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PROVISIONAL VERBATIM RECORD OF THE EIGHTEEN HUNDRED AND SIXTY-SECOND MEETING

Held at Headquarters, New York,  
on Friday, 13 October 1972, at 10.30 a.m.

Chairman: Mr. RAMPHUL (Mauritius)  
Rapporteur: Mr. SANTISO-GALVEZ (Guatemala)

- International co-operation in the peaceful uses of outer space:  
report of the Committee on the Peaceful Uses of Outer Space /28/ (cont'd)
- Preparation of an international treaty concerning the Moon: report of  
the Committee on the Peaceful Uses of Outer Space /29/ (continued)
- Preparation of an international convention on principles governing the  
use by States of artificial earth satellites for direct television  
broadcasting /31/ (continued)

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## AGENDA ITEMS 28, 29 AND 37 (continued)

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/8720)

PREPARATION OF AN INTERNATIONAL TREATY CONCERNING THE MOON: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/8720)

PREPARATION OF AN INTERNATIONAL CONVENTION ON PRINCIPLES GOVERNING THE USE BY STATES OF ARTIFICIAL EARTH SATELLITES FOR DIRECT TELEVISION BROADCASTING (A/8771; A/C.1/L.605)

The CHAIRMAN: I wish to draw the attention of members of the Committee to document A/C.1/L.605, which contains a draft resolution relating to item 37, submitted by the Union of Soviet Socialist Republics.

The Committee will now continue the general debate on the outer space items.

Mr. de GUIRIKAUD (France) (interpretation from French): The Committee is now beginning its work, and when I have the honour of speaking in this Committee for the first time, I wish to address to you our warmest congratulations on your election to the Chairmanship of the First Committee. I am certain that under your guidance, whatever the diversity of views and the complexity of the issues on our agenda, our Committee will in the course of this session make a useful contribution to the cause of peace, security and disarmament. You may, in any case, be assured of the co-operation of my delegation.

Last year the representative of France in the Committee began his statement in the debate on these same items by noting that, for the first time, while tributes were being paid to the countries which were successfully leading the exploration of outer space, criticism was being addressed to us because of our inability to make progress in the law of outer space. He was happy to join in a single tribute to the scientists and countries responsible for the scientific successes and to all those in the delegations and the Secretariat who had made possible the success of important work in the legal field, as well as in the scientific and technological field.

(Mr. de Guirikaud, France)

This year again my delegation is moved to optimism on studying the report of the Committee on the Peaceful Uses of Outer Space (A/8720). It is true that this time the Committee has not submitted a draft convention to us, as it was able to do last year with some pride, but the direction which it has given its work and the significant progress it has achieved towards the drafting of outer space law bear witness to a promising impetus.

Before drawing up a record of those efforts, my delegation wishes to address its congratulations to the new Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Jankowitsch, who, following the example of his two predecessors, guided the work of the Committee during its fifteenth session with determination and competence. We also pay a tribute to the Chairmen of the two Sub-Committees, Mr. Wyzner and Mr. Carver, without whom, the Sub-Committees certainly would not have been able to submit to the Committee such a positive account.

It goes without saying that our Secretariat and its Division of Outer Space Affairs also deserve their share of compliments, in particular because of the direction they have given to their activities in the scientific and technical fields. In that connexion, my delegation regrets the recent departure of Mr. Ricciardi, the Expert on Space applications. We feel sure that his successor will be inspired by the principles which guided him in preparing his programme.

Regarding legal matters, first, the report of the Committee invites us to devote our attention to two draft conventions. The first, which the Soviet delegation submitted to us here last year, relates to the moon. That text was the subject of a thorough study during the session of the Legal Sub-committee in Geneva. The progress then achieved was such that for a fleeting moment it seemed possible that complete agreement could be obtained before this session of the Assembly. We would then have been able to examine the text and, if appropriate, recommend its adoption by the Member States of the Organization. However, our purpose cannot be to beat a record at all costs. The informal work carried out during the session of the Committee on Outer Space showed that very important questions remained to be settled.

(Mr. de Guiringaud, France)

First, there is the matter of the scope of the treaty: should it apply only to the moon or also to the other celestial bodies? My delegation, noting that it seems difficult to decide on something that is still unknown, deems it wiser and more realistic to limit the scope of the agreement to our satellite. However, we do not exclude a compromise whereby the other celestial bodies could be included within the field of application until specific agreements are reached regulating the conditions of their exploitation.

The legal régime applicable to the natural resources of the moon constitutes a second unsolved problem. Certain delegations feel that those resources should be an element of the "common heritage of mankind". Other provisions, regarding in particular the information to be supplied at the time of missions and questions of liability, are still being studied. At its forthcoming session the Legal Sub-Committee will have to resume consideration of those problems, but there is such a common will to reach agreement, and to reach it quickly, that during the session of the Committee on Outer Space many delegations felt that probably the twenty-eighth session of the Assembly would be seized of a final draft.

The draft convention on the registration of objects launched into outer space was the second text considered by the Committee on Outer Space. That draft is the result of the amalgamation of two texts: one a French initiative, which has been before the Committee on Outer Space since 1968, and the other an initiative of Canada.

(Mr. de Guiringaud, France)

The Committee welcomed the amalgamation and many delegations emphasized the importance of that Convention and the urgency with which it should be adopted. Furthermore the Convention, together with the draft agreement on the moon, is a priority matter for the Legal Sub-Committee which, we hope, will study it with the same determination to reach a positive result quickly.

The consideration of other problems, as my delegation sees it, has not yet been undertaken as actively as it should be, bearing in mind their obvious interest; one such problem, for example, is the definition of outer space.

There are also the consequences of artificial earth satellites for direct television broadcasting. We have also favourably welcomed the initiative taken by the delegation of Sweden, at the meeting of the Committee on Outer Space, in requesting the convening of the Working Group on Direct Broadcast Satellites. For more than two years that Group, which is competent to consider the technical, economic, legal and social aspects of radio broadcasting by satellites, has not met. Today it is clear that it would be useful for that Group to resume its work.

We have likewise noted with satisfaction that in the course of the last year these questions have been considered by several international organizations, particularly UNESCO, which has prepared a draft declaration of guiding principles on the use of satellite broadcasting for the free flow of information, the spread of education and greater cultural exchange. It is very gratifying to observe the growing interest in these problems to which we have constantly drawn attention in the various competent organs within the United Nations. Accordingly, we hope that during the next General Conference of UNESCO, the adoption of the draft declaration will command the broadest support. That text could usefully serve as the basis for a broader convention. We consider it necessary, in fact, for the Committee on Outer Space, as the focal point for questions bearing on outer-space activities, to devote a larger part of its work to the use of satellites in radio broadcasting and television.

In this connexion, and bearing in mind the constant concern we have felt in this field, we welcome with interest the initiative taken by the Soviet Union in submitting to the General Assembly a draft international convention on principles governing the use by States of artificial satellites for direct television broadcasting. This development in the technique of

(Mr. de Guiringaud, France)

international telecommunications will constitute a very important step. Two dangers must be avoided. On the one hand, excessive censorship; on the other, the fact that some States may be subjected to a flood of broadcasts beyond their control. Freedom being a principle, as stated in article 1 of the draft treaty on outer space, a certain moderation in its exercise is nevertheless desirable through international agreements. As we see it, every State should in fact have the means to preserve the cultural originality of the community for which it is responsible, likewise, national economic activities related to culture such as the film and record industry, for example, are entitled to protection.

Very complex technical and legal problems will therefore have to be solved. They require a thorough study by the Committee on Outer Space and its Sub-Committees. My delegation will not fail to devote all the attention required to that study, which must cover, among other matters, the draft submitted to the Assembly by the Soviet Union, as well as the draft declaration of UNESCO, as a basis for a broader convention.

With regard to scientific and technical questions, my delegation has noted with satisfaction the progress achieved in implementing the programme for the application of the technology of outer space. On the level of international co-operation, the indications for support of the programme of teaching and training for the peaceful uses of outer space are promising. France, for its part, has invited technical groups to come and observe a certain number of experiments and studies on the technical applications of outer space which are now being carried out at the National Centre for Outer Space Studies. We have also taken the initiative of granting training fellowships in outer space techniques.

Furthermore, we welcome the recommendation of the Committee whereby it could usefully study the possibilities open in the field of the surveillance of the environment by satellites and space platforms.

The Working Group on Remote Sensing of the Earth by Satellites, to which France made an active contribution, held a preparatory meeting last month. It entrusted to a small group the task of assisting the Secretariat in preparing an evaluation of the documents available in that field. Its work and the work which the Scientific and Technical Sub-Committee on Outer Space

(Mr. de Guiringaud, France)

will carry out later, with the assistance of this documentation, will very likely lead us to submit the matter to the Legal Sub-Committee, which should define the legal principles to be applied. These principles might perhaps be the subject of a specific agreement.

(Mr. de Guiringaud, France)

Thus, at the end of this brief statement of the views of my delegation on the balance-sheet of the activities in the field of outer space since the last session, one observation must be made: The questions of outer space every year increasingly involve the entire international community. Those questions also entail an ever-closer link between the scientific, technical and legal and even political aspects. The acceleration that has taken place in our work, therefore, only reflects our need, on the one hand, to respond to the expectations of the international community and, on the other, to see to it that events do not overtake the law -- that is to say, that space science and technology do not develop for the sole benefit of a small number because of the absence of a parallel development of outer space law. The recent evolution of our work is in this regard encouraging. It must therefore be affirmed and emphasized so that all will receive the benefits of the conquest of outer space. Its pioneers themselves formulated that wish at the very outset of their exploits. It is for all of us to give real scope to that wish.

The CHAIRMAN: I feel that I owe the Albanian representative an apology, and I must inform the Committee that he had approached me with a request for permission to speak at the beginning of the meeting for the purpose of making a short statement on behalf of his delegation.

I should like to draw the attention of the Albanian representative to rule 111 of the rules of procedure. May I take it that he wishes to speak on a point of order?

Since the Albanian representative indicates that that is so, I now call on him to speak on a point of order.

Mr. MALILA (Albania): (interpretation from French): I must apologise to the members of the Committee for interrupting for a few moments the debate on the outer space item. I thought it necessary to take the floor to inform the delegations of Member States of the following statement by the Albanian delegation, dated 12 October 1972:

(Mr. Malila, Albania)

"On 11 October 1972 the United States of America committed the grave crime of savagely bombing the capital of the Democratic Republic of Viet-Nam where, among the victims of the civil population and members of the diplomatic corps, the Charge d'Affaires a.i. of the Embassy of the People's Republic of Albania in Hanoi, Qemal Rahmanaj, and a staff member of the Albanian Embassy, Nazmi Cani, were badly injured. The United States Government bears full responsibility for this wild act, which has provoked the deep indignation and anger of the Albanian people and all the peoples of the world.

"The delegation of the People's Republic of Albania to the twenty-seventh session of the General Assembly of the United Nations most strongly condemns this ugly crime of the United States Government against the heroic people of Viet-Nam, the diplomatic representatives of the People's Republic of Albania and the diplomatic representatives of other countries accredited to Hanoi, as well as the offices of diplomatic missions, and emphatically protests against these acts of international banditry, which have been raised into a system of official terror by the United States Government against peace-loving peoples and sovereign States.

"In the course of the proceedings of the present session of the General Assembly, representatives of many Member States have condemned the United States imperialist aggression against Viet-Nam and all Indo-China and have demanded the earliest end to this aggression. However, the United States of America, defying world public opinion, has continued with arrogance and obstinacy its way of violence and war, intensifying its barbarous activities against the Viet-Nameese people in the South and the North of the country.

"The Albanian people and their Government, which give unreserved support to the heroic struggle and just cause of the fraternal Viet-Nameese people, are convinced that despite the inhuman methods employed by United States imperialism against the Viet-Nameese people, the United States will fail in their criminal aggression. The heroic Viet-Nameese people will surely triumph in its just struggle for national salvation."

The CHAIRMAN: I feel that as Chairman I should read out rule 111:

"No representative may address the Committee without having previously obtained the permission of the Chairman" --

and I did indeed call on the representative of Albania on a point of order. The rule continues:

"The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion."

For the benefit of the members of the Committee, and in the interests of our work in the future, I should like to read out the definition of a point of order as it appears in annex V to the rules of procedure:

"A point of order is basically an intervention directed to the presiding officer, requesting him to make use of some power inherent in his office or specifically given him under the rules of procedure. It may, for example, relate to the manner in which the debate is conducted, to the maintenance of order, to the observance of the rules of procedure or to the way in which presiding officers exercise the powers conferred upon them by the rules. Under a point of order, a representative may request the presiding officer to apply a certain rule of procedure or he may question the way in which the officer applies the rule. Thus, within the scope of the rules of procedure, representatives are enabled to direct the attention of the presiding officer to violations or misapplications of the rules by other representatives or by the presiding officer himself. A point of order has precedence over any other matter, including procedural motions (rules 73 and 79)."

Now that I have made that clear, we shall continue this morning's proceedings.

Mr. WYZNER (Poland): Mr. Chairman, allow me at the outset to associate myself with the sentiments expressed by those representatives who have preceded me and to offer my warm congratulations to you upon your well-deserved election as Chairman of this important Committee. I am confident that your vast knowledge, outstanding vision and rich experience in United Nations affairs will bring about a fruitful conclusion of the consideration of the various significant problems that appear on the agenda of the First Committee. May I assure you, Mr. Chairman, of our full co-operation in the realization of the responsible tasks that have been bestowed upon you.

(Mr. Wyzner, Poland)

It gives me particular pleasure also to extend my delegation's sincere felicitations to the Vice-Chairmen, Ambassadors Bishara of Kuwait and Datcu of Romania, as well as to the Rapporteur, Ambassador Santiso-Galvez of Guatemala. Their unanimous election provides us with a highly competent Bureau, worthy of the best traditions of the First Committee.

The Polish delegation welcomes the fact that the first items to be considered by our Committee at the present session are those dealing with international co-operation in the peaceful uses of outer space. For many years now the Outer Space Committee and its two Sub-Committees have been doing most constructive work, developing standards of international and harmonious co-operation in the exploration of outer space, as well as preparing and drafting international treaties -- elements of a new brand of international law, namely, the law of outer space. At this juncture, one cannot fail to pay a tribute to the outstanding Austrian Chairman of the Outer Space Committee, and in particular the former Chairman and now the United Nations Secretary-General, Mr. Waldheim, and the present Chairman Ambassador Jankowitsch. It is largely because of their rich contribution and sense of leadership and perseverance that the work of the Committee has been so harmonious and the results so fruitful. May I also mention the excellent work of the Secretariat's Division of Outer Space Affairs, led by Mr. Abdel-Ghani, whose efforts are vital for the success of our endeavours.

My delegation believes that the results achieved this year in the field of the peaceful uses of outer space, though not crowned by any new, final and spectacular instrument to be presented to this General Assembly for approval, are nevertheless numerous and not negligible.

In the legal field we are able to record significant progress reached on two priority issues, namely, the elaboration of a draft international treaty concerning the moon, and matters relating to the registration of objects launched into space for the exploration or use of outer space. As to the first question in particular, taken up on the initiative of the Soviet Union, the Legal Sub-Committee has been able to reach quite impressive results in a relatively short period of time. Twenty-one articles of a moon treaty have been worked out. Some of them still require completion, while two or three problems call for further negotiations and appropriate solutions.

(Mr. Wyzner, Poland)

One question which needs to be solved in the moon treaty pertains, as we know, to the scope of the treaty, namely, whether it should be formulated so as to apply exclusively to the moon or also to other celestial bodies. My delegation believes that, given the limited nature of human knowledge of the conditions prevailing on celestial bodies other than the moon, it would be unrealistic to aim at drafting an omnibus treaty covering every planet of our solar system or even celestial bodies elsewhere. The truth is that we cannot be over-ambitious, for even while undertaking the relatively modest task of establishing the legal status of the moon, we have to admit that its practical value has to be tested against the technological advance and further exploration that will take place in the future. What I have said in this respect does not exclude, however, the possibility of a compromise solution of the problem which would envisage, for instance, temporary application of the moon treaty to other celestial bodies of the solar system.

Divergences of views continue to exist among certain delegations on such questions as whether the natural resources of the moon should be considered the common heritage of all mankind, or whether advance notice of a space mission should be mandatory. We do feel, however, that taking as a basis the significant drafting work already accomplished, and given goodwill and a spirit of compromise on the part of all delegations concerned, the conclusion of a moon treaty by next year at the latest should not present any insurmountable difficulties.

Referring now to the second subject dealt with by the Legal Sub-Committee during its last session, namely, that of registration of space objects, I would first note the constructive role played by the authors of the draft convention in question, namely, Canada and France. One has to admit, however, that the draft convention covers various technical points which require further careful study by the experts. My delegation for one has had some doubts regarding the marking of various parts of space objects as a means of ensuring their identification, in view of the conclusions reached on the matter by the Scientific and Technical Sub-Committee in 1970. Still, taking into account that much was achieved through mutual concessions and negotiations during the last session of the Legal Sub-Committee, one can assume that further deliberations and contacts on the part of Governments might prove instrumental in reaching further agreement on this timely subject.

(Mr. Wyzner, Poland)

Another important and urgent matter has been brought before this Assembly on the initiative of the Government of the Soviet Union. The representative of the Soviet Union, Ambassador Malik, has presented to us a most convincing case for the speedy preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting. The transmission of television programmes directly to home receivers is a striking example of opportunities created by the rapid progress of technological advances in the exploration of space. It is indeed a promising way of utilizing outer space for the benefit of mankind through the promotion of better and friendlier relations among peoples, as well as the exchange of cultural and educational values.

The international community cannot let this important instrument of scientific and human progress be misused for purposes contrary to the principles of national sovereignty and peaceful coexistence of various countries. The cultural environment of nations, like the biological natural environment, requires protection from hatred and abuse, which is but another kind of pollution that endangers and stifles international co-operation and détente.

For all those reasons the Polish delegation fully supports the Soviet proposal. The convention on the use by States of earth satellites for direct television broadcasting should, in our opinion, state in unequivocal terms the prevailing principles of direct television broadcasting, so that it is carried out exclusively in the interests of peace and progress and of developing friendly relations between peoples, on the basis of equal rights and mutual benefits, without any discrimination. My country, like many other small and medium-sized States, cannot afford to become a testing ground for distorted or abusive propaganda which, in most cases, will have been designed to override the moral and cultural values of our people. Neither can we tolerate broadcasts detrimental to the maintenance of international peace and security, broadcasts which disseminate violence or hatred.

(Mr. Wyzner, Poland)

Some very pertinent comments along similar lines have also been made by the representative of France, who has preceded me.

We shall therefore support the draft resolution contained in document A/C.1/L.605 for it is our belief that the urgent consideration of the draft Convention in the Outer Space Committee and its Legal Sub-Committee is called for in the interest of further progressive development of the international law of outer space.

Since the last session of the General Assembly the world has witnessed most significant scientific and technological achievements in the field of exploration and use of outer space, marking the fifteenth anniversary of the launching of the first Soviet Sputnik -- the beginning of the space era. We have all applauded the most important events in this field such as the soft landing on the surface of Mars by the automatic station Mars 3 of the Soviet Union and the successful completion of the Apollo 16 mission by the United States. At the same time we have welcomed the increasing trend of co-operation between the major space Powers, which has been further extended to non-space Powers so that we all might enjoy the benefits derived from the exploration of outer space.

Acting in this spirit, together with the Soviet Union and other socialist countries, Poland participated in the launching of satellite Intercosmos 6 last April, and Intercosmos 7 last July. This year also we have become parties to an agreement which creates an international space communication organization called Intersputnik.

As the President of the General Assembly reminded us in his inaugural address, Poland and the world community at large will soon celebrate the 500th anniversary of the birth of the famous Polish astronomer, Nicolaus Copernicus, who "made the sun stand still and the earth move". To commemorate this anniversary in 1973, a solar radiospectograph experiment in the field of satellite research will take place in Poland and will be called the Copernicus Experiment.

We are also grateful to UNESCO and other organizations and countries which have undertaken steps to commemorate this anniversary of historic and world-wide significance.

(Mr. Wyzner, Poland)

To conclude my brief remarks, the Polish delegation would equally like to put on record its appreciation of the work done by this Organization and its Outer Space Committee in the scientific and technical field, particularly with regard to the remote sensing of the earth by satellites and to the wider dissemination of information available as a result of new technological advances. We share the view expressed by various delegations to the effect that the Outer Space Committee should play a truly constructive role as a central coordinator and pivotal organ in the field of the peaceful uses of outer space, a body which should be able to give appropriate policy directives to other organs and organizations concerned. Guided by these considerations, my delegation, as in the past, will provide its fullest co-operation and support to United Nations work in that field.

Mr. RAE (Canada): Even a casual glance at the crowded schedule of outer space meetings proposed for the first half of 1973 shows the increasingly important catalytic role which the General Assembly is assuming in promoting international co-operation in the progressive codification of a legal régime to govern man's activities in outer space, and in the development of practical space applications. As is evident from the reports of the Outer Space Committee and its two sub-committees, 1972 has been a particularly productive year, for which we believe Mr. Jankowitsch, the new Chairman, deserves a great deal of credit. Mr. Jankowitsch and his Bureau were particularly effective in working behind the scenes in the Outer Space Committee to point the way toward viable solutions of difficult points.

As emphasized by the Chairman of the Outer Space Committee in his introductory statement, important steps forward were taken on the legal side during 1972. Guided firmly but discreetly by its Chairman, Mr. Wyzner, the Legal Sub-Committee made excellent progress in the two priority areas of its work. the draft Convention on the Registration of Objects Launched into Outer Space, and the draft Treaty concerning the Moon.



(Mr. Rae, Canada)

With respect to the first my delegation shares with the French delegation a deep sense of satisfaction at the amount of progress it was possible to make during consideration of the France-Canada draft registration convention, the text of which is attached to the report of the Legal Sub-Committee. Although no agreement was reached on some details, most of the important principles were accepted, thanks to the positive and conciliatory spirit which characterized the deliberations of the Working Group on registration set up by the Legal Sub Committee. We were particularly pleased that even though it was not possible to reach agreement on the type of detailed information to be provided to the Secretary General, there was no objection to the principle of furnishing to the Secretary General information on objects launched into outer space.

My Government continues to hold the view that the present voluntary registration system fails to provide an adequate foundation for the evolving international legal régime governing space activities and that what is needed is a comprehensive, fully accessible, international system providing for compulsory registration, prompt provision of information, and arrangements for the updating of this information. In our view, the costs of a system of the type embodied in the France-Canada draft would be relatively modest compared to the benefits. In fact, in order to keep the costs down, article VII-2 provides that States parties should have full access to the information in the Central Register, but does not require the Secretary General to circulate the potentially copious information received. We presume that the Secretary-General would follow his usual practice of issuing an annual report summarizing the trends and statistics. We imagine that the Secretary General may have to computerize the Register as space objects are launched with greater frequency, but we consider that whatever additional costs might be involved would be reasonable and justified.

(Mr. Rae, Canada)

My Government realizes that any registration system established now will undoubtedly have to be made more sophisticated in future years. However, we consider that an essential first step is contained in the France-Canada draft. We would propose that the General Assembly should approve the Outer Space Committee's recommendation that the Legal Sub-Committee should continue in 1973 to give priority to the subject of registration.

It is our hope that individual countries will submit the draft text approved by the Legal Sub-Committee to their technical officials so that, in consultations among interested countries between now and the Legal Sub-Committee's session in 1973, agreement can be reached on a generally acceptable text. It is our expectation, which we think reasonable, that the France-Canada draft will form the basis for a recommendation to the next session of the General Assembly to approve the text of a convention on registration of objects launched into outer space.

As pointed out by the Chairman of the Outer Space Committee, the Legal Sub-Committee also made remarkable progress in the consideration of its other priority subject, the draft moon treaty. In our preliminary comments on the Soviet draft treaty last September in the Outer Space Committee and last November in this Committee, Canada looked forward to detailed consideration in the Legal Sub-Committee of the ways in which the Soviet draft repeated, elaborated or omitted the corresponding provisions of the 1967 outer space Treaty. In particular, we referred to the need for more specific provisions concerning scientific research, liability for damage and consultative procedures. In our view, the scrupulous examination the draft treaty underwent in the Legal Sub-Committee's Working Group has greatly improved the text. There is still, however, a need for further study and refinement.

Although a number of differences of principle and detail remain, we are confident that outstanding points can be resolved if a spirit of co-operation and conciliation continues. My delegation, earlier this month during the Outer Space Committee's session, participated in the informal consultations which were organized to consider the sections which remain in square brackets. On the basis of the proposals which were advanced during these consultations

(Mr. Rae, Canada)

and the comments which were made by delegations in the Outer Space Committee and are now being made in the First Committee, the Legal Sub-Committee should be asked to put the finishing touches on the draft treaty at its 1973 session and then send it forward to the twenty-eighth session of the General Assembly in 1973. My delegation considers that the final text will benefit from a further year of contemplation and consultations.

The Canadian delegation to the 1972 session of the Legal Sub-Committee, and to the session earlier this month of the Outer Space Committee, expressed our views on the most important points which remain to be resolved. After further reflection, we continue to believe that the principles laid down in the moon treaty should also apply to other celestial bodies until such time as the international community agrees in a future treaty that they should be elaborated or modified in relation to a particular celestial body. We also believe that the treaty should affirm the principle that the natural resources of the moon and other celestial bodies shall be the common heritage of all mankind. It is true that at present we have only a vague idea of what resources may be found on the moon, but, in the view of my Government, it would be prudent to enshrine the principle now when we can only guess at what riches may be found. At an appropriate future time, an international régime providing for generally agreeable operational arrangements will have to be worked out to govern the exploitation of our common heritage.

With respect to the obligation to provide information on moon missions, we believe that consideration should be given to the proposal advanced during the informal consultations held earlier this month to include in the treaty the obligation of providing advance information where this is feasible or practicable.

I turn now to the essential scientific and technical side of the Outer Space Committee's work. The recent launching of the ERTS-1 satellite represents an impressive step forward in what we are confident will be a new technology with important benefits for all nations. My Government congratulates the United States on its significant achievements in conceiving, designing and operating the ERTS satellite. We in Canada are grateful for the opportunity to participate fully in the ERTS experiment. Canada, for its part, has constructed

(Mr. Rae, Canada)

and is operating facilities to read out and process the data relating to Canada that flow from the ERTS satellite. We view our bilateral arrangements with the United States as an important example in the evolution of international co-operation in remote sensing.

The Canadian commitment to this programme is a substantial one. Canadian participation in the ERTS experiments has involved the development of an integrated interdisciplinary programme at an investment of about \$6.5 million with annual operating costs estimated at about \$1.5 million, exclusive of the applications and airborne sensing components.

Direct Canadian experience with remote sensing from satellites has only begun with the launching of the ERTS-1 satellite. After less than three months of operations, it is, of course, much too early to make any over-all assessment of our participation in the ERTS programme and the uses to which these data can be put. However, we already consider that the quality of the images is sufficiently high to warrant geometric correction and enlargement to provide timely small-scale photomaps to meet the planning needs of many users. Nevertheless, our resource scientists consider that many scientific and engineering problems remain to be solved before the data can be used systematically to monitor our environment and observe our resources. While initial efforts to take advantage of this technology have been promising, we have already concluded that we have a long way to go in the development of practical applications.

My Government will continue to participate actively in the Working Group on Remote Sensing and its Task Force, which are exploring these applications. We welcome the fact that, as agreed at its preparatory session last May, the Working Group on Remote Sensing will study the legal implications and organizational requirements of remote sensing. My delegation realizes that it will be necessary to await greater knowledge of the potential uses and the limitations of the technology before we are in a position to agree upon definitive international arrangements to maximize the benefits to all nations. Moreover, we do not underestimate the difficult questions involved in harmonizing the sovereign rights of States with the obvious advantages to be gained by an international approach. However, we expect that the Working

(Mr. Rae, Canada)

Group will point the way to practical international arrangements which represent a responsible and realistic balance between national and international interests.

My delegation attaches particular importance to the recommendation, contained in paragraph 43 of the Outer Space Committee's report, that in the spirit of the objectives set by the recent Stockholm Conference on the Human Environment, appropriate contacts should be established between the Outer Space Committee and, once it becomes a reality, the Governing Council for the Human Environment with respect to the potential uses of space technology in monitoring environmental conditions. As the Canadian delegation proposed in the Outer Space Committee -- and this is reflected in paragraph 44 of its report -- we believe that a useful step in the dissemination of information on this promising area of space technology would be taken if in 1973 the Scientific and Technical Sub-Committee were to prepare a brief pamphlet designed to make public policy-makers, economic planners and environmentalists aware of the potential benefits in this area.

My delegation supports the recommendation of the Outer Space Committee that the Working Group on Direct Broadcast Satellites, in view of its interdisciplinary character and its co-ordinating functions, should be reconvened next June to review the substantive developments that have occurred since its last session, in May 1970. At that time the Working Group recommended that Member States and regional international organizations should promote and encourage regional arrangements, at both the governmental and the non-governmental level, as a practical first step to increase international co-operation in the use of direct broadcast satellite systems.

(Mr. Rae, Canada)

Since May 1970 there have been a number of pertinent developments, as described in the Outer Space Committee's report, in the ITU, UNESCO and World Intellectual Property Organization. Moreover, the UNESCO Draft Declaration of Guiding Principles on the Use of Satellite Broadcasting and the Soviet Draft International Convention on Principles Governing the Use by States of Artificial Earth Satellites for Direct Television Broadcasting appear to have a great deal in common, although the Soviet draft has a more negative emphasis which could impede the development of an area of space technology with important practical benefits for all countries.

My delegation considers that the Working Group on Direct Broadcast Satellites, which has both scientific and technical as well as legal responsibilities, would be the most appropriate forum in which to take an overview of recent developments in accordance with its mandate to formulate recommendations on the most effective way of making the benefits of direct broadcast satellites generally available.

Mr. VEJVODA (Czechoslovakia): Mr. Chairman, first may I be permitted to congratulate you on your election to your high and responsible post and to wish you and your colleagues, Ambassador Bishara of Kuwait, Ambassador Datcu of Romania as well as Ambassador Santiso Gálves of Guatemala, elected to head our Committee, many a success in leading the work of such a significant body of the General Assembly as its First Committee.

Permit me at the outset to make several remarks concerning the report of the Committee on the Peaceful Uses of Outer Space contained in document A/8720. We may note with satisfaction the positive results achieved by the Committee and its subsidiary bodies, especially its Legal Sub-Committee.

In this year's deliberations on the peaceful uses of outer space particular attention was paid mainly to the two following issues: the draft Treaty relating to the moon and the draft convention on the registration of objects launched into outer space. We may note with satisfaction that the results achieved so far as the international legal arrangements of the régime for the exploration of the moon is concerned are positive. In a relatively short period

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of time a complex draft of a new legal instrument has been elaborated which, due to its significance, will complement the fundamental agreements concerning the peaceful uses of outer space. It is to be expected that some points which have not yet been settled will be discussed in the same spirit of friendly co-operation and understanding which prevailed this year in the deliberations on this question in the Legal Sub-Committee. We hope that the Sub-Committee can conclude its work on that subject next year so that it will be possible to submit the draft of the treaty relating to the moon to the twenty-eighth session of the United Nations General Assembly.

The delegation of the Czechoslovak Socialist Republic is aware of the significance of the problems related to the identification and registration of objects launched into space. The number of these objects is annually on the increase. However we are of the opinion that the establishment of a new registration system would result in creating new administrative machinery and bring about significant financial expenditures. We regard the existing system of registering space objects by national means with the Secretary-General of the United Nations as being fully satisfactory. At the same time we agree that attention should be given to the draft convention submitted on that matter by Canada and France with regard to the registration of objects launched into outer space according to the pattern of registering aircraft on the basis of the International Civil Aviation Convention of 12 December 1944. As can be seen from the report of the Committee on the Peaceful Uses of Outer Space the results of the past deliberations indicate here also the possibility of reaching a generally acceptable solution of all pending issues which are so complicated due to their legal as well as their technical nature.

The work of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies, especially its Legal Sub-Committee, has brought about positive and concrete results. We believe that this will be the case also in the future. It is even more important due to the fact that the technological revolution we are witnessing is making it possible to achieve important new results regarding research on and exploitation of outer space which not so very

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long ago seemed to be a mere vision. Among other things also, outer space is being converted to a region where nations contact and communicate with each other. It is essential to ensure that this region serves the promotion of peaceful and friendly co-operation among nations and to prevent its conversion into a source of misunderstandings, troubles and conflicts. The developments in that field cannot be left to chance and uncertainties. This, after all, was recognized by the Member States of this Organization at the time when the Committee on Peaceful Uses of Outer Space was established. We may therefore say that the United Nations has significantly contributed to the promotion of peaceful co-operation among nations which has developed as a part of space research and of the exploitation of outer space. There is no doubt about the merits of our Organization with respect to forming a new, modern branch of international law related to those activities.

This year the Union of Soviet Socialist Republics -- one of the countries taking a most active part in space research and in the exploitation of outer space -- is once again coming before the General Assembly with an initiative concerning the securing of one important branch of exploitation of outer space exclusively for peaceful purposes.

It is the opinion of the Czechoslovak delegation that an important initiative in the current General Assembly's agenda is represented by the item included in our agenda on the basis of a proposal of the Soviet Union, namely, to conclude an International Convention on the Principles Governing the Use by States of Artificial Earth Satellites for Direct Television Broadcasting. The significance of this proposal can be seen in relation both to further promotion of the legal arrangements for the peaceful exploitation of outer space as well as the solving of questions of international co-operation.

The efforts to formulate legal norms which would bring in harmony those information media which may cover the territory of other States with the principles of international co-operation and international law are not new.

We may regard as the first step in that respect the declaration of the International Broadcasting Union of 1926 which was followed by the conclusion

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of treaties among the broadcasting organizations of certain countries with the aim of preventing any topics in the broadcasting programmes which might impair international understanding.

On 23 September 1936 the Convention on the Use of Broadcasting in the Interests of Peace was concluded in Geneva under the auspices of the League of Nations and was signed by 29 States, including Czechoslovakia. The Convention was subsequently ratified or acceded to by 23 States. The Convention reaffirmed the right of any State to prohibit and to cease immediately any broadcasts inciting citizens of other States to act in contradiction with internal order and security or constituting threat to good international relations.

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Under that Convention, radio broadcasting must not incite to war or to acts which might lead to war. The parties to the Convention were to carry on broadcasting which would make it easier for nations to learn about each other and which would contribute to international understanding.

Thus, before the Second World War, many States tried, through international agreements, to prevent the abuse of technological progress achieved in the media of information represented at that time by broadcasting. Only those imperialist States which were making preparations for aggression, such as Nazi Germany and Mussolini's Fascists, avoided agreements of that nature and misused broadcasting for their psychological preparations for aggression.

Under the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, of 1967, all Member States of the United Nations are requested to use all means of information available to them in order to promote friendly relations among peoples, in harmony with the Purposes and Principles of the Charter, and to promote the dissemination of all information reflecting the longing of all peoples for peace.

At the sessions of the United Nations bodies which dealt with the issues relating to the questions of space research and the exploitation of outer space, held in the period between 1964 and 1969, a number of representatives, including the representative of Czechoslovakia underlined the urgent necessity of paying attention to the legal arrangements for broadcasting by means of artificial satellites, owing to the fact that such broadcasting, as a consequence of its advanced technology, exceeds national boundaries.

This is the reason why we have welcomed the inclusion of the Soviet proposal in the agenda of our General Assembly, a proposal whose aim is to include a special international convention on direct television broadcasting.

We regard as the most important part of the preamble of the draft convention that part which expresses the conviction that the exploitation of direct television broadcasting by means of artificial satellites requires broad international co-operation on the basis of special legal principles regulating such activity. We view the draft convention in the broader context

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of international peaceful co-operation, to which particularly wide possibilities are offered by the use of outer space for the purpose of television communication. It is important therefore to adopt a principle under which States will be obliged to carry on their activities relating to direct television broadcasting by means of artificial satellites in harmony with the generally recognized principles of international law, including those of the United Nations Charter and the Outer Space Treaty of 27 January 1967.

It is essential to ensure that direct broadcasting is carried on mainly in the interests of advancing the educational level of peoples, of enhancing the development of culture, of expanding knowledge on the part of individual countries of other countries' cultures, and of expanding international exchanges in the fields of science, culture and sport. Technological advancement must serve exclusively the cause of peace and must work for the benefit of mankind and for cultural enhancement, for social aspirations and the bringing together of peoples. It is logical that the corresponding international arrangements must prevent the misuse of those new technological achievements for the propagation of ideas and purposes hostile to the cause of peace and peaceful co-operation among peoples; and with regard to the United Nations Charter, it must prevent inadmissible interference in the internal affairs of individual States. It is likewise necessary to prevent any commercial abuse of those achievements and also to prevent the impairing, by television programmes, of the interests of countries less developed in the sphere of technology. Therefore, an obligation should be assumed by States to refrain from carrying on direct television broadcasting without the definitely expressed consent of the State concerned. At the same time, it is essential to ensure that television broadcasting to other States by means of artificial earth satellites is carried on exclusively by organizations under the control of the Government of those States, from whose territory the broadcasting will be carried on.

As far as the operative part of the draft treaty is concerned, we wish to make only a few short comments. We view as very important the procedure proposed in the draft for a case of non-observance of the convention and its principles. We are of the opinion that the method of consultation proposed in

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article 8 of the Soviet proposal represents the most effective and logical method for ensuring the implementation of the convention. That method is anchored in article 9 of the Outer Space Treaty of 27 January 1967 and is analogically used also in certain disarmament conventions, such as, for instance, the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof. In accordance with the above-mentioned article, each signatory State of the convention would have the right to request consultations with the State whose activities connected with the carrying-on of direct television broadcasting might have a harmful influence on the other State or might unintentionally reach its territory. Those consultations should lead to the clarification of misunderstandings.

The Czechoslovak delegation also views as very important articles 11, 12 and 13 of the draft convention, containing the obligations relating to international co-operation. We regard as particularly significant the obligation to regulate co-operation on a bilateral as well as on a multilateral basis in such a manner that particular regard is paid to the interests of developing countries desirous of using direct television broadcasting through artificial satellites.

In conclusion, we hold that it is also necessary to underline the significance of the proposed convention from the following point of view. The measures discussed and, up to now, put into effect in the field of telecommunications in outer space by various international organizations -- the United Nations, ITU, UNESCO and others -- have mostly been dealt with only within the framework of solving problems of a technological nature, and possibly on the level of exchanging ideas and considerations, and, at best, of making recommendations of a general nature. The adoption of a corresponding international document relating to political and legal measures, the necessity of which has been fully proved, will make it possible to use outer space also in so important a field as that of television broadcasting to the benefit of co-operation and understanding among nations. In the opinion of the Czechoslovak delegation, the Soviet draft convention creates a solid basis for attaining such an agreement, and we are therefore in favour of transmitting it to the Committee on the Peaceful Uses of Outer Space for speedy deliberation.

(Mr. Grigorov, Bulgaria)

Mr. GRIGOROV (Bulgaria) (interpretation from Russian): Mr. Chairman, speaking for the first time in this Committee, I wish first of all to congratulate you, on behalf of the Bulgarian delegation, on the occasion of your election as Chairman, and to express our conviction that under your competent leadership the work of this Committee will be crowned with success.

I also wish to take advantage of this opportunity to congratulate the Vice-Chairmen and the Rapporteur, and to wish them full success in their responsible tasks.

In setting forth the position of the Bulgarian delegation on the subject under consideration in our Committee, I should like to remark that at this stage I shall limit myself to commenting mainly on the third item, reserving my right to speak on the others later.

The delegation of the People's Republic of Bulgaria regards as most appropriate and timely the proposal of the Soviet Government on the elaboration of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting. The conclusion of such a convention would be a new step forward towards the further regulation and expansion of international co-operation in the field of the use of outer space in the interests of all peoples and of peace, and would add yet another extremely useful document to the remarkable achievements of the United Nations in this particular field. I have in mind the Declaration adopted by the General Assembly in resolution 1962 (XVIII) and documents of international law signed in the last five years, such as the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space (General Assembly resolution 2222 (XXI)), the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (General Assembly resolution 2345 (XXII)), and the Convention on International Liability for Damage Caused by Space Objects (General Assembly resolution 2777 (XXVI)), as well as the draft treaty on the moon and the draft convention on the registration of objects launched into outer space, which are on the agenda of our Committee.

What is it that, in the view of the Bulgarian delegation, makes it necessary to regulate as speedily as possible these matters relating to the use of artificial earth satellites for direct television broadcasting? Television is one of the widest and most effective contemporary mass information media. Television broadcasting, in our day, can practically encompass the whole of the globe, through existing special sputniks. The blue screen has already become accessible to hundreds of millions of people on our planet. The rapid development of the scientific and technological revolution will make it possible to carry out quite soon direct television broadcasting from any part of the globe and beam it to any country. In fact, this is a positive process which could contribute to bringing peoples closer together through wider exchanges in the scientific, cultural and other fields and could serve the noble cause of peace and progress for the whole of mankind -- on condition that the development of that process is in advance put on a sound basis. In other words,

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international regulation of this question must be provided for in advance and carried out in good time; otherwise this process, which in itself is positive, could have most unfavourable, indeed completely opposite, consequences.

Television broadcasting could become a means of political and ideological blackmail, violation of national sovereignty of States and interference in their internal affairs. Instead of contributing to the development of fruitful co-operation among peoples and the strengthening of international security, television broadcasting could become a source of tension and conflicts.

To prevent that potential but quite realistic danger from occurring is the very sense and purpose of the draft convention proposed by the Soviet Union concerning principles governing the use by States of artificial earth satellites for direct television broadcasting. The provisions contained in the draft are there because of the desire -- which is understandable, and is in the interests of all States -- to nip in the bud any attempt to abuse this kind of television broadcasting, which could infringe the lawful interests of States. The proposed draft is dictated by the desire to guarantee equal rights and justice in the distribution of advantages accruing to mankind from television broadcasting.

The main objective and the practical meaning of this draft convention are, in the view of the Bulgarian delegation, I repeat, to eliminate any possibility of anarchy in such a sensitive field of human endeavour and to establish a generally acceptable rule of law in full consonance with the Purposes and Principles of the United Nations Charter.

Indeed, what good could be expected by a State from television programmes beamed at its territory without its consent, broadcasts containing worthless or immoral scenes, scenes of enslavement and debasement of essential human qualities, incitement to murder, amusement through violence, horror and bloodshed. Is not that a violation of the right and responsibility of the State to whose territory such broadcasts are beamed? In relation to the established norms of ethics and the principles governing the education of its people, and above all of the coming generation, is not that State entitled to demand that there should be no such activities? Will anybody deny that States have the

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right to put an end to activities which undermine the foundations of their existence and destroy the national culture and traditions of their peoples? If even in countries where such programmes are shown a large part of the public feels indignant, recognizing the nefarious influence of such programmes, there is even more justification for the desire of other countries not to condone the appearance of such stuff on its territory and their demand to regulate this kind of activity, which is another kind of aggression, without bombs or bullets but with consequences at least as serious for the security and welfare of the peoples.

I should like to adduce yet another argument. It is possible that television programmes aimed at other States could openly praise war and aggression, justify colonialism, present in a favourable light abhorrent systems such as apartheid, advocate racial hatred and so on. Confirmation of the reality of that danger can be found in the rather recent past. We remember the radio broadcasts of Hitler's Germany, or another and even more blatant example in this field: the propaganda carried on by television in favour of apartheid and racialism in South Africa. Those two examples, from the recent past and from the present, seem to me sufficient proof of the fact that it is well worth while to think twice about the future. This kind of television programme, and others, can and may be in direct contradiction with the internal legislation of a given country.

In the Constitution of the People's Republic of Bulgaria, for instance, war propaganda is declared to be prohibited. Article 63, paragraph 2, of the Constitution states:

"Incitement to war and war propaganda are forbidden and are punished by law as grave crimes against peace and humanity."

Article 35, paragraph 4, categorically prohibits

"... any advocacy of hatred or debasement of man because of his race, nationality or religion."



(Mr. Grigorov, Bulgaria)

Under article 162 of the Penal Code of the People's Republic of Bulgaria anyone advocating racial hatred or inciting to racial hatred is punished by a prison term of three years. It is quite logical that, in prohibiting in accordance with internal legislation the activities of persons who have committed such crimes, a State is fully entitled not to tolerate on its territory the commission of those same crimes by persons or bodies abroad through direct television broadcasts.

However, these arguments do not exhaust all the aspects of this problem. Direct television broadcasting through artificial earth satellites contain even more dangerous consequences, namely, the possibilities for direct interference in the internal affairs of States, for the dissemination of misinformation, for carrying out political blackmail, and for intolerable infringements on the sovereign rights of States to carry out their own policies and freely to solve their own problems. Formal interpretations and references to the principle of freedom of information in an attempt to justify these activities, are of a speculative nature, since this democratic right has never meant and could not mean freedom to misinform. It is against the freedom of misinformation that the draft convention is directed. It is directed against misinformation which pollutes the spiritual and political climate of society.

There is not the slightest doubt that all questions related to the use of space for direct television broadcasting have a bearing, in the final analysis, on problems of international peace and security and on fruitful co-operation among States, that is to say, the essential Purposes and Principles of the United Nations. Our Organization, according to Article 1, paragraph 4 of the Charter, must be "a centre for harmonizing the actions of nations in the attainment of these common ends". The Bulgarian delegation considers that for this reason the United Nations cannot neglect its obligation in the field of harmonizing the actions of States in such an important and sensitive field which is a component part of the whole problem of international security.

(Mr. Grigorov, Bulgaria)

A clear cut and timely regulation of this question relating to principles to govern direct television broadcasting would undoubtedly contribute to a further improvement in the political climate of the world, which has been noted as a hopeful sign in international life in the statements of the leaders of almost all delegations.

Should this matter remain unsettled, anarchy would be created and the danger of the rebirth of the cold war would increase. Rules of international law which will govern the activities of States in the field of direct television broadcasting must undoubtedly be based on the fundamental principles enshrined in the United Nations Charter as well as on the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, concluded in 1967. The most important of those provisions are respect for sovereignty, non-interference in internal affairs, equality, co-operation and mutual advantage. The same principles are contained in the draft convention introduced by the Soviet Union.

I should like to stress some additional important provisions of the Soviet draft, which are fully and unreservedly supported by the Bulgarian delegation. These are, first of all, provisions for the prohibition of any television programmes containing materials advocating or publicizing ideas of war, militarism, nazism, and national and racial hatred, as well as material which is immoral. We should also like to stress the importance of a provision that a State carrying out direct television broadcasting beamed at other countries would undertake to obtain the prior consent of those countries. We would also emphasize the importance of guaranteeing equal rights to all States, large and small, not only to accept but themselves to broadcast television programmes. The guaranteeing of this right is, in our view, all the more essential since developing countries, and especially the small countries, usually cannot afford the expensive equipment required for direct television broadcasting. I should like to state in passing that in the case of the absence of any regulations, some small and relatively weak capitalist countries could find themselves in the same position. The possible development of unrestrained commercial advertising on television screens would obviously lead to an aggravation of competitiveness, in which, as is well known,

(Mr. Baroody, Saudi Arabia)

And remember that we are talking here of television. I shall give you an example of what I mean. And remember also that I have said "whether visual or auditory" and the visual dissemination of information means here information through television whether it is art, news, films, literature or whatever. It is both visual and auditory, but more visual than auditory because otherwise we would have only radio.

(Mr. Baroody, Saudi Arabia)

We, the members of the Committee of Fifteen that met at Lake Success -- whether representing western or eastern, big or small Powers -- addressed ourselves very seriously to the problem and elaborated articles which are on the books. There were only four articles, but the cold war was then at its zenith, or working up to it, and we, who were objective and trying to deal with the question dispassionately, could not complete the convention.

I do not know why the Soviet Union does not mention anything about that convention on freedom of information in its draft resolution. Is there a gentlemen's agreement, or is it omitted through neglect? Is there an understanding between the Soviet Union and the United States not to revive it for various reasons? I do not suspect them, but Ambassador Malik always says: "Do not be suspicious of us." I am not suspicious of anybody. Sometimes I am suspicious of myself.

How would you like to have freedom of information in television when a justice of the Supreme Court in this country considered sexual exhibitionism as a form of art? I objected because we live in the host country, where the United Nations holds its General Assembly. We work here at Headquarters, and ten years ago we were deluged not by art but by pornography. Pornography has to appear on television; we should accept the free flow of information -- that was the cliché they used -- without the interference of Governments.

Well, the point was that Governments may become tyrannical, despotic or arbitrary. We found a way out, so that Governments -- of countries which allegedly belong to the free world -- may not censor the flow of news. We said: Why not ask the associations of the press, television, radio and all other media for disseminating information -- regardless of whether they belong to the Soviet Union, the United States, Africa, or Asia, or wherever they may be -- to hold a conference among themselves and elaborate an international code of ethics just as the medical association has an organ which takes into account the ethics of its members so that if there is a charlatan the association either expels him or warns him? They did not want to have an international conference of press associations from all over the world so that they themselves should be jealous of the reputation of their members.

(Mr. Baroody, Saudi Arabia)

How is it that a man without a diploma cannot practise law or medicine? We do not say that you have to apply that to a journalist; he may be a born journalist, but he should abide by certain laws. A television producer need not be a college graduate, but he should abide by a code of ethics. Now we do not have freedom of information; we have propaganda, licence, pornography appearing on the mass media under the guise of freedom of information.

Who is sitting there? Ambassador Issraelyan? Why do you not refer to this in your draft resolution? Where were the Americans napping, Ambassador Bush? Why don't you refer to that draft convention on freedom of information, which should be the cornerstone of any agreement, whether by way of a convention or other instrument. It should be the cornerstone for the dissemination, not only of news, but of broadcast television programmes by way of satellites, on an international scale.

This is why -- I see that it is drawing near one o'clock and I do not want to take up any more of the Committee's time -- I will reserve my right to address myself again either to the draft resolution or to the draft convention, which I understand has already been submitted on this subject, with the view of drawing the attention of my colleagues here to the fact that it is high time that freedom of information was established rather than licence for propaganda and all such forms of licence as pornography and degrading -- what should I say? -- "information" that is calculated to win minds by hook or by crook, rightly or wrongly. This is what this Committee should be seized of lest it should just pass resolutions, letting the damage continue to be done with people everywhere being adversely affected by it. Otherwise the social fabric in some of the most developed countries will be in tatters, with no more morality, with no more prudence.

One has only to read the reporting in certain newspapers here in this country about the massage parlors. This is part of the same thing. It started with the pornography shops where sex is peddled. This is "freedom". They invoke a certain amendment of the Constitution and the police is kicked out by the courts. This is "freedom of information".

(Mr. Baroody, Saudi Arabia)

I have been abroad, and in fairness to the host country I have seen this sort of "information" spreading. It is of an epidemic nature. They even have dolls that one can take to bed if one does not have a wife. Is that the kind of "freedom" we are seeking?

It all started with licence, and I am not all surprised that the Soviet Union -- in spite of its being a socialist State, and leaving aside the political differences it may have with other States -- would wish to preserve the morals of its community. It is high time that we did something about it and that we had a draft freedom of information as a cornerstone of any project with which we may be seized and on which we may have to vote.

The CHAIRMAN: The representative of the United States has asked to be allowed to speak in exercise of his right of reply and I now call upon him.

Mr. TYSON (United States of America): In reply to certain statements made yesterday, I would note that, particularly in view of the interest of this Committee in international co-operation in outer-space affairs, it seems unfortunate to displace our normal constructive approach to problems arising from different viewpoints by rhetorical excesses.

We, of course, totally reject a number of unfounded allegations which were made in this manner about United States policy concerning direct broadcast satellites.

In addition, I wish to reiterate an important technical distinction which Ambassador Bush made in his statement yesterday and which may have been misunderstood or perhaps overlooked -- that is, the distinction between, on the one hand, broadcasts to community receivers in which a ground station is required at the point of reception of the signal from the satellite, and, on the other hand, broadcasts direct from the satellite to individual home receivers without the use of the intermediate ground station.

As Ambassador Bush noted yesterday, community broadcast technology is considerably further along, although still entirely at an experimental stage. I repeat that direct broadcasts to home receivers are still years in the future.

Again, my delegation believes that it is premature at this time to try to establish treaty rules governing this technology.

The CHAIRMAN: I call on the representative of the Soviet Union, who has asked to be allowed to speak in exercise of his right of reply.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (interpretation from Russian): In exercising its right of reply the Soviet delegation would like to stress the following.

In his statement yesterday the permanent representative of the United States came out against the proposal of the Soviet Union about the need to work out an international convention on principles governing the use by States

of artificial earth satellites for direct television broadcasting. Today it has been confirmed that the United States considers that it is premature to prepare this kind of international convention. In that connexion a statement was made yesterday by the permanent representative of the Soviet Union, Mr. Malik, in which he explained the position of the Soviet Union on this question. I should like once again to confirm that this is our position, a position which has been widely supported at today's meeting, and I should like to ask a question of the representative of the United States.

How can one argue against such obvious truths? Large-scale co-operation in the sphere of aviation, for example, is progress; but when there is an abuse of international aviation, that is a crime. The wide availability of medicines, for example, on an international scale is something positive, it is progress, but abuse in this field of drugs is a crime. That is the logic of the Soviet proposal. We are for international co-operation in the use of earth satellites for direct television broadcasting. We are in favour of that, but we are against abuse. We consider that it would be a crime if direct television broadcasting by means of artificial earth satellites were to violate the sovereignty of States and were to be used for propaganda on militarism, enmity among peoples, propaganda on immoral theories, pornography -- of which we have heard enough today.

That is the position of the Soviet Union and I wished to reaffirm it.

The CHAIRMAN (interpretation from French): There are no other names on the list of speakers for this meeting. I wish to express my gratitude to those delegations that were willing to speak this morning and thereby made it possible for us to have this meeting. In particular, I am very grateful to the representative of France, who, offering his kind co-operation to the Chairman, was good enough to agree to be the first speaker this morning.

(continued in English)

There are no speakers for this afternoon. Accordingly, I shall have to cancel the afternoon meeting.

(The Chairman)

Before adjourning the meeting, I should like to inform members of the Committee that, according to our tentative time-table for the work of the Committee, we shall have not more than seven working days for consideration of the items on outer space. Two of these days are already used up. Therefore, I would again urge those delegations wishing to take part in the general debate on this item to inscribe their names with the Secretariat as soon as possible. I also hope that those delegations wishing to submit draft resolutions on these items will do so without delay.

I propose to close the list of speakers in the general debate on Monday, 16 October, at 6 p.m. The Committee may wish to take a decision in that regard on Monday morning.

The meeting rose at 1.10 p.m.



# UNITED NATIONS GENERAL ASSEMBLY



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ENGLISH

Twenty-seventh Session

FIRST COMMITTEE

PROVISIONAL VERBATIM RECORD OF THE EIGHTEEN HUNDRED AND SIXTY-FIRST MEETING

Held at Headquarters, New York,  
on Thursday, 12 October 1972, at 10.30 a.m.

|             |                    |             |
|-------------|--------------------|-------------|
| Chairman:   | Mr. RAMPHUL        | (Mauritius) |
| Rapporteur: | Mr. SANTISO-GALVEZ | (Guatemala) |

- Tribute to the memory of Mr. Hassim Jawad, Resident Representative in Beirut of the United Nations Development Programme
- International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space [28]
- Preparation of an international treaty concerning the Moon: report of the Committee on the Peaceful Uses of Outer Space [29]
- Preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting [31]

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