

(The Chairman)

I propose that the list of speakers for these items be closed tomorrow at noon. Delegations which have not inscribed their names by that time will be considered as not wishing to participate in the general debate. As I said earlier, this will enable us to organize our work properly.

If there is no objection, the list of speakers for these two items will be closed tomorrow at noon.

It was so decided.

The CHAIRMAN (interpretation from Spanish): Finally, I should like also to remind the Committee that we have a request from the President of the General Assembly that, in so far as possible, we adhere to the time-table and the dates the Committee agreed upon for the beginning and conclusion of each and every item allocated to the Committee. It is my intention faithfully to comply with this request of the President of the General Assembly.

May I therefore remind the Committee that at the latest next Friday, 18 October, we shall conclude our entire consideration of the two items pertaining to outer space.

The meeting rose at 3.55 p.m.

UNITED NATIONS GENERAL ASSEMBLY



PROVISIONAL

A/C.1/PV.1988
11 October 1974

ENGLISH

Twenty-ninth Session

FIRST COMMITTEE

PROVISIONAL VERBATIM RECORD OF THE NINETEEN HUNDRED AND EIGHTY-EIGHTH MEETING

Held at Headquarters, New York,
on Friday, 11 October 1974, at 10.30 a.m.

Chairman:

Mr. ORTIZ de ROZAS

(Argentina)

Rapporteur:

Mr. da COSTA LOBO

(Portugal)

- International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space [32]
- Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting: report of the Committee on the Peaceful Uses of Outer Space [33]

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The co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

74-71012/A

AGENDA ITEMS 32 AND 33

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

PREPARATION OF AN INTERNATIONAL CONVENTION ON PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/9620)

The CHAIRMAN (interpretation from Spanish): In accordance with what has been decided, the First Committee will today begin its consideration of the items on its agenda relating to outer space: item 32, entitled "International co-operation in the peaceful uses of outer space"; and item 33, entitled "Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting". The report of the Committee on the Peaceful Uses of Outer Space has been circulated and is contained in document A/9620.

In accordance with what was done last year, we shall take the two items that I have just mentioned jointly; in other words, delegations, in their statements, may refer to both at the same time. This does not, of course, mean that delegations who prefer to refer to them separately may not do so.

We shall now begin the general debate on these items, and it is a great pleasure and a privilege for me to call on the first speaker on my list, the representative of Austria, Mr. Jankowitsch, Chairman of the Committee on the Peaceful Uses of Outer Space.

Mr. JANKOWITSCH (Austria), Chairman of the Committee on the Peaceful Uses of Outer Space: Mr. Chairman, at a later stage in the debate when I speak in my capacity as representative of Austria, I shall have the pleasure of stating the feelings of the Austrian delegation with regard to you in your capacity as Chairman of the First Committee. This morning, rather, I am addressing you, Mr. Chairman, and the Committee as Chairman of the United Nations Committee on the Peaceful Uses of Outer Space.

(Mr. Jankowitsch, Chairman,
Outer Space Committee)

It is my privilege to present to the General Assembly the Committee's report on the work of its seventeenth session, contained, as you have already said, Mr. Chairman, in document A/9620.

The Committee's deliberations in the past year were based mainly, as in previous years, on the activities of its subsidiary bodies, that is, the Legal Sub-Committee, the Scientific and Technical Sub-Committee, and the Working Groups on Direct Broadcast Satellites and Remote Sensing of the Earth by Satellites.

This has again been a busy year for the Outer Space Committee, and it has been the year when, for the first time, the Committee met with an enlarged membership. As you will recall, by decision of the twenty-eighth session of the General Assembly, nine new members were added to the Committee as of 14 February 1974. I wish to take this opportunity to pay a tribute to the new members of the Committee, who have made a significant contribution to our work during the past year.

My pleasure in presenting this year's report is heightened by the fact that the Committee was able to complete successfully the draft of the text of a convention on registration of objects launched into outer space. The Committee has thus, in less than a decade, contributed to the development of a legal order in outer space by adopting a number of significant international conventions: namely, the outer space Treaty, adopted in 1966; the astronauts Agreement, adopted in 1967; and the liability Convention adopted in 1971. It has now once again made a contribution to this important new body of law by the adoption of a registration convention which will be submitted to this session of the General Assembly for consideration and adoption.

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Outer Space Committee)

The General Assembly at its last session recommended, in resolution 3182 (XXVIII) that the Committee should, as a matter of the highest priority, make every effort to complete the draft convention on registration. After several years of detailed study and extensive negotiations in the Legal Sub-Committee and in the Main Committee on the many complicated issues involved, the Committee and its Legal Sub-Committee have been able to finalize the text of the draft convention this year. It does not, and of course cannot, satisfy everyone completely, but it represents not only several years of hard and dedicated work but also, I believe, the optimum level of compromise that could be reached at the present stage of technology. That is why the draft convention received the unanimous approval of the members of the Committee.

The purpose of the draft convention is set out in the preamble: namely, to make provision for the national registration by launching States of space objects launched into outer space; for a central register of objects launched into outer space to be established and maintained on a mandatory basis by the Secretary-General of the United Nations; and, finally, to provide additional means and procedures for States Parties to assist them in the identification of space objects.

In this connexion the States Parties to the convention would express their belief that a mandatory system of registering objects launched into outer space would, in particular, assist in the identification of such objects and contribute to the application and development of international law governing the exploration and use of outer space.

I do not propose to go into the substance of the draft convention, which is set out in very great detail, along with the history of its negotiation, in a statement made in the Main Committee by the Chairman of Working Group II of the Legal Sub-Committee, which is reproduced as annex II to the report before this Committee. I should, however, like to pay a tribute at this stage to all members of the Committee and its Sub-Committee and in particular to Mr. Eugenius Wyzner, of Poland, Chairman of the Legal Sub-Committee,

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and also the Chairman of Working Group II of the Sub-Committee, where much of the drafting took place. I understand that Mr. Wyzner will speak in more detail about the provision of the draft convention following this brief introduction.

As to the significance of the draft convention, I wish to observe that with the increase in the activities being carried out in outer space, which we are witnessing daily, the likelihood of a space object's falling back on earth, causing damage or loss of life and property, has also increased. The Convention on International Liability for Damage caused by Space Objects, which is already in effect, provides for rules of compensation to be applied in such an eventuality, which it is to be hoped will never occur. The draft convention on registration is therefore an indispensable instrument for ensuring that claims of innocent victims under the liability Convention could be met promptly and effectively. It complements the body of rules provided by the liability Convention, in the sense that it would facilitate procedures for identification of space objects in case of doubt. In that sense the draft convention on registration is a significant contribution, we believe, to complement the existing body of international law in this field; hence it represents an important step forward in the progressive development and codification of international space law. I therefore have the honour to commend the draft convention to the General Assembly and I hope it will receive the unanimous support of this Committee.

The Outer Space Committee was also concerned with several other legal questions. General Assembly resolution 3182 (XXVIII), to which I referred earlier, also requested that the Committee give the highest priority to the draft treaty relating to the moon along with the draft convention on registration. Although vigorous attempts were made, both in the Legal Sub-Committee and in the Main Committee, to reconcile the outstanding differences of opinion and finalize the draft treaty relating to the moon, there were a few outstanding issues on which agreement could not yet be reached.

The Legal Sub-Committee of the Outer Space Committee had approved twenty-one articles and its Working Group reached agreement on six additional provisions. Those agreed articles constitute the main components of the draft treaty. The outstanding issues relating to the scope of the treaty and the status of the natural resources of the moon continued to create a stumbling-block which

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prevented the adoption of the draft as a whole. The differing views on this matter are very clear and well known and it is my hope, therefore, that a compromise can be reached during the course of the 1975 sessions of the Committee so that the General Assembly may have the draft for approval next year.

Another area of work of the Committee relates to the question of direct broadcast satellites. Following the recommendations of the General Assembly last year, that high priority be given to the question of elaborating principles governing the use of artificial earth satellites for direct television broadcasting with a view to the conclusion of an international agreement or agreements, considerable progress was achieved in this field. The Working Group on Direct Broadcast Satellites, which was convened in March to assist the Legal Sub-Committee in its task, made a detailed study of the question and outlined a series of draft basic principles governing international co-operation in this field. It was able, furthermore, to reach a consensus on the content of a number of the draft principles that it considered should be elaborated and, where a consensus was not considered possible, the differing views of its members were all registered.

At its last session the Legal Sub-Committee began the task of drafting principles in the areas where there was a high degree of consensus in the Working Group on Direct Broadcast Satellites. It was able, through a drafting group, to reach general agreement on the formulation of the text of five principles, although each included certain elements on which agreement cannot yet be achieved. Those principles related to the applicability of international law; rights and benefits of States; international co-operation; State responsibility; and the peaceful settlement of disputes. Having regard to the degree of consensus already achieved and the amount of work yet to be done in the elaboration of these and other principles in this field, the Legal Sub-Committee was of the view that it should continue the work on the formulation of those principles as a priority item at its next session. The Outer Space Committee endorsed that view.

I should like to take this opportunity to express my appreciation of the work of the members of the Working Group on Direct Broadcast Satellites and its Chairman, Mr. Rydbeck of Sweden.

The Committee considered the manner in which progress could best be achieved in 1975.

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Outer Space Committee)

The main outstanding matter and the principal points of contention during the debate in both the Working Group on Direct Broadcast Satellites and the Legal Sub-Committee related to the differing positions held by members with regard to the principle of freedom of information, on the one hand, and that of sovereignty of States, on the other. The task before the Legal Sub-Committee, therefore, is to reconcile what are considered to be conflicting interests between the proponents of the principle of freedom of information and those the principle of sovereignty of States. In essence, these conflicting interests reflect differing viewpoints as to whether or not there should be prior consent of States concerned before a direct broadcast by satellite is beamed into the territory of another country. Several suggestions were made in the Outer Space Committee concerning how this matter might best be resolved and also with regard to the future work in the elaboration of principles in this area. Basically, they relate to the procedural, but important, question as to whether to reconvene another session of the Working Group on Direct Broadcast Satellites to concentrate on this matter before the Legal Sub-Committee could start drafting principles in this area or, at least, to have a joint session of the two bodies or of their drafting groups. No decision was reached and the differing views of members on this matter have been faithfully recorded in the report of the Outer Space Committee. In this regard I draw the Committee's attention to paragraphs 55 and 56 of the report.

The Legal Sub-Committee also began work in another new area this year. This related to the important and timely discussion on the legal implications of remote sensing of the earth from space. A very useful discussion took place in 1974 and members have submitted texts of various proposals and further consideration of this matter will continue in 1975 in the Legal Sub-Committee.

Turning now to the work of the Scientific and Technical Sub-Committee, it must be emphasized that the work of the Committee and its subsidiary bodies in this field for this year is no less significant. The Committee devoted much attention this year to the work of the Working Group on Remote Sensing, which had met earlier in the year and whose final report was considered by the Scientific and Technical Sub-Committee. The Working Group, which was established two years ago, had carried out an extensive study with the assistance of a task force

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as well as replies of Member States to a questionnaire addressed to them. In this regard I wish to place on record the appreciation of the work performed by the members of the Working Group and its dynamic Chairman, Mr. Franco Florio of Italy. Based on the work of the Working Group, the Scientific and Technical Sub-Committee made several conclusions and recommendations. Having considered them and recognizing the very important work done in this area, the Committee endorsed the recommendation that a number of measures be undertaken, particularly the preparation of several studies by the Secretary-General relating to the organization and financial implications of remote sensing of the earth from space. These studies will seek, inter alia, to examine and report on measures that could be undertaken at an international level in the light of the increasing importance attached by Member States to the question of data dissemination and utilization. The significance of remote sensing of natural resources and the human environment and the need for international co-operation to bring closer the benefits of this new technology to development, especially in developing countries, hardly needs further emphasis. The Committee, through its Scientific and Technical Sub-Committee, therefore looks forward to an even more fruitful activity in this area when it deliberates further on this matter.

The Committee also considered United Nations activity in the area of promoting co-operation in practical applications of space technology, and approved the United Nations Programme for Space Applications for 1975. This programme consists of the holding of technical panels on various aspects of the practical application of space technology, and these panels again will be held in various regions of the world. The programme further consists of visits by the Expert on Space Applications to developing countries with a view to promoting international co-operation in this field and in the administration of fellowships offered by Governments in the area of space applications.

The growing number of Member States, particularly those of developing countries, that are attaching great importance to the technical panels conducted under this programme, is most encouraging. Since the programme was introduced in 1970, ten panels have been organized, mainly on a regional basis, with several of them in developing countries. They dealt with the aspects of

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application of space technology, such as communication satellites, remote sensing satellites and meteorological satellites. They are also designed to serve a very important educational and training purpose. For the remainder of 1974 and 1975, further technical panels are being planned under this programme.

The Committee considered the views of some Member States as to the need for expansion of this programme and the views of others that such an expansion should be based on a careful and substantive assessment of the need for such expansion. It did not reach any final conclusion, but did decide to send out a questionnaire to all Member States on the needs of developing countries for assistance in the area of practical applications of space technology, which the Secretary-General has already dispatched. The Secretary-General has been requested to prepare a comprehensive report on this question based on the replies to the questionnaire. The Committee and its subsidiary bodies will consider this report and make the necessary recommendations at a later stage. The extent to which international co-operation in this field could be developed would, of course, largely depend on the views and interests to be expressed by Member States. Their replies to the questionnaire, which the Committee commends to their attention, will therefore greatly facilitate the task of the Committee in formulating its recommendations.

The Committee also gave preliminary consideration to a proposal concerning the convening of a United Nations conference on space applications. The Committee agreed to request the Secretary-General to seek the views of Member States on the question of holding such a conference; and the Secretary-General has already dispatched the questionnaire and the Sub-Committee will give renewed consideration to this matter in 1975.

Among the other matters considered by the Committee during this year is the question of international sounding rocket launching facilities. The recommendation of the Committee in this connexion is contained in paragraph 48 of its report, in which it expressed its satisfaction on the work carried out at the Thumba Equatorial Launching Station at Vikram Sarabhai Space Centre in India and the CELPA Mar del Plata Rocket Launching Station in Argentina relative to

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the use of sounding rocket facilities for international co-operation and training in the peaceful exploration of outer space. The Committee accordingly recommended that the General Assembly continue to grant sponsorship to these two launching stations.

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Outer Space Committee)

In the course of this brief introduction I hope I have been able to outline for this Committee some of the salient features of the work of the Committee and its subsidiary bodies as reflected in the report which is before you for your consideration. You will note from what I have brought to your attention today that the Committee continues to carry out the important tasks entrusted to it by the General Assembly to serve as the focal point for international co-operation in this field. Since its inception in 1962, its work has increased considerably, as has the work of its subsidiary bodies, and much of the calendar year has been occupied with meetings of the Committee. 1975 will be an equally busy year with nearly three months of the first part of next year devoted to the work of the Committee and its subsidiary bodies. Much has been achieved but much more is left to be done. I therefore wish to conclude by assuring you, Mr. Chairman, and members of this Committee, that the members of the Committee are looking forward to another year of fruitful work in the Committee in 1975 under the valuable guidance and support of the General Assembly.

Finally, before terminating this brief introduction, I wish to pay a special tribute to all the officers of the Outer Space Committee, especially its Vice-Chairman, Ambassador Datcu of Romania, and its Rapporteur, Mr. Seizas-Correias of Brazil, as well as to the dedicated staff of the Outer Space Affairs Division in the secretariat led until July of this year by Mr. Abdel-Ghani and now by Mr. Robinson. The Committee is indeed indebted to them; without their competence and help it would not have been possible to achieve the results which I have now placed before the General Assembly.

The CHAIRMAN (interpretation from Spanish): I thank the Chairman of the Committee on the Peaceful Uses of Outer Space, Ambassador Jankowitsch of Austria for his extremely interesting, complete and eloquent introduction to the report of that Committee. At the same time I should like to congratulate him, on behalf of the First Committee, and express our gratitude for the diligent and prolific work he has done as head of that important body.

I am now pleased to call on the Chairman of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space.

Mr. WYZNER (Poland), Chairman of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space: Mr. Chairman, I wish to begin my remarks by saying how happy I am to see you, an outstanding United Nations diplomat and most successful representative of your country, presiding over the First Committee. I am convinced that with you and your colleagues, the other officers of the Committee at the helm, the Committee will make at this session further significant contributions to the work of our Organization.

It is with great pleasure that I take the floor as Chairman of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space to address the First Committee on the draft convention on registration of objects launched into outer space.

As the Chairman of the Committee on the Peaceful Uses of Outer Space, Ambassador Jankowitsch, has just informed you in his lucid introduction to the present item, the Legal Sub-Committee was able successfully to conclude its work on the preparation of the text of the draft convention in May 1974. The Committee on the Peaceful Uses of Outer Space considered and confirmed the text of the draft convention in July 1974.

As you will recall, it was in 1966 that the General Assembly adopted 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 it was in 1967 that the General Assembly adopted the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space. The most recent Convention to be formulated by the Legal Sub-Committee was the Convention on International Liability for Damage caused by Space Objects. Following confirmation of the text of the liability Convention by the Committee on the Peaceful Uses of Outer Space and the First Committee, the General Assembly adopted the liability Convention on 29 November 1971.

Thus, it was in 1972 at the eleventh session of the Legal Sub-Committee that the Sub-Committee first began, on the basis of a proposed draft submitted earlier by the delegation of France, detailed consideration of the registration convention. A further proposed draft convention was submitted by the delegation of Canada. The Canadian and French proposals were later combined, at the eleventh session, into a single draft convention.

In 1973, at the twelfth session of the Sub-Committee, a revised Canadian and French proposed draft convention was received by the Sub-Committee.

A proposed draft convention was also submitted by the delegation of the United States. On the basis of those proposals, and the numerous other specific proposals on particular provisions submitted by other members of the Legal Sub-Committee, a very substantial measure of success in the formulation of the provisions of the draft registration convention was achieved at the twelfth session.

Further discussions and consultations on the provisions of the draft registration convention were held in the Committee on the Peaceful Uses of Outer Space in June-July 1973 under the chairmanship of Ambassador Jankowitsch. Those consultations and discussions were of considerable value. They took the elaboration of the draft convention a long way towards its conclusion.

In May 1974, at its thirteenth session, the positions of delegations now being fully clarified on matters still outstanding, the Legal Sub-Committee was able to concentrate on the formulation of provisions on points still to be resolved. The necessary agreements were achieved, in a spirit of constructive compromise. The entire draft convention was then reviewed and perfected from the point of view of drafting. The draft convention was then adopted by the Legal Sub-Committee, in its enlarged membership of 37 States, for submission to the Committee on the Peaceful Uses of Outer Space.

The Committee considered and confirmed the text of the draft convention.

Accordingly, the text of the draft convention on registration of objects launched into outer space is before the First Committee today. The text of the convention will be found on pages 32 to 36 of the report of the Committee on the Peaceful Uses of Outer Space, document A/9620.

I should like at this juncture to pause for a moment -- before describing the structure and the provisions of the draft convention -- to pay a warm tribute to all the members of the Legal Sub-Committee, of which I am honoured to be Chairman, in particular to the Chairman of the Working Groups, to all members of the Committee on the Peaceful Uses of Outer Space and its distinguished Chairman, Ambassador Jankowitsch. Behind the provisions of the draft convention lie their very special expertise, their great diligence; many long hours of formal and informal deliberations, consultations and meticulous drafting; and, above all else, their spirit of constructive co-operation and mutual understanding.

(Mr. Wyzner, Chairman, Legal Sub-Committee
of the Outer Space Committee)

Special mention is due to the devotion and the highest level of competence and professional skill of the members of the United Nations Secretariat, without whose reliable assistance the Legal Sub-Committee could not fulfil that task. To all of them I should like to express sincere appreciation and deep gratitude.

I would turn now to the provisions of the draft convention.

As will have been noted, the draft convention contains a preamble and 12 articles. Of these 12 articles, article I deals with the definition of certain terms; articles II, III, IV and V deal substantively with the subject of registration; article VI concerns assistance in the identification of a space object which has caused damage or which may be of a hazardous or deleterious nature; article VII provides for the application of the convention to international intergovernmental organizations which conduct space activities; articles VIII to XII are the final clauses of the draft convention.

Firstly, as regards the preamble of the draft convention, the preamble recognizes, in its initial provision, the common interest of all mankind in furthering the exploration and use of outer space for peaceful purposes. The preamble recalls, then, the outer space Treaty adopted by the General Assembly in 1966 and the two agreements which I enumerated a few moments ago: the Agreement on the rescue of astronauts and the liability convention adopted by the General Assembly in 1967 and in 1971 respectively. The preamble finally expresses what the principal purposes of the registration convention are. These are to make provision for the national registration by launching States of space objects launched into outer space; to provide for a central register of objects launched into outer space to be established and maintained on a mandatory basis by the Secretary-General of the United Nations; and to provide additional means and procedures to assist in the identification of space objects. The belief is expressed in the final preambular paragraph that a mandatory system of registering objects launched into outer space would, in particular, assist in their identification and would contribute to the application and development of international law governing the exploration and use of outer space.

(Mr. Wyzner, Chairman, Legal Sub-
Committee of the Outer Space Committee)

Article I of the draft convention, as I mentioned earlier, deals with the definition of certain terms, namely, "launching State", "space object" and "State of registry".

Article II provides, in paragraph 1, that, when a space object is launched into earth orbit or beyond, the launching State shall register the space object by means of an entry in an appropriate registry which it shall maintain. The Secretary-General is to be informed of the establishment of such a registry. Article II provides, in paragraph 3, that the contents of each registry and the conditions under which it is maintained shall be determined by the State of registry. Paragraph 2 of article II provides for the case where a space object is launched by two or more States and provides that in that case the launching States shall determine which one of them shall register the space object.

Article III states that the Secretary-General shall maintain a register in which the information furnished in accordance with article IV shall be recorded. There shall be full and open access to the information in this register.

Article IV enumerates, in paragraph 1, subparagraphs (a) to (e), the information to be furnished by each State of registry to the Secretary-General, as soon as practicable, concerning each space object carried on its registry. Paragraph 2 of article IV concerns additional information that a State of registry may, from time to time, wish to provide the Secretary-General. Paragraph 3 would require the Secretary-General to be informed by a State of registry, to the greatest extent feasible and as soon as practicable, of space objects concerning which the State of registry has previously transmitted information but which are no longer in earth orbit.

Article V concerns the marking of space objects and provides that whenever a space object launched into earth orbit or beyond is marked with the designator or registration number, which is referred to in article IV, paragraph (1)(b), or with both a designator and a registration number, the State of registry shall notify the Secretary-General of this fact when submitting information regarding the space object to the Secretary-General in accordance with article IV. The Secretary-General shall, in such case, record this notification in the register which he maintains.

(Mr. Wyzner, Chairman, Legal Sub-
Committee of the Outer Space Committee)

When presenting -- I believe, some three years ago -- to this Committee the text of the liability convention, I pointed to the ever growing development of science and technology in outer space, with the systematically increasing number of space objects in orbit, as a potential source of an equally growing danger of a space object falling on earth and inflicting loss of life, injury, or loss or damage of property; and, though I hope that it might never be necessary to resort to its provisions, I should point out that article VI of the draft registration convention provides for further assistance to a possible victim of an accident caused by such, or a similar, accident or situation.

Article VI concerns assistance in the identification of a space object that has caused damage or that may be of a hazardous or deleterious nature. Where the application of the provisions of the registration convention has not enabled a State party incurring damage to identify such a space object, article VI would require that other States parties, including in particular States possessing space monitoring and tracking facilities, shall respond to the greatest extent feasible to a request by that State party for assistance under equitable and reasonable conditions in the identification of the object. Such an identification would, in turn, facilitate the presentation of a claim for liability, as well as the prompt and effective processing of a victim's justified compensation.

As the Committee will note, article VII of the convention concerns the application of the Convention to international intergovernmental organizations which conduct space activities. The article is identical to the corresponding provision in article XXII of the Convention on International Liability for Damage caused by Space Objects.

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Sub-Committee of the Outer
Space Committee)

Articles VIII to XII contain, as I mentioned earlier, the final clauses of the draft convention. The Secretary-General would, in terms of paragraph 2 of article VIII, act as depositary of the convention.

Article X provides for a review of the provisions of the convention after a period of time. The review shall take into account in particular any relevant technological developments, including those relating to the identification of space objects.

The final article of the convention, article XII, the Committee will note, includes Arabic among the languages of the convention.

Such is the structure and the nature of the essential provisions of the draft convention on registration.

I should like now, if I may, to join Ambassador Jankowitsch in commending the draft convention to the First Committee. I would do so very warmly. The draft convention is a carefully thought-over and formulated instrument. It was brought into being through long hours of detailed consultations and negotiations between delegations holding different points of view and representing different schools of thought, yet endeavouring to define the widest possible area of agreement. If it is adopted by the General Assembly, and I hope that it will be adopted, it will, on its entry into force, be an important contribution to the codification and progressive development of international law, as envisaged in Article 13 of the United Nations Charter. At the same time, I believe, the convention, if approved by the Committee, will become an important instrument in bringing harmony and order into the new domains of States activities in outer space; thus becoming, if I may say so, a set of traffic regulations for a growing number of countries engaged in the peaceful exploration of that new realm of human creativeness, which outer space has undoubtedly become.

For all those reasons, and having in view also the support the draft convention has received from States members of the Outer Space Committee, we have all reason to trust that, if approved by the First Committee and the General Assembly, the convention will meet also with wide support and adherence among States members of the world community. For after all, the future success or failure of an international multilateral instrument as an effective source of international law is measured by its ability to become generally recognized and widely accepted or adhered to.

(Mr. Wyzner, Chairman, Legal
Sub-Committee of the Outer
Space Committee)

I should like now to make only one or two comments on the other matters on the agenda of the Legal Sub-Committee, since the Chairman of the Committee on the Peaceful Uses of Outer Spaces has already covered that subject.

We, the members of the Sub-Committee, regret very much that we are not in a position to also report to the First Committee today that we have concluded our elaboration of the draft treaty relating to the moon, one of the matters to which the General Assembly had requested that the Legal Sub-Committee should give highest priority and make every effort to complete. Difficulties still remain. Notwithstanding the very substantial efforts made, acceptable formulations have not as yet been realized. It is my earnest hope that we shall, at the next session of the Legal Sub-Committee, be in a position to complete our work on this important treaty.

On the question of the elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting, with a view to concluding an international agreement or agreements, a Working Group was established in the Legal Sub-Committee to consider the elaboration of such principles, and substantial work on the drafting of such principles has commenced, as the Committee would have noted from paragraph 23 of the report of the Committee on the Peaceful Uses of Outer Space. I am also happy to be able to say that the Legal Sub-Committee has begun substantive consideration of the question of the earth resources survey by remote-sensing satellites as stated in paragraph 25 of the report.

With your permission, Mr. Chairman, I wish to interject a few words as the Polish representative, in order not to tax the Committee's patience by taking the floor too many times.

First, my delegation fully shares the positive evaluation of the work done by the Outer Space Committee, transpiring from its report. We believe that the Committee's endeavours greatly facilitate peaceful international co-operation in outer space, which, incidentally, is exemplified by the preparations towards the joint Soviet-American venture in 1975: the flight of Soyuz-Apollo.

Poland, though not a space Power, also plays its modest role in international space co-operation. We take an active part, along with other socialist countries, in the Interkosmos programme by providing, among others, tracking facilities and scientific instruments for Interkosmos satellites.

(Mr. Wyzner, Chairman, Legal Sub-Committee
of the Outer Space Committee)

Secondly, the Polish delegation believes that the programme of further development of the international law of outer space should be pursued energetically, first of all with respect to the Treaty relating to the Moon and the legal regulation of activities in the field of direct television broadcasting, on the basis of the draft convention submitted by the Soviet Union. The latter touches upon very sensitive areas of States sovereignty and co-operation. We believe that no ambiguities should be permitted to exist here any longer, the more so as the original efforts undertaken within the Outer Space Committee in order to formulate respective principles seem to us quite encouraging.

To conclude I should like again, in my capacity as Chairman of the Legal Sub-Committee, to endorse the recommendations contained in paragraph 27 of the report before us (A/9620) relating to the future work of the Sub-Committee and the priorities to be accorded the various items on our agenda.

My distinguished colleagues around this table will no doubt note that the tasks facing the Outer Space Committee in the legal field are manifold and urgent. Yet, we, the members of the Committee and particularly those of us who are responsible for drafting the international law of outer space, remain confident that we shall also, in the future as well, be able to cope with those responsibilities in a satisfactory manner.

The last time when I was privileged to introduce the report of the Legal Sub-Committee to its parent body, I attributed the positive outcome of our efforts to three main factors:

First, the heightened sense of urgency dictated by the rapid progress of technological and human advances in the exploration of space, which makes the search for legal rules ever more fascinating;

Second, the political will of space Powers and non-space Powers alike to keep outer space free from the evils, so common to the earth, as wars and military abuse, pollution or hatred;

Third, the spirit of understanding and compromise that happily prevails in the Sub-Committee and the Committee at large combined with the juridical and diplomatic qualities, of the highest standards, possessed by its members.

It is my deep conviction that those decisive factors will make possible the elaboration of further important instruments, further chapters of this pioneering branch of international law, the law of outer space.

The CHAIRMAN (interpretation from Spanish): I thank Ambassador Wyzner of Poland, the Chairman of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, for his extremely interesting statement and detailed introduction to the draft convention on registration of objects launched into outer space. On behalf of the First Committee I wish to express our congratulations to him for the important work done when he headed that Sub-Committee, and, finally, my personal gratitude for the cordial words he addressed to me.

I have no more speakers on the list for today. I do not know whether any representative wishes to speak at this time. Nobody has indicated a desire to speak so I should like to remind the Committee that in accordance with the approved schedule, to which I intend to adhere scrupulously, the items on outer space must be completely concluded at the latest within one week, by Friday the 18th. I urgently appeal, therefore, to delegations which are interested in participating in the general debate to communicate their wish to the Secretariat as soon as possible so that we may schedule our meetings sufficiently in advance to avoid loss of time. I should also like to request that draft resolutions be submitted to us sufficiently in advance so that we may circulate them to delegations in order that they may have sufficient time to study them. There is no further business. We shall meet again on Monday, 14 October, at 10.30 a.m.

The meeting rose at 11.50 a.m.

UNITED NATIONS GENERAL ASSEMBLY



PROVISIONAL

A/C.1/PV.1987
25 September 1974

ENGLISH

Twenty-ninth Session

FIRST COMMITTEE

PROVISIONAL VERBATIM RECORD OF THE NINETEEN HUNDRED AND
EIGHTY-SEVENTH MEETINGHeld at Headquarters, New York,
on Wednesday, 25 September 1974, at 4 p.m.Chairman:

Mr. Ortiz de Rozas

(Argentina)

Rapporteur:

Mr. Costa Lobo

(Portugal)

- Statement by the Chairman
- Election of the Vice-Chairmen
- Election of the Rapporteur
- Organization of work

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The co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

74-71006/A