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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE  
VERBATIM RECORD OF THE ONE HUNDRED AND TWENTY-FOURTH MEETING

Held at Headquarters, New York,  
on Friday, 29 June 1973, at 10.30 a.m.

Chairman:

Mr. JANKOWITSCH

(Austria)

- Consideration of (3): (continued)
- (a) The report of the Legal Sub-Committee
  - (b) The report of the Scientific and Technical Sub-Committee
  - (c) The report of the Working Group on Direct Broadcast Satellites

This record is issued in final form pursuant to the decision taken by the Committee in September 1970 (see Official Records of the General Assembly Twenty-fifth Session, Supplement No. 20 (A/8020, para. 10)).

## CONSIDERATION OF: (continued)

- (a) REPORT OF THE LEGAL SUB-COMMITTEE (A/AC.105/115)
- (b) REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE (A/AC.105/116)
- (c) REPORT OF THE WORKING GROUP ON DIRECT BROADCAST SATELLITES (A/AC.105/117)

The CHAIRMAN: Before calling on the representatives whose names are on the list of speakers for this morning, I should like to draw the attention of members to two documents that have been put before the Committee this morning. The first is the Secretary-General's bulletin in document ST/SGB.131/Amend.36 of 25 June 1973, concerning the reorganization of the Outer Space Affairs Division which became effective on 25 June 1973. This document reflects the information given to us by the Under-Secretary-General for Political and Security Council Affairs. The second document -- COPUOS (XVI)/WG/1 -- is a text approved by the Working Group on 28 June 1973 concerning article VIII bis of the draft convention on registration of objects launched into outer space.

Mr. OSMAN (Egypt) (interpretation from French): My delegation would first like to express to you once again, Mr. Chairman, its gratification at the very skilful way in which you are conducting our work in this very important field of international endeavour. I should therefore like to assure you of the friendly co-operation of my delegation in the accomplishment of your task. I should also like to pay a tribute to the Chairmen of the Sub-Committees and Working Groups, Mr. Wyzner of Poland, Mr. Carver of Australia, Mr. Rydbeck of Sweden and Mr. Florio of Italy. I am sorry that our Rapporteur, Mr. Souza e Silva, has to leave us shortly. I should like to wish him all success when he takes up his new functions in Brazil. I do not wish to pass up this occasion to express our gratitude to the staff of the Outer Space Affairs Division for the very careful preparation of the documents before our Committee and its subsidiary bodies. I should like, furthermore, to welcome Mr. Murthy, the Expert on Space Applications, who has taken up his mission with great zeal.

(Mr. Osman, Egypt)

To co-ordinate the activities of the various authorities in Egypt dealing with space matters, a National Commission was set up in October 1972 within the Academy for Scientific Research and Technology. It is my pleasure today to have beside me the Rapporteur of that Commission. The Commission holds regular meetings and its Rapporteur acts in liaison with the Ministry for Foreign Affairs, the Outer Space Affairs Division of the Secretariat of the United Nations, the secretariats of the specialized agencies and the space authorities in various countries.

Mr. Chairman, in your initial statement you made a comprehensive survey of the space activities being carried out and of international co-operation in this area since the last half of 1972. My delegation would like to congratulate you on that statement and also to congratulate the United States of America and the Soviet Union on the space missions which have been so successfully accomplished by those countries.

I should like to make some precise comments about the contents of the reports which are before us. With respect to the report of the Legal Sub-Committee, my delegation notes that the name of Egypt has disappeared from working paper No. 3, which is reproduced on page 22 of the French text of the report, on international co-operation in scientific research on the moon and other celestial bodies. That document was originally submitted by the delegation of India, but subsequently my delegation stated that it had become a co-sponsor of it. It should be recalled that there was general agreement on the proposed provision, without spelling out in exactly which article it would appear. A corrigendum was circulated by the Secretariat in this connexion.

Furthermore, article X of the draft treaty on the moon was to be drawn up in accordance with the Indian proposal appearing in working paper No. 5, which is annexed to the report. Nevertheless, we are prepared to study the merits of the text which has been drawn up in the course of the unofficial consultations. In all events, the exploration of lunar resources should be based on the principle that these natural resources are the common heritage of mankind. That exploitation should be governed by an international régime that would ensure that it was methodical and safe and managed in a rational way.

This international régime would also be designed to ensure an equitable distribution among all States of any advantages which may come from this, taking into account particularly the interests and needs of the developing countries. Furthermore, any activities on the moon and other celestial bodies should not be inconsistent with the aims of the international régime to be set up.

With regard to the draft convention on the registration of space objects, the Legal Sub-Committee has made further progress. However, my delegation would like to associate itself with other delegations that have pleaded in favour of the need to have two additional articles in addition to the draft language which appears in the report of the Legal Sub-Committee. One would be an article on the marking according to which States will be required to mark in the most appropriate and practical fashion each space object which might be subject to re-entry into the atmosphere. Such a provision would, with other means, help to identify such objects which reach the earth and which might cause damage. Another article would be on the revision of the convention, taking into account the rapidity with which this technology is now developing and the fear that the present provisions might be out-dated in five years so that they would not cover all the possible aspects of future registration systems. Here we should like to commend the small group whose efforts led to an acceptable text on revision and we hope that in the case of marking it will be equally successful.

Regarding the report of the Scientific and Technical Sub-Committee my delegation would like to support the recommendations of the Sub-Committee appearing in paragraph 14 of its report on the promotion of the applications of space technology, particularly the creation of a special working group which would have as its mandate work on the best utilization of data about earth resources which would be obtained by satellite soundings. It should be noted that the implementation of the recommendations of the Scientific and Technical Sub-Committee would necessarily mean that the Space Division in the Secretariat would have to bear a heavy burden, in view of its present composition and its present facilities.

With regard to the programme on space applications for 1947, my delegation recalls that the programme, which it was initially proposed would reach \$130,000, was then cut back to about \$80,000, which is rather meagre in view of the needs of the developing countries in the field of space applications. It should be noted that Egypt will host a regional seminar on the applications of remote sensing which will be held during the second half of 1974. The Egyptian draft on remote sensing, which is partially assisted by the National Science Foundation of the United States, has started to prepare for this seminar, in co-operation with the Secretariat and Mr. Murthy, the Expert on Space Applications.

With regard to the report of the fourth session of the Working Group on Direct Broadcast Satellites, we should like briefly to recall the principles which underly our actions in this connexion as a developing country. Firstly, the potential advantages from direct broadcasting by satellites are enormous, where the developing countries can improve their telecommunication and broadcasting infrastructure, thus being enabled to contribute to their economic and social development. This would encourage international co-operation to develop the facilities and techniques which could help to apply this system in the developing countries on the one hand and also a precise definition of the legal principles which would apply to this area. Secondly, in elaborating legal principles which would apply to the new systems, two factors should be borne in mind. The first is the tremendous prospects which will naturally be made available for promoting cultural and information exchanges. The second is the dangers which would make necessary conditions to ensure that these techniques will only serve the noble causes of a fair peace, friendly relations among countries and international moral behaviour. Thus it is essential that we ensure that the sovereignty of States be respected by adopting principles which will protect States against any interference from abroad, which will thus preserve the personality and national identity of peoples and their independent development policies and also enable them to fashion their own future, within the context of a just peace. This being so, I should like to give an example of how this sort of protection is necessary.



(Mr. Osman, Egypt)

If, for example, a direct satellite broadcast sets up as its task the glorification of a certain ideal, such as peace, and this broadcast stops there and simply says "Peace" and bombards the world with this message, of course everybody unanimously agrees that peace is important, but to use direct satellite broadcasting simply to glorify peace as an institution and nothing else would have certain disadvantages because this peace might mean hegemony. This peaceful structure, without spelling it out, might simply amount to a negation of the rights of small nations or indifference to them. This peace as an institution might simply mean peace without justice, peace outside the canons of international law, peace incompatible with the principles recognized in the Charter of the United Nations. In such case international morality, I think, would require that people should be protected from such broadcasting, which would help to sow confusion in their minds.

This brings me to the application of the convention on liability. We are gratified that this will come into force, since it will help to safeguard against possible abuses which might cause damage to the legitimate interests of States. During the twenty-seventh session of the General Assembly my delegation supported the initiative of the Soviet Union regarding a draft convention on principles governing the utilization by States of artificial earth satellites for the purpose of direct television broadcasting. Canada and Sweden also made a very valuable contribution by submitting to the Working Group a joint working paper, which, however, was not studied in detail, together with the Soviet draft, during the fourth session of the Working Group, under the provisions of resolution 2916 (XXVII) of the General Assembly. This was the result perhaps of a lack of awareness of the Committee on Outer Space, on the one hand, and also of varying interpretations of the provisions contained in that resolution.

(Mr. Osman, Egypt)

My delegation supports the conclusions and recommendations of the Working Group to be found in section IV of its report. We support particularly the need to hold a further session of the Working Group before the thirteenth session of the Legal Sub-Committee in order to study in an interdisciplinary way the principles which should govern the use by States of artificial earth satellites for the purposes of direct television broadcasting, in order to formulate precise recommendations for the benefit of the Legal Sub-Committee.

Finally, I come to the question of enlarging the membership of the Committee, which was a point made yesterday by the representative of Argentina. My delegation, in principle, upholds the idea of such an enlargement, given the nature of the work done by the Committee.

Mr. SUNDBERG (Sweden): Speaking rather late in the debate, this delegation can on general matters mostly echo the words which have already been uttered by the delegations preceding it. We thus want sincerely to congratulate all those countries -- and organizations -- which have carried out important space activities in the past year. It will hardly be considered a reflection on any of those if I single out for special mention the successful continuation of the ERTS-1 programme with its far-reaching implications for all countries, as well as the salvaging of the first part of the Skylab experiment through magnificent collective and individual achievements on the part of the ground organization and the Skylab crew. I should also like to single out for a separate word the increasing collaboration in space between the Soviet Union and the United States. It is hoped that the fruits of this collaboration will be distributed to all countries and that this is just the incipient phase of an increased international pooling of resources and rational division of labour which could lead to that greater direct United Nations involvement -- either directly or through the establishment of a specialized international space agency -- which my country among others has long advocated.

On the various reports of the Sub-Committee and the Working Groups my delegation has the following comments to make. The latest session of the Scientific and Technical Sub-Committee was not marked by any major achievements but still showed the extent to which space applications are now becoming an integral part in the economic development of the majority of nations. We were especially gratified by the increased interest taken in the discussion by developing countries, which, it seems, are now starting to study seriously the possibilities of space technology for their own development.

The advent of remote sensing from space has probably given much impetus to this. Not only are the economic and environmental benefits to be reaped therefrom likely to be far-reaching but the legal and political problems relating to its use are of a kind and scope likely to arouse the interest of all Governments. For those reasons it is to be welcomed that the Working Group on Remote Sensing is now slowly but methodically working its way through the technological maze towards meaningful recommendations in the regulatory fields -- in other words, towards a proper regulation of the remote sensing activity as such, primarily so far as the distribution and use of remotely sensed information are concerned.

ERTS-1 has been remarkably successful and in many cases even exceeded the hopes pinned on it by scientists and practical applicators. There is thus certainly no further need to demonstrate its utility -- we know it is useful. The real question now will pertain to proper international organization and related legal problems. Although ERTS-B is not scheduled to be launched until 1976, there is no time to lose in establishing this organizational framework. We therefore welcome the intention of the Working Group to study, through a special task force, some of the most vital elements of a remote sensing system, namely, those relating to the distribution of data through international channels.

We further welcome the decision to send out a new questionnaire which will inquire about the state of remote sensing and future plans in all United Nations Member States. It is to be noted that a number of questions deal with organizational and legal matters. Generally, the questionnaire represents a great step forward compared to the similar earlier attempt and is in itself a good sign of the progress achieved over the last two years.

The discussion of the space expert's programme led to some searching questions and we believe that if the Sub-Committee's recommendations are carried out scrupulously there is scope for continued improved performance in the programme in spite of the extremely limited resources put at its disposal. We renew our own request that an evaluation of the programme be achieved through closer co-ordination with UNDP and to some extent with some of the specialized agencies, the representatives of which have promised increased co-operation. We hope such promises will be of substantive value.

Some progress was achieved with regard to the Sub-Committee's own work programme and working methods. My delegation was among those which supported the United Kingdom delegation's quite radical but well-founded proposals on this subject. We still are not convinced that it can be safely assumed that the Sub-Committee will have enough study items for fruitful, annual meetings and that therefore its automatic continuation will always be warranted. Since, however, next year seems to be fully covered, there will be time to

(Mr. Sundberg, Sweden)

revert to the matter. Meanwhile, the procedural decisions taken, aimed at greater concentration and purposefulness, may help the Sub-Committee to assert its authority.

My delegation in the Sub-Committee touched upon the question of maritime satellites, now being debated in IMCO. This question has important technical, legal and organizational aspects and should not pass without notice within the United Nations. It is with a certain annoyance that we find that IMCO is not represented at this session and we trust that this situation will be remedied without delay. We hope that the information will be provided to us at this session by an IMCO representative and that this will give rise to some discussion in this Committee.

The report of the Legal Sub-Committee shows that, in compliance with General Assembly resolution 2915 (XXVII), the Sub-Committee gave priority to the two items of a draft treaty concerning the moon and a draft convention on the registration of objects launched into outer space. Because of the past achievements of the Legal Sub-Committee, which has drawn up three international legal instruments dealing with outer space problems -- all of which are now in force, and at least one of which is of fundamental importance -- disappointment might be voiced that the Sub-Committee during its session this year did not seem to live up to the expectations earlier expressed by a great many delegations.

(Mr. Sundberg, Sweden)

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Last year the Legal Sub-Committee was able to adopt for presentation to its parent Committee and to the General Assembly a draft treaty concerning the moon, consisting of a preamble and 21 articles: unresolved issues were indicated by brackets. The fact that the Sub-Committee this year did not succeed in settling the principal outstanding issues and had to confine itself to taking note of, instead of approving, the revised versions of the draft treaty concerning the moon and the draft convention on registration might create the impression that the Sub-Committee had taken a step backwards in its work. Such a conclusion is, however, in our view not warranted. A close examination of the report of the Legal Sub-Committee reveals, in the eyes of my delegation, that consensus was reached on several difficult points and that a very thorough examination of the other remaining problems was also undertaken in the Sub-Committee and in its two working groups.

The discussion showed the very complex nature of those questions, but it helped to narrow the gap between the positions of the various delegations. We find that it should not now be too difficult to reach agreement on the two draft conventions, particularly on the one pertaining to registration. My delegation bases this optimism on the constant atmosphere of goodwill and co-operation that reigns in the Legal Sub-Committee and, above all, on the skilful and untiring efforts of its able Chairman, Mr. Wyzner. This optimism is also underscored by the hope that the promising atmosphere of increasing co-operation between the two main space Powers, as regards the practical application of space technology and research, will be extended to the two items referred to here.

With particular regard to the draft treaty concerning the moon, my delegation feels obliged to reiterate the views it expressed at the last session of this Committee to the effect that the treaty should cover all celestial bodies within the solar system. In this respect we note first of all that the outer space Treaty of 1967 speaks in all contexts of "the moon and other celestial bodies". In our opinion, the fundamental issues tackled in the draft treaty appear to be the same for all these celestial bodies and we cannot discern any reason that would justify an approach to the planets and their natural satellites that is basically different from the one applicable to our own moon.

(Mr. Sundberg, Sweden)

The central issue before the Sub-Committee appears to be the question of the natural resources of the celestial bodies dealt with in article X. My delegation welcomes the fact that the concept of the common heritage of mankind seems to have a good chance of being accepted by the Sub-Committee with regard to these resources. We must realize that it is unlikely that a State other than the two principal space Powers will in the foreseeable future have the financial and technical possibilities of going to the moon and, a fortiori, of sending space vehicles to other planets and extracting and bringing back to earth valuable natural resources.

When assessing the possible economic benefits to be derived from these space ventures one cannot, and should not, in all fairness disregard the enormous efforts and investments that discovery and exploitation will require and the fact that the space Powers might have a legitimate interest in recovering some of these costs. But this is only part of the bigger question of the general distribution of the riches that could one day be reaped on the moon and other celestial bodies. From that point of view it is a source of great satisfaction that all delegations, and above all those of the United States and the Soviet Union, appear ready to accept the thought that an international conference should be convened at a time when the exploitation of these natural resources becomes feasible with a view to establishing an international régime governing their exploitation, and that the conference should proceed on the basis of the principle that these resources are the common heritage of mankind. A logical consequence of this concept, once adopted, is the creation of a proper international administration for their future exploitation under the auspices of the United Nations.

With regard to the draft convention on registration of space objects, the deliberations in the Legal Sub-Committee made considerable progress towards a complete draft. The convention can be characterized as complementary to the three previous international instruments on the use and exploration of outer space. Articles II and III have given substance to the relevant provisions of General Assembly resolution 1962 (XVIII) and of the outer space Treaty relating to a national registry as a basis of control. The articles just mentioned do not in themselves specify the effects of registration. Jurisdiction

(Mr. Sundberg, Sweden)

and control are guaranteed the State of registry by the outer space Treaty, but it is probable that more detailed and precise rules on the full effects of this nationality concept will have to be worked out for a time when space shuttles and manned space stations of a durable nature become frequent, and particularly so if the crews on board are recruited from various countries.

Agreement is also secured for the transformation of the international registry at present maintained by the United Nations Secretary-General in accordance with General Assembly resolution 1721 (XVI) into a comprehensive mandatory registry available to the general public. As pointed out earlier, only registration as now envisaged will enable the international community to exercise its right of surveillance of how States are discharging their international obligations in respect of the use and exploration of outer space.

The main divergence of views within the Sub-Committee emerged with regard to the desirability and technical feasibility of marking the space objects. My delegation still remains hesitant on this point and, before taking a definite stand, would like to have more exact information both as to what kind of markings may be available at present that would be likely to withstand the heat generated by an uncontrolled descent through the earth's atmosphere and as to the space objects and component parts thereof on which such markings are to be placed.

The Working Group on Direct Broadcast Satellites has just concluded its fourth session, and we feel that it constituted a further step in the process of creating the proper international understanding of the potential and problems inherent in the direct broadcasting technology. Canada and Sweden continue their co-operation in this field -- a co-operation which for my country has been a most gratifying experience -- and through a further joint background paper have tried to clarify further the many issues involved. Particular emphasis is laid there on explaining the meaning and impact of the ITU regulations of 1971. Building on those, Canada and Sweden have proposed a draft declaration containing 10 principles to govern direct satellite television broadcasting. It is our hope that this proposal has made it easier for the Working Group to find its way towards the difficult balance of interests which must be achieved in this field.

(Mr. Sundberg, Sweden)

We welcome and support the recommendation of the Working Group that it be convened again in 1974:

"... to give its primary attention to relevant legal and political problems, while continuing to study new developments in satellite broadcasting technology and relevant economic factors." (A/AC.105/117, para. 77)

This mandate will allow the Working Group to carry further the task of reaching general agreement on the implementation of General Assembly resolution 2916 (XXVI), with a view to making specific recommendations for the work of the Legal Sub-Committee in this field. As already pointed out by a number of delegations, the Working Group's recommendations constitute the fragile but balanced compromise and it would be our hope that it would not need further discussion in this Committee. We feel that it is a constructive basis for our future consideration of the important subject of direct broadcasting.

Mrs. JOKA-BANGURA (Sierra Leone): Mr. Chairman, in your very explicit opening remarks you successfully highlighted the significant technical and political advances that have been made in the field of space achievement and co-operation since this Committee last met.

My delegation expresses its appreciation to those States or groups of States which have continued to contribute to man's knowledge of space and its benefits. In this connexion I would particularly congratulate the United States for the successful launching of Skylab I in the face of what to all appearances were insurmountable difficulties.

The three reports before this Committee -- namely, the report of the Legal Sub-Committee, the report of the Scientific and Technical Sub-Committee, and the report of the Working Group on Direct Broadcast Satellites -- are a reflection of hours of hard work and tireless efforts of consultations and compromises by the various members of the Committee.

We congratulate the various Chairmen and the members of those bodies for what in our view is a praiseworthy accomplishment.

(Mrs. Joka Bangura, Sierra Leone)

In spite of the fact that the Legal Sub-Committee did not complete its work, we feel that what it has so far achieved is productive in that there was a general agreement on a substantial part of its task. We note that the points of disagreement are few and with your wise suggestion for informal consultations, Mr. Chairman, we are confident that these points of disagreement will be reconciled so that the Sub-Committee can present its report to the twenty-eighth session as had been hoped.

On the question of the inclusion of a review clause in the convention on registration, my delegation shares the view that such inclusion is necessary in view of rapid developments in this particular field of space technology. With regard to the question of the natural resources of the moon, we agree with the views expressed by the Indian delegation that the moon and other celestial bodies are the common heritage of man and that any exploration of these resources should not be carried out except in accordance with an agreed international régime. On the question of marking, my delegation will be ready to go along with the majority view in this regard.

Turning now to the report of the Scientific and Technical Sub-Committee, my delegation is pleased to note the co-operation between the Sub-Committee and certain specialized agencies and other international organizations; we are also pleased with the efforts at co-ordinating the work of the Committee and that of these bodies. We are pleased with the programme of activities, especially the meeting in 1973 in Nairobi of the Third Committee of Governmental Experts. We believe it will succeed in winning the interest of African States in outer space affairs.

A special tribute is to be paid to the United Kingdom delegation for the working paper it presented in document A/AC.105/C.1/L.54 on the future role of the Sub-Committee. This document certainly stimulated some very useful discussions which led the Sub-Committee to outline its major role as follows:

- (a) To act as a focal point for the review and co-ordination of the United Nations programme on space applications;
- (b) To review the work of subsidiary working groups -- for example, the United Nations Working Group on Remote Sensing of the Earth by Satellites,



(Mrs. Joka-Bangura, Sierra Leone)

(c) To identify areas with regard to the scientific and technical aspects of the peaceful uses of outer space and of space technology which are of special interest to Members, particularly to developing countries, in order that these areas may be given more detailed consideration;

(d) To assist the Committee on the Peaceful Uses of Outer Space in the study of measures for the promotion of international co-operation in outer space activities affected by scientific and technical developments in space.

The Sub-Committee has also set as priorities for its next session remote sensing of the earth by satellites in all its aspects and the United Nations programme on space applications.

The Working Group on Remote Sensing had proposed the setting up of a task force which would be responsible for identifying and reporting on the alternatives for the dissemination and optimum utilization of environmental and resources data. Annexed to the report of the Sub-Committee is a questionnaire on remote sensing of the environment and natural resources to be sent to all States. By such a questionnaire the Sub-Committee hopes to succeed in involving all States in the question of the uses of outer space technology. We believe that this not only will involve but should awaken the interests of developing and non-space Powers to the benefits of space exploration.

This welcome involvement in the peaceful uses of outer space brings me to the question raised by the representative of Argentina: namely, that of increasing the membership of the Committee. As the benefits of space applications and space exploration are to be shared also by developing countries, I believe that a larger representation of this group on the Committee is necessary. My delegation has no specific number or proportion in mind since we believe that all countries actively engaged in space research must be represented on the Committee irrespective of the principle of proportionate geographical representation, because there is a lot to be gained from their contribution to the work of the Committee. It is my delegation's hope that this proposal will generate enough interest to make it an item for the twenty-eighth session of the General Assembly for initial consideration.

(Mrs. Joka-Bangura, Sierra Leone)

With regard to the report of the Working Group on Direct Broadcast Satellites, I would like to express my delegation's appreciation to the Canadian and Swedish delegations for their joint working paper in document A/AC.105/W.93/L.4, setting out principles which should govern broadcasting activities by satellites. We note the importance given to international co-operation for the development and use of broadcast satellites for the benefit of all, the protection of the sovereign rights of States and free flow of information, and the consent of States prior to the undertaking of satellite broadcasting in a particular State by another.

My delegation supports the conclusions and recommendations of the reports of the Technical Sub-Committee and the Working Group on Broadcast Satellites and hopes these reports will receive the unanimous approval of this Committee.

In conclusion, I should like to pledge my delegation's support for the decision to enlarge the supporting staff of the Outer Space Affairs Division for the implementation of the programmes and decisions of the Committee, bearing in mind that such a decision has been necessitated by the expanding field of space relations.

Mr. MIKUCKI (Poland): Mr. Chairman, allow me first of all to express to you my delegation's satisfaction for your very able and distinguished chairmanship of the deliberations during this session of the Committee. May I also pay a tribute to the Rapporteur, Mr. Souza e Silva, whose outstanding contribution to the work of our Committee is very well known and highly appreciated. In connexion with his departure and appointment to a new important post, I should like to express to him my best wishes for success.

It gives me also particular pleasure to welcome our friend, Mr. Arkady Schevchenko, the new Under-Secretary-General for Political and Security Council Affairs, whose outstanding qualifications were so ably described by you, Mr. Chairman. My delegation's sincere felicitations go also to Mr. Abdel-Ghani, Chief of the Outer Space Affairs Division of the Secretariat, and to Mr. Murthy, the new United Nations Expert on Space Applications.

(Mr. Mikucki, Poland)

Very recently we witnessed a most significant political event. I have in mind the visit to the United States of America of the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Leonid Brezhnev. The results of his talks with the President of the United States, Richard Nixon; the agreements signed, among others the agreement of historic importance on the prevention of nuclear war, have far more than bilateral scope and will undoubtedly have a most welcome, positive influence on the international community as a whole. The new, positive political spirit will also undoubtedly influence further development of co-operation in the peaceful uses of outer space.

(Mr. Mikucki, Poland)

Since the last session of this Committee we have witnessed further scientific and technological achievements in the field of the peaceful uses of outer space that have been most significant.

We have all applauded the most important events in this field, such as the successful accomplishments of Apollo 17 and the remarkable achievements of Lunokhod 2.

Most recently we have followed with utmost interest the spectacular launching and successful flight of Skylab I and its courageous crew. I avail myself of this opportunity to congratulate the delegation of the United States on its very important achievements.

In Poland we have continued our co-operation within the framework of Intercosmos. Since Poland joined the Intersputnik system in November 1971, its efforts in space communications have been directed towards constructing appropriate ground-base facilities. A site in central Poland has been chosen for the transmitting and receiving station, which is expected to be operational in 1974-1975.

This year we in Poland and the international community are celebrating the five hundredth anniversary of the birth of Nicolaus Copernicus, the famous Polish astronomer and scholar. In his most important work, entitled De Revolutionibus Orbium Celestium, Copernicus, as a poet once said "moved the earth and stopped the sun". It is with joy and satisfaction that we note the way in which our great countryman is commemorated in many countries of the world, for indeed Copernicus belongs to all mankind, just as his heliocentric theory is of universal significance. In addition to many scientific events such as conferences, symposia, lectures, seminars and exhibitions the quincentenary of Copernicus's birth was also celebrated by activities in space: On 21 August 1972 the United States launched the Copernicus orbiting astronomical observatory; on 19 April 1973 the Union of Soviet Socialist Republics orbited its scientific research satellite Intercosmos Copernicus 500, a joint mission by the Soviet Union, Poland and Czechoslovakia.

My delegation is particularly pleased with and wishes to express its thanks to the Scientific and Technical Sub-Committee for its adoption of the following paragraph in the report of its tenth session:

(Mr. Mikucki, Poland)

"The Scientific and Technical Sub-Committee noted with appreciation the way in which the five hundredth anniversary of the birth of Nicolaus Copernicus had found its reflection in space activities, in particular in launchings of two satellites named after the great Polish astronomer: one by the USSR, created in co-operation between scientists of the USSR and Poland, and another by the United States. There was a direct road leading from Copernicus' discovery to space exploration, a fact being widely commemorated all over the world in many scientific symposia, seminars and lectures. All this significantly contributed to the promotion of international scientific co-operation in the peaceful exploration of outer space." (A/AC.105/116, para. 9)

There seems to be a general opinion in this Committee that along with the remarkable and rapid development of space science and technology there is also a growing awareness of the need for international co-operation on a multilateral, regional and bilateral basis. In this connexion my delegation wishes to make some comments on the reports before us.

The Legal Sub-Committee during its twelfth session earlier this year considered as priority items the draft treaty relating to the moon and the draft convention on the registration of objects launched into space. Despite the good and optimistic atmosphere that seemed to prevail during its session and the genuine efforts that were made, the report of the Legal Sub-Committee cannot be regarded as satisfactory. In regard to the draft treaty relating to the moon outstanding questions still remain to be solved. I have in mind the scope of the treaty, the legal status of the moon's natural resources, and the question of information on missions to the moon to be furnished. My delegation is glad that in accordance with the recommendation of the Legal Sub-Committee this Committee during its informal meetings is endeavouring to solve the remaining outstanding issues.

In the opinion of my delegation the compromise working paper which was presented by the delegation of Bulgaria during the last session of the Legal Sub-Committee and which we supported, continues to be a basis for a solution of all the remaining problems as a so-called package, and at the same time the Italian proposal on natural resources can be regarded as coming nearest to solving the complex problem of article X.

(Mr. Mikucki, Poland)

In regard to the convention on the registration of objects launched into space two outstanding questions remain to be solved: the question of marking the space objects and the review of the proposed draft convention. In our opinion the above-mentioned problems are not insurmountable, though the question of marking seems to be the key issue. Further efforts and an attitude of compromise is necessary for a solution of this problem.

The Technical and Scientific Sub-Committee during its recent tenth session devoted its attention to consideration of the important questions of remote sensing of the earth by satellites and promotion of applications of space technology. In our opinion the report of the Scientific and Technical Sub-Committee reflects correctly the various aspects of the above-mentioned problems that were discussed. It should continue to concentrate its efforts and co-ordination on the consideration of questions of the application of space technology for peaceful purposes and for the benefit of all countries.

I turn now to the report of the fourth session of the Working Group on Direct Broadcast Satellites. As is known, that report reflects various considerations concerning the use by States of artificial earth satellites for direct television broadcasting. In this connexion my delegation wishes to reaffirm that we attach great importance to this new means of communications which on the one hand has a very challenging and promising potential for the benefit of man and on the other has very important political and legal implications.

We consider that the direct broadcast satellites should serve the purposes of peace, better and friendlier relations among peoples, and the expansion of exchanges of information and of educational and cultural values. We therefore share the opinion of those delegations which consider that to cope with the problem of direct broadcast satellites, the proper legal regulations are necessary and urgent and that such regulations would constitute the best possible means of assuring benefits for all nations, regardless of their development.

The draft convention on principles governing the use by States of artificial earth satellites for direct television broadcasting presented last year by the Soviet Union constitutes a very useful solution for the elaboration of an international agreement in accordance with General Assembly resolution 2916 (XXVII).

(Mr. Mikucki, Poland)

My delegation reaffirms the opinion it expressed earlier that our Committee should take a decision authorizing the Legal Sub-Committee to elaborate a proper international instrument. It is on that understanding that we interpret the compromise formula on the reconvening of the Working Group contained in paragraph 78 of its report.

My delegation has consistently favoured and has more than one reason for supporting the idea of equitable rotation of the organs of this Committee between Geneva and New York. My delegation therefore fully supports the suggestions made in this respect by the representative of the Soviet Union, Mr. Piradov.

In conclusion, Mr. Chairman, I should like to concur with the comments you made while conveying to the Committee Mr. Wyzner's apologies for his not coming to New York because of important duties at home. I can assure all delegations that their expressions of regret and kind words addressed to Mr. Wyzner will be duly conveyed to him. I am almost certain that very soon he will again be at the disposal of the Committee, especially once we decide that more of our organs should hold their sessions in Geneva.

Mr. CORREA (Mexico) (interpretation from Spanish): Mr. Chairman, since this is the first time I have participated in the discussion in this Committee may I say how pleased I am to be able to work under your guidance and to find myself in such capable hands. We have been struck by the enthusiasm and energy you have displayed in conducting the work of this Committee and its informal working group.

Before making substantive comments on the items on the agenda, may I state that my delegation is very grateful for the work that has been done by Mr. Franco Florio of Italy, Mr. Wyzner of Poland, Mr. Carver of Australia, Mr. Rydbeck of Sweden and Mr. Tuerk of Austria, who have presided over the Sub-Committees and Working Groups of this Committee. We should also like to congratulate our Rapporteur, Mr. Souza e Silva, whose effective work in the Bureau will undoubtedly be a fine example for his successor in that office.

I think we all recognize that the efforts made by the members of the Legal Sub-Committee at its twelfth session were considerable but could also

(Mr. Correa, Mexico)

be described as unfruitful. The articles relating to draft conventions on the moon and the registration of objects launched into space are obvious proof of the spirit of compromise and co-operation that informed the work of delegations at meetings of the Sub-Committee.

There is a great gap between the articles appearing in the report of the Legal Sub-Committee and the joint draft by Canada and Sweden, whose articles served as a basis for these negotiations.

The delegation of Mexico considers that the clauses on marking and revision are essential ones in any convention on registration. The debates held in the Legal Sub-Committee have shown very clearly that marking is not a technical problem, nor do we think it entails any financial burden that would be insurmountable in a space programme.

It is important to determine the form in which the convention will reflect the conviction of the majority of the members of the Committee that marking is an essential feature of registration and a fundamental prerequisite for the effectiveness of the convention on liability. If we leave it to the discretion of States to mark any objects they launch into space that will not be a true reflection of the opinion which prevails here -- namely, that in the absence of a binding clause, the convention should indicate that all objects launched into space should be marked. We are gratified to note that a spirit of co-operation and compromise has prevailed in the informal group, and we are certain that a satisfactory solution will be arrived at.

The revision clause is a second factor which in the opinion of my delegation is essential. I do not intend now to go into any of the details that have already been set forth in the Sub-Committee and at the first meeting of the informal working group. Suffice it to say that we are very closely concerned with the techniques that are now emerging. We are very pleased at the work that has been done by the informal working group, and we are quite certain that the first text negotiated in the small group -- with which, furthermore, my delegation agrees -- will be one step towards the conclusion of the draft convention on registration at this session.

Unfortunately, the informal working group has not had equal success in the case of the draft treaty on the moon. Here the difficulties are much



(Mr. Correa, Mexico)

more far-reaching, and my delegation believes that the treaty should state that the moon and other celestial bodies and the natural resources thereof are the common heritage of mankind and that independently of location their exploitation or utilization should be carried out in accordance with an international régime to be drawn up.

Recent contacts in the informal group and in the negotiating group have not overcome differences on the convention on the moon. My delegation wonders whether it might not be possible for the informal group to devote all its time to consideration of the convention on registration and return to the question of the moon when informal contacts make it possible for substantial progress to take place either on article X or on other articles of the convention on the moon. In this connexion we should bear in mind the fact that there are a number of provisions on which there is virtual agreement.

Turning now to the report of the Working Group on Direct Broadcast Satellites, we should like to congratulate the delegation of the Soviet Union on its initiative in calling for the inclusion on the agenda of the twenty-seventh session of the General Assembly of an item on the preparation of an international convention on principles to govern activities by States in direct satellite broadcasting. We also wish to congratulate it on the draft convention it presented at that session.

We should like to thank the delegations of Sweden and Canada for the working document they presented at the session of the Working Group. It contains valuable elements and should make it possible to achieve the objective which the General Assembly set for itself in resolution 2916 (XXVII). In this connexion I should like to repeat what my delegation said on that resolution in the Working Group on Direct Broadcast Satellites. My delegation believes that the General Assembly should unequivocally establish the need to elaborate as soon as possible the principles that should govern these activities so that they can serve as a basis for an international agreement or agreements. The delegation of Mexico believes that direct satellite broadcasting is of such importance that it requires international legislation and that there should be principles and norms in a binding convention. We believe that resolution 2916 (XXVII) indicates that the work of the Working Group on Direct Broadcast Satellites and activities in this area should be guided by principles and a convention on the subject. My delegation agrees with the conclusions and recommendations of the Working Group and we are convinced they will command the unanimous support of this Committee.

(Mr. Correa, Mexico)

As regards the Scientific and Technical Sub-Committee, we are pleased that substantive study has begun on remote sensing of satellites. We should like to draw attention to paragraph 61 of the report of the Working Group on the progress of its work. In it the Working Group asks that the Legal Sub-Committee should inform it as soon as possible of its views on space activities.

We should like to thank the United Nations Expert on Space Technology for his valuable co-operation in organizing the technical group and the information seminar conducted jointly by the United Nations and the World Meteorological Organization which was held in Mexico City from 29 November to 8 December 1972.

Finally, I should like to turn to a problem which both Spanish-speaking delegations have been considering in the Committee, in the Sub-Committees and in the Working Groups. Reference has been made to this problem by the representative of Argentina. It is that there has been a lack of documents in Spanish when certain items have been discussed in those subsidiary bodies. We should like to ask the Secretariat to do whatever is possible to see to it that the translations of the documents of the Committee, the Sub-Committees and the Working Groups are prepared as much in advance as possible so that the Spanish-speaking delegations can have time to study the texts and the precise implications of the terms used.

The CHAIRMAN: I understand that the representative of France would like to make a brief statement, and I now call on him.

Mr. CHARVET (France) (interpretation from French): I should just like to draw the attention of the Committee to a minor error which crept into the record of my statement as it appears in document A/AC.105/PV.122, page 32, second paragraph. The minor error was not the fault of the Secretariat, but resulted from the fact that the text I prepared was difficult to read. I had intended to express the wish that the present session would be marked by the same spirit of co-operation shown by all delegations at the last session of the Legal Sub-Committee which had made it possible to achieve notable progress. The text before me shows me as saying that the notable progress applied to the present session. Of course, I hope that reality will adjust itself to this minor error and transform it into fact. But, things being as they are, I should like to have this passage corrected, while hoping that between now and the end of the session we shall be able to achieve results more positive than those we have achieved so far.

The CHAIRMAN: Due note will be taken of the statement made by the representative of France.

We have now come to the conclusion of the list of speakers for this morning. As announced yesterday, and as agreed by the Committee, the list of speakers for the general debate will be closed this morning. I do have a list of speakers for the morning of Monday which, in accordance with the understanding reached, will be the last day of our general debate. Those delegations wishing to speak on Monday should so inform the Secretariat by the close of this meeting if they have not yet done so. The next meeting of the Committee will take place on Monday, 2 July, at 10.30 a.m.

The meeting rose at 12.20 p.m.

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