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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/ (continued)
- 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 /37/ (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; A/C.1/L.606/Rev.1, L.608 and L.610)

PREPARATION OF AN INTERNATIONAL TREATY CONCERNING THE MOON: REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/8720, A/C.1/L.608 and L.610)

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/Rev.1, L.607/Rev.1, L.609 and L.612)

The CHAIRMAN: I should like to draw to the attention of the members of the Committee that the amendments of Australia, Belgium, Canada, Italy, Japan, Netherlands and the United Kingdom have now been issued in document A/C.1/L.613. The sub-amendment of Brazil contained in document A/C.1/L.614 has also been issued.

I call on the representative of Cuba on a point of order.

Mrs. BORODOWSKI (Cuba) (interpretation from Spanish): Because it was so late and because there were so many speakers this morning my delegation thought it advisable to wait until this afternoon to state that Cuba is also a co-sponsor of draft resolution A/C.1/L.605, since the representative of the Soviet Union, when he spoke, omitted to mention our country.

The CHAIRMAN: The Committee will note that Cuba is now a co-sponsor of draft resolution A/C.1/L.605. I would like to inform the delegation of Cuba that this was announced from the Chair earlier today.

The Committee will continue the discussion of the draft resolutions and amendments concerning the outer space items. It is my hope that the Committee will proceed to vote on the proposals that are before it this afternoon so that we may conclude the consideration of these items today.

I shall now make a short statement. As we now move to the close of our debate on the three items relating to the peaceful uses of outer space, I wish to offer a few brief observations. During the course of this week we have had a very useful exchange of views on the whole range of activities relating to outer space, from the legal to the scientific and technical aspects. The views expressed during the debate have shown in a convincing manner that man has achieved remarkable progress in the conquest of outer space. While we are proud of these achievements, every one of us is full of hope that the great prospect opening before mankind as a result of man's entry into outer space will serve the common interest of all nations and will aid in a decisive manner in the process of national development as well as in international co-operation. This can be achieved only through the co-operation and the full participation of all countries, including those which stand to gain most by the practical benefits that may be derived from space exploration, namely the developing countries. It is in this context that I wish to observe that I regret the lack of participation by the African countries this year in the Committee's work. I am of course pleased that nine African States took part. However, as a member of the African group I am duty bound to draw the attention of the African States to the need for active participation in this field if they are to benefit from the practical applications of space exploration, which will help alleviate some of the economic and social problems that face Africa as well as other developing areas of the world.

(The Chairman)

For many years the majority of countries watched with fascination but without involvement as the space Powers launched orbiting survey satellites and moon missions into outer space. Beset by major problems here on earth and seeing little immediate relationship between their needs and the exploration of outer space, their participation was minimal and most of the time observatory. However, recent developments and successes, particularly in the areas of meteorological satellite systems, communications satellite systems, and now the earth resources satellite experiments, have demonstrated to the world in a very real sense the potential of practical applications of space exploration for man's welfare on earth. The Committee on the Peaceful Uses of Outer Space, under the distinguished guidance of Ambassador Jankowitsch of Austria, has led the way in devising ways and means of ensuring that these benefits will be shared equally by all nations. The initiatives taken by the Committee and the programmes established by it, as described to us in the Committee's report, clearly indicate that the United Nations has begun to proceed on the path towards providing Member States, and in particular the developing countries, with more opportunities to acquaint themselves with and avail themselves of the practical benefits of space research and technology and to prepare themselves to play a part in this field instead of watching and continuing to be spectators.

We have also noted in this debate the various steps taken in this direction by the specialized agencies, particularly ITU, UNESCO, FAO and WMO, and we have before us the admirable initiative of the Philippines and a group of countries, including my own, which have highlighted the potential of space exploration as regards controlling one devastating natural disaster -- the storm cycle and typhoons.

It is necessary, therefore, to seize the opportunity of this new trend in the United Nations to encourage and support it within the United Nations and within national administrations, and to feed it with more practical initiatives and participation on the part of all countries. I wish to make reference here to the commendable programmes already established in this field by countries such as India, Brazil and Argentina, some of which are under United Nations sponsorship and the progress of which has been

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reported to us during the general debate here as showing the direction in which the developing countries might wish to proceed. It is my fervent hope that the countries of Africa and other developing areas will take cognizance of these developments and will participate more fully and in a more vigorous manner in the future.

In this regard I am pleased to associate myself with Ambassador Jankowitsch of Austria in urging all the Members of the United Nations, and in particular those which are not members of the Outer Space Committee, and through them their national authorities concerned with outer space matters to follow the activities and the work of this important Committee and its various subsidiary bodies. In this connexion, I am sure that the Outer Space Affairs Division of the Secretariat as well as the new Expert on Space Applications will be willing to assist the representatives of Member States -- as indeed was the case in the past with the assistance of the former Expert, Mr. Ricciardi of Argentina -- to obtain all the necessary information and data, which will be of great use in acquainting the national authorities in the developing countries with developments in this field and especially in the field of the application of space technology for economic, educational and social development.

At this stage I wish to recognize the presence of the new Expert on Space Applications, Mr. Murthy of India, who has been with us for the last few days. Mr. Murthy was the director of the International Rocket Launching Station at Thumba, India, which was the first United Nations sponsored space range and where, I am told, he directed the work of over 3,500 scientific and technical personnel now working on India's space programme. He is an internationally recognized scientist and is Vice-President of the International Astronautical Federation.

Finally, I need hardly say that the political and legal problems relating to space exploration have to be resolved in order to utilize fully the benefits of space exploration. The United Nations has taken encouraging steps by adopting several international treaties in this field, and it will no doubt continue this action in the future. The co-operation of all countries will indeed be necessary in the preparation in the future of new treaties, such as the

(The Chairman)

important one proposed by the Soviet Union at the present session which has generated a lively debate and will be worked out, I hope, to the satisfaction of all concerned. I hope that these considerations will remain uppermost in our minds in our future deliberations, and that we will strive in our work here to translate these hopes into more practical terms through the adoption of the several draft resolutions which are before us.

Mr. CHEN (China) (interpretation from Chinese): Before the conclusion of the debate on the question of the peaceful uses of outer space in the First Committee and at the time when the relevant draft resolution is about to be put to the vote, the Chinese delegation thinks it necessary to make the following statement.

1. As from 1 October 1949, the day of the founding of the People's Republic of China, the Chiang Kai-shek clique has no right at all to represent China. It has usurped the name of "China" to become a party to a Treaty, an Agreement and a Convention on the peaceful uses of outer space: namely, the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies; the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the 1972 Convention on International Liability for Damage Caused by Space Objects. In this connexion, the Chinese delegation hereby declares that the signatures of the Chiang Kai-shek clique on the above Treaty, Agreement and Convention are illegal, null and void. The Chinese Government will undertake no obligations whatsoever. The Chinese Government will examine treaties, agreements and conventions of this kind before making a decision in the light of the circumstances as to whether or not they should be acceded to.

2. The People's Republic of China did not participate in the Committee on the Peaceful Uses of Outer Space, and it still has to acquaint itself with and study the information and issues relevant to the peaceful uses of outer space. The Chinese Government reserves its right to make comments, and take action on related matters in the future.

3. Basing itself on the above stand, the Chinese delegation has decided not to participate in the voting at this session of the General Assembly on the draft resolutions and amendments concerning the question of outer space. However, the Chinese delegation wishes to take this opportunity to state that the Chinese Government and people have always been deeply concerned over the losses of property and lives caused by natural calamities to the people of the various countries concerned, and we are profoundly sympathetic to the efforts made by the Philippine and other delegations to mitigate the harmful effects of storms.

Mr. MIKUCKI (Poland): The Polish delegation in its earlier statement fully supported the initiative of the Government of the Union of Soviet Socialist Republics concerning the preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting in the draft resolution introduced by the Soviet Union. Now, after a thorough discussion on the matter in this Committee, we consider that the revised draft resolution presented yesterday by the Soviet delegation and co-sponsored by Cuba, Iraq and Mongolia (A/C.1/L.1605/Rev.1) correctly reflects the discussion. We therefore fully support the revised text and will vote for its adoption.

In this connexion, our delegation should like to make some remarks on the amendments reintroduced by the delegations of Australia, Belgium, Canada, Italy, Japan, Netherlands and the United Kingdom after the withdrawal of the original authors, Austria and Sweden. In the opinion of our delegation, the amendments, and especially the amendment to operative paragraph 1, are not accurate and proper reflections of what has happened in this Committee and on the item. As a matter of fact, it was the Soviet Government which proposed the inscription of a new item on the agenda of the twenty-seventh session of the General Assembly entitled "Preparation of an international convention" -- I stress convention -- "on the principles governing the use by States of artificial earth satellites for direct television broadcasting". To the request for inclusion and an indexed explanatory memorandum was attached a complete and competently elaborated text of the draft convention. The item, under the above title, together with the text of the draft convention, was approved by the General Assembly and allocated to this Committee for consideration. During the discussion in this Committee some delegations supported the draft convention, some delegations had reservations and some were critical of certain provisions of the convention. Even though some delegations of Western countries expressed themselves as seeking the elaboration of principles rather than a convention, none of them presented a more detailed and complete elaboration of such principles. To accept the amendments as presented by some Western delegations would mean that we had lost somewhere the idea of concluding a convention, which is on the agenda of the General Assembly and on which the discussion in this Committee has focused for the past seven days.

(Mr. Mikucki, Poland)

That is why the Polish delegation will vote against the amendments proposed by some Western countries. After the amendments introduced this morning to the sixth preambular paragraph and operative paragraph 6 of the draft resolution contained in document A/C.1/L.606/Rev.1, the Polish delegation is ready to vote for its adoption. The Polish delegation will support also the draft resolution contained in document A/C.1/L.608 and is pleased to co-sponsor it.

Mr. MARTINEZ (Colombia) (interpretation from Spanish): Mr. Chairman, I take great pleasure in extending to you, on behalf of Colombia, our warmest congratulations on your election to the chairmanship of this Committee and my gratitude for the efficiency with which you have guided our deliberations. I should like to extend congratulations also to the Vice-Chairmen and the Rapporteur.

The many important statements which we heard show the correct attitude of the Soviet Union in presenting its draft resolution on the preparation of an international convention on principles governing the use by States of artificial earth satellites for direct television broadcasting. The immense and staggering advances of technology in this field warrant the constant attention of my country since direct broadcasting will open up great possibilities for mass education and cultural exchange among the peoples of the earth. The peoples of the third world, like our own, among which there is a lot of illiteracy, may find in the progress of this kind of broadcasting a tremendous weapon with which to combat the ignorance in which a high percentage of our inhabitants live.

But for this very reason, and since our countries do not possess this weapon, we are aware of its ambivalence.

(Mr. Martinez, Colombia)

It may confer great benefits, or serve as a new means of cultural penetration. In this context, my delegation considers that this item has three aspects: the sovereignty of States, free circulation of information, and international co-operation. The first of these, sovereignty of States, is outside any discussion because it is the very guiding principle of international relations and it is quite clear that, as we are Members of this Organization, it is as sovereign States. Free circulation of information is part of the tradition of freedom of what we call western culture, and we regret the obstacles which exist in other societies. As we have said, benefits may be conferred upon mankind by the diffusion of scientific information, but at the same time States have the right to defend their traditions, their values, their culture. Hence the need for regulating the question, because it would not be fair for developing States not to have a juridical instrument which would prevent cultural penetration.

Therefore my delegation welcomes with sympathy the Soviet initiative. That initiative has put us in a splendid position to apply space technology for development. That initiative has also made it possible for us to improve international co-operation, which is the last aspect I mentioned. But international co-operation entails dialogue, exchange of opinions and mutual concessions, which can lead to common success.

My delegation has studied the amendment initially presented by Austria and Sweden (A/C.1/L.609) and now by Belgium and other States (A/C.1/L.613) and we think it appropriate, especially after the subamendment of Brazil, to express our support. These amendments complete the considerations put forward by the Soviet Union in document A/C.1/L.605/Rev.1 and the sovereignty of States and the free circulation of information should be given proper mention.

With regard to the paragraphs of the operative part, in the amendment I have mentioned, there is a great opening for international co-operation. We do not have to go as far as a convention at the outset but the doors are open to various types of international agreement, including conventions. This is left to the judgement of the Committee on the Peaceful Uses of Outer Space, the

(Mr. Martinez, Colombia)

competence and efficiency of which are unanimously recognized and which is, furthermore, the central body for these items in the United Nations. My delegation certainly does not want to delay the matter; on the contrary, we think it has the highest priority. We are aware, I repeat, that what we need is a juridical instrument, but we do note that in order to attain this quickly we need the intervention of all States Members, and particularly the developed States, which possess space technology.

My delegation hopes that the Soviet Union, in analysing the situation, will accept the amendments presented by Belgium and other States. We believe that inflexibility will not promote the agreement which we need but, by the same token, since we have talked of juridical instruments, we hope that the Committee on the Peaceful Uses of Outer Space will send this item to the Legal Sub-Committee.

Finally, my delegation would like to congratulate the sponsors of the draft resolution on the preparation of an international treaty on the moon, contained in document A/C.1/L.606. I think this has set a great example of international co-operation and that being so my delegation will vote accordingly.

Similarly, as the inhabitants of a country which has recently suffered serious natural misfortunes caused by intensive rain, we support the draft resolution contained in document A/C.1/L.606/Rev.1 presented by the Philippines. We hope that this aspect of intensive rain will also be taken into account by the specialized agencies.

In concluding, we regret that the representative of the Soviet Union has had some difficulty with the sixth preambular paragraph of the draft I am commenting on, which talks of future plans for the participation of all States. In fact, it is not good for the Organization that these States should be outside it. My country considers that to avoid political considerations preventing the entry of States into the Organization, it is necessary to have an amendment to the Charter which will govern the entry of States and apply strictly juridical criteria. I think that the Soviet Union will view this thesis with sympathy and assist in getting it formulated in the regulations of the Organization, which will help us to avoid in the future the difficulties which the Stockholm Conference had to encounter.

Mr. VEJVODA (Czechoslovakia). I wish only to say a few words concerning the draft resolutions which we have before us, especially those of which we happen to be a co-sponsor: namely those contained in documents A/C.1/L.605/Rev.1 and A/C.1/L.608.

On the amendments to the resolution in A/C.1/L.605/Rev.1 submitted by a group of Western States we should like to make two points. First, several friends of mine from different delegations have asked me what is the main difference between the operative paragraphs of draft resolution A/C.1/L.605/Rev.1 and the amendments. To them I should like to say this once again, very simply: principles the elaboration of which would be undertaken under the Western Powers' amendments are not legal instruments. What we want is a legal instrument, that is, a convention which of course should include all kinds of different principles but which would have binding, legal force. How such a convention will be elaborated depends on the work of the Legal Sub-Committee and the Committee on Outer Space.

To the sponsors of the amendments we should like to say that we listened with great attention to the explanation given by Belgium and the United Kingdom assuring us that their amendments do not mean by any means that they want to put the whole matter in cold storage, and that they are not opposed to a convention on this matter. We should like to believe them, but it strikes us that in their respective statements in the general debate they expressed the opinion that the draft convention is premature or too negative, or that UNESCO had better deal with it, or that the Working Group on Direct Broadcast Satellites not the Legal Sub-Committee of the Outer Space Committee should deal with it.

Therefore it seems to us that their objective is simply to avoid any legal obligation in that matter and that they are trying to kick the ball into the outer field, if I may put it that way.

In our statement in the general debate we mentioned the broadcasting Convention of 1936. The representative of the Netherlands referred to that Convention and stated that some Powers signed it but never ratified it. I should like to tell him that Czechoslovakia was also among those which did not ratify it. It was because in that year the free flow of information was coming to my country from neighbouring Nazi Germany and we had to defend ourselves against it. That was I believe, also the reason why other countries originally signed the Convention but did not ratify it.

(Mr. Veivoda, Czechoslovakia)

I should like to refer very shortly to the draft resolution in document A/C.1/L.608. We want to congratulate the representative of Austria, who prepared the draft, on his able work. He prepared the draft along the line which this Committee has been accustomed to follow for years in resolutions of the Outer Space Committee. However, we think that next year we should try to use another form for the drafting of outer space resolutions, so that they are not so lengthy, because if other committees should follow this example it would not be very helpful to our drive to economize and simplify the work of the General Assembly.

Referring to the draft resolution in document A/C.1/L.606/Rev.1, allow me to thank the representative of the Philippines for having accepted the amendment of the Soviet Union. We are happy to state that we are willing to support that draft resolution.

Finally, we hope of course that the pattern of voting will be that the subamendment proposed by Brazil in document A/C.1/L.614 will be voted on first. We would propose that there should then be a separate vote on the amendments of the Western countries, first on the amendment to the preamble and then on the amendment to the operative part of the draft resolution.

Mr. VAN USSEL (Belgium) (interpretation from French): This morning, as always, we listened with the greatest attention to the interesting statement of my good friend the representative of Brazil. He presented a sub-amendment to the first amendment which Australia, Belgium, Canada, Italy, Japan, the Netherlands and the United Kingdom had introduced to replace the fifth paragraph of the preamble to the revised draft resolution contained in document A/C.1/L.605/Rev.1.

The sponsors of the amendment have very attentively and positively examined the Brazilian proposal. We have come to the conclusion that the text of the Brazilian amendment might perhaps be somewhat improved by better reflecting the balance which we should preserve between the two ideas contained in the amendment. We therefore request the representative of Brazil to give a favourable reception to the following formulation of his amendment:

"... to ensure the free flow of communications while fully preserving strict respect for the sovereign rights of States".

I am convinced that this formulation more faithfully reflects the profound attachment of our respective countries to the principle of the free flow of communication on the one hand, and the strict respect which we owe to the sovereign rights of all States, on the other.

We therefore request the representative of Brazil to view favourably the proposal that we have just made.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to express the Soviet delegation's view on the Brazilian subamendment.

The representative of Brazil drew a very clear-cut distinction between the universally acknowledged international legal concept of sovereignty as the foundation of the existence of an independent State and a basis on which the mutual relations between States are founded -- this refers of course to independent, sovereign States -- and the

question of the flow of information -- or communication, if we correctly translate into Russian the English word "communication". As a result of this distinction and the introduction by the Brazilian representative of his sub-amendment to the amendment of the group of Western countries, that amendment will be improved if it eliminates the intent, quite clearly contained in the Western amendment, to put on the same footing the question of the fundamental international principle of State sovereignty and the question of the dissemination of information to each State. These are quite different things, quite different phenomena, and they should not be put on the same footing.

If the Brazilian subamendment is supported by a majority of delegations and its formulation included in the amendment of the Western delegations, I can state officially, in agreement with all the sponsors of the draft resolution contained in document A/C.1/L.605/Rev.1, that we agree to include in the preamble this new, additional paragraph -- if it is formulated strictly in accordance with the Brazilian subamendment.

However, we cannot agree to that if the Belgian amendment to the Brazil's sub-amendment is adopted, because we see in the intent of the Belgian delegation, as spokesman for the group of Western countries, the idea of rejecting the correct, just and totally justified proposal of the Brazilian delegation and once again putting sovereignty and information on the same footing -- something which no serious, honourable international jurist would venture to defend.

It was with these comments that I want to explain the views of the Soviet delegation with regard to Brazil's subamendment and the amendment to that sub-amendment submitted by the delegation of Belgium.

The Soviet delegation believes -- and I think this view is shared by the co-sponsors of our draft resolution -- that if the amendment to the preamble to our draft resolution, with the inclusion of the formula introduced by the Brazilian delegation, is adopted it will not be necessary to replace the operative part by the amendments proposed by the group of Western countries.



(Mr. Malik, USSR)

I should like to address myself to the sponsors of these amendments and to appeal to them not to complicate a clear question and not to press for their amendments to the operative part of our draft resolution. Some of them -- particularly the representative of Britain -- have stated that they have no intention of killing the idea of the need to conclude an international convention on the question under discussion, that is direct television broadcasting by artificial satellites. If they really have no intention of killing this idea, they have no basis for insisting on those amendments; and the best solution to this problem would be to vote in favour of our draft resolution contained in document A/C.1/L.605/Rev.1, where this idea of the need to conclude an international convention is quite distinctly and clearly reflected.

(Mr. Malik, USSR)

Once again I repeat my request and my appeal to the co-sponsors of the amendment submitted by the group of Western countries to our draft resolution and stress that if they really do not intend to kill the idea of the need to conclude a convention the best thing to do is not to press their amendment.

I also agree with the proposal of the representative of Czechoslovakia with regard to the order of voting: that is, that the subamendment submitted by Brazil to the amendment of the Western countries should be voted on first. Then, if that subamendment were incorporated in the Western amendment to the preamble to our draft resolution, we would agree to accept it. But if it were not included, we would vote against the Western amendment to the preamble. If despite our appeal to the co-sponsors, the group of Western countries, not to insist on their amendment to the operative part of our draft resolution they do not withdraw it and do not respond favourably, we shall have to vote as we have already adequately explained.

My last comment is that the English word "communications" in document A/C.1/L.614 has been translated into Russian as meaning "information". It would be more correct to translate it as "soobschenye" or "communications". The English word "communications" is properly translated into Russian as "soobschenye"; the word "information" is "informatzia" in Russian. I would therefore request the Secretariat and the translation service to be good enough, in the text of the Brazilian subamendment, to replace "informatzia" by "soobschenye".

Mr. SOUZA E SILVA (Brazil): When my delegation submitted its subamendment our primary concern was not precisely a spirit of compromise. My primary concern was to carry out my instructions that clearly stated principles on the free flow of information and strict respect for sovereign rights should be included in the text. It was with this in mind that I put the subamendment.

(Mr. Souza e Silva, Brazil)

I want to thank the representative of Belgium for the way he has accepted it. I also want to thank the representative of the Soviet Union for having formally stated his acceptance of my amendment.

Concerning the modifications to my amendment proposed by the delegation of Belgium, I must say that I acted in a spirit of compromise when I said privately that I had no objection to accepting their proposal -- the three words -- because I did not see any essential difference in meaning as compared with the Brazilian proposal. I thought that it might rally a larger majority for the draft resolution when it came to a vote if the proposal submitted by Belgium was incorporated into the Brazilian subamendment. Unfortunately I see that this is not the case, that the Soviet Union has rejected the modifications suggested by the Belgian delegation.

In this case, and in a spirit of compromise, I would ask the Belgian delegation if it would not be more helpful in securing a larger majority for this draft for them not to insist on their subamendment; or, if they do so, that the subamendment be put to a vote.

Finally, my amendment applies only to the amendment to the preambular paragraph submitted by Belgium and the other countries. It is my understanding that we shall vote first on the preambular paragraph as amended by the Belgian and other delegations, and will then vote separately on the amendments to the operative parts of the draft submitted by the other delegations.

The CHAIRMAN: In view of the statement made by the representative of Brazil I wonder whether the representative of Belgium would clarify the situation.

Mr. VAN USSEL (Belgium) (interpretation from French): We have listened with interest to the statement just made by the representative of Brazil, who has said that in fact he is in agreement in principle with the content of our new proposal, but that following the reservations and opposition expressed by the representative of the Soviet Union, he cannot formally accept the idea of including my subamendment in his amendment. I think

(Mr. Van Ussel, Belgium)

that for my own part, I must maintain my subamendment, because I think that it reflects more adequately the views expressed by the majority of this Committee. Because some delegations entertain certain reservations about the free flow of information, that does not mean that we should give up our idea. Therefore I maintain my subamendment.

The CHAIRMAN: Does any other delegation wish to speak before I outline the voting procedure which the Committee should follow and before I call on delegations which would like to explain their vote before the vote. I see none. I shall now go on to the procedure of voting.

In accordance with rule 133 of the rules of procedure the Committee will now proceed to vote on the draft resolutions and amendments that have been submitted. In accordance with that rule it is my intention to put to the vote the draft resolutions in the order in which they have been submitted which is as follows:

First, the draft resolution contained in document A/C.1/L.605/Rev.1 submitted by Iraq, Mongolia and the Union of Soviet Socialist Republics: it is of course clear that in accordance with rule 132, we shall first have to take a vote on the amendments to that draft resolution, which are contained in document A/C.1/L.613 and which were submitted by seven delegations, and before that, on the subamendment thereto submitted by Brazil in document A/C.1/L.614;

(The Chairman)

Second, the draft resolution contained in document A/C.1/L.606/Rev.1 co-sponsored by 17 delegations: members of the Committee are aware that this draft resolution has been revised again orally, and I hope that members have taken note of the changes.

Third, the draft resolution contained in document A/C.1/L.608 now co-sponsored by 19 delegations;

Fourth, the draft resolution contained in document A/C.1/L.612 submitted by the representative of Saudi Arabia.

Does any representative wish to speak before we proceed to the voting, either to make a statement or to explain his vote before the voting?

Mr. TYSON (United States of America): I have asked to speak in order to explain before the voting the votes the United States will cast on the USSR draft resolution on direct television broadcasting by satellite and the amendments submitted jointly by the delegation of Belgium and other delegations.

The United States will vote in favour of the Belgian amendment. We believe that Belgium and the other sponsors have made a useful and positive effort to negotiate towards a draft resolution which all members of this main political Committee could accept. The Belgian amendments would place the question of direct television broadcasting by satellite before the Outer Space Committee in a far less unbalanced manner.

The Belgian text notes that the Outer Space Committee will need to proceed with its work by considering the importance both of the free flow of communications and legitimate sovereign interests. Moreover, the Belgian amendments ask that the Outer Space Committee work to elaborate principles governing this prospective satellite technology with a view to concluding an international agreement or agreements. As the United Kingdom, which is a co-sponsor of these amendments, has made clear, this would encompass a work programme that takes a form other than a treaty as, for example, a resolution or agreed arrangements.

The United States cannot vote for the USSR draft resolution and will vote against it, but not for the reasons suggested in the unwarranted statements made against us this morning.

(Mr. Tyson, United States)

In connexion with those statements, and particularly in connexion with certain allegations concerning monopolies, I would note that it seems to make a considerable difference to some delegations which monopolies we are talking about. I would note in passing that the American information media actually are competitive and not monopolistic. I doubt that members need be reminded, in contrast, of the monopolistic control over information exercised by the State in certain countries which have had much to say regarding their assertive adherence to freedom of information.

But I want now to talk only about the text of the USSR draft resolution. This text is not balanced. It says little about the value of freedom of communication and stresses only those aspects relating to sovereignty and non-interference. It would appear to dictate to the Outer Space Committee that it must produce a treaty and cannot appropriately consider any alternative arrangements.

For these reasons the United States will vote against the USSR draft resolution.

The United States will abstain on the vote on the Saudi Arabian draft resolution. Ambassador Baroody's draft resolution calls attention to the work done by the General Assembly on the subject of freedom of information and, in particular, to General Assembly resolution 2448 (XXIII), calling attention to the importance in international life of freedom of information and the responsibilities that communicators bear in this field. Nevertheless, because of over-all views with regard to the question, we shall abstain on this proposal.

On another matter, the United States is pleased to be a co-sponsor of the draft resolution introduced by the representative of the Philippines concerning the World Meteorological Organization and its plan of action with respect to tropical storms. Recognizing that there have been several resolutions on this subject which have originated in this Committee, I wish to state that my Government believes that a better venue for further consideration is the Second Committee. We shall press to have this subject taken up in the Second Committee in the future.

Mr. YOSEIDA (Japan): My delegation has followed seriously the development on the items at present being considered in this Committee. My delegation will not be able to support the draft resolution contained in document A/C.1/L.605/Rev.1 introduced by the Soviet Union and others, and I should like to explain briefly my delegation's vote.

In my delegation's view it is still premature at this stage of technical development of direct broadcasting by satellite to draw the conclusion that it is necessary to conclude a convention on principles governing the use by States of artificial earth satellite for direct television broadcasting. We should be sufficiently flexible in our approach to this matter and we consider that the over-all aspects or implications of this new technique should first be carefully studied by the resumed Working Group on Direct Broadcast satellites, which has a broad mandate for the study of technical, economic, legal, social, organizational and other aspects of direct broadcasting and that the problem of eventually concluding an agreement or agreements on principles governing the use by States of artificial earth satellites for direct television broadcasting could be settled in the light of those studies.

Those are the reasons why we were happy to join the other sponsors of draft resolution A/C.1/L.613 introduced by the representative of Belgium this morning, and we sincerely hope that these considerations of my delegation will be properly understood by the members of the Committee.

Mr. de SOTO (Peru) (interpretation from Spanish): My delegation would like to be added to the list of sponsors of the draft resolution contained in document A/C.1/L.606/Rev.1, and I would therefore ask that this be reflected in the report.

The CHAIRMAN: The statement of the representative of Peru will be reflected in the report.

(The Chairman)

After having received clarifications from the delegations of Brazil and Belgium I wish to inform the Committee that the first vote it will have to take will be the vote on the Belgian amendment to the Brazilian sub-amendment contained in document A/C.1/L.614.

I call on the representative of the Soviet Union on a point of order.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to clarify a somewhat incorrect interpretation of my statement which the United States delegation attempted to give. When I use the word "monopoly" I added that we were in favour of law and order in direct television broadcasting by satellite and against chaos, lawlessness and the monopoly of those who have the opportunity to exploit those means of international communication.

If we talk frankly, openly and honestly, today we are at the stage at which it is possible for only two Members of the United Nations, the United States and the Soviet Union, to use these technological means. A number of other countries are approaching that capability but not all countries by any means. Therefore, if we agree with the United States approach, then the United States will have a monopoly of the possibilities of disseminating its information as it wishes, on a one-sided basis. We are against that; we are against monopolistic dissemination. We have the technological possibility of defending ourselves from the intrusion of information we find undesirable but not every country has that possibility of defending itself. Our approach is international, taking into account the interests of all States which have not yet reached the technological level at which they can disseminate their own information by means of artificial earth satellites.

So everything will be in the hands of an extremely small group of States -- and primarily in the hands of the United States. That is why we are against monopolies, against chaos, lawlessness and disorder. That is why we believe that, as the Americans realize, this problem could assume practical significance in the next

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few years, we have to think in good time of the possibility of introducing order and international law. We are proud of the fact, and we stress this, that we are in favour of the strict observance of sovereignty and non-intervention. But the United States representative accuses us of having in our draft paid attention only to that. By no means, it is not just that. We are devoting attention to sovereignty and non-intervention. We not only want people not to interfere in our internal affairs or with our sovereignty; we do not want anyone to interfere with the sovereignty of any other State or intervene in the internal affairs of any State whatsoever. That is our position of principle.

The Americans do not like that. Does the United States want to intervene in internal affairs and infringe the sovereignty of other States? That is what we are against, and that is the point of our draft resolution submitted at this session. The Americans dare to accuse us, and this is a monstrous accusation, of being against non-intervention and sovereignty. In all the years I have worked in the United Nations I never heard such a line of argument. But I accept that challenge. I am ready to give an answer as the official representative of the Soviet Union in any international forum and say, "Yes, we are firmly in favour of sovereignty and non-intervention and will always be against those who want to infringe the sovereignty of States and intervene in their internal affairs".

I note with great satisfaction that many of the participants in the discussion on this subject have stressed that they agree with our position, and in this regard the clearest manifestation of such a community of thought and approach is the proposal of the Brazilian delegation, which has explained in very great detail why it is in favour of stressing the importance of respecting sovereignty in connexion with the free flow of information.

(Mr. Malik, USSR)

The Belgian delegation has attempted to stand everything on its head so that once again sovereignty should be subordinated to information, and we entirely agree with the Brazilian representative who did not agree with that amendment to his sub-amendment.

With regard to the amendments of the group of Western States to the operative part of our draft resolution, the statement of the United States representative, who from the beginning, even before we spoke, said that he rejected our proposal and was in favour of not having law and order in direct television broadcasting, confirms the correctness of our attitude to those Western amendments to our draft resolution. We have stressed that the essence of those amendments is to kill the idea of the necessity of preparing and concluding an international convention on the question of direct television broadcasting. The statement of the United States representative and his acceptance of the Western amendments makes it even more clear that at the outset, when these amendments appeared in the form of amendments by Austria and Sweden, we made a correct assessment of them. For precisely that reason we are against those amendments.

I should like to make one comment with regard to the statement of the representative of Japan. The development of science and technology with regard to the means of direct television broadcasting is at such a level that it would appear that success in direct broadcasting will be attained in the near future. Therefore, in the interests of the entire matter, in the interests of one of the most tremendous technological advances being exploited for the benefit of all mankind throughout the whole world and of all States, without detriment to their national interests, culture, morality and so on, so that this tremendous discovery, this tremendous advance, can be used in the interests of peace and security and not for purposes of inciting hatred, it is best to deal with these questions sooner rather than later. This question is very complex; it is a new one. It needs a tremendous effort and a lot of work to prepare the principles and the draft convention. Therefore the best thing is to begin from this very day rather than defer the matter until 1985, as proposed in the statement of the United States

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delegation. We propose that the General Assembly adopt a decision with regard to the need for concluding such a convention and that the Outer Space Committee proceed immediately to the study and consideration of this matter and the preparation of both the principles and the draft convention.

The CHAIRMAN: I take it that nobody else wishes to explain his vote before the vote and that the Committee agrees that we should now proceed to the vote on the draft resolutions, amendments and sub-amendments, and then hear explanations of votes after the vote. The Committee will first vote on the amendment submitted by Belgium to the sub-amendments contained in document A/C.1/L.614. I call upon the Secretary of the Committee to read the Belgian amendment.

Mr. HERNDL (Secretary of the Committee): The Belgian delegation has proposed orally that the words "on a basis of" in the Brazilian amendment (A/C.1/L.614) be replaced by the words "while fully preserving". The Brazilian amendment would thus read:

"... connected with the need to ensure the free flow of communications while fully preserving strict respect for the sovereign rights of States".

The CHAIRMAN: The Committee will now proceed to vote on the Belgian proposal.

The Belgian proposal was rejected by 31 votes to 24, with 34 abstentions.

The CHAIRMAN: The Committee will now vote on the Brazilian amendment (A/C.1/L.614) to the amendments in document A/C.1/L.613.

Mr. HERNDL (Secretary of the Committee): The Brazilian amendment stipulates that in the fifth preambular paragraph of document A/C.1/L.613 the third and fourth lines should be amended to read as follows:

"connected with the need to ensure the free flow of communications on a basis of strict respect for the sovereign rights of States".

The Brazilian amendment (A/C.1/L.614) was adopted by 80 votes to none, with 15 abstentions.

The CHAIRMAN: The Committee will vote next on the two amendments contained in document A/C.1/L.613, which now stands in the names of Australia, Belgium, Canada, Italy, Japan, Netherlands and the United Kingdom.

Mr. HERNDL (Secretary of the Committee): The first amendment, as amended, now reads as follows:

"Replace the fifth preambular paragraph by the following:

"Considering at the same time that the introduction of direct television broadcasting by means of satellites could raise significant problems connected with the need to ensure the free flow of communications on a basis of strict respect for the sovereign rights of States,".

The first seven-Power amendment (A/C.1/L.613), as amended, was adopted by 72 votes to none, with 14 abstentions.

The CHAIRMAN: I call on the representative of the Soviet Union on a point of order.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): As representatives will remember, in my statement I said that the sponsors of the draft resolution contained in document A/C.1/L.605/Rev.1 had given their consent to the following: If the Brazilian amendment were included in the paragraph of the amendment of the Western countries to our draft resolution, then we would agree to include this amendment, together with the Brazilian amendment thereto, as an additional paragraph to our preamble, but not in place of the fifth paragraph.

That important paragraph reads as follows:

"Considering at the same time that direct television broadcasting by means of satellites should take place under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples",

We gave our consent to the inclusion of the paragraph proposed by the Western countries as an additional paragraph of the preamble, but not to replace paragraph 5, which is most important.

Mr. JAMIESON (United Kingdom): On a point of order, I am afraid I am a little bit puzzled in several respects. It was my understanding that we have now started voting and that there were to be no interruptions except on points of order in connexion with the actual conduct of the voting. I am not at all clear. I would hope that we could have a ruling from the Chair as to what it is that has just been voted on.

It seemed to me that there was a written amendment here saying "replace the fifth preambular paragraph by the following". The following has been modified. It is my understanding that that is what we had voted on.

The CHAIRMAN: I should like to draw the attention of the Committee to the fact that I am referring to document A/C.1/L.613. Paragraph 1 states clearly: "Replace the fifth preambular paragraph by the following". I take it that the Committee agrees with me that that was done and has been voted upon. Does that satisfy the Committee?

I call on the representative of the Soviet Union on a point of order.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to remind the Committee that in my statement, when I was explaining the position of the Soviet delegation and the position of the co-sponsors of our joint draft resolution with regard to the Brazilian amendment, I clearly and distinctly said that if the amendment to the Western amendments was adopted, we would agree to the new formulation being included as an additional preambular paragraph to our draft resolution. My assumption

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was that this is precisely what was meant, not the replacement of paragraph 5 of the preamble, but an additional paragraph to our preamble. It was on that understanding that we took part in the voting. I did not even consider it necessary to speak again on this point since I thought the whole thing was settled and clear.

The CHAIRMAN: I call on the representative of Saudi Arabia on a point of order.

Mr. BAROODY (Saudi Arabia): There is a way out without having to rack our brains, lest we get involved in an interminable discussion of the rules of procedure. It is a very simple way out.

The representative of the Soviet Union told us -- and I listened carefully to him -- that he accepted it as an additional paragraph. The Committee voted on the assumption that it was a replacement. I submit that although the representative of the Soviet Union is always alert, and was not napping, he should have asked for what he said in the substance of his statement, before the vote, to replace the fifth paragraph. We are not here to antagonize one another.

I hope we are here to try and facilitate our work. Everybody knows how he is going to vote, therefore, all you have to do, Sir -- since Ambassador Malik meant in his statement that it should be an addition and not a replacement, and since the Soviet representative did not ask, perhaps by a slip, that it should be an addition -- is to ask us who wants it as an addition or who wants it as a replacement. There is no need even for a roll-call. Therefore, instead of engaging in an interminable procedural debate, we will know within two minutes what it is going to be: either a replacement or an addition -- and that is the whole question.

The CHAIRMAN: Would it satisfy the delegation of the Soviet Union if I were to put it to the Committee in the way proposed by the representative of Saudi Arabia?

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I think my distinguished and respected friend and colleague, Ambassador Baroody, always makes sensible proposals in such difficult situations. But I can assure the Committee that I was not dreaming. I stated quite distinctly and clearly that we, the co-sponsors of draft resolution A/C.1/L.605/Fev.1, were ready to accept this if the amendment were included as an additional paragraph. But I agree with his proposal. Let us vote. But I should like to express my personal view and the views of the co-sponsors of the draft resolution, namely, that those who vote with regard to the sovereignty of States are voting that it should be used in favour of peace and friendship among peoples, that is, in favour of the idea that the redrafted paragraph, as amended by the Brazilian representative should be an addition to our paragraph and not a replacement to our preambular paragraph where we say that this new technical discovery should not be used against peace and friendship.

The CHAIRMAN: The Committee will vote on whether it agrees to maintain the fifth preambular paragraph as stated in paragraph 1 of document A/C.1/L.615.

I call on the representative of Liberia on a point of order.

Mrs. BROOKS-RANDOLPH (Liberia): In order that there will be no further misunderstanding I would ask that the question be put as follows: Would the Committee be willing to accept the paragraph or the amendment just adopted, as the new paragraph to the draft resolution. I am sure everybody will know what we are voting for.



The CHAIRMAN: I thank the representative of Liberia for a very constructive suggestion.

Will the Committee vote whether preambular paragraph 1 in document A/C.1/L.613 is accepted as an addition rather than as a replacement?

I give the floor to the representative of Australia on a point of order.

SIR LAWRENCE McINTYRE (Australia): On a point of order, I am afraid -- I may be unduly dumb this afternoon -- I am still not quite clear how the motion is framed and how it is to be presented to us. In other words, are we to say "Yes" or "No" or "No" or "Yes". I am really not quite clear.

The CHAIRMAN: I will re-phrase it for the benefit of the Committee. Is the Committee in favour of adding the wording:

"Considering at the same time that the introduction of direct television broadcasting by means of satellites could raise significant problems connected with the need to ensure the free flow of communications on the basis of strict respect for the sovereign rights of States"?  
Is this clear now?

Mr. JAMIESON (United Kingdom): We have been talking a lot about monopolies this afternoon and I hate to break the monopoly which a certain delegation seems to have on the conduct of our voting, even, let alone the debate, but I should like to suggest that the question which you are proposing to put is not in the best traditions of the way in which the Committee should be handling matters. Whatever the representative of the Soviet Union may have said in his statement, it is clearly expressed in the amendment which has been voted on by members of this Committee: "Replace the fifth preambular paragraph by the following...". That has been done, and as such it cannot be undone. Therefore I would suggest that if any question is to be put to this Committee, it should be a new question to reinstate the original fifth preambular paragraph of the Soviet draft, the one reading:

(Mr. Jamieson, United Kingdom)

"Considering at the same time that direct television broadcasting by means of satellites should take place under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples".

I suggest that the question be put on reinstating that paragraph. At the moment, as things stand in this Committee, that paragraph has been deleted because it has been replaced by something else. If the Soviet delegation wishes to have it reinstated, that is a fair question which could be voted on.

Mr. DE SOUZA e SILVA (Brazil): As the delegation of Brazil has introduced this amendment, I think I should say a word on that. I think that the interpretation given by the United Kingdom representative is the correct one in the view of the Brazilian delegation.

Mrs. BROOKS-RANDOLPH (Liberia): I think the rights of delegations should be upheld. I think the law must have reason, and the soul of any law is reason. The truth of it is that the representative of the Soviet Union did add in a sense that, if the subamendment was accepted and adopted, it should become an additional paragraph. Unfortunately, this was not mentioned. In order to ensure good orderly conduct, I do not see why the Committee cannot say whether or not it accepts the new amendment as a new paragraph.

The CHAIRMAN: May I put it to the Committee, whether the relevant paragraph, that is, the Soviet draft, be reinstated:

"Considering at the same time that direct television broadcasting by means of satellites should take place under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples".

Would the Committee agree that this paragraph be reinstated in the draft resolution?

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I agree with the British representative. He said he was against monopolies. From the very beginning I have said that I was against monopolies. I am in favour of respecting the proposals of delegations, particularly major delegations. I repeat that, on behalf of the group of delegations co-sponsors of our draft resolution, I clearly and distinctly stated that if the Brazilian amendment were adopted, then we agreed that this paragraph in the Brazilian formulation should be incorporated in our preamble as an additional paragraph. Why did I not repeat this? Simply because I thought it was so clearly stated that the Chairman of the Committee did not need to have his attention drawn to it.

So from our point of view, the point of view of the co-sponsors and no doubt from the point of view of many delegations, this paragraph was voted upon as a supplementary, additional paragraph -- never mind what was written in those papers. After all, in the course of the voting we adopted the Philippines draft without any written documents. The changes have not even been circulated, but we are going to be voting on them. This is the practice. An oral statement was made; therefore the representative of Liberia is quite right in making the proposal, and you were quite right when you began to vote, but unfortunately you were interrupted by the co-sponsors of the Western amendments to the effect that this amendment in the Brazilian formulation should be considered as a supplementary paragraph.

Anyone in favour should vote "Yes" and anyone who is against should vote against. Those who want to abstain, let them abstain, and this would be in keeping with the considerations and points which were made by the representative of Saudi Arabia and the representative of Australia for the purposes of clarity, and this was proposed by the representative of Liberia.

I think it would be a better idea if we continued voting on your first formulation and interpretation.

The CHAIRMAN: A point of order was raised earlier and I should like to give a ruling before calling on the next speaker on a point of order.

A vote has been taken in accordance with the formulation chosen by the co-sponsors of the first amendment contained in document A/C.1/L.613. As the first amendment has been adopted, it is my view that the fifth preambular paragraph of the USSR draft resolution is indeed replaced by the new text. When we come to the vote on the draft resolution itself, any delegation will be free to propose that the original wording be added.

If I hear no objection, I shall take it that the Committee agrees.

It was so decided.

The CHAIRMAN: I call on the representative of Saudi Arabia on a point of order.

Mr. BAROODY (Saudi Arabia): What the Chairman said is valid, but it is not concrete enough when we come to the vote. As a clarification, your formulation, Sir, is correct. However, in order that there will be no further confusion may I beseech you -- parenthetically in clarification of what we are voting on -- to say: "Therefore, I ask the Committee to vote on whether, after what I have said, it considers the adopted Brazilian amendment as an addition to the text...". That is the whole thing.

We want to know what we are voting on. It is either an addition or a replacement. The Chairman has said that it is already replaced, and that is true. In accordance with the rules of procedure, the Soviet fifth preambular paragraph no longer exists. But, in view of the request of the representative of the Soviet Union on the voting -- although, he could have made a verbal amendment and said "add" instead of "replace" -- that is the whole question. He did not say "add", although he meant in his statement that this should be added.

That is the whole question. We are masters of our own procedure. We are the masters and we are not setting a bad precedent. It is the will of the house either to accept this -- with all due respect to the formula which the Chairman read out and which I respect -- but so that there may be clarity in what we do the adopted Brazilian amendment should be considered as an addition. That is the whole story.

And why should we spend so much time and get caught in such a web of procedure which is futile and abortive?

The CHAIRMAN: I call on the representative of the Soviet Union on a point of order.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I agree with the Chairman's ruling and I reserve my right to make a proposal of the kind that he has suggested, that is, that when we come to a vote on our draft resolution we shall make a proposal to the effect that we vote on leaving the fifth preambular paragraph in the formulation which is now to be found in our draft resolution and the adopted paragraph will be considered as an additional one, so as not to hold up the process of voting.

The CHAIRMAN: I thank the representative of the Soviet Union for accepting the ruling of the Chair.

The Committee will now proceed to vote on the second amendment proposed in document A/C.1/L.613.

Mr. HERNDL (Secretary of the Committee): The second amendment reads as follows:

"Change the operative paragraphs to read as follows:

"1. Considers it necessary to elaborate principles governing the use by States of artificial earth satellites for direct television broadcasting with a view to concluding an international agreement or agreements.

"2. Requests the Committee on the Peaceful Uses of Outer Space to undertake elaboration of such principles as soon as possible."

The CHAIRMAN: A vote by roll-call has been requested.

A vote was taken by roll call.  
Guinea, having been drawn by lot by the Chairman, was called upon to vote first.

In favour:

Honduras, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Khmer Republic, Netherlands, New Zealand, Norway, Pakistan, Philippines, South Africa, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Greece, Guatemala

Against:

Hungary, India, Iraq, Libyan Arab Republic, Madagascar, Mauritius, Mexico, Mongolia, Nepal, Poland, Romania, Saudi Arabia, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Zambia, Algeria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Democratic Yemen, Egypt

Abstaining:

Guyana, Haiti, Indonesia, Jamaica, Jordan, Kuwait, Lebanon, Lesotho, Liberia, Malaysia, Maldives, Malta, Mauritania, Nicaragua, Niger, Nigeria, Panama, Peru, Portugal, Senegal, Sierra Leone, Singapore, Spain, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Zaire, Afghanistan, Argentina, Bhutan, Burma, Cameroon, Chad, Cyprus, Dahomey, El Salvador, Ethiopia, Finland, France, Ghana,

The delegation of China did not take part in the vote.

The second seven Power amendment (A/C.1/L.613) was adopted by 30 votes to 27, with 44 abstentions.

The PRESIDENT: Before proceeding to the vote on the draft resolution contained in A/C.1/L.605/Rev.1, as amended, I should like to ask the representative of the Soviet Union whether he intends to amend this document further as was indicated in his earlier statement.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): We certainly are in favour of keeping this paragraph in the preamble, regardless of the result of the vote. I should like to confirm this. We want direct television broadcasting by means of satellites to be carried out under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples.

The CHAIRMAN: The Committee will now proceed to vote on the additional paragraph which reads as follows:

"Considering at the same time that direct television broadcasting by means of satellites should take place under conditions in which this new form of space technology will serve only the lofty goals of peace and friendship among peoples".

Mr. GREGORIADES (Greece): Point of order.

The CHAIRMAN: May I ask the representative of Greece whether the point of order he is raising is on the voting?

Mr. GREGORIADES (Greece): Is the Committee now to vote on the second, operative, amendment?

The CHAIRMAN: The Committee will vote now on the addition of the paragraph which I have just read out, that is, the fifth preambular paragraph. I call on the representative of Thailand on a point of order.

Mr. PANYARACHUN (Thailand): I have asked to speak just on a point of clarification. If the Soviet Union proposal to reintroduce the original paragraph is adopted, would it come before or after the amendment that has been adopted by the Committee?

The CHAIRMAN: I call on the representative of the Soviet Union for clarification.

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): It is not important for us whether it is the fifth, sixth or seventh. The important thing is to have it, since it affects friendship and peace among peoples.

The CHAIRMAN: I thank the representative of the Soviet Union for his clarification and I hope that it is accepted by the Committee in the spirit in which it was given.

I call now on the representative of Brazil.

Mr. SOUZA e SILVA (Brazil): Although the representative of the Soviet Union said that his delegation had no preference in the matter, may I suggest that should the Soviet original paragraph be included it be kept in the same place as it is now and that the Brazilian amendment be included as the last preambular paragraph of the text.

The CHAIRMAN: Does the representative of the Soviet Union have any objection to the suggestion of the representative of Brazil?

Mr. MALIK (Union of Soviet Socialist Republics) (interpretation from Russian): I agree.

The CHAIRMAN: The Committee will now vote on retention of the fifth preambular paragraph of the draft resolution in document A/C.1/L.605/Rev.1.

The paragraph was adopted by 77 votes to none, with 16 abstentions.

The CHAIRMAN: The Committee will now proceed to vote on the draft resolution contained in document A/C.1/L.605/Rev.1, as a whole, as amended.

The draft resolution as a whole, as amended, was adopted by 68 votes to 12, with 18 abstentions.

The CHAIRMAN: The Committee will now turn to the draft resolution contained in document A/C.1/L.606/Rev.1, as orally revised.

Does any representative insist on a formal vote on this draft resolution or may I take it that this draft resolution is adopted unanimously?

If I hear no objection, I shall take it that the draft resolution is adopted unanimously.

It was so decided.

The CHAIRMAN: The Committee will now turn to the draft resolution contained in document A/C.1/L.608, co-sponsored by 19 delegations and orally revised this morning by the addition of the Food and Agriculture Organization of the United Nations to the other specialized agencies mentioned in operative paragraph 24.

In regard to this draft resolution, I should like to draw the Committee's attention to the statement on financial implications submitted by the Secretary-General in document A/C.1/L.610.

Does any representative insist on a formal vote on this draft resolution, or may I take it that it is unanimously adopted.

If I hear no objection, I shall take it that the draft resolution is adopted unanimously.

It was so decided.

The CHAIRMAN: Finally, the Committee will now vote on the draft resolution submitted by the representative of Saudi Arabia, as contained in document A/C.1/L.612.

I call on the representative of Afghanistan on a point of order regarding the vote.

Mr. SIDDIQ (Afghanistan): The delegation of Afghanistan would like to have a separate vote on the two paragraphs of that draft resolution.

The CHAIRMAN: Is there any objection to this procedure? As there is none, I ask the Secretary of the Committee to read out the preambular paragraph.

Mr. HERNDL (Secretary of the Committee): The resolution has two paragraphs. The first is the preambular paragraph, which reads as follows:

"Recalling resolution 2448 (XXIII) dealing with freedom of information and the preamble of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which was adopted by General Assembly resolution 2222 (XXI), which stipulates that General Assembly resolution 110 (II) of 3 November 1947, is applicable to outer space."

The CHAIRMAN: The Committee will now vote on the preambular paragraph of the draft resolution contained in document A/C.1/L.612.

The preambular paragraph was adopted by 47 votes to none, with 44 abstentions.

Mr. HERNDL (Secretary of the Committee): The operative paragraph reads as follows:

"The General Assembly, ...

"Takes note that the work done on the draft Convention on Freedom of Information and deliberations thereon in the General Assembly may be useful in the discussion and elaboration of international instruments or United Nations arrangements relative to direct television broadcasts."

The CHAIRMAN: The Committee will now vote on the operative paragraph of the draft resolution.

The operative paragraph was adopted by 33 votes to 8, with 44 abstentions.

The CHAIRMAN: I now put to the vote the draft resolution as a whole.

The draft resolution submitted by Saudi Arabia (A/C.1/L.612), as a whole, was adopted by 46 votes to 10, with 39 abstentions.

The CHAIRMAN: I call on the representative of Canada who wishes to explain his vote after the vote.

Mr. WANG (Canada): My delegation has voted for the draft resolution contained in document A/C.1/L.605/Rev.1, as amended, concerning a draft convention on direct television broadcasting. We should like to make clear now our view on how this question could be dealt with in the Outer Space Committee in implementation of that resolution.

(Mr. Wang, Canada)

Operative paragraph 1 of the resolution contained in document A/C.1/L.605/Rev.1, as amended and as now adopted, speaks of concluding "an international agreement or agreements" -- I stress the words "or agreements". For our part, we have serious doubts as to whether it will be possible to achieve general agreement on legal principles embodied in any single instrument or convention which would maintain a desirable and realistic balance between the overriding interest in facilitating the development of a promising new technology with important benefits for all nations, on the one hand, and the protection of sovereign rights, on the other. We certainly do not at this stage exclude a single convention, any more than we exclude alternative courses of action. It is, however, our view that the balance I have mentioned is not contained in the UNESCO draft on guiding principles, and even less so in the Soviet draft.

The protracted negotiating history of the draft convention on freedom of information, to which our attention has been drawn in this Committee and which is now referred to in the resolution adopted, is another reminder of the difficulties involved in arriving at a consensus amongst the international community in this delicate and sensitive field. Even within individual Member States, delicate questions of judgement arise in shaping laws and practices which strike the right balance between freedom of expression on the one hand and responsible restraint on the other.

(Mr. Wang, Canada)

In the absence of general agreement on a single legal instrument, we believe the emphasis should be placed on encouraging regional arrangements, both at the governmental and non-governmental levels, as a practical first step to increase international co-operation on the use of direct broadcasting satellite systems. This was the main conclusion of the Working Group on Direct Broadcast Satellites when it last met and is reflected in operative paragraph 1 of General Assembly resolution 2733 A (XXV).

Indeed, there was nothing which emerged from the work of the three sessions of the Working Group on Direct Broadcast Satellites -- in whose work Canada participated actively -- which would justify the view that attention should not focus on the elaboration of a single general, legal convention.

Operative paragraph 2 of the draft resolution in document A/C.1/L.605/Rev.1, as amended, asks the Outer Space Committee to undertake its work as soon as possible. The Soviet draft convention, together with other relevant material such as the UNESCO draft declaration of guiding principles, will be considered by the Working Group on Direct Broadcast Satellites scheduled to be convened in June 1973. As we indicated in our statement last week we consider that this Working Group, with its interdisciplinary character and its co-ordination functions, would be the most appropriate body to study these and other drafts and make recommendations for future action. Moreover, the Legal Sub-Committee of the Outer Space Committee is scheduled to meet in March-April 1973. In effect, the question of direct broadcasting by satellites is already on the agenda of the Legal Sub-Committee under the heading of "Various implications of space communications".

However, during the recent session of the Outer Space Committee we agreed that the Legal Sub-Committee should pursue its work on the draft treaty concerning the moon as well as the draft convention on registration as a matter of priority at its next session. This recommendation of the Outer Space Committee is reflected in operative paragraph 6 of the so-called omnibus draft resolution contained in document A/C.1/L.608, which we have just adopted.

These existing priorities might, as a practical matter, make it difficult for delegations in the Legal Sub-Committee to give any substantive consideration to the question of principles governing direct television broadcasting. My delegation does not expect that we for our part will be in a position at the

(Mr. Wang, Canada)

next session of the Legal Sub-Committee to comment substantively on the legal aspects of direct television broadcasting. Before doing so we would wish to have the benefit of the view of the Working Group on Direct Broadcast Satellites on all interrelated aspects of this matter, including technological, economic, social and political as well as legal aspects.

Mr. MIGLIUOLO (Italy): In briefly explaining the vote of my delegation I should like to point out that my delegation could not go along with the original text of the draft resolution contained in document A/C.1/L.605/Rev.1 for three main reasons.

The first reason is of a procedural character. The draft convention on principles governing the use by States of artificial earth satellites for direct television broadcasting had not been submitted to the competent body of the United Nations, namely, the Committee on the Peaceful Uses of Outer Space. May I recall, in this connexion, that two years ago a draft resolution on remote sensing of the earth, introduced directly in the First Committee, was opposed by the delegation of the Soviet Union on the same ground, that is, that it had not been submitted through the Outer Space Committee.

The second reason relates to the statement made by my delegation in the general debate when Ambassador Vinci drew the attention of this Committee on the necessity to convene the competent existing group of experts, namely, the Working Group on Direct Broadcast Satellites in order to have an exhaustive and unbiased evaluation of all the aspects of the subject proposed for our consideration and which had not yet been sufficiently explored. In actual fact, together with many of the delegations we felt that it would have been wise not to enter into any sort of final commitment on the course of action to be followed and, above all, not to tie our hands in any way before having studied at length and together all the possible consequences of direct television broadcasting via satellites.

The third reason is connected with our view of the work in the field of space activity. We consider that our common endeavours must serve international co-operation and we believe that international co-operation will be better achieved in an atmosphere permitting the free flow of information and the free exchange of ideas. This is a basic principle to which my Government subscribes without

(Mr. Migliuolo, Italy)

any reservation and which, in our view, is of the essence whenever we speak of co-operation.

Mr. VALLARTA (Mexico) (interpretation from Spanish): My delegation voted in favour of the Brazilian amendment in document A/C.1/L.614, because we felt that the text proposed by Brazil was more in accord with the principle of non-intervention in the domestic affairs of other States, which is the corner-stone of Mexican policy, based as it always has been on principles of international law.

(Mr. Vallarta, Mexico)

My delegation voted against the amendments to the operative paragraphs appearing in document A/C.1/L.613, because we would like to have the item considered primarily in the Legal Sub-Committee, which is specifically mentioned in the original text of the Soviet Union, and because Mexico believes that everything that is done to draft treaties that strengthen the principle of non-intervention is something positive. We believe that international law already provides us with legal principles that are sufficient to allow us to go fully into the elaboration of treaties in this area, without it being necessary to have any prior work done to define legal principles that already exist.

The CHAIRMAN: The consideration of the Outer Space items is concluded. On Monday the Committee will begin its consideration of the items listed in document A/C.1/1022 as II, III and IV. We will start the general debate on these items on Monday.

It gives me pleasure to remind the Committee that, through the special efforts of members and the marathon of voting this afternoon, we have so far been able to adhere strictly to the time-table which we have set for the Committee. In this connexion I would like to express my very deep appreciation to members of the Committee for their co-operation.

The meeting rose at 6.15 p.m.