



SUMMARY RECORD OF THE 6th MEETING

Chairman: Mr. PIZA-ESCALANTE (Costa Rica)

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*Report on PDA/105*

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 51: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE  
(A/33/20, A/33/212)

AGENDA ITEM 52: PREPARATION OF AN INTERNATIONAL CONVENTION ON PRINCIPLES GOVERNING  
THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING

1. The CHAIRMAN, introducing the agenda items, stressed that the extraordinary achievements in space exploration and use that the world had witnessed during the past two decades were far from being abstract scientific pursuits. Increasingly, space exploration was being recognized as spearheading human progress in many directions. The United Nations, through its Committee on the Peaceful Uses of Outer Space, had taken the lead in ensuring that activities in space science and technology would benefit all mankind and at the same time proceed in an orderly manner.

2. In accordance with the practice that had been followed in the First Committee when it had considered the items on outer space, he suggested that the Special Political Committee should consider items 51 and 52 jointly, on the understanding that those delegations which wished to do so could make separate statements on either item. If he heard no objection, he would take it that the Committee wished to proceed in that manner.

3. It was so decided.

4. Mr. MOREIRA GARCIA (Brazil), Rapporteur of the Committee on the Peaceful Uses of Outer Space, introducing the report of the Committee (A/33/20), said it was indeed to the credit of the Committee that during a relatively short period of time it had been able to draft four important international treaties which had been adopted by the General Assembly and had already come into force with the ratification or accession of a large number of Member States. The Committee's work on three other international instruments was at an advanced stage of preparation. It was also to the credit of the Committee that it had been able to hold an international Conference on the Peaceful Uses of Outer Space in Vienna in 1968 and as a result establish a modest but effective United Nations programme on space applications for the benefit of developing countries.

5. The report that was now before the Special Political Committee contained several important recommendations for the consideration and approval of the General Assembly. He would begin his introduction of that report by referring to the work of the Legal Sub-Committee, which had had three priority items on its agenda.

(Mr. Moreira Garcia, Brazil)

6. The item on the draft treaty relating to the moon and other celestial bodies had been on the agenda of the Committee for the past seven years, and substantial progress had been made in drafting the text of a preamble and 21 articles. At its seventeenth session, the Legal Sub-Committee had given priority to the principal outstanding issue, namely the question of the legal régime governing natural resources of the moon. The main difficulty in reaching agreement on a text on that question had been whether or not such a legal régime should be based on the principle that the moon and its resources were the "common heritage of mankind". Although no consensus had been reached, the Committee had recommended that the Legal Sub-Committee, at its eighteenth session, should continue to consider, as a matter of priority, the draft treaty relating to the moon and other celestial bodies.

7. On the question of the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting, a draft text of a complete set of principles had been worked out. Although much progress had been made, no final agreement had been possible because of a lack of consensus on some remaining issues. The main point of contention related to the differing positions held with regard to the principle of freedom of information and that of sovereignty of States. In view of the progress already made, the Committee on the Peaceful Uses of Outer Space had recommended that the Legal Sub-Committee, at its eighteenth session, should continue to consider, as a matter of priority, the elaboration of principles on the subject, in accordance with General Assembly resolution 32/196 A and previous Assembly resolutions.

8. With regard to the consideration of the legal implications of remote sensing of the earth from space, the Legal Sub-Committee had, in 1976 and 1977, completed the formulation of the text of 11 draft principles, worked out on the basis of "common elements" identified from the various proposals put forward by Member States. In 1978, the Sub-Committee had provisionally agreed upon texts of five further principles, parts of which still remained within square brackets. The vital political issue on which agreement had not yet been reached was that of whether prior consent was required for a State launching a satellite to conduct remote sensing over the territory of another State and to disseminate to third parties the data and information thus obtained. Further reflection and negotiations would be required on that matter. However, in view of the progress already achieved, the Committee had recommended that the Legal Sub-Committee should continue, on the basis of priority, to give detailed consideration to that item at its next session.

9. As for the item relating to definition and/or delimitation of outer space and outer-space activities, it must be remembered that, although the item had been on the agenda of the Sub-Committee since 1967, lack of time had prevented the Sub-Committee from giving it detailed consideration. In the course of the 1978 session, a new and more substantive discussion had taken place, in which reference had also been made to the question of the geostationary orbit. The views of Member States were fully set out in the report of the Committee. The

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Committee on the Peaceful Uses of Outer Space had recommended that the Legal Sub-Committee should pursue its work on the matter, bearing in mind also questions relating to the geostationary orbit.

10. Turning to the work of the Scientific and Technical Sub-Committee, he remarked that priority had once again been given to the question of remote sensing of the earth by satellites. In that connexion, the Committee had noted the continued and detailed examination by its Scientific and Technical Sub-Committee of matters relating to remote sensing, especially in terms of the current pre-operational/experimental phase of remote sensing, as well as possible future operational satellite remote sensing systems.

11. The Committee had endorsed the strengthening of the role of the United Nations system in the use of that space technology for the benefit of all countries. It had further endorsed the work programme prepared by the Sub-Committee in that area, a programme which included consideration at its next session of the possible establishment of a United Nations panel of experts to co-ordinate activities in the field of remote sensing.

12. An important matter which concerned the future work of the Committee in the area of remote sensing related to its efforts to establish a generally acceptable system of gathering and disseminating data and information on earth resources. The Committee had discussed a proposal for classifying remote sensing data into three categories, global, regional and local, on the basis of spatial resolution. Debate on that question would be continued, and the Secretariat had been asked to present an updated report on the matter. In that connexion, the Union of Soviet Socialist Republics had submitted, for the information of the General Assembly, the text of an international Convention on the Transfer and Use of Data of the Remote Sensing of the Earth from Outer Space, signed in Moscow on 19 May 1978 by the group of Eastern European countries and opened to signature by other countries (A/33/162).

13. With regard to the United Nations programme on space applications, the Committee had endorsed the programme for 1979, which envisaged, *inter alia*, the continuation of the holding of United Nations-sponsored panels, seminars and workshops for the training of personnel in the various practical applications of space technology as well as other activities designed to further the dissemination to developing countries of information on relevant subject-matters. The Committee had also noted that several delegations had expressed the view that the programme should be extended, both in content and in scope, and that it should receive greater financial support.

14. On the recommendation of the Scientific and Technical Sub-Committee, the Committee had recommended that the General Assembly, at its thirty-third session, should decide that a second United Nations Conference on the Exploration and Peaceful Uses of Outer Space should be convened and had recommended that the Committee on the Peaceful Uses of Outer Space should be designated as the Preparatory Committee for the Conference and that the Scientific and Technical

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Sub-Committee should be designated as its advisory committee in order that all arrangements for the holding of the Conference might be made and that recommendations thereon, including the date and the venue, might be submitted to the General Assembly at its thirty-fourth session. Accordingly, the General Assembly at its thirty-third session would have to take a decision on the convening of the Conference and the suggested procedure for its preparation.

15. The problem of nuclear power sources in space had been brought to the attention of the Committee and its two Sub-Committees by Canada following the inadvertent re-entry of Cosmos-954 spacecraft which had landed in northern parts of Canada in early 1978. The matter had been discussed in some detail in the Committee and the two Sub-Committees, and several proposals had been made as to how the question should be dealt with in the future. The Committee had recommended that the Scientific and Technical Sub-Committee should create a working group of experts to study all aspects of the question. Accordingly, the General Assembly would have to decide on that matter.

16. The General Assembly at its thirty-second session had increased the membership of the Committee on the Peaceful Uses of Outer Space from 37 to 47 and had requested the Secretary-General to report to the current session of the General Assembly as to ways and means of ensuring wider participation by Member States in the work of the Committee. The Secretary-General had also been asked to determine the views of the Committee on the matter. There had been no general agreement on the need for such wider participation in the work of the Committee or the manner in which it could be ensured. The Secretary-General had submitted in document A/33/212 a report on the matter which contained the views he had solicited from Governments as well as the views of the Committee.

17. The Scientific and Technical Sub-Committee had also discussed the question relating to the physical nature and technical attributes of the geostationary orbit, and the Committee had recommended that the Scientific and Technical Sub-Committee should deal with the matter at its next session. The Committee had also recommended that the Secretariat study on the question should be updated if and when necessary.

18. Finally, the Committee had expressed its appreciation to the specialized agencies and other intergovernmental and non-governmental organizations which had participated in the work of the Committee and its two Sub-Committees. It had also considered matters related to the co-ordination of activities within the United Nations system and the exchange of information on international sounding rocket launching stations. Regarding the latter, it had recommended that the General Assembly should continue to grant sponsorship to the Thumba Equatorial Launching Station at the Vikram Sarabhai Centre in India and to the Centro de Experimentación y Lanzamiento de Proyectiles Autopropulsados (CELPA) Mar del Plata Rocket Launching Station in Argentina.

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19. Mr. FLORIN (German Democratic Republic) said that his Government actively participated in the exploration of outer space for peaceful purposes within the framework of the comprehensive Intercosmos programme. Up to August 1978, his country had provided over 100 on-board devices for about 50 outer space experiments and had designed more than 150 ground installations and measuring devices.

20. Through a joint long-term programme for the exploration of outer space, the CMEA member countries were increasing their socialist integration in space on a growing scale. They had been the first to have international crews on space vessels. In that connexion, he drew attention to the successful flights by cosmonauts from the Czechoslovak Socialist Republic and the Polish People's Republic together with Soviet cosmonauts. With the journey into space, from 26 August to 3 September 1978, of a citizen of the German Democratic Republic, his country had joined the ranks of States which were directly participating in flights on manned space ships. The manned flight of cosmonauts from the Soviet Union and the German Democratic Republic constituted an historic event in the life of his country, since it was of both national and international significance. On the eve of the thirtieth anniversary of the founding of the German Democratic Republic, the flight into outer space symbolized the successful development of the first socialist German State. Rising from the ruins of war, his country had now gone into outer space, a route travelled together with its faithful friends, the Soviet Union and other countries of the socialist community. The co-operation between the USSR and the German Democratic Republic in the Intercosmos programme was a graphic demonstration of the strong bond of friendship between the peoples of both countries who were closely co-operating in all fields of economic, intellectual and political life relating to the building of socialism and communism.

21. The Soviet Union was providing an opportunity for the eight partners in the Intercosmos programme, irrespective of their economic, technical or scientific potential, to become space nations, a fact which confirmed once again the vast opportunities and advantages flowing from peaceful co-operation between States on the basis of equality.

22. With regard to remote sensing of the earth by satellites, one of the key issues of space exploration activities, he said that scientists of the USSR and his country had designed and manufactured multizonal cameras which had been useful in experiments begun in the Intercosmos programme in 1976 on board the space vessel Soyuz-22 and continued during the current year on the orbital station Salyut-6. Those experiments were of great importance for many branches of the national economy, particularly in the fields of agriculture, forestry, hydrology, geology and environmental protection.

23. During his flight, the cosmonaut from the German Democratic Republic had photographed the territory of the USSR, the German Democratic Republic and other socialist States as well as atmospheric phenomena. Those activities were part of a long-term programme involving scientific projects on the geosphere, biosphere, mineral and biological resources and the environment. With regard to the interrelationship between the sun and the earth, he noted that his country

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(Mr. Florin, German Democratic Republic)

traditionally carried out research activities and that they had been greatly helped by the results of the experiments in the Intercosmos programme. The space station Salyut-6 had recently carried out an experiment called Aurora Polaris, in which visual observations had been made of that phenomenon from outer space. That method had an advantage over others such as the use of cameras on satellites, since it made it possible simultaneously to cover a substantial part of the planet's surface and to follow the dynamic development of the aurora polaris. Noting that visual observations of the aurora polaris had already been made by Soviet cosmonauts, he said there was no doubt that the recent observations by another group of cosmonauts, including one from the German Democratic Republic, would help to solve the various problems connected with that phenomenon.

24. The report of the Secretary-General on activities in the field of the peaceful uses of outer space in 1978 also contained the report of the German Democratic Republic on the space flight in question. His Government would provide information on the latest results of its scientific and technological research at the current session of the Scientific and Technical Sub-Committee.

25. With regard to the work of the Legal Sub-Committee, his delegation considered that progress had been made in elaborating the draft principles relating to remote sensing of the earth from outer space. However, one of the key problems, namely the application of the principle of the permanent sovereignty of States over their natural resources, was still not resolved. That situation was particularly difficult to understand since the principle in question was contained in many United Nations resolutions and was recognized by the overwhelming majority of States. In his delegation's opinion, the legal framework for remote sensing of the earth was defined, on the one hand, by the principle of the permanent sovereignty of States over their natural resources and, on the other, by the principle of the freedom of outer space. Within that framework, it was essential to find an international legal solution.

26. The proposal by the Union of Soviet Socialist Republics to classify data from remote sensing according to their spatial resolution was an appropriate criterion for governing the exchange and transfer of data obtained by remote sensing and information derived from analysis of such data. That would make it possible to respect both the sovereign interests of States whose territory was sensed and the principle of the freedom of the use and exploration of outer space in the interests of all countries.

27. On 19 May 1978, on the basis of those principles, eight CMEA members had signed a Convention on the Transfer and Use of Data of the Remote Sensing of the Earth from Outer Space. The Convention was open for signature by all States which accepted its purposes and principles. His delegation regarded it as the model for a legal instrument which could be used to regulate remote sensing of the earth from outer space. The aim was to promote mutually beneficial co-operation among States in the use and transfer of data from remote sensing.

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(Mr. Florin, German Democratic Republic)

28. With regard to the elaboration of the principles governing the use by States of satellites for direct television broadcasting, his delegation regretted that, because of the insufficiently constructive attitude of certain States at the seventeenth session of the Legal Sub-Committee, it had not been possible to achieve substantial progress. It was prepared to support any proposal based on respect for the sovereignty of States and on the principle of non-interference in the internal affairs of other States. Accordingly, direct broadcasting by satellite to another State was possible only if the transmitting State informed the receiving State in advance of its intention to carry out such a broadcast and if the appropriate agreements had been concluded between the interested States. In that regard, he drew attention to the decision taken by the World Administrative Radio Conference held in 1977 that the use of artificial earth satellites for direct television broadcasting to other States was possible only with the agreement of the latter. That decision should facilitate the drafting in the Legal Sub-Committee of legal principles governing direct television broadcasting.

29. The question of the definition and/or delimitation of outer space had been on the agenda of the Legal Sub-Committee for quite some time. For many years, it had not appeared to be an urgent matter. However, the increasing importance of outer space and the rapid development of outer space technology now made it essential to give greater attention to the question in the Legal Sub-Committee.

30. At its current session, the General Assembly would have to take a decision on the convening of a new United Nations Conference on Outer Space. Such a conference could, given the will of States and adequate preparation, make a useful contribution to the solution of many of the problems on the agenda and provide new impetus to the exploration and use of outer space for peaceful purposes. His Government would participate actively in the preparations for the Conference and would submit to the Scientific and Technical Sub-Committee proposals concerning the venue and date of the Conference, its agenda and other organizational matters.

31. In conclusion, he congratulated all those States which were successfully participating in the exploration of outer space for peaceful purposes.

32. Mr. KLESTIL (Austria) said that the further development of the space shuttle programme through the successful continuation of atmospheric test flights by the United States, the joint launching of an astronaut from Czechoslovakia and the Soviet Union, the subsequent participation in that outer space mission by astronauts from the Polish People's Republic and the German Democratic Republic, and the extended flights of the cosmonauts constituted the year's highlights among the various events in the exploration of outer space. The constant progress in space research in many other perhaps less spectacular fields had further added to a large body of scientific knowledge, thus providing new possibilities for the direct and indirect application of space technology in solving and alleviating many problems, particularly those of a global nature. The Austrian delegation had always welcomed the clear perception among all Member States of the manifest need

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(Mr. Klestil, Austria)

for international co-operation in the field of outer space. The United Nations, and particularly its Committee on the Peaceful Uses of Outer Space, had always provided the focal point for that activity. The Committee had been instrumental in the elaboration of the fundamental legal principles governing outer space activities and had also played a vital role in the scientific assessment of space-related technology and its practical applications. During the past year, the Committee and its two Sub-Committees had once again shown their ability to keep abreast of rapidly evolving technology and its political, legal, economic and organizational implications.

33. His delegation noted with particular satisfaction that considerable progress had been achieved on the question of convening a second United Nations Conference on the Exploration and Peaceful Uses of Outer Space. It was confident that the General Assembly would adopt the Committee's recommendations on the matter and would thus ensure the successful preparation of the Conference. Ten years had passed since the first world-wide conference on space matters had taken place in Vienna, and the time had therefore come to undertake a thorough assessment of the situation. Obviously, that could best be achieved on a global level with the participation of all countries, both suppliers and users, as well as of relevant institutions and agencies.

34. Another area where the deliberations of the Committee and the two Sub-Committees had produced tangible results was the question of the safety of outer space activities. All members were aware of the incident which, by heightening the awareness of the world community of possible damaging impacts of space objects on the earth, had given rise to the discussion of that particular and very important aspect of outer space activities. His delegation had been glad to see that all members of the Committee on the Peaceful Uses of Outer Space had been prepared to look beyond the one incident and had recognized the existence of an acute problem which could only be addressed in the spirit of co-operation which had always marked the activities of the Committee. In that spirit, the Committee had agreed that the General Assembly should request all launching States to inform States concerned in the event that a space object with nuclear power sources on board was malfunctioning with a risk of re-entry of radioactive materials to the earth. His delegation was of the opinion that that request would constitute a very timely addition to the existing regulations for outer space activities. The Committee had also agreed on adequate procedures that would allow for in-depth consideration of technical aspects and safety measures relating to the use of nuclear power sources in outer space.

35. The completion of the draft treaty relating to the moon would constitute an important step in the codification of international law relating to outer space. His delegation had always felt that the differences of opinion on the issues of the natural resources of the moon and the establishment of an international régime relating to their exploitation were not insurmountable. The Austrian delegation to the Legal Sub-Committee had therefore prepared a comprehensive working paper

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(Mr. Klestil, Austria)

for an agreement governing the activities of States on the moon and other celestial bodies. The working paper contained many elements of previous drafts. Furthermore, it represented an effort to bridge the gap on the remaining unresolved issues through carefully balanced compromise formulations. His delegation was particularly thankful for the widespread interest in the draft, which had been the subject of intensive discussions. It hoped that negotiations on the draft treaty would continue in 1979 with the aim of reaching a consensus.

36. Extensive discussions had also taken place on the subject of remote sensing, one of the most beneficial applications of space technology. Although the discussions had not yet led to a compromise solution on all aspects of remote sensing activities, the existing text of draft principles had been clarified to a considerable degree, thus providing a good basis for further work. Austria welcomed the progress achieved on the problems of co-ordination of future operational remote sensing activities. The decision of the Scientific and Technical Sub-Committee on the establishment, in principle, of a panel of experts, whose functions would include matters of standardization and exchange as well as dissemination of data, was to be commended. That decision would considerably strengthen the role of the United Nations as a focal point of outer space activities for the benefit of the international community as a whole.

37. Unfortunately, the earlier hopes that agreement on a set of draft principles on direct television broadcasting by satellites might be at hand had not materialized. His delegation took an active interest in the matter and hoped that a constructive approach on the part of all interested parties would lead to an early solution. It still believed that the compromise principle on "consultations and agreement" which had been elaborated at the twentieth session of the Committee on the Peaceful Uses of Outer Space would provide the best basis for such efforts.

38. The question of the geostationary orbit and its utilization has been discussed at the sessions of the Committee and its two Sub-Committees. The relevant observations had certainly contributed to the emerging consensus that the optimal utilization of and equal access to the geostationary orbit was indeed an issue which deserved thorough examination. His delegation therefore believed that the Committee should continue to discuss the matter with a view to achieving a consensus.

39. In conclusion, he wished to pay a special tribute to the spirit of co-operation which had once again characterized the proceedings of the Committee and, in particular, to acknowledge the valuable contribution made by the new members of the Committee. Their keen interest and active participation in the proceedings had further strengthened the vitality of the Committee and its ability to address in a constructive manner the manifold questions involved.

40. Mr. WYZNER (Poland) said that the first year of the third decade of the space era had appropriately been marked by new historic achievements such as the unprecedented length of human uninterrupted presence in outer space registered aboard Salyut-6 by two Soviet cosmonauts. The successful completion of space missions as part of the Intercosmos programme had meant that for the first time the citizens of new countries - his own, Czechoslovakia and the German Democratic Republic - in addition to those of the two space Powers, had made successful voyages to outer space and conducted valuable technical and scientific work. The Intersputnik organization also made good use of satellite communications.

41. Poland's scientific space programme was devoted in particular to space physics, satellite geodesy, space biology and medicine. Polish chronometers operating in conjunction with laser range-finders were used in a number of satellite-monitoring as well as astronomical and geophysical stations in Poland and other countries, including India and Bolivia.

42. Since the beginning of the space era, Poland and other socialist States had consistently called for the utilization of outer space for the good of mankind and not its destruction. That was why it had fully supported and implemented the respective arms-limitation provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, and had supported the wording of paragraph 80 of the final document of the special session of the General Assembly devoted to disarmament. It also fully shared the recommendations contained in the report of the Committee on the Peaceful Uses of Outer Space (A/33/20) that Member States which had not yet become parties to the Treaty should be encouraged to ratify or accede to that instrument. Similar encouragement should be addressed to States which were not yet parties to the other international instruments concerning outer space prepared by the Outer Space Committee, all of which had been ratified by Poland.

43. The Legal Sub-Committee had made significant progress in formulating the draft legal principles concerning remote sensing of the earth from space, but no final text had yet emerged. To fill that gap and establish a firm legal basis for co-operation in that field, a number of socialist States, including Poland, had signed on 19 May 1978 a Convention on the Transfer and Use of Data of the Remote Sensing of the Earth from Outer Space. Since the aim of that Convention was to guarantee the sovereign rights of States to control their natural resources while furthering international co-operation in the use of the results of remote sensing, it was to be hoped that other States would become parties to it so that it would serve as a suitable model for further progress in obtaining universal legal regulation of that important aspect of space activities.

44. When the principles of outer space law had first been established in 1963, the truth that outer space was not subject to national appropriation had become firmly entrenched in international law. However, there had been no precise definition of "outer space". The best approach to that question would be to choose a delimitation line above which space was to be considered outer space. Such an approach had been suggested at the last session of the Outer Space Committee by the

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(Mr. Wyzner, Poland)

Soviet Union (A/33/20, para. 64). His delegation believed that both the altitude of 100-110 kilometres above sea-level and the flexible process of agreeing on such a boundary provided a constructive basis for eliminating existing legal difficulties.

45. The task of preparing an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting had been allocated a separate item on the agenda of the current session. Work on the elaboration of those principles had been conducted for some years within the Outer Space Committee, and it was to be hoped that it would be successfully concluded in the near future, bearing in mind in particular the need to assure the legal protection of the sovereign rights of States as well as their cultural heritage.

46. His delegation fully shared the views and recommendations of the Outer Space Committee on the need to convene a second United Nations Conference on the Exploration and Peaceful Uses of Outer Space as an important instrument for reviewing and further promoting new developments in space science and technology for the benefit of all, but in particular the developing countries.

47. Speaking as Chairman of the Legal Sub-Committee, he said that in its consideration of the draft treaty on the moon the Sub-Committee, through its relevant Working Group, had decided to give priority to the question of the natural resources of the moon, since the solution of that key problem could lead to agreement on the two remaining issues, namely the scope of the treaty and the information to be furnished on missions to the moon. The text of a tentative draft agreement had been prepared by the Austrian delegation, but the Sub-Committee had not had time to consider it. However, the Outer Space Committee had discussed it at its last session and had recommended that the Legal Sub-Committee should consider the item as a matter of priority at its eighteenth session.

48. With regard to the elaboration of draft principles governing the use by States of artificial earth satellites for direct television broadcasting, a number of principles had been tentatively agreed upon at previous sessions of the Sub-Committee and the relevant Working Group was considering the others. The Working Group had held a number of consultations and meetings to discuss the legal implications of remote sensing of the earth by satellite and had formulated, in addition to the six principles previously agreed upon, five new principles on the following matters: the sovereignty of all States over their wealth and natural resources and its relationship to remote sensing; the question of advance notification to sensed States by sensing States; consultations between a State carrying out remote sensing and a State whose territory was being sensed; dissemination of data and information, and the settlement of disputes.

49. The item on definition and/or delimitation of outer space and outer space activities had been linked for the first time to questions relating to the geostationary orbit. Views concerning the urgency of such a definition had, as in the past, been divided, and there had been extensive discussion on the geostationary orbit.

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(Mr. Wyzner, Poland)

50. Although substantial progress at the last session of the Sub-Committee had not been as decisive as might be wished owing to the very difficult nature of the legal problems reviewed, many of which had political overtones. However, the most controversial matters were always left until the last stages of negotiations, so that progress at that point was always much less rapid than at the preliminary stages. The principle of consensus always observed by the Outer Space Committee and its subsidiary bodies also required patient consultations in order to reach agreement among an increased membership.

51. On the whole, however, the Legal Sub-Committee had made considerable progress on the agenda items at its last session, and he was convinced that significant progress would be made in formulating new chapters of outer space law at the 1979 session as a follow-up to the four international treaties which the Sub-Committee had successfully worked out in past years, thus contributing to the development of international co-operation in outer space, a realm which was not as remote from present-day terrestrial problems as it might frequently seem.

52. Mr. OLISEMEKA (Nigeria), while acknowledging the contributions that the conquest of space would bring to man's progress and civilization, reminded the space Powers of their obligations under article 1 of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which said that such activities should be carried out for the benefit and in the interests of all countries. So far, outer space programmes had not sufficiently benefited the developing countries. The only programme meant to assist those countries in becoming acquainted with the practical uses of space technology was the United Nations programme on space application, which had a meagre budget of \$110,000 per annum. The developing countries should benefit from outer space programmes in accordance with the provisions of the Treaty, but that would call for practical plans and goodwill on the part of the space Powers.

53. His delegation therefore welcomed the decision of the Outer Space Committee to convene a second United Nations Conference on the Exploration and Peaceful Uses of Outer Space by 1983, preparation for which would start early in 1979. That long preparatory period was invaluable for meaningful national and group programmes.

54. His delegation was also happy to see some progress with respect to the use of nuclear power sources in space, and it supported the recommendation made in paragraph 76 of the report of the Outer Space Committee (A/33/20). It hoped that not only would a working group of experts be established to look seriously at the use of nuclear power sources in space but also that a legal régime would eventually result from the findings of that group.

55. As knowledge of the resources of the developing countries was crucial to their development, his delegation believed that collaboration between the space Powers and those countries to determine their resources by remote sensing from outer space could be a very important factor in their development. The conclusion by the Soviet Union and seven other Member States of a Convention on the Transfer and Use

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(Mr. Olisemeka, Nigeria)

of Data of the Remote Sensing of the Earth from Outer Space (A/33/162) was evidence that sensing was no longer in the experimental stage. It was therefore to be hoped that the Legal Sub-Committee would hasten its work on the elaboration of principles to govern that practice. His delegation agreed on the need for prior consent of the sensed State before the sensing State distributed sensed information on its natural resources to a third party, but it believed that it was within the competence of the Outer Space Committee and its Legal Sub-Committee to develop those principles instead of permitting individual States to develop their own.

56. His delegation saw no need for the immediate elaboration of principles regarding the use by States of artificial earth satellites for direct television broadcasting. The motives behind the desire for such principles must inevitably be suspect, particularly since those States that were anxious for the principles to be finalized did not agree that the receiving States should be consulted before broadcasts were made to their people.

57. His delegation regretted that the draft treaty relating to the moon submitted by the Austrian delegation (A/33/20, annex II) could not be accepted as the basis for agreement by all delegations, and it implored the few delegations that had problems with that document to study it very carefully and reconsider their position.

58. His delegation recognized the unique as well as the limited nature of the geostationary orbit. The need to use it properly was therefore very important. His delegation supported the view that the Secretariat's report on the matter (A/AC.105/203) should be updated, because it agreed that the use of the geostationary orbit should be governed by a régime that would prevent overcrowding of objects in it. The argument that the geostationary orbit was in space and should be governed by the provisions of the Outer Space Treaty was not valid because the Outer Space Committee had made no progress in its 21 years of existence in defining and delimiting outer space. The problem of the geostationary orbit was only the first of the problems that could confront the Committee as a result of that lack of a definition. That situation was attributable to the lack of a political will to consider the problem seriously, and only the General Assembly could create such a political will. The failure of the Outer Space Committee to give that question the priority it deserved was perhaps due to the fact that some States might feel uneasy about some of their activities if outer space was properly defined and delimited. His delegation believed, however, that a majority of the members of the Special Political Committee would prefer to have a clear definition of outer space. The Committee should therefore seriously consider paragraphs 66 and 67 of the report of the Outer Space Committee, since the lack of a clear definition would lead to serious problems in the future.

The meeting rose at 12.40 p.m.