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Held at Headquarters, New York,
on Tuesday, 15 October 1974, at 10.30 a.m.

Chairman: Mr. ORTIZ DE TOZAS (Argentina)
Rapporteur: Mr. COSTA LOBO (Portugal)

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

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AGENDA ITEMS 32 AND 33 (continued)

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

The CHAIRMAN (interpretation from Spanish): Before calling on the first speaker, may I remind representatives that, as was decided yesterday, today at noon the list of speakers will be closed for the general debate on the two items of the agenda regarding outer space which we are now considering.

Mr. KUCHEL (United States of America): Mr. Chairman, it is a pleasure and an honour for me to participate in the deliberations of this Committee under your distinguished leadership, and I look forward to a constructive and meaningful debate on the peaceful uses of outer space.

I believe it is an auspicious beginning for us to discuss recent developments in the peaceful uses of outer space. This is an area of exciting new promise for all of us, an area in which we have already shown that the combined intellectual and scientific genius of men can accomplish feats which were not so long ago thought quite impossible. And now it is an area to which we are increasingly looking for help in solving many of the practical, daily problems of this planet. This has been an important year both as regards the experiments undertaken and as regards our discussions about how we as an international community might better go about organizing ourselves to develop further the peaceful uses of outer space.

We wish to join with the other members of this Committee in appreciation of the work which the Outer Space Committee and its Legal Sub-Committee have done in completing the draft convention on registration of objects launched into outer space. This is the fourth treaty negotiation successfully concluded by the Legal Sub-Committee and approved by the full Committee in less than a decade.

(Mr. Kuchel, United States)

In 1966 the Outer Space Treaty was completed. In 1967 the Astronaut Rescue and Return Agreement was finalized; in 1971 the Outer Space Liability Convention, and now in 1974 the draft registration convention.

My Government is pleased to have been a major participant in the negotiation of each of these agreements and we welcome the completion of the registration convention as a useful formalization on a mandatory basis of the voluntary United Nations registration system which has been followed since 1961.

When the voluntary system was first adopted, we and others considered that it could be useful for the international community to have available a central census of objects launched into outer space. Under that voluntary system the United States adopted the practice of reporting on its launchings at intervals of approximately two to three months, and in order to help to keep the central registry current, we have from the very beginning also reported when United States space objects have de-orbited or when such objects have split into several fragments with different orbits.

Nearly all United Nations Member States that have conducted space activities have reported at least on the fact of launchings. Registration statements have been filed by Canada, France, Italy, Japan, the Soviet Union, the United Kingdom and the United States. Now that we are about to cross the threshold of adopting a mandatory prescribed system, we hope that participation in this system will become universal.

The United States representative at the session of the Legal Sub-Committee held in May last gave a detailed statement on our interpretation of the registration convention and I shall not attempt to go through the agreement, article by article. Many difficult compromises were reached in the negotiation of this convention, and we believe the agreement that resulted is a reasonable one accommodating diverse interests, which will prove to be a useful addition to the developing body of international law relating to the peaceful exploration and use of outer space.

We are also at an advanced stage of negotiations on a new treaty which will elaborate on the provisions of the 1967 Outer Space Treaty regarding exploration of and activities on the moon and other celestial bodies. We hope that acceptable solutions will be found to the few remaining issues, particularly that

(Mr. Kuchel, United States)

concerning the natural resources of celestial bodies, and that this agreement will soon be successfully completed and approved by the United Nations.

Beyond acknowledging our satisfaction at the completion of the draft registration convention, we also look forward to the other future work of the Outer Space Committee, work which is obviously filled with a great deal of challenge as we again address ourselves to a number of issues of far-reaching significance.

At the request of the General Assembly, the Outer Space Committee, through its Legal Sub-Committee, is engaged in a serious effort to draft guiding principles which should be followed in future direct international broadcasting of television signals by satellite. Considerable attention has been focused for several years on the complex questions raised by the possibilities of such broadcasting, and the Working Group on Direct Broadcast Satellites held a number of constructive sessions dealing with technical, economic, political and legal issues. Reviewing the situation in the light of our previous consideration of direct broadcasting problems, early this year my Government concluded that the most productive course for us to follow would be to attempt at this time to reach agreement on the considerable range of issues on which agreement now seems possible, and to allow ourselves more time to work out the fundamental differences that continue to exist in some of the other, much more difficult areas.

(Mr. Kuchel, United States)

In March of this year, at the fifth session of the Working Group on Direct Broadcast Satellites the United States introduced a set of voluntary principles which we believe represent a realistic area of agreement in line with the views expressed by the members of the Outer Space Committee. These proposed guidelines include, among others, the principle that international direct television broadcasting should be conducted in accordance with international law, including in particular the United Nations Charter and the Outer Space Treaty, and in light of the Declaration on Friendly Relations and the Universal Declaration of Human Rights. Such broadcasting should be within the technical parameters and procedures of the International Telecommunication Union and its radio regulations.

In addition, those draft principles seek to encourage the free and open exchange of information and ideas while respecting the differences among cultures and maximizing the beneficial use of new space communications technologies. We would envisage that the sharing among States of the benefits from direct broadcasting should increasingly include, as practical difficulties are overcome, opportunities for access to the use of this technology for the purpose of sending as well as receiving broadcasts.

We believe that States and international organizations and other appropriate entities should co-operate in strengthening the capability of interested States, in particular the developing countries, of making use of this technology as it may become available. We believe that such efforts should include increased training in technical and programme production fields, with consideration being given to the establishment of regional centres and to the expanded exchange of programmes and personnel. In addition, it is our belief that international professional associations such as those in the fields of medicine, agriculture, engineering, education, the arts and the law may have a great contribution to make through use of international direct broadcasting in solving social development problems.

In the United States draft principles we did not attempt to resolve all outstanding issues relating to future direct television broadcasting. Instead, we attempted to suggest acceptable formulations of principles that we felt could be generally agreed in the near future so that some meaningful progress could be made in developing international standards for conduct in this area.

(Mr. Kuchel, United States)

In consonance with that approach, at least to the extent of deciding on the order of priority in which issues should be addressed, the Legal Sub-Committee began last May to draft specific language for principles relating to direct broadcasting. That Sub-Committee made a beginning in an extremely complex field, and we look forward to a continuation of these thorough and constructive negotiations when that Sub-Committee meets again this coming February.

The United States has not, either in its own draft principles on direct broadcasting or, so far, in the debates in the Legal Sub-Committee, addressed what is probably the most controversial and vexatious issue involved, that of prior consent. There are two primary reasons for our position. First, it has become apparent from our discussions in the direct broadcasting Working Group that there is not anything close to agreement even on the definition of the issue itself. Second, we do not believe that the considerable differences separating the members of the Outer Space Committee can readily be overcome without a good deal more work.

One of several points that must be seriously considered in the context of a system of prior consent is that such a principle could rule out direct broadcasting for entire regions. Because a satellite beam would usually cover many States, one country's objection to international broadcasts could prohibit many others from receiving such broadcasts, even if they specifically desired to receive them. This is a point which we believe must be seriously considered, and a point the implications of which must be addressed by each State in light of its own regional context.

My Government, for its part, does not believe that the international community's interests would be well served by establishing a right to prohibit an international direct television broadcast by withholding advance consent, through whatever means, to such broadcasting. Any such broadcasts would need to be conducted with sensitivity to the receiving audiences, but in our view this would be strongly in the interests of potential broadcasters as well as those of potential listeners, and an appropriate and effective way to ensure such sensitivity would be through voluntarily agreed performance standards among broadcasters.

(Mr. Kuchel, United States)

We recognize that there are many legitimate concerns about the possible international impact of direct broadcasting technology, and we believe that these concerns must be addressed in a direct and open manner. However, our strongly held view is that the solution to those concerns lies in the future development and use of this technology in an effective and constructive way, rather than in the inhibition of what contains at least the potential for great contributions, for example in the educational and social communications fields. We would all benefit, I believe, from increased and open exchanges of ideas, rather than from fewer such exchanges. In this world of rapidly increasing contacts and interaction among States we need to know and understand more about each other, rather than less; indeed, we can hardly afford not to take whatever steps are possible to clarify and understand our differences, as well as our common areas of agreement.

That kind of understanding obviously must involve an exchange of ideas, not simply a one-way conveyance of them. Thus my Government has proposed that there should be increased opportunity, as practical difficulties are overcome, for access to the use of this technology for sending as well as for receiving broadcasts. We must obviously be realistic about the practical limitations on initial participation, but at the same time we must keep in focus the necessity for increasing that participation as it becomes possible.

(Mr. Kuchel, United States)

Another major area to which the Outer Space Committee and its subsidiary bodies have paid considerable attention during the past year is that of remote sensing of the earth and its environment by satellite. The Legal Sub-Committee, at its thirteenth session, was able for the first time to focus significantly on the legal aspects of such remote sensing. The views of many States, including my own, were expressed in some detail at that meeting, and a number of proposals for international guidelines or instruments were introduced. That Sub-Committee had the benefit of the extensive and productive discussions in recent meetings of the Working Group on Remote Sensing.

The United States remote sensing programme has from the very start been based on a system of extensive international co-operation, both in developing the experiments to be used and in interpreting the data which are derived. We have since the beginning of our National Aeronautic and Space Administration (NASA) programme insisted that the data derived from all these experiments be made available to all interested parties so that the maximum amount of scientific investigation and the maximum range of potential benefits from our space programme could be realized. We have participated in complex and fascinating international efforts to learn more about the world in which we live by utilizing the unique point of view from a platform in outer space. The information derived can be of tremendous value to all of us and to our common welfare. Hence we have established a system in which no one is barred on political or any other grounds from the opportunity to obtain as much of these data about our earth and our environment as anyone else who inhabits this planet.

We believe that our policy of providing open access to the data derived from remote sensing activities is in specific conformity with a major goal of the 1967 Outer Space Treaty, namely, that States should conduct activities in outer space for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development. In addition, article XI of that treaty calls on States to inform the Secretary-General of the nature, conduct, locations and results of such activities. The Outer Space Treaty was foresighted in covering not only freedom of exploration but also the use of outer space. The primary focus, in fact, was on the possibility that space technology could be used as a new tool to improve certain conditions

(Mr. Kuchel, United States)

on earth. Our remote sensing experiments are specifically and directly oriented towards fulfilling that principle, by developing our ability to acquire useful and beneficial data about the world in which we live.

Recently, however, some States have questioned whether a system of open data availability should be maintained on the international level. A number of suggestions have been made that data concerning one State should not be made available to another State without the first State's advance permission. In the view of the United States, such a policy would not only fail to protect the States that have expressed such concerns; it would also be likely to exacerbate any imbalance which might exist among different States as they endeavour to interpret and use these data.

It is technologically and economically unfeasible to separate the images from these satellites along the lines of political borders, and hence we would here too be faced with a situation in which data for a region might not be available, because of the lack of consent from one State in that region. In addition, as our own experience and that of others who have participated in the ERTS experiments have shown, perhaps the greatest advantage a satellite-borne sensing system gives us is the ability to observe and study the earth on a regional and on a global basis. It would be most unfortunate for the international community not to be able to benefit from the broader approach.

An open system of data dissemination guarantees that all States can be assured of access to any data that any other State may have obtained from such a programme. If a State which conducts remote sensing were unable to share freely the data obtained with all other interested parties, as a practical matter a system of irregular and hence discriminatory data dissemination would be virtually inevitable. Only a launching State might be able to obtain the most important benefits from this unique means of gathering information, and my country for one would find this most unnecessary and most regrettable.

The United States has no intention of seeking to impose our data on anyone who does not desire it; but, on the other hand, we do not wish to deny to our own citizens the data derived from a possible future United States programme. Because of our open political system and because of certain universal aspects of human nature, it seems to us as a practical matter that, even with

(Mr. Kuchel, United States)

restricted dissemination, some States would obtain data while others would not. This would inevitably lead to imbalanced dissemination, whereas at the present time we have attempted to maintain a system in which all countries, rich or poor, would have an equal opportunity for access to such data.

In any case, these and other related questions will be the subject of our continued discussions in the Outer Space Committee and its subsidiary bodies, and we look forward to those further exchanges of views.

The Outer Space Committee has requested that we endorse two recommendations on this particular subject: first, that the Legal Sub-Committee should consider the legal implications of remote sensing at its next session and, secondly, that the Secretary-General should undertake studies of the organizational and financial requirements of possible global and regional centres for dissemination of remote sensing data. We support these recommendations and believe that a practical understanding of the organizational and financial aspects of disseminating remote sensing data constitutes an essential basis for fruitful consideration of the legal aspects involved.

The role of the United Nations itself in the outer space area, in particular the work of the United Nations space applications programme, conducted under the leadership of the Expert on Space Applications, was reviewed this past spring by the Scientific and Technical Sub-Committee. That Sub-Committee decided to approve the substance of the programme proposed for 1975 with the understanding that the Expert would seek all possible ways to carry it out within the same financial limitations as the 1974 programme.

(Mr. Kuchel, United States)

My Government believes that, taking into account the serious financial situation facing all United Nations programmes and activities, the need is great to focus on ways to increase the effectiveness of the space applications programme by channelling its limited resources into activities that will be of the greatest benefit to the most countries, particularly the developing countries. In this connexion, we fully share the feeling expressed by the Sub-Committee at its last session that the whole purpose of the space applications programme and its proper and effective co-ordination should be given in-depth review by the Sub-Committee in 1975.

Finally, I should like to say a few words about the actual programmes which the United States has undertaken this year in the peaceful exploration and use of outer space. International co-operation in space has become a fact of life, and a new fabric of international scientific and technical relationships has emerged, rich in present value and bright with prospects for the future.

I am proud of the part that the United States has played in developing the scientific and technical means for the exploration and use of outer space. I am even more proud of the efforts we have undertaken to promote bilateral and multilateral co-operation in this field, co-operation which is based on common interests among many nations. We have undertaken that co-operation through a system of free and open associations to which nations contribute according to their interests, their skills and their means.

The Skylab programme, completed last February, struck the world as a demonstration of what man can do in space, particularly in overcoming adversity. Less dramatic but perhaps even more significant was its demonstration of how manned orbiting laboratories can serve as international research facilities. Four foreign experiments flew on Skylab: Belgian, French, Japanese and Swiss. In addition, a British scientist acted as a consultant in a NASA welding experiment, and physicians from the Federal Republic of Germany and the United Kingdom joined the Skylab biomedical team to evaluate effects of long-duration space flight on crews. Correlated astronomical sounding rocket programmes were conducted with Germany and the United Kingdom, and foreign guest investigators from France, Japan and the United Kingdom participated in the Skylab solar telescope programmes.

(Mr. Kuchel, United States)

One of Skylab's most significant payload components was its Earth Resources Experiment Package (EREP), a complement to ERTS-1, launched in 1972. Using data from both ERTS-1 and EREP, some 140 foreign investigations have involved scientists from 37 countries and two international organizations. In addition, Brazil and Canada have established their own ERTS data acquisition and processing facilities, and plans for similar stations are under way in Europe, Africa and Asia. Last June, the Government of Italy, acting through the Italian company Telespazio, agreed to build a ground station to receive data from NASA experimental earth-resources satellites.

Co-operative satellite launchings, one of the oldest and most productive co-operative activities in space, continued last August with the NASA launching of the Netherlands Astronomy Satellite, an ultraviolet telescope for the study of stars and stellar objects. Earlier in the year, an Italian crew successfully launched from the San Marco platform a NASA Scout rocket to place in equatorial orbit a joint Italian-United States satellite which will investigate the upper atmosphere; and on this very day, 15 October, an Italian crew has used a NASA Scout launcher to orbit a United Kingdom satellite which will continue studies of stellar X-ray sources. If this trilateral project is successful, it will bring to 21 the number of satellites launched in NASA co-operative programmes.

In addition to co-operative satellite projects, NASA launches, on a cost-reimbursable basis, satellites which other countries have developed as parts of their national programmes. This assistance is provided on a non-discriminatory basis for projects with peaceful purposes which are consistent with obligations under relevant international arrangements. There have been two such launchings so far this year. In March, NASA launched the United Kingdom's X-4 satellite, an experimental satellite dedicated to demonstrating some new approaches to small satellite subsystems. In July, NASA launched Aeros-B, a German satellite which will investigate the upper layers of the earth's atmosphere. In mid-December, NASA expects to launch Symphonie, the French-German experimental communications satellite. This will bring the total number of international reimbursable satellite launchings to 10. In addition, NASA has launched 13 communications satellites on behalf of INTELSAT.

(Mr. Kuchel, United States)

Last year we reported that after almost four years of negotiations, NASA and the European Space Research Organization (ESRO) had agreed to the development in Europe of a manned orbital laboratory, designated Spacelab. It would be used with the United States Space Shuttle in manned missions for space science in the 1980s. NASA and ESRO have continued and expanded their planning efforts for the use of Spacelab, enlisting representatives of a broad variety of disciplines, including physics and astronomy, life sciences, communications and navigation, earth observations, and materials processing.

A quick look at some of the major events in the years ahead suggests the momentum and continuity of international space co-operation.

Before the next cycle of United Nations Outer Space Committee meetings begins early next year, we will have launched Helios-A, the first of two solar probes developed in co-operation with the Federal Republic of Germany. The spacecraft, developed in our latest co-operative satellite project to date, will carry seven German and three United States experiments to within 28 million miles of the sun, closer than any other spacecraft has flown before. We expect these experiments to yield data on solar behaviour which will help us better understand solar effects on earth.

Early in 1975, NASA will launch a second Earth Resources Technology Satellite (ERTS). Essentially the twin of ERTS-1, it will permit investigators throughout the world to continue their experimentation with remotely sensed data. Thirty-six countries and four international organizations have been assured data for their proposed studies.

(Mr. Kuchel, United States)

Next summer will see the start of the Satellite Instructional Television Experiment (SITE), conducted jointly by NASA and the Indian Space Research Organization. The satellite, ATS-6, is already in geostationary orbit and is at present being employed in instructional and medical data transmission experiments to remote areas of the United States. In the coming months, the satellite will also be used in educational broadcasts to schools in Brazil. Next summer, the satellite will be moved eastward to a station over eastern Africa, from where it will be able to relay a television signal to viewers in India. The Indian Government will then use it for about four hours a day to conduct the SITE experiment.

In this experiment, India is developing its own programmes on improved agricultural methods, family planning and hygiene, school instruction and teacher education, and occupational skills. The programme will originate from Indian ground stations and will be received by augmented television sets of Indian design and manufacture. The United States contribution is to make the satellite available as a relay station for one year. We share the eagerness with which nations throughout the world look forward to the results of their efforts to apply space technology to the problem of economic and social development that they face.

And last, permit me to mention the Apollo-Soyuz Test Project, the joint US-USSR flight to test compatible rendezvous and docking systems for future manned spacecraft. We expect the flight to take place on schedule in July 1975. The necessary compatible hardware is undergoing final testing, and the flight crews and flight controllers of both countries are well into their intensive joint training. A successful mission will contribute to a rescue capability for future manned space flights and will broaden opportunities for United States and Soviet space co-operation in the years ahead. At this stage, joint manned-flight operations fall of necessity to the nations with manned-flight programmes. We believe, however, that the flight has broader significance, not simply for what men may accomplish together in space, but also for what they may accomplish together on earth.

(Mr. Kuchel, United States)

Co-operation in space is obviously a present reality. This co-operation has yielded practical benefits to both developed and developing countries. Projects now scheduled to take place justify the hope of more gains to come. Let us be alert in maintaining an international environment that encourages nations to work together in their common interest, to the very limits of human imagination and skill and to the ends of the universe and beyond.

Mr. KAMIL (Indonesia): Mr. Chairman, it gives me great pleasure today to be able to congratulate you upon your election as Chairman of the First Committee. My delegation is fully confident that, under your wise leadership, we in this Committee shall achieve fruitful results in our coming deliberations.

The congratulations of my delegation also go to the two Vice-Chairmen and to the Rapporteur upon their elections.

My delegation pledges its full co-operation to the officers of the Committee as we work to discharge our tasks in the coming days and weeks.

My delegation at the same time would like to take this opportunity to welcome among us here, Bangladesh, Guinea-Bissau and Grenada, which are joining us in our deliberations for the first time.

Indonesia has a strong interest in the potential benefits that are to be derived from the peaceful uses of outer space, particularly as they are applicable to the needs of developing countries like my own, Indonesia. My country has long recognized the vast scope of those benefits and has been working in that direction for more than a decade.

At the beginning of this year, for the first time Indonesia had the honour of becoming a member of the Committee on the Peaceful Uses of Outer Space. In view of this, and, in the light of the expansion of our activities in the field of outer space in the past, it may be useful to the members of this Committee if I prefaced my remarks with a brief description of Indonesia's efforts in this area of outer space.

Under the direction of the Indonesian National Institute of Aeronautics and Space -- or, using the Indonesian acronym, LAPAN -- my country has been engaged in space activities since 1963. Then we began the research and development work which produced our first scientific sounding rocket, Kartika-1.

(Mr. Kamil, Indonesia)

It was our hope that this rocket would enable us to make an Indonesian contribution to the International Quiet Sun Year in 1964 and the following year. The Kartika-1 made its first flight in August 1964, launched from Cape Cilaut-Eureun on the south coast of west Java. Indonesia is believed to have been the second country in Asia to launch scientific sounding rockets, following those of Japan, and its telemetry system, during earlier tests, had become the second Asian-built system to receive signals from the American Tiros weather satellite, following India's success in this task.

During the next year, 1965, it was decided to acquire 10 Japanese Kappa rockets, together with an additional number of small RT-150 rockets for radar testing, and a permanent rocket-launching station was built at Cilaut-Eureun. Three of these Kappa rockets were subsequently launched to heights of more than 200 kilometres, obtaining valuable information on ionospheric conditions. At the same time, Indonesia became a member of COSPAR, to which the results of our rocket experiments were reported.

Unfortunately, owing to financial difficulties, this modest beginning of Indonesian space research could not be followed up immediately and came to a temporary halt.

During the First Five-Year Economic Development Plan of my country, which ran from April 1969 to March 1974, renewed efforts were made to continue the development of an Indonesian space programme. The space activities in this period of time consisted mainly of the construction of two APT stations, one in Jakarta and the other in Biak, some 4,000 kilometres to the east, for the utilization of information from American weather satellites, and the use of ERTS imageries under an agreement between LAPAN and the American NASA in 1972.

(Mr. Kamil, Indonesia)

Concurrently a number of Indonesians were sent abroad to study at foreign space institutes: to Ahmedabad, India, for training in space communications; to the United States of America for space meteorology and ERTS; to the Netherlands for training at the ITC in Enschede; to Brazil for remote-sensing and systems analysis; to France for remote-sensing and balloon technology; and to Belgium for remote sensing.

Among measures taken was the construction and operation of a space communications ground station, which has since been integrated into a speedy and convenient world-wide communications network. Also, our experts and apprentices were sent to participate in several technical seminars sponsored by the United Nations.

In our second five-year plan, which began in April last, space activities authorized by the Government have been considerably augmented. Particularly important in the new programme is the continuation and amplification of remote-sensing efforts, especially those undertaken for the purpose of compiling an inventory of natural resources. In addition there is the upgrading of our APT stations, particularly those concerned with hydrology and agrometeorology; educational television satellites and other space-application developments; the laying of the foundations for aerospace technology developments; the rehabilitation of our scientific rocket launching station and reactivation of the space science programme, Aerospace Affairs Studies, which will also deal with such problems as the social impact of space technology on our society and other fields and areas.

An additional but very important area that has received the special attention of my Government is that of communications satellites. As an island nation, an archipelago consisting of several thousand islands spread across 3,000 miles of ocean, the prospect of improving communications through a satellite system is indeed one of the most attractive of the numerous potential uses of space applications for my country. Fully recognizing the great benefits such a system will have, my Government has initiated a programme which will lead to the launching of a communications satellite by the end of next year. That satellite will be the central component of a system which soon -- we hope in 1976 -- will provide communications throughout the entire country of Indonesia at a greatly improved level. By 1976, a second satellite will be launched, providing back-up facilities

(Mr. Kamil, Indonesia)

for the first, and it is planned that some 50 ground stations will be in operation, providing the final link in the nation-wide system of satellite communications. The financing of this programme has already been arranged, partially through international credits and assistance. That outlay indeed represents a very heavy commitment of scarce capital by my Government for such a space-applications programme, which also illustrates the great importance we attach to its success. The new system will promote benefits at every level and in every sector of Indonesian society and will greatly improve our telephonic communications, television, including educational television, and broadcasting. In short, we hope our satellite system will greatly contribute to our communications, education and nation-building.

As part of its programme of space activities, Indonesia was pleased at the acceptance of its offer to act as host for a United Nations-FAO sponsored regional seminar on remote sensing, which is to be held in 1975. Planning for the seminar is now going forward, and we hope it will prove to be of great value to all participants. The benefits to Indonesia of that seminar will be two-fold. In the first place, it will acquaint the people of my country, particularly its scientists and decision-makers, with the potential advantages to be derived from further development of the space programme and its related activities. In addition, it will also permit Indonesia to make a direct though modest contribution to the United Nations space programme.

Permit me now to address myself to some of the items contained in the report of the Committee on the Peaceful Uses of Outer Space (A/9620). My delegation is most grateful to the Chairman of that Committee, the representative of Austria, His Excellency Mr. Jankowitsch, to the Vice-Chairman and Rapporteur of the Committee and to the various officers of the sub-committees and working groups of the Committee whose efforts have made possible the compilation of this very valuable report. My delegation has been very gratified to be enabled, through our membership in the Committee, to work with such a distinguished group of dedicated persons.

If I may begin by discussing the report of the Legal Sub-Committee, my delegation would like to express its satisfaction at the adoption by that body of the draft convention on registration of objects launched into outer space.

(Mr. Kamil, Indonesia)

That is indeed a significant accomplishment in the continuing process of fashioning a rule of law governing the peaceful use of outer space. Indonesia also welcomes the draft texts of five principles governing the use by States of earth satellites for direct television broadcasting and thus looks forward to their further elaboration at the coming meetings of the Sub-Committee. My delegation also hopes that the Legal Sub-Committee will at its next meetings succeed in formulating principles governing remote-sensing operations similar to those achieved on direct broadcasting satellites.

Despite those advances, it is a source of disappointment to my delegation that as yet no agreement has been reached on the remaining issues which have so far prevented completion of the draft treaty relating to the moon. It is to be hoped that at the coming meetings of the Sub-Committee the problems which have so far prevented completion of a draft treaty can soon be resolved on the basis of the principle that the moon and other celestial bodies are the common heritage of all mankind.

As regards the report of the Working Group on Remote Sensing of the Earth by Satellites, my delegation had expected that concrete proposals concerning the application of remote-sensing techniques to global problems would by now have been forthcoming from the Working Group. We hope that the studies outlined in paragraphs 30 and 31 of the report will provide the basis for such concrete recommendations. The importance of remote-sensing satellites and technology to the needs of the developing countries renders imperative the formulation of a concrete United Nations policy and programme in this area.

Of the proposals contained in paragraph 30 (a) through (d), my country regards as particularly important the study referred to in subparagraph (c), concerning the possibility of establishing international regional data storage and dissemination centres under United Nations auspices and of the inclusion in such centres of reception facilities. Subparagraph (d), concerning a study of the implications of attaching an education and training facility to the regional centres, is also of great importance in my delegation's view. The benefit to the developing nations of such regional centres is very obvious, and their interest in the establishment of the centres has been confirmed by their response to those proposals.

(Mr. Kamil, Indonesia)

It is the view of my delegation that the documentation function of these centres -- that is, the data-collecting and data-processing activities -- would be matched in importance by their potential as training centres for technicians in many fields of national development. The saving in time and money which the establishment of such regional centres would realize over more conventional methods would amply repay the initial investment necessary to set them up.

These benefits would not be confined to regional States' personnel alone, of course, but would be of great assistance also to many of the specialized agencies of the United Nations itself, such as UNDP, UNEP, FAO, WMO, UNESCO, ITU and IBRD, in dealing with regional and environmental problems, as is suggested in paragraph 34 of the report. Indonesia therefore hopes that the proposed feasibility studies can be carried out soon and that the Legal Sub-Committee will take up the legal aspects of remote sensing of the earth from space as a matter of priority.

Let me now turn to the United Nations Programme on Space Applications. I should like to express the appreciation of my delegation to the United Nations Expert on Space Applications, Mr. Murthy, for the great contributions he has made in this field. His work, which has done much to pioneer the development of the benefits which space applications have for developing countries like Indonesia has been of great value to us and to all the members of the international community, particularly the developing nations.

The proven worth of the space applications programme under Mr. Murthy's direction, particularly in assisting the developing countries, leads my delegation to suggest that the expansion of the present programme is an undertaking which should be very seriously considered by this Committee and the United Nations as a whole. A larger programme would, of course, have to meet the test of increased efficiency and improved co-ordination if it were to fulfil its promise, but my delegation is convinced that these difficulties could be overcome in an expanded programme.

(Mr. Kamil, Indonesia)

Numerous benefits would flow from such a decision to expand: the developing countries would, of course, profit from the larger array of services available to them. Even more important, perhaps, would be the opportunity to encourage long-term planning of the United Nations space programme -- planning which is now so sadly lacking. It is clear that such a long-range plan, one which would deal with problems in terms of five or ten-year programmes, would be greatly superior to the short-term, planning which now dominates United Nations thinking in the area of space applications. By adopting such methods as long-range planning we would immediately increase the efficiency of the programmes by eliminating the wasteful duplication of efforts that is inevitable in an ad hoc approach to any situation.

Expansion of the programme would also enable the United Nations to undertake large-scale projects which are now impossible under our present restricted budget. In the view of my delegation, it is most important that long-range targets be set in order to extend the benefits of space applications to as many people and as many countries, and on as rational a basis as possible. The improvements in co-ordination of United Nations space activities that would result from such a programme would certainly extend to the work of the specialized agencies, as noted in paragraph 47 of the report. By providing a continuing means by which all United Nations space activities could be co-ordinated, an expanded programme would do much to extend the purchasing power of an always limited budget like ours. Perhaps the funds necessary for such an expanded programme could be obtained through voluntary contributions, as well as through ordinary channels, of course.

As a step towards exploring the ways in which an expanded programme could assist the developing countries, my delegation endorses the suggestion discussed in paragraphs 43 and 44 of the Committee's report.

(Mr. Kamil, Indonesia)

In connexion with steps towards exploring the ways in which an expanded programme could assist the developing countries, I should like to call your attention to the reference in paragraph 43 to the questionnaire of the Secretary-General concerning the types of assistance sought by Member States. An early response by Member countries to the questionnaire would certainly have a considerable impact upon the planning of all United Nations space activities in the future, and it is most important that the views of the developing countries be adequately represented in such planning.

My delegation also hopes that the proposed international conference under United Nations auspices to commemorate 20 years of space activity, mentioned in paragraph 44, will also receive the full support of all Members of the United Nations. It is our belief that that kind of conference would be of particular benefit to the developing countries.

My delegation is in accord with the view of the Committee, as expressed in paragraph 54, that there is indeed a need to encourage further in-depth studies on the manner in which direct broadcast satellites can contribute towards the social and economic development, particularly in the developing nations. Indonesia had desired that these questions be taken up at the 1975 session of the Working Group on Direct Broadcasting Satellites. Since it has now been decided, however, that the Working Group will not meet in the coming year, we hope that the Legal Sub-Committee will be able to consider those aspects of the question that fall within its purview at its next session.

In conclusion, I should like once again to express the appreciation felt by my country to all those countries and individuals that have done so much to assist Indonesia in the development of its own space programme. In particular, we should like once more to thank Mr. Murthy and the Governments of Japan, India, the United States, Brazil, the Netherlands, the Federal Republic of Germany, Belgium, France and other countries, as well as the various United Nations agencies, for their aid. I can assure their representatives here that the assistance they have extended to Indonesia has greatly contributed to our ongoing efforts to participate in the peaceful uses of outer space.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Indonesia for the cordial words he was so good as to address to the officers of the Committee.

Mr. von WECHMAR (Federal Republic of Germany): Sir, as this is the first time that I am making a statement in this Committee, I should like to begin with a congratulation to you on your unanimous election as Chairman of this Committee. We welcome you as one of the most prominent representatives of the Latin American group, and we are particularly happy to work under the guidance of a man whose great experience, skill of mediation, and firmness of decision we had many an opportunity to admire in the past.

(Mr. von Wechmar, Federal Republic
of Germany)

A year ago the Federal Republic of Germany, for the first time, took part in a session of the United Nations General Assembly. In the meantime much work has been done within the United Nations framework concerning the peaceful use of outer space. I should like to take this opportunity to pay a tribute to the Outer Space Committee and its Chairman, Ambassador Jankowitsch, to its sub-committees and working groups for the excellent work they have done. The Federal Republic of Germany is fully aware of its responsibility as a new member of the Outer Space Committee and it will continue its active co-operation in the field of the peaceful use of outer space for the benefit of all countries.

I think we have made it clear that we take this responsibility seriously. Of particular significance to us are the activities of the European Space Research Organization (ESRO), the nucleus of the future European Space Agency (ESA), which will increasingly become the focal point of our efforts in the field of outer space. One of its major projects is the development of "Spacelab", the space laboratory within the framework of the United States Space Shuttle System. In 1974 this ambitious co-operation programme entered the phase of practical implementation when ESRO placed the principal development contracts with a consortium of European firms. The Federal Republic of Germany also participates in the work on the European launcher rocket Ariane, the development of which is already well advanced.

Another project of great significance is the development of a geo-stationary application satellite. It includes the European regional communication satellite OTS, the development of which was commissioned in 1974. After extensive negotiations final decisions were taken in the past few weeks on AEROSAT, a joint ESRO, United States and Canadian venture for the development and testing of an air traffic control satellite. Another project to be mentioned is the meteorological satellite METEOSAT which is being developed within the framework of the Global Atmospheric Research Programme and scheduled to be launched in 1977. Finally, there is the programme for the development of the maritime communication satellite MAROTS which is to be available to international sea traffic by the end of the seventies.

(Mr. von Wechmar, Federal Republic
of Germany)

Apart from these activities in ESRO we participate in other international joint ventures. The most important project of this kind is the solar sounding rocket HELIOS currently developed by the Federal Republic of Germany and the United States and scheduled to be launched in mid-January 1975. Also, together with France, we have developed the experimental communication satellite Symphonie which is to be launched in the next few weeks.

The examples I have mentioned testify to the progress already achieved in European co-operation. The limited funds available and the highly sophisticated character of outer space projects make a joint European effort increasingly necessary. They also call for co-operation between Europe and the United States. We hope that in the future a growing number of other States will be attracted by this kind of co-operation.

The Federal Republic of Germany welcomes the initiatives taken to bring about the most comprehensive collaboration possible in the field of outer space. We note with satisfaction that the Outer Space Committee has become a centre of world-wide co-operation in the peaceful exploration and use of outer space. Important international legal instruments which were negotiated in the Outer Space Committee have in the meantime also been ratified by the Federal Republic of Germany, and others will be ratified in the future. I am thinking in particular of the Convention on International Liability for Damage Caused by Space Objects and of the Convention on Registration of Objects Launched into Outer Space.

The Convention on International Liability was submitted by the Federal Government to the Bundestag -- our parliament -- for parliamentary approval at the end of September 1974. We are confident that the legislative procedure will be completed soon. As for the draft convention on registration we welcome the fact that it has been possible to reach agreement on the question of the marking of artificial space objects. The draft now before the General Assembly is further proof of the excellent work done by the Outer Space Committee and its sub-committees. The delegation of the Federal Republic of Germany considers the draft convention on registration to be a necessary complement to the Convention on International Liability and is confident that the General Assembly will adopt it soon.

(Mr. von Wechmar, Federal Republic
of Germany)

So far no comparable progress has been achieved with regard to the draft treaty relating to the moon -- and the representative from Indonesia has just pointed that out. Although there is agreement that activities on the moon should exclusively serve peaceful purposes and should not cause pollution, the question of the exploitation of mineral resources is still unresolved. In our view it should be possible to find a solution to this question which makes allowance for the justified interests of both the space Powers and the developing countries. The Legal Sub-Committee should resume its work on this treaty next spring.

Further important tasks are still ahead of us and should be tackled with the same sense of purpose. The Federal Republic of Germany attaches great importance to the elaboration of provisions governing the remote sensing of the earth from outer space. We consider remote sensing to be a promising means of improving living conditions on earth. The delegation of the Federal Republic of Germany is pleased, therefore, that in accordance with resolution 3182 (XXVIII) the Committee on the Peaceful Uses of Outer Space has devoted much time this year to the problems of the use of remote sensing satellites. We recognize that these problems are of great significance also for the developing countries and that they should be considered with due regard to their needs. However, care should be taken to avoid the adoption of any legal arrangements so restrictive that they stifle further technological development. Nor should they preclude regional solutions. It also seems important that, in the light of their close interrelationship, technological, legal and organizational aspects of remote sensing should be dealt with on an interdisciplinary basis.

In this connexion I should like to refer to certain studies on remote sensing which have lately been commissioned by the Federal Government. We expect that the results obtained may be useful also for developing countries and we are prepared to make them available to all interested States.

Another important field of activity is direct television broadcasting by satellites. The possibilities of promoting international understanding through the exchange of information via television satellites can hardly be

(Mr. von Wechmar, Federal Republic
of Germany)

overrated. We should therefore spare no effort to ensure that the principle of freedom of information under international law as laid down in article 19 of the Covenant on Civil and Political Rights will be fully implemented also in this field. We believe that the principle of freedom of information -- and this also includes the freedom to transmit and to receive information -- must not be jeopardized. The discussions in the past have revealed that there are differences of opinion on this. It has been maintained that the principle of freedom of information conflicts with that of sovereignty. We believe that both principles which are of equal value can indeed be reconciled.

(Mr. von Wechmar, Federal Republic of Germany)

We regard the report of the Working Group on Direct Broadcast Satellites as most valuable for our future discussions. It confirms our view that we should not establish any definite legal positions at a stage where technological development is still in progress. We therefore take the view that the question of whether to reconvene the Working Group on Direct Broadcast Satellites should be discussed when the Committee on the Peaceful Uses of Outer Space meets again in June 1975. In this context, I am also thinking of the World Administrative Radio Conference of the International Telecommunication Union scheduled for 1976/1977 which will dispose of a number of problems now under discussion.

We have noted with great interest the progress achieved in the United Nations programme on space applications. New efforts will be necessary in the future which may require additional funds. We would be ready to support an adequate expansion of that programme and a corresponding increase in the funds for the outer space budget.

We could thereby contribute towards making the benefits of space technology available to a larger number of people. It is in this spirit that we welcome the initiative of the Scientific and Technical Sub-Committee which prompted the Secretary-General to submit, in preparation for a comprehensive report on outer space applications, a questionnaire on the needs of developing countries for assistance in the practical applications of space technology. That questionnaire will facilitate the formulation of co-operation programmes providing assistance which would be tailored to the needs of those countries. We ourselves are prepared to hold a seminar or training workshop under the auspices of the United Nations as a contribution to such programmes.

My delegation is convinced that the Committee on the Peaceful Uses of Outer Space will continue its work with the usual efficiency. It believes that the relevant draft resolution which will be co-sponsored by us provides a good basis for that work. I can assure members that the Government of the Federal Republic of Germany will continue to support the activities of the United Nations in this important field.

The CHAIRMAN (interpretation from Spanish): I thank the representative of the Federal Republic of Germany for the generous words that he addressed to me.

Mr. FRAZAO (Brazil) (interpretation from Spanish): Mr. Chairman, I should like at the beginning of my statement to tell you how pleased my Government and I are at seeing you in the chair of the First Committee of the General Assembly. The fact that this important post is occupied by a Latin American and, particularly, by a representative of our sister country of Argentina, is a source of especial pride for us. We are all sure that with your intelligence, experience and diplomatic skill you will direct the work of this pre-eminently political Committee to a successful conclusion.

I should also like to congratulate Mr. Neugebauer of the German Democratic Republic and Mr. Abdul Wahab Siddiq of Afghanistan upon their well-deserved elections as Vice-Chairmen. Finally I should like to extend a word of particular congratulation to Mr. Antonio da Costa Lobo of Portugal on his appointment as Rapporteur of the Committee. We are certain that his difficult functions will be efficiently discharged.

(Spoke in French)

The examination of the activities of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies in the course of the year 1974 throws into high relief the increasingly important role of the United Nations in this new field, which is so vast and, without doubt, of fundamental importance for the developing countries. As a country which belongs in this category and as a member of the Committee, Brazil takes pleasure in noting the progress achieved by the Committee and the great prospects for further work that it has opened. The final draft convention on the registration of objects launched into outer space, which we have before us, is the best proof of this. We should like to thank most sincerely above all Ambassador Jankowitsch of Austria, the Chairman of the Committee on the Peaceful Uses of Outer Space, for his exhaustive presentation of the Committee's report. A hard worker, wholeheartedly devoted to the often difficult task we imposed on him, Ambassador Jankowitsch for our common benefit drew upon his abilities as a conciliator and his unique diplomatic qualities.

(Mr. Frazao, Brazil)

Turning now to my comments on the report, I should like to refer first to the work of the Scientific and Technical Sub-Committee, whose role of co-ordination and information, in particular with regard to space applications, is of the greatest importance. The range of subjects studied by that subsidiary organ of the Committee is very complex. Without going into all the subjects, I should like to consider in detail the principal questions examined this year.

With respect to the remote observation of the earth from space, the Sub-Committee had available to it the final conclusions of the Working Group on Remote Sensing of the Earth by Satellites, the principal merit of which was to have depicted precisely the present stage of development of this space application, enhancing its potential advantages to the international community. The establishment of the terminology of remote sensing, agreed upon by the Member States, was by no means its least accomplishment. In this regard, I should like to make it clear, in passing, that my delegation considers as highly undesirable any attempt to distort the definitions agreed upon by the Working Group, by giving a subjective, if not actually a personal, interpretation, of the present state of this space application and the problems to which it gives rise in various areas.

The Scientific and Technical Sub-Committee also had the task of identifying the conditions and elements which should underlie international co-operation on the practical level in the field of remote sensing. Its examination of these elements was exhaustive. The Secretary-General was requested to prepare a series of studies as enumerated in paragraph 30 of the report of the Committee. My Government is happy to note the compromise which emerged on the subject after the long debate and which is mentioned in paragraph 33 of the same report, whereby it was agreed that the studies which the Scientific and Technical Sub-Committee may undertake in the future with regard to organizational and financial questions should progress together with the study of the legal aspects undertaken in this regard as a matter of priority by the Legal Sub-Committee. Within the same context,

(Mr. Frazao, Brazil)

we cannot agree that the examination of the legal implications of remote sensing should be subjected to any delay or postponement on the pretext that studies of an "organizational" character, which I would call lateral studies -- and I want to apologize to French speakers for this barbarism -- studies whose usefulness I am not challenging, of course, should be given pride of place.

The United Nations programme for the application of space technology constitutes the keystone of international scientific and technological co-operation in this field. My delegation would like to express its gratitude to Mr. H. G. S. Murthy, the United Nations expert in charge of these programmes, whose efforts in the discharge of his functions go well beyond the meagre funds accorded him.

The Brazilian Government is taking an active part in the international co-operation efforts in this area. My country recently made available to Member States training fellowships in the field of the applications of space technology and welcomed student groups, seminars and training days organized under the auspices of the United Nations. We hope to increase our co-operation in this field in the near future.

(Mr. Frazão, Brazil)

In a few weeks an interregional seminar will be held in Sao José dos Campos, São Paulo, on the applications of remote sensing in the field of cartography. A very representative number of Member States will participate in that seminar.

In view of the extraordinary possibilities of the peaceful uses of outer space, my delegation feels that the Scientific and Technical Sub-Committee should focus its future efforts on the study of space applications, laying particular stress on exchanges of information and training.

In the Legal Sub-Committee, the tackling of questions relating to direct broadcasting by satellites was largely facilitated by the clarification made by the Working Group on Direct Broadcast Satellites of the political, legal and technical implications of the subject.

The adoption by the Legal Sub-Committee of a draft convention on the registration of objects launched into outer space is of course a remarkable achievement, and we should like warmly to congratulate the Sub-Committee and, in particular, its tireless Chairman, Ambassador Wyzner. Thanks to the spirit of understanding and compromise prevailing at the last session of the Legal Sub-Committee, it will now be possible for this session of the Assembly to proceed to the adoption of the final text of a convention the need for which requires no further demonstration.

Although my delegation would have preferred a text containing more precise provisions and having binding force with regard to marking, we were able to go along with the compromise formula, on the understanding that questions relating to the identification of objects launched into outer space will remain on our agenda. We consider that the approved text brings us closer to the final objective of giving a juridical framework with binding force to the whole gamut of space activities.

With regard to the text concerning the Moon, however, I note with regret that there has not been similar progress in the handling of that question by the Legal Sub-Committee. Indeed, some delegations continue to oppose the preparation of rules on the legal status of the natural resources of the

(Mr. Frazão, Brazil)

Moon and other celestial bodies. My Government's position on this subject is very clear: without the preparation of these legal rules and, in particular, without a declaration that the natural resources of the Moon and other celestial bodies are the common heritage of mankind, and in the absence of a firm commitment regarding the establishment of an international legal régime governing the exploitation of these resources that would go beyond the vague stipulations of the 1967 outer space Treaty, there can be no real progress. The text in its present form contains no new element that can usefully supplement the already existing international instruments on outer space. That is why my delegation believes that, proceeding with caution, we should attempt to achieve a text that could represent the common denominator of all the positions that have been expressed.

I turn now to the question of the preparation of the principles governing the use by States of artificial satellites for direct television broadcasting. I should like to repeat here, in a few words, my Government's position of principle on this subject:

First, the preparation of international agreements to regulate this space activity is indispensable, particularly if we consider the special characteristics of this new domain of international communications.

Second, such agreements should be based on the principle of the free flow of information and exchanges, while safeguarding the sovereign rights of States.

Third, first and foremost among those rights is the control that must be exercised by the receiving State, a right stemming from each country's legitimate interest in protecting itself against the intervention of other States in matters that are essentially within their domestic jurisdiction -- in accordance with the spirit, if not the very letter, of the principle set forth in Article 2 of the United Nations Charter.

The Legal Sub-Committee has finally proceeded -- although very timidly -- to the stage of drafting texts on the subject. My delegation hopes that next year it will be possible to eliminate the many brackets encumbering those texts, thus enabling the Committee to discharge the mandate laid down in resolution 3182 (XXVIII).

(Mr. Frazao, Brazil)

The question of remote sensing of the earth by satellites has been on our agenda for some time now. Only recently, however, have we really tackled the main themes; that has been done particularly this year, when the work of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies has been especially fruitful. It can even be said that at this stage the subject of remote sensing has been examined quite satisfactorily on the technical and scientific levels. But it must be admitted that that is much less true of the study of the legal aspects of this new space application.

My Government attaches great importance to the United Nations being able by its programmes to encourage the full use by the international community of remote sensing. We know how great the benefits of this can be, particularly for the developing countries. The field of application in this respect is immense, ranging from the exploitation of natural resources to ecology. We are keenly aware of its potential for the poor countries in their fight against drought and famine and for the full exploitation of their latent wealth. Brazil, as a developing country, has made a considerable financial investment in the establishment of an earth sector for remote sensing. Of course, that does not make us a space Power, jealous of its technological progress. We are always open to international co-operation and are extremely aware both of the benefits and of the possible negative effects of this particular space application if it is not properly regulated.

A number of paths are open to international co-operation in remote sensing. One of them exemplifies one of the possible choices. I am referring to the current programmes largely initiated by the Government of the United States. In this context I should like to take the opportunity to express again my Government's appreciation for the excellent co-operation we have received from many United States agencies dealing with remote sensing. We very much hope that this co-operation will be encouraged even more and on an equal footing.

(Mr. Frazão, Brazil)

Remote sensing is a field where the practical applications are almost unlimited and are essentially linked to the development of technology. That is why we think that States should be allowed a considerable margin of flexibility in the consideration of ways and means of promoting and encouraging co-operation in this sphere.

The international effort towards co-operation that should be exerted on the practical level cannot, however, constitute an obstacle to the equivalent effort that should be made by the community of sovereign nations to establish a legal régime governing remote sensing of the earth by satellites. Contemporary history gives us more than one regrettable example of cases where technology has outstripped law, thus doing grave damage to the well-being and security of the international community.

(Mr. Frazao, Brazil)

With regard to remote sensing, it is the very principle of a State's sovereignty over the exploitation of its wealth and natural resources which is at stake. If the principles and rules of international law give some indication of the conditions in which remote sensing satellites should be used, they do not, however, constitute a legal framework sufficiently adaptable for the regulation of an activity which is so unique in terms of its novelty and its very nature. The provisions of the outer space treaty of 1967 do not apply to the numerous economic, political and juridical elements which flow from this particular space application. The activity of remote sensing, it is true, is something which goes on in outer space, and free use of this has not been challenged. However, its effects are felt on earth, where the rule is that of the territorial sovereignty of States. Freedom of exploration and use of space cannot be absolute. These activities must be carried on in accordance with international law, including the United Nations Charter, and one objective has been laid down for them, that of being carried on in the interests of all countries. In the absence of appropriate rules of international law, specific regulation of remote sensing is, therefore, necessary, as it is in the case of direct broadcasting by satellite.

All these ideas have already been frequently put forward by several delegations, including my own in particular. Nevertheless, some have deemed it appropriate to regard as restrictive the promotion of the establishment of an international legal framework. This type of argument seems to me, to say the least, illogical and out of place, since international law cannot be viewed as an obstacle to inter-State co-operation. On the contrary, it constitutes an essential precondition for rendering co-operation genuinely effective and serving the ideals which inspire our Organization. Is it restrictive to protect rights and legitimate interests? The use of subjective interpretations, sometimes articulated pro domo or ad usum delphini may be quite harmful to dialogue. Indeed the attitude that some people have decided to call "expansive" may seem simply a justification for a tendency to profit from favourable circumstances or a technological monopoly. To suggest that the discussion of a legal instrument, designed to regulate the collection and distribution of data obtained by remote sensing, has been outstripped

(Mr. Frazao, Brazil)

by a fait accompli is similarly unacceptable and should not prevent us from tackling questions relating to remote sensing with an open mind and in an attempt to seek solutions capable of satisfying the interests of all States concerned as they themselves see them.

All these considerations prompted the Brazilian Government to propose last February in the Working Group on Remote Sensing of Natural Resources by Satellite draft fundamental articles for a treaty on the remote sensing of natural resources. Our principal aim in preparing that text was to strike an adequate and viable balance -- and I should like to stress the word "viable" -- between the growing interest of the international community in the development of remote sensing activities, on the one hand, and, on the other hand, the need to ensure that these activities are conducted in a climate of respect for the sovereign rights and interests of each State.

Our draft contained the following essential elements, which I shall present in summary form: (1) the need to ensure the consent of States in whose territories remote sensing activities are carried on; (2) the right of States which are the subject of remote sensing to participate in these activities; (3) the right of States subject to remote sensing to have full and unreserved access to all data and information obtained thereby; (4) the obligation on the part of States undertaking remote sensing activities not to divulge data and information obtained relating to a particular State without the express consent of that State; (5) the promotion of international co-operation in remote sensing; (6) universal participation in remote sensing activities concerning land and sea zones outside the limits of national sovereignty or jurisdiction and also free access to data and information obtained thereby; (7) the responsibility of States internationally for national remote sensing activities; (8) the right of States to take measures, in accordance with international law, to protect themselves against remote sensing activities affecting their territories for the carrying out of which they have refused their consent and the settlement of possible disputes in this area by the means laid down in Article 33 of the United Nations Charter; and (9) the promotion of complementary agreements bilaterally and/or regionally.

(Mr. Frazao, Brazil)

When we presented our draft fundamental articles for a treaty on the remote sensing of natural resources of satellites, we indicated that this was an initial contribution to the establishment of an international legal framework on the subject. We sought common ground, and we continue to seek it, between the various proposals submitted for the consideration of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies. We believe that the subject is too important and urgent for us to settle at this stage on any given text. We wanted to sound out reactions, gather suggestions and comments and have a debate on the question of the establishment of a legal framework for remote sensing. The exchange of views that took place at the last session of the Legal Sub-Committee, although very limited in duration, did mark the beginning of a process of bringing positions closer together, which we hope will finally lead to an agreement on the subject.

Although a number of elements prevented the debate on the legal implications of remote sensing from achieving any appreciable progress during the year, we have not been idle. Open to dialogue, we have undertaken consultations with a Member State, a great friend and a sister country, whose interest in space questions is well known to all. These very fruitful contacts, carried out in a climate of total understanding and mutual respect, have prompted us now to formulate a new proposal on the subject. It is with genuine satisfaction, therefore, that I can announce that the Governments of Argentina and Brazil, in an effort to bring the positions closer together, an effort in which I hope all States concerned with the problem will join, have co-sponsored a draft treaty on the remote sensing of natural resources by means of space technology, the text of which replaces the drafts previously submitted by our two countries. Our delegations will, therefore, be sending a letter today to the Secretary-General requesting him to circulate this text as an official document of this session of the General Assembly.

(Mr. Frazao, Brazil)

It is not our intention that this Committee should, at this stage, proceed to a detailed examination of our draft. This new text incorporates essential elements to which I have already referred as well as other fundamental aspects the inclusion of which our Governments have deemed relevant. My delegation considers that it will be useful to get the initial reactions of Member States to this new text immediately. The delegations of Brazil and of Argentina will in due course present their suggestions with regard to the procedure whereby the Assembly could transmit this document for consideration at the next session of the Legal Sub-Committee.

I would express the hope that the work of the Committee on the Peaceful Uses of Outer Space and its subsidiary organs will continue to be conducted in the climate of frank understanding which is so essential for the performance of the difficult task given to it.

I would venture to hope that the contribution of my delegation can form part of the future framework of constructive co-operation in which my Government will be unstinting of its efforts.

The CHAIRMAN (interpretation from Spanish): I thank the representative of Brazil, Ambassador Frazao, for his statement and for the very cordial words he addressed to me -- inspired, I am sure, by both our personal friendship and by the traditional ties that unite his country and mine.

Mr. PRAT GAY (Argentina) (interpretation from Spanish): Mr. Chairman, on express and specific instructions of the permanent representative of the Republic of Argentina, I am compelled to comply strictly with the provision in rule 110 of the rules of procedure of the General Assembly, but the Bureau must not imagine that I am unaware of the brilliant ability of its members.

The delegation of Argentina considers that it is most auspicious that the First Committee should start its work, at this twenty-ninth session of the General Assembly, by studying the report of the Committee on the Peaceful Uses of Outer Space. It is auspicious, in the first place, because this is a comparatively new activity, but of growing importance. Its development does not concern only the few States which have the appropriate technological

(Mr. Prat Gay, Argentina)

development, but is highly valued by a large number of countries, particularly by those of us which are developing, because through the practical applications of space technology and exploration of outer space we hope to find effective means to ensure the well-being of our peoples.

But it is also auspicious because this is a field where great progress has been made during the past year. Much of this progress is due to the Chairman of the Committee, Ambassador Peter Jankowitsch of Austria, and to the United Nations Expert on Space Applications, Mr. Murthy. Both have again worked very effectively, always with patience and without fanfare.

In these words of gratitude I should also like to include Mr. Abdel Ghani, who for many years devoted his efforts to being the Chief of the Outer Space Affairs Division and who, after having discharged his responsibilities to good effect, has left a gap which will be difficult to fill.

It is also fitting to recall the valuable contribution made in the Committee by its new members. My delegation had the privilege to note that some of its proposals received the sponsorship of representatives of countries which had just entered this endless source of international co-operation for the first time. It is our hope that in the near future all the nations that have been elected will be able to participate actively in our work.

We have before us one of the most encouraging events to occur recently in the codification of the law of outer space.

I am referring to the draft convention on registration of objects launched into outer space, which, having met with the approval of all the countries concerned, has been presented to us by the Chairman of the Legal Sub-Committee, Mr. Wyzner of Poland with singular brilliance, for our analysis and approval.

The present text has gone far beyond the original idea of merely adopting a convention of registration and designators, because the new text contains matters of particular interest.

I wish to emphasize, in particular, articles VI and X; article VI, regarding assistance to be rendered, in identifying an object that has caused damage, by countries which possess space monitoring and tracking facilities, and lastly article X, which contains a revision clause by which States undertake to revise the 1974 text, with due regard for any relevant technological developments.

(Mr. Prat Gay, Argentina)

My delegation will strongly support this draft, which includes some proposals made by Argentina. We wish to express our gratitude to countries which worked tirelessly in drafting a compromise formula, in particular France and Canada.

We hope that this convention may enter into force soon, and we urge States that have not already done so to ratify also the Convention on International Liability for Damage Caused by Space Objects of 1972.

The activities carried out so far by the Legal Sub-Committee lead us to await with optimism the results of the tasks entrusted to it by the Committee. Nevertheless we are concerned because the Legal Sub-Committee has not been able to make substantial progress in creating an appropriate legal framework for activities in remote sensing of the earth by satellites. We attach the greatest importance to the prompt defining of this legal framework because we consider it a necessary prerequisite for undertaking the relevant organizational arrangements. This concern has led us to study the matter bilaterally with a brother republic of Latin America, with which we have very close ties that have been further strengthened because of our common interest in space activities.

I am very pleased to confirm the announcement made by Ambassador Frazao of Brazil in his brilliant statement to the effect that we shall jointly present a draft of basic articles for a treaty on remote sensing of natural resources by means of space technology. This text will replace the separate texts that our two countries submitted earlier.

As we understand it, the text we shall submit to the Committee for transmission to the Legal Sub-Committee is a document which will serve as the basis for a treaty that, while providing an effective safeguard of the sovereignty of States over their respective territories and natural resources will, at the same time, make possible the use of remote sensing techniques for the benefit of all mankind.

The questions relating to the legal status of the moon and its natural resources are also of paramount importance, as my delegation already stated when it submitted its draft international convention in 1970.

(Mr. Prat Gay, Argentina)

As the Argentine representative, Ambassador Aldo Armando Cocca, pointed out at the 197th meeting of the Legal Sub-Committee, we consider that there are two substantive aspects that have to be taken into account in attempting to lay down legal regulations: first, that the moon and its natural resources constitute a "common heritage of mankind"; and secondly, that the régime to be adopted must not exclude the celestial bodies mentioned in the 1967 Treaty on outer space.

The adoption of these principles implies that all activities on the moon and other celestial bodies must be governed by the same international legal order; and likewise, that their natural resources may not be exploited until such international legal order is established.

It was with great interest that we read in document A/9620 the result of the work carried out with regard to direct broadcast satellites.

In our view, the rapid progress of technology in this field compels us to devise a legal framework appropriate to these activities, one which can no longer be limited to a simple declaration of principles.

As an illustration of this concern, the delegation of Argentina, during the last session of the Committee, submitted a draft international convention on direct broadcast satellites. This document, which covers the use of direct broadcasting in all its aspects -- that is, it includes radio broadcasting as well -- was prepared on the basis of previous drafts that were submitted to various bodies, and it has been enriched with the inclusion of pertinent comments made by many delegations.

We hope that, in spite of the arduous task awaiting the Legal Sub-Committee during the next year, there will be sufficient time to give due consideration to this draft.

We also hope that it will be possible to move forward in the definition and delimitation of outer space and space activities. In this connexion, it must be taken into account that this question cannot be dependent upon any scientific definition or delimitation; it must be resolved at the level of a convention, taking into account the high interests of the States involved.

We strongly support the programme of activities submitted by the United Nations Expert on Space Applications.

(Mr. Prat Gay, Argentina)

In order to make provision for future experiments, we believe that the questionnaire prepared by the Scientific and Technical Sub-Committee, which the Secretariat has already sent out to the various Governments, will be very useful.

All United Nations programmes must be directed toward providing maximum benefits to the Members of the Organization. But in order to attain that objective, we must know the areas of interest, the priorities and types of assistance required by States.

This leads us to appeal to all delegations here present that they make known to the Secretary-General as soon as possible the opinions they have been requested to submit on this item. Thus it will be possible to take these opinions into account in the preparation of a report that will facilitate the appropriate adjustment between activities that may be foreseen and the actual needs of the members of the international community.

The Republic of Argentina was most pleased to serve as host, last December, to the meeting of a technical group on the applications of remote sensing of earth resources. Many recommendations emerged from that meeting, and it is our hope that they will be taken into account by the United Nations Expert and by the Member States, in particular to the degree that they indicate the appropriateness of promoting similar studies, together with training programmes and the development of simpler and less costly equipment than is now being used for data processing and analysis.

We regard as excellent the idea of holding another international conference to be convened on the occasion of the twentieth anniversary of the beginning of space activities. In order to ensure its proper success, it is fundamental that in the preparatory work for the meeting special account be taken of the interests and needs of the developing countries, and that a broad programme be worked out that will include the technical, legal and political aspects.

We reiterate a view that was set forth in the Scientific and Technical Sub-Committee and later in the Committee itself. It would be desirable to have an annual review of the United Nations Programme on the Application of Space Technology. We also believe that it would be very beneficial to

(Mr. Prat Gay, Argentina)

extend the term of office of the United Nations Expert to three years, since a longer term could only be to the benefit of his work.

In relation to the financial aspects, we would venture to urge the Expert to make the optimum use of the funds allocated to him. But we also believe that if the plans he submits to us are concrete and worth-while, an increase in the budget necessary for carrying them out would be justified.

In conclusion, I wish to state our gratitude for the recommendation made by the Committee to the effect that the United Nations should continue to sponsor the experiments being carried on at the CELPA Base at Mar Chiquita.

I wish to report that many activities have been scheduled for 1975 within the framework of the principles for training and international co-operation in regard to scientific and technological space exploration for peaceful purposes. We hope that this Assembly will ratify that recommendation.

The CHAIRMAN (interpretation from Spanish): Before adjourning the meeting, I wish to announce that in accordance with our decision at yesterday's meeting, the list of speakers in the general debate was closed at noon today.

The meeting rose at 1.00 p.m.



UNITED NATIONS GENERAL ASSEMBLY



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FIRST COMMITTEE

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

Held at Headquarters, New York,
on Monday, 14 October 1974, at 3 p.m.

Chairman:	Mr. ORTIZ de ROZAS	(Argentina)
Rapporteur:	Mr. da COSTA LOBO	(Portugal)

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

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