

Mr. MATHERS (United Kingdom) said that, in accordance with its previous decision, the Sub-Committee should delete the word "draft" in the first line of the paragraph.

Paragraph 25, as amended, was approved.

Chapter III (Other questions) (PUOS/C.2(XII)/1/Add.3-4)

Paragraphs 26, 27 and 29

Mr. MAIORSKY (Union of Soviet Socialist Republics) recalled that his delegation had proposed that priority should be given to items 5 and 6 of the Sub-Committee's agenda. Its proposal should be reflected in the report, together with the fact that the Soviet Union had submitted certain documents. Reference could be made to the proposal in paragraphs 26 and 27 or in paragraph 29.

The document referred to in paragraph 26 was in fact a draft convention on principles governing the use by States of artificial earth satellites for direct television broadcasting.

Mr. REIS (United States of America) appealed to the representative of the Soviet Union not to press his proposal since his views were reflected in several summary records. Moreover, other delegations had felt that it would be preferable to await developments before according priority to the items in question.

Mr. GRINBERG (Bulgaria) said that paragraph 29 should make it clear to which items the discussion on priorities had related. Accordingly, he supported the Soviet proposal. If the representative of the United States could not agree

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(Mr. Grinberg, Bulgaria)

to that proposal, the support or dissent expressed by delegations could also be reflected in paragraph 29.

The CHAIRMAN suggested that it might be simpler to consider the Soviet proposal in connexion with paragraph 29 only.

It was so decided.

Paragraphs 26 and 27 were approved.

Paragraph 28

Mr. MAIORSKY (Union of Soviet Socialist Republics) considered that paragraph 28 should come after paragraph 29.

Mr. REIS (United States of America) considered that paragraph 28 should be the first paragraph in chapter III.

The CHAIRMAN suggested that paragraph 28 should become paragraph 26. Paragraphs 26 and 27 would be renumbered accordingly.

It was so decided.

Paragraph 28 was approved.

Paragraph 29

Mr. SOUZA E SILVA (Brazil) suggested that the first part of paragraph 29 should be amended to read "After a discussion of the question of priorities relating to items on its agenda...". The last line of the paragraph should be amended to read "during the next session of the Committee".

With regard to the Soviet proposal, he pointed out that the inclusion of objections to the request that priority should be accorded to certain items would not mean that other delegations had not favoured the idea.

Mr. MAIORSKY (Union of Soviet Socialist Republics) proposed the inclusion of the following sentence at the beginning of paragraph 29: "Some delegations proposed that items 5 and 6 of the agenda of the Sub-Committee should be given priority equal to that accorded to items 2 and 3".

/...

Mr. REIS (United States of America) said that, if the Soviet proposal was adopted, his delegation would propose the inclusion of the following text: "Many delegations stated that they could not at this stage deal meaningfully with the question of priority pending a study of the progress made at the session of the parent Committee that was to be held in June. They also said they had difficulty understanding the USSR proposal because they did not believe that the Legal Sub-Committee would be able to do any useful work if it was required to give equal priority to four subjects at the same time".

Mr. SOUZA E SILVA (Brazil) said that the combined effect of the Soviet and United States proposals would be to give the impression that a sharp dispute had arisen in the Sub-Committee. Accordingly, it would be better to retain paragraph 29 as it stood and merely convey the feeling that the question should be raised in the main Committee.

Mr. MAIORSKY (Union of Soviet Socialist Republics) objected to the words "Many delegations" in the United States proposal. It was perfectly in order for opposing viewpoints to be recorded, but the report had to contain a recommendation that a decision was needed to accord the same priority to agenda items 5 and 6 as to agenda items 2 and 3.

Mr. REIS (United States of America) said that his text had been carefully worked out. Only in one sentence had he used the word "many".

Mr. MILLER (Canada) said that the paragraph should reflect the view that the Soviet proposal was premature in the light of the work being undertaken by the Working Group on Direct Broadcast Satellites.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that if the United States representative insisted on the text he had read out, he, too, would refer to "many delegations".

Mr. CHARVET (France) pointed out that many delegations had adopted no position on the matter, since they had not received instructions from their Governments. The paragraph should therefore be worded in a vague way.

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Mr. MAIORSKY (Union of Soviet Socialist Republics) said that paragraph 29 had to contain a balanced statement of the views expressed in the Sub-Committee. His delegation regretted that the work done on the draft convention on registration and the draft treaty relating to the moon had prevented the Sub-Committee from undertaking any in-depth consideration of the other items. However, in a spirit of understanding and having regard to the decisions already taken by the Sub-Committee concerning priorities, it had acceded to the wishes of the majority.

Mr. REIS (United States of America) said that the paragraph prepared by the Secretariat was functional. It drew the attention of the Committee to the fact that it might be useful to discuss priorities. He was aware that some support had been expressed for the suggestion that the question of direct broadcasting should be given higher priority than in the past, but he had not heard substantial support for the proposal to give equal priority to the draft instruments on the moon and registration and to direct broadcasting and remote sensing. If that proposal was accepted, all items on the agenda would receive equal priority except the one relating to definition. Accordingly, he suggested that the first sentence of his amendment to paragraph 29 should read: "Many delegations thought it was premature to consider the question of priority at this time; mindful of the fact that there were two working groups currently studying the same matters dealt with in agenda items 5 and 6".

Mr. GRINBERG (Bulgaria), expressing a desire to forestall the possibility of the Committee's reopening the debate on priorities, suggested that the Sub-Committee might revert to the original idea of considering the Soviet proposal within the framework of paragraphs 26 and 27, as originally numbered, and leaving paragraph 29 as amended only by the Brazilian delegation. He added that his delegation could appreciate the reason for according the same priority to four agenda items.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that that procedure would be perfectly acceptable to his delegation since it was in line with his original proposal.

Mr. REIS (United States of America) said that he could not accept that solution.

Mr. SOUZA E SILVA (Brazil) pointed out that the matter of according priority to the question of direct broadcasting had been raised by his delegation two years previously and had then been opposed by the Soviet delegation. Whatever proposal the Sub-Committee adopted, the text had to reflect any views expressed by delegations as well as the fact that some delegations had not adopted any position. In his view, paragraph 29, as drafted by the Secretariat, conveyed the sense of the Sub-Committee's discussions and did not prejudge the position of any delegation.

Mr. CHARVET (France) suggested that paragraph 29 might be amended to read: "After a discussion of the question of priorities, no agreement was reached in the Sub-Committee on the substance of the question and therefore the Sub-Committee...".

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that his delegation had never objected to according priority to the question of direct broadcasting. At the 1971 session of the Sub-Committee, the Soviet delegation had endeavoured to secure high priority for the draft treaty relating to the moon and the question of direct broadcasting. In a spirit of compromise, it had agreed to priority being accorded to the draft instruments relating to the moon and registration.

Members might consider the possibility of including a reference to what actually had been discussed in connexion with priorities, if necessary without reproducing the statement made by the Soviet delegation.

The CHAIRMAN suggested that the Sub-Committee might suspend its consideration of paragraph 29 in order to take up the Soviet proposal contained in Conference Room Paper 1, which would now form the basis of a new paragraph.

Proposed new paragraph

Mr. SLOAN (Representative of the Secretary-General) considered that the inclusion of the statement he had made at the opening meeting in the section of the report dealing with other questions would give an inaccurate impression of the context and intent of that statement. In fact, he had never intended to participate in consideration of the matter.

(Mr. Sloan)

If the Sub-Committee should wish to include a reference to the statement, it would be best to reproduce it fully in paragraph 5 and then under the section of the report relating to the moon; a paragraph could be included noting the statement and containing the remarks which delegations wished to include. It would, however, be best not to raise the question at all.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that, after referring to the fact that the representative of the Secretary-General had welcomed the Sub-Committee, paragraph 5 should reflect what he had said. Then, an additional paragraph should be inserted in chapter I to the effect that certain delegations had supported the view expressed by the representative of the Secretary-General, with a cross-reference to paragraph 5, and that others had categorically objected to it. It was essential to reflect the facts. Ideas had been expressed from the rostrum that had a political flavour, and members of the Sub-Committee had reacted to them in very different ways.

Mr. SLOAN (Representative of the Secretary-General) noted that the Soviet representative had referred to his statement as having a political flavour. That confirmed his belief that the statement had been misunderstood. As he had explained earlier, it should in no way be considered as advancing a legal theory or expressing an opinion on a matter which was primarily of a political character. To imply otherwise would misrepresent the statement.

The CHAIRMAN said that the summary records reflected the opinion of the Secretariat on the question.

He suggested that paragraph 5 might contain a summary of the statement made by the representative of the Secretary-General with particular reference to the question of parallel development in the work of the Sub-Committee and the Committee on the Peaceful Uses of the Sea-Bed. In chapter I, relating to the moon, a new paragraph, numbered 17 (a), would be inserted, containing the last sentence of the Soviet proposal (Conference Room Paper 1).

Mr. REIS (United States of America) said that no delegation had spoken on the matter apart from the Soviet Union. His delegation had not made a statement as it did not consider the issue relevant.

Mr. MAIORSKY (Union of Soviet Socialist Republics) said that the phrase "some delegations" did not necessarily include the United States delegation. It would be seen from the summary records that two delegations had spoken on the question.

The CHAIRMAN suggested that the Sub-Committee should authorize the Secretariat to draft an appropriate text for inclusion in paragraph 5. Paragraph 17 (a) would read: "In connexion with the statement made by the representative of the Secretary-General (vide paragraph 5), in the course of a general exchange of views...".

Mr. PERSSON (Sweden) suggested the wording: "In the course of the general exchange of views, some delegations agreed with this approach."

Mr. RAO (India) recalled that his delegation had specifically welcomed the statement by the representative of the Secretary-General.

Mr. MATHERS (United Kingdom) said that he entirely agreed with the representative of the United States. The point at issue had not figured largely in the discussion, and he saw very little reason for singling it out in the report. Many other statements had been made in the course of the exchange of views which were equally deserving of mention. He thought it would be undesirable to set out the complete statement by the representative of the Secretary-General in the body of the Sub-Committee's report. He hoped the USSR representative would be content with the fact that the views of the USSR and other delegations were reflected in the summary record.

Mr. COCCA (Argentina) supported the views of the United Kingdom. The position of the USSR delegation would be fully reflected in the summary records, and there should be no need for further additions to the report.

Mr. REIS (United States of America) proposed the addition of a new paragraph reading: "Certain delegations also drew attention to the desirability of early ratification of the Convention on International Liability for Damage Caused by Space Objects."

The CHAIRMAN said that, if there was no objection, he would take it that the Sub-Committee agreed to the United States proposal and to the suspension of the meeting to allow informal consultations with regard to the USSR proposal.

It was so decided.

The meeting was suspended at 1.15 p.m. and resumed at 1.25 p.m.

The CHAIRMAN said that, on the basis of the informal consultations which he had undertaken during the suspension of the meeting, he would propose, as a compromise, that the text of the USSR proposal relating to the statement by the representative of the Secretary-General should be annexed to the report and that paragraph 5 should remain as it stood. If there was no objection, he would take it that the Sub-Committee accepted that proposal.

It was so decided.

The CHAIRMAN further proposed that the text of paragraph 29 in document PUOS/C.2(XII)/1/Add.4 should read: "After a discussion of the question of altering the priorities of the items on its agenda, the Sub-Committee was... in light of developments during the next session of the Committee".

It was so decided.

The draft report of the Legal Sub-Committee on the work of its twelfth session, as amended, was approved.

CLOSURE OF THE SESSION

The CHAIRMAN observed that although it was true that the Sub-Committee was not ending its session in an atmosphere which could be described as festive and that all shared the feeling of disappointment that it had not been possible to finalize the text of the treaty relating to the moon and the convention on registration, useful work on those instruments had been accomplished during the session. Areas of disagreement had been isolated, and it had been found that, after all, they were not numerous. A very sound basis had been established for further progress in the solution of the outstanding problems. There was reason to hope that the Committee on the Peaceful Uses of Outer Space would be able to reach the goal which had eluded the Sub-Committee at its current session.

After the customary exchange of courtesies, he declared closed the twelfth session of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space.

The meeting rose at 1.40 p.m.