

United Nations
GENERAL
ASSEMBLY

TWENTY-SIXTH SESSION

Official Records

FIRST COMMITTEE, 1826th
MEETING

Thursday, 11 November 1971,
at 10.30 a.m.



NEW YORK

CONTENTS

	Page
Agenda items 33 and 92 (concluded):	
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 treaty concerning the Moon	
Consideration of draft resolutions	1

Chairman: Mr. Milko TARABANOV (Bulgaria).

AGENDA ITEMS 33 AND 92 (concluded)

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (A/8420, A/C.1/L.569, 570 and Rev.1, 571, 574, 575 and 576)

Preparation of an international treaty concerning the Moon (A/8391, A/C.1/1017, A/C.1/L.568 and 572)

CONSIDERATION OF DRAFT RESOLUTIONS

1. The CHAIRMAN (*interpretation from French*): The Committee has before it draft resolution A/C.1/L.569. In regard to this draft resolution I draw your attention to the statement on financial implications submitted by the Secretary-General in document A/C.1/L.575. Secondly, there is the draft resolution contained in A/C.1/L.570. In regard to this draft resolution there is an amendment from Canada to the draft convention, contained in document A/C.1/L.574. Thirdly, there is the draft resolution in A/C.1/L.571, in connexion with which I draw the attention of the Committee to the statement on financial implications submitted by the Secretary-General and distributed in document A/C.1/L.576.

2. Does any representative wish to explain his vote now on the draft resolutions or to make a statement?

3. Mr. VAN USSEL (Belgium) (*interpretation from French*): Draft resolution A/C.1/L.570 is a very simple draft resolution which follows the usual wording indicating the reasons for and formulating objectives with regard to recommending draft conventions or treaties. The preamble and the operative provisions contain the essentials. The preamble establishes the connexion between the draft convention and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. It lists the General Assembly resolutions which mark the essential stages in the difficult and eventful history of the negotiation of the Treaty. It highlights the last resolution, 2733 B (XXV) of last year, which affirmed with all the

necessary force and persuasion that negotiations should above all be aimed at giving the draft convention two objectives, one, to guarantee to victims of space accidents full compensation as well as effective procedures which will lead to prompt and equitable settlement of claims by the victims or their next-of-kin.

4. I should like to dwell for a moment on the last paragraph of the preamble to emphasize the tribute which we pay to all the lawyers and diplomats who have worked to prepare the draft treaty. We have refrained from mentioning them personally, but we wish nevertheless here in the First Committee to pay special tribute to Mr. Haymerle and Mr. Waldheim, the former and the present Chairman of the Committee on outer space, and Mr. Wyzner, current Chairman of the Legal Sub-Committee. Those three gentlemen played a prominent part in the drafting of the convention, and I am certain that the Committee is very grateful to them.

5. As for the operative part, we have reduced it to the most simple expression, namely, the recommendation to adopt and sign the convention on international liability.

6. In the course of the general debate, some speakers have indicated their disquiet and made reservations in regard to the draft convention on international liability for damage caused by space objects. We listened with particular interest to the statements of the representatives of Canada, Sweden, Japan, Iran, and so many others, during which they expressed their regret that, in accordance with the provisions of article XIX, paragraph 2, arbitration decisions would have the value only of a recommendation unless the countries concerned agreed that they were binding.

7. In this connexion I would like to remind representatives that all the speakers, without any exception, in the debate emphasized that, after all, the draft convention was not totally satisfactory to them. Nevertheless, I would venture to appeal to those who have some doubts regarding the effectiveness of this international instrument and particularly to the delegation of Canada, to refrain at this stage from doing anything to jeopardize the difficult but constructive balance which the members of the Legal Sub-Committee have reached. Members of the Committee are aware that the negotiations were hard, and often a great deal of imagination and concessions, even sacrifices, were required to draft the articles of the convention. If we have reached an agreement after so many years of meetings, consultations and exchanges of views, it is because all the members of the Legal Sub-Committee, under the enlightened and efficient chairmanship of Mr. Wyzner, were inspired by a constructive spirit and a will to reach a text in accord with the sacred principles of international law. The

convention on international liability for damage caused by space objects, which the sponsors of draft resolution A/C.1/L.570 recommended for signature and ratification, is, above all, the result of a compromise which, as I indicated in my statement at the 1823rd meeting, is the outcome of a happy marriage between law and diplomacy. I completely agree with Mr. St. Pierre that “although the text may not be perfect, it is the best that is possible, given the *sine qua non* of agreement between the major space Powers”. [1821st meeting, para. 49.]

8. Nevertheless I have noted with great satisfaction the spirit of co-operation which has at all times guided the representatives of the countries that have made reservations in regard to the draft convention. In particular I should like to pay tribute to the representatives of Iran and Mexico for the constructive suggestions and proposals which they made yesterday. Furthermore, I am extremely grateful to the representative of Mexico because he did not insist on his amendment which he suggested yesterday in our Committee.

9. On the other hand, we know that the well-established Canadian tradition of co-operation within the United Nations will not be lacking this time either, and that the delegation of Canada will do everything in its power not to jeopardize the compromise we have reached.

10. Nevertheless, wishing to take account of the reservations expressed by certain delegations, and in order to obtain as large a majority as possible for our draft resolution, I propose on behalf of the sponsors the following changes: the insertion, as a new operative paragraph 3, of the following text:

“Notes that any State may on becoming a party to the convention declare that it will recognize as binding in relation to any other State accepting the same obligation the decisions of the Claims Commission concerning any dispute to which it may become a party.”

and the former operative paragraph 3 would then become operative paragraph 4.

11. The sponsors hope that they have thus to some extent covered the points raised by the representatives of Sweden [1820th meeting], Canada and Japan [1821st meeting], and Iran [1825th meeting]. I would like to thank in advance all the members of the First Committee who agree to the text of the draft thus modified that I have just read out [A/C.1/L.570/Rev.1].

12. Mr. SHARIF (Indonesia): I have asked for the floor in order to explain briefly the vote that my delegation is going to cast on the draft resolutions before us.

13. In the light of its statement at the 1824th meeting, my delegation has not found it difficult to vote in favour of the most comprehensive draft resolution on the substance of international co-operation in the peaceful uses of outer space contained in document A/C.1/L.569 which ranges from the endorsement of the report of the outer space Committee to the encouragement of international programmes to promote practical applications of space technology, the continuation of development programmes and

the needs of developing countries, the maintaining of a public register of objects launched into orbit or beyond by the Secretary-General, and the co-ordination of activities with those undertaken by the United Nations Educational, Scientific and Cultural Organization, the World Meteorological Organization and the International Telecommunication Union.

14. Draft resolution A/C.1/L.570, containing the draft convention on international liability for damage caused by space objects, sponsored by 13 countries members of the outer space Committee, including the two most outstanding space Powers, the United States and the Soviet Union, poses some problems for us. Indonesia is not a member of the outer space Committee and since its report has only been made available to us in the course of this session, the departments concerned in my country have not had an opportunity to go over the draft thoroughly. We have stated our comments and misgivings on the main issues of exoneration of absolute liability, full measure of compensation, the absence of reference to *lex loci* and the final and binding character of the decisions of the claims commission. We should have liked to see some new efforts to accommodate the wishes of many on these issues. We had thought that the amendment proposed by Canada in document A/C.1/L.574 could be a way out, and we intend to vote in favour of it, if that draft amendment is going to be voted on.

15. In spite of its misgivings, my delegation does also realize the position in which we find ourselves at this juncture and recognizes that it would be difficult to spend another eight years of negotiation on a new draft. We realize that the present draft seems to be the maximum result that we can achieve at this time. In the spirit of co-operation and goodwill, therefore, my delegation will cast its vote in favour of the draft resolution, as revised by the provisions explained a few minutes ago by the representative of Belgium [A/C.1/L.570/Rev.1].

16. We should like, however, to make it clear that this vote should in no way be interpreted as an approval of the draft convention annexed to the draft resolution, nor will it prejudice the opinion of my Government or its decision to sign or not to sign the draft convention. My Government will study the draft convention further.

17. As to the remaining draft resolution [A/C.1/L.572] on the preparation of a treaty concerning the moon, submitted by 11 Powers, my delegation will vote in favour of it in view of the increasing number of moon flights and the progress in the orbiting of manned scientific stations, as we stated in our comments at the 1824th meeting. We hope that it will be possible for the outer space Committee to produce a draft treaty concerning the moon for our discussion at the forthcoming twenty-seventh session of the General Assembly.

18. Mr. WILLIAMS (Jamaica): Mr. Chairman, my delegation has had the opportunity to observe the skill and patience with which you have guided our Committee, which is clear evidence of your eminent suitability, and vindication of the confidence we have placed in you. In this our first intervention in the First Committee, we congratulate you on your unanimous election as Chairman, and our

congratulations go also to Ambassador Ramphul, our Vice-Chairman, and to Mr. Migliuolo, our Rapporteur. We shall continue to render every co-operation possible to the officers of the Committee to assist them in their arduous task.

19. The draft resolution contained in document A/C.1/L.569 among other things will ask the General Assembly to take note of the report of the Committee on the Peaceful Uses of Outer Space. My delegation has no hesitation in lauding the work of the Committee under the wise chairmanship of Ambassador Waldheim and its Sub-Committees. On this occasion special praise must go to the Legal Sub-Committee and its Chairman, Mr. Wyzner.

20. Space technology is a new and fast developing area of human endeavour and the developing countries will want to benefit to the maximum possible extent from its application. We must therefore welcome the willingness of some member countries to share the practical benefits derived from their programmes. Most developing countries suffer from a dire shortage and, in some cases, complete absence of personnel trained in the field of space technology. It is the more heartening, therefore, that so much is being done to facilitate training. It is also a cause for satisfaction to see that the countries advanced in the areas of research and exploration have been willing to co-operate in those fields. It is also encouraging to note the progress made in studies relating to satellite broadcasting. My delegation gladly joins in exhorting the Committee to continue the work detailed in the draft resolution.

21. The draft resolution contained in document A/C.1/L.570/Rev.1 seeks to commend the draft convention on international liability for damage caused by space objects. My delegation wishes to express its appreciation to the Committee on the Peaceful Uses of Outer Space for its work over the years on the draft convention and for finally presenting a document for our endorsement. We appreciate the almost insuperable difficulties that were involved. With the increasing number of objects being launched into outer space there was certainly an element of urgency in agreeing to some rules of conduct in the event that a space object should cause damage on returning to earth. The Committee has sought to solve the outstanding problems by resorting to compromise. Very often we know that decisions can be taken in no other way. We are aware, however, that there are certain shortcomings.

22. In saying this, it is not my intention to try to detract from the magnificent job performed by the outer space Committee. It is appreciated that they did the best that was possible in the circumstances. My delegation will therefore support the draft resolution, while reserving the right of my Government to take a decision one way or the other in its absolute discretion, after it has had a further opportunity to make a complete study of the draft convention and its possible implications.

23. The Jamaican delegation is fully in support of the draft resolution contained in document A/C.1/L.571. We believe that remote sensing of the earth by satellites can provide immeasurable opportunities for developing countries. It is useful, therefore, that the Working Group set up for the purpose should continue its work and that it should

receive every assistance from member Governments as well as from United Nations bodies, the specialized agencies and other relevant international organizations.

24. Finally, my delegation will also support the draft resolution contained in document A/C.1/L.572. We applaud the initiative taken by the Soviet Union in preparing a draft of an international treaty concerning the moon. Considerable importance must be attached to the fact that developments are proceeding apace and that two countries have so far been able to make landings on the moon. This must be a matter of pride to all mankind, and the congratulations of my delegation go to the Union of Soviet Socialist Republics and to the United States of America on the remarkable feats that they have achieved. It is gratifying to know that sharing in the deliberations in our Committee is one who has contributed so much to the United States space programme and had the unique experience of setting foot on the moon. A very special word of congratulation must therefore go to Rear-Admiral Alan Shepard.

25. It is our duty to ensure that the moon will not be utilized for the benefit of any one nation or set of nations. This, the earth's only natural satellite, should be reserved for all time for the common benefit of all mankind. It is necessary, therefore, that we should establish internationally accepted rules for the conduct of all countries in relation to activities on the moon and in the circumlunar environment. The Committee on the Peaceful Uses of Outer Space should therefore resolutely set itself to this task. The draft convention prepared by the Soviet Union, as well as any others prepared or to be prepared by other countries, should prove to be of immeasurable help to the Committee.

26. Mr. MILLER (Canada): I should like at this time, if I may, to address myself to the draft resolution concerning the draft liability convention [A/C.1/L.570/Rev.1] and, generally, to the subject of the convention.

27. It will be no surprise to representatives to hear that a considerable amount of effort has been expended in the last few days in the corridors and in this room in an effort to reach a position where my country could answer the appeals made for our co-operation.

28. The draft liability convention still gives us enormous scope for concern. We have always felt, and still feel very strongly, that a convention which is designed to compensate for damage caused by objects launched into space should be truly victim-oriented. And we have felt that if arbitration awards under that convention could be ignored by the very State or States which cause such damage, that would be an enormous discrepancy. We do not think that that will come to pass; one has faith that there will be fair and full measure of compensation in the event—and I hope to God it does not occur—that we have a disaster caused by a falling space object.

29. It is for those reasons, which were more eloquently stated by the Canadian representative at the 1821st meeting, that Canada is unable to support the draft resolution which commends that particular draft to the General Assembly for approval.

30. However, I should like, if I may, to address myself to the document that we have submitted to the Committee as

an amendment [A/C.1/L.574] to the liability convention. We made clear in the statement last Monday that it was not our intention, and never has been our intention, to delay unnecessarily the approval of the convention, despite the deficiencies we believe it has. It was, indeed, precisely to avoid any delay that we refrained from proposing any substantive amendments to the text of the draft convention, in spite of the objections I have just mentioned to the present provisions of articles XII and XIX. Instead we decided to propose an amendment providing for the making of voluntary declarations, only after concluding as a result of several rounds of informal consultations that such an amendment would be non-controversial. We therefore regarded the amendment as being non-substantive, since it would be completely within the discretion of any State whether or not to make a declaration that it agreed vis-à-vis other States making similar declarations to be bound by the decision of a claims commission in advance of becoming party to a dispute.

31. We certainly did not believe that the incorporation of our amendment in the convention would disturb the delicate balance or upset the result of many years of constant, patient and arduous effort. However, it is now clear that some important countries have chosen to view our amendment differently. After a very careful consideration of these significant reactions my Government has decided to review the situation further. It is in light of this that I should now like to welcome the revision proposed a moment ago by the representative of Belgium on behalf of the sponsors of the draft resolution. This, as we see it, is an extremely helpful attempt to capture the sentiment of what we had wanted to see contained in the text of the draft convention itself.

32. We felt, in advancing our textual amendment, that such an amendment would be approved by a substantial majority of this Committee. But we are conscious of the fact that the outer space Committee, and its Legal Sub-Committee more particularly, has been charged for many years now with the production of this draft. We were therefore receptive to those who said to us that the text should not be amended in any manner at this stage.

33. It is for those reasons and, more particularly, because of the very helpful suggestion that Belgium has just made that my Government would not now wish to see the document which we have presented to this Committee pressed to a vote.

34. I should like to thank very sincerely those delegations that have spoken in the course of this debate in favour of the amendment we put forward, and indeed the many delegations that have spoken to us privately in encouraging terms. We regret that there will be no specific legislative provision within the convention for the making of voluntary declarations in advance of becoming a party to a dispute under the terms of the convention, although the option is open to acceding States. As recommended by the Iranian and Mexican representatives yesterday afternoon and as announced this morning by the representative of Belgium, that option is at least reflected in draft resolution A/C.1/L.570/Rev.1.

35. In conclusion, I wish to appeal strongly to States which will eventually become parties to this convention to

make the kind of declaration that we were seeking to encourage them to do through our amendment, and thereby to express their faith in and their sincere commitment to the efficacy of international arbitration.

36. Mr. SEATON (United Republic of Tanzania): As this is the first time that my delegation has spoken in this Committee allow me, Mr. Chairman, to tender the congratulations of my delegation to you on your election to the Chair of the Committee. We have no doubt that under your distinguished guidance the work of this Committee will proceed smoothly to a very successful conclusion. The congratulations of my delegation are also extended to Mr. Ramphul, our Vice-Chairman, and Mr. Giovanni Migliuolo, the Rapporteur.

37. My delegation would like to take this opportunity of making a few comments on the draft resolutions before the Committee, and first with regard to draft resolutions A/C.1/L.569, 570 and 571, the three draft resolutions on the report of the Committee on the Peaceful Uses of Outer Space.

38. As we all appreciate, the role of the Committee on the Peaceful Uses of Outer Space is to promote international co-operation in the peaceful uses of outer space. If we are to be candid we must admit that for several years past the function of that Committee has been primarily that of arranging for the exchange of information between Member States regarding their individual efforts in such exploration. Certainly there have been, and there are taking place, projects of joint exploration, but these have been mostly on a bilateral or regional basis and so far global or universal international co-operation had been more of a dream than a reality. In part, that reflects the great role played in outer space exploration by the military and defence establishments of some of the very highly developed countries—a role which my delegation freely acknowledges has brought considerable benefit and inspiration to mankind as a whole. In this connexion we wish to express our admiration to the great space achievements of the United States astronauts, one of whom, Rear-Admiral Shepard, we are pleased to have in our midst, and also to the great exploits in space of the Soviet cosmonauts. The experiments conducted during their record-breaking space flight by the Soviet cosmonauts aboard the orbiting space laboratory Salyut was a thrilling achievement, the tragic ending of which aroused the sympathy of the world but in no way diminished the triumph or significance of the cosmonauts' achievement.

39. Recently there has been a more promising trend, which started in 1967 when the Committee on the Peaceful Uses of Outer Space arranged for the United Nations Conference on the Exploration and Peaceful Uses of Outer Space, with particular attention to the developing countries. My delegation hailed the holding of that Conference and expressed the hope that in the future more attention would be paid to the needs of developing countries, and particularly to the giving of training courses and fellowships at universities and research centres for the benefit of developing countries in outer space research.

40. We are pleased to note that the Committee on the Peaceful Uses of Outer Space is now embarking on the first stage of a programme of activities designed particularly for

the benefit of developing countries. We also note with appreciation the generosity of those developed countries which have opened their national space institutions to candidates for fellowships from the developing countries. We trust that other Governments will offer such assistance, which would greatly contribute to closing the existing wide gap in space technology between the developed and developing countries.

41. My Government has also noted with interest the pioneer programme being conducted in India under the joint sponsorship of the United Nations Educational, Scientific and Cultural Organization and the United Nations Development Programme. We note the intention to explore the possibility of using space satellites for educational radio and television broadcasts, as well as for meteorology and for agricultural projects. My delegation hopes that those experiments in India will have great success and that the results will stimulate the development of similar programmes in other developing countries. We have also noted the proposed development in Iran of a community satellite system in the not too distant future, for the application of direct broadcasting satellites to educational requirements, with the hope of increasing the number of technical vocational courses and ending illiteracy in that country. My delegation considers that such developments as those I have referred to illustrate that potentially there is much scope for the imaginative uses of space satellites for the improvement of conditions of life in the developing areas.

42. We need not, of course, dwell on the uses to which space satellites have been put in the highly developed countries, particularly in the Western European countries, which have been co-operating in space exploration programmes, including the launching of satellites and the carrying out of space research, sometimes in co-operation with the United States. Similarly, in Eastern Europe co-operation is to be found among the socialist countries.

43. From all of these activities in outer space we can conclude that mankind is moving from the stage of pioneer exploration into that of consolidation and expansion. Most countries in the world, including my own, have already begun to benefit from secondary applications of space satellite programmes and we have no doubt that in due course of time space programmes and research will be as common a feature of all countries of the world as the aeroplane and telegraphic communication are today.

44. For all of those reasons, my delegation supports the draft resolutions contained in documents A/C.1/L.569 and 571.

45. With regard to the draft resolution contained in document A/C.1/L.570, my delegation wishes to congratulate the Committee on the Peaceful Uses of Outer Space on its agreement on a draft convention regarding international liability for damage caused by space objects. We believe that draft convention deserves the careful consideration of all States. However, we would also recommend that careful study be given to the reasons adduced by Canada and other countries for their inability to support the draft convention; for the reasons that have been advanced by many delegations during the general debate, my delegation will abstain on that draft resolution.

46. I should like now to say a few words concerning the draft resolution on item 92, contained in document A/C.1/L.572. This item has been proposed on the initiative of the Soviet Union, with the hope of supplementing the series of agreements concluded under United Nations auspices for the purposes of implementing the universal desire and determination that outer space should be an area not of conflict but of peaceful co-operation. My delegation does not propose to discuss in detail the text of the draft treaty proposed by the Soviet Union [A/C.1/L.568]. We note the determination expressed in the preamble "to promote the further development of co-operation among States in the exploration and use of the Moon and its subsoil and of circumlunar space".

47. In the view of my delegation the provisions of the draft treaty seem to be designed to give positive effect to the sponsors' intentions. One might ask whether the provisions of the text of the draft treaty add anything to the obligations already contained in Article 2, paragraphs 3 and 4, of the United Nations Charter. The answer would be that they do, since the obligation in Article 2, paragraph 3, of the Charter is limited to disputes between nations on earth. Also, the obligation under Article 2, paragraph 4, of the Charter refers specifically to actions against the territory of Member States, not against the area of the moon, other planets or space objects.

48. My delegation has also noted that, although by implication the threat or use of force on the moon or on the earth by the use of the moon is prohibited under existing conventional and customary international law, there is no express prohibition. The provisions of the draft treaty proposed by the Soviet Union would therefore to that extent fill a gap in the existing body of law.

49. My delegation notes that the draft treaty proposed by the Soviet Union would license man to use the moon as he does the earth, and also to act as he pleases in circumlunar space. What that latter area comprises is nowhere defined. How far does "circumlunar space" extend? This phrase obviously requires more precise definition. My delegation would also ask whether the draft treaty should not go further, by providing some method for the settlement of jurisdictional space disputes.

50. We might also ask whether the provision in article VIII of the draft treaty that no one owns the moon and no one may own it is not too negative. Is the moon nobody's property or everybody's? Should we not proceed to declare it to be the common heritage of mankind as we have declared the sea-bed? Who will get the benefits of moon exploration? Suppose valuable minerals are discovered there. To whom can the proceeds go? These questions require future careful consideration before the next steps are taken in the space age.

51. For those reasons my delegation will support draft resolution A/C.1/L.572 and particularly the request in operative paragraph 2 that the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee consider, as a matter of priority, the question of the elaboration of a draft international treaty.

52. Mr. KHATTABI (Morocco) (*interpretation from French*): I should like to explain my delegation's vote on

draft resolutions A/C.1/L.570/Rev.1 and 572. Like all multilateral agreements, the convention on liability is far from perfect, but it does, without any doubt, to borrow the expression of Mr. Waldheim, the Chairman of the Committee on the Peaceful Uses of Outer Space, constitute "the best possible convention one can realistically expect at the present stage" [1819th meeting, para. 6]. That is why my delegation will vote for the draft resolution and we hope that the draft convention will be adopted by the General Assembly and opened for signature and ratification by States.

53. We would, however, like to enter a reservation concerning article XX. As my delegation pointed out in Geneva at the last session of the Legal Sub-Committee, the procedure concerning expenses incurred by the claims commission might prove to be incompatible with Morocco's domestic legislation. Accordingly, we feel that the expenditures should be borne by the launching State.

54. We would also like to make a comment about the decisions of the claims commission which it is proposed to establish under article XIV. We have always felt that nothing could bind a Member State to accept an award handed down by such a commission without the prior and explicit consent of its authorities in accordance with its constitutional legislation. Accordingly, we consider that paragraph 2 of article XIX represents an acceptable compromise.

55. We listened with interest to the modified text just presented to us by the representative of Belgium. This seems to us worthy of consideration and we are ready to vote for it.

56. Lastly, my delegation welcomes the initiative taken by the Soviet delegation in submitting a draft treaty concerning the moon. Accordingly, my delegation will also vote for draft resolution A/C.1/L.572.

57. Mr. SMALL (New Zealand): Mr. Chairman, as this is the first time I have spoken in the Committee, I wish sincerely to congratulate you and all the other officers of the Committee on your election.

58. In taking the floor at this stage, the New Zealand delegation wishes to indicate that it will vote in favour of draft resolution A/C.1/L.570/Rev.1, which commends and provides for the opening for signature of the convention on international liability for damage caused by space objects. In doing so, we pay a tribute to the outer space Committee for the labours it has carried out over a long period of years, and in particular to the officers of that Committee and this result of their work.

59. As has been generally agreed in the present forum, the draft convention itself is a compromise and it has some admitted deficiencies. It does, however, represent the most that could be achieved by way of agreement, particularly on the part of the major space Powers. We think it is important, after such long and patient negotiations, that the final instrument should be adopted without more ado. It is of some consequence to everyone, we believe, to have this instrument brought into legal effect at the earliest possible date. With all that said, my delegation would none

the less associate itself with the various criticisms that have been expressed in the First Committee at this session regarding the adequacy of articles XII and XIX of the draft convention, which concern the measure of compensation and the settlement of claims respectively.

60. We think that it would have been much better if article XII had been able to spell out specifically the necessity for full compensation. However, our own position is similar to that signified by the representative of Australia at the 1821st meeting; that is to say, on the basis of interpretative statements made here and in the outer space Committee itself, and on the basis of the link between the fourth preambular paragraph and articles II and XII of the draft convention, we consider the provisions relating to measures of compensation as making possible the prompt payment of full compensation to innocent victims of damage caused by space objects.

61. As to article XIX, we again thought it a decided drawback that there is no special provision to render it obligatory on parties to comply with the decision of the claims commission provided for in the draft convention. We set considerable store, on the other hand, on the assurances given, for example by the representative of the United States, that there is every reason to expect that parties will comply with awards in fact because they will recognize that it is in their self-interest to do so.

62. Because my delegation, however, has felt that there is a strong case for ensuring the compulsory nature of decisions of the claims commission, we have favoured the principle expressed in the Canadian amendment [A/C.1/L.574] and much regret that this text proved too controversial to introduce into the convention itself. However, in the light of its withdrawal by the representative of Canada, and on the same basis and with the same expectations which he has just so well expressed, we would support as an alternative the revision now brought into the draft resolution by the sponsors. These have been explained by the representative of Belgium this morning and we are very grateful for that attempt—which I hope will be successful—to attain some residue of what Canada has had in mind. We shall be voting for that revision.

63. As to the other draft resolutions before the Committee, my delegation is in favour of them and will vote accordingly.

64. Mr. MORENO-SALCEDO (Philippines): My delegation will vote for draft resolution A/C.1/L.570/Rev.1, with the understanding that said vote does not bind my Government to sign the convention on international liability for damage caused by space objects, which is attached to the draft resolution, and that my Government reserves the right to study further the convention on international liability and to decide whether or not to sign it.

65. Mr. CAPOTORTI (Italy) (*interpretation from French*): My delegation has already had the occasion to state its position with regard to the draft resolutions before the Committee, and in particular the draft resolution concerning the draft convention on international liability for damage caused by space objects.

66. I should like to add now that we have considered not only with great interest but favourably the amendment submitted by the delegation of Canada [A/C.1/L.574] and that we were prepared to support it with our vote. The reason for this attitude is that this amendment seemed to us to be consistent with the line of conduct which the delegation of Italy and other delegations have always followed in the Legal Sub-Committee of the Committee on outer space, a line of conduct which would enhance the value of the decisions of the claims commission. I should like to emphasize in this connexion that my delegation has always clearly indicated its preference for a solution whereby decisions of the claims commission would be binding in all cases, which is made very clear in paragraph 34 of the Committee's report [A/8420].

67. This morning we listened to the statement made by the representative of Belgium, in which he suggested a change in draft resolution A/C.1/L.570, and to the statement made by the representative of Canada who, as a result of the change proposed by the representative of Belgium, stated that his delegation would not press for a vote on the Canadian amendment, one reason being the rigid attitude taken by some States with regard to the texts of the draft convention and the Canadian amendment.

68. We regret that it was not possible to introduce in the text of the draft convention, even at the last minute, something which we would consider to be an improvement. Nevertheless, I emphasize that we view the change in the draft resolution, namely, the introduction of a new operative paragraph 3, as reflecting a genuine interpretation—a more or less authoritative interpretation—which the General Assembly places upon article XIX, paragraph 2 of the draft convention. Furthermore, it is our understanding that the States may agree to recognize the decisions of the claims commission as final and binding, not only through a specific agreement between States entered into after a dispute has arisen, but also by an agreement before any dispute has arisen. Such a commitment would be made in unilateral declarations by the States concerned.

69. Taking this into account and in the spirit of co-operation and compromise to which my delegation has always been faithful, we shall vote in favour of draft resolution A/C.1/L.570/Rev.1 and in favour of the other drafts which the Committee has before it.

70. Mr. DOSUMU JOHNSON (Liberia): The Liberian delegation did not participate in the general debate because we had nothing new to add to the invaluable services rendered by the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee, as can be seen from the reports before this Committee. All that remains for us, therefore, is to thank them for their services and to urge that their usefulness be continued in the interests of all mankind.

71. At the same time, we should like to express our gratitude to the astronauts of the Soviet Union and the United States for their successful journey into the unknown, a journey without which our knowledge of space would have remained purely academic. Concerning those who lost their lives in those undertakings, we extend our sympathy to their Governments, their people and their

families. They died, we believe, in the search for panaceas to allay the winds of dogma and the gusts of revolutionary tendencies towards a more peaceful, freer and more harmonious society. May their souls rest in peace and may light perpetual shine upon them.

72. My delegation notes with pleasure the Committee's observation "that the potential benefits from technological developments in remote sensing of the earth from space platforms could be extremely meaningful to the economic development of all countries, especially the developing countries, and to the preservation of the global environment". [A/8420, paragraph 10.]

73. While we appreciate the Committee's observations regarding the programme of panel meetings for 1972, meetings of points of contact to be held at appropriate intervals and visits to developing countries to explain the potentialities of the practical applications of space technology in various fields, we should be chary of reposing too much confidence in the adequacy of such a plan. In our view it would be more meaningful if the States that are advanced in space technology and exploration would allocate annual scholarships to the students of developing countries who do not possess space research facilities to study in their space centres as a means of bridging the gap in this area of development in the interests, as they say, of all mankind. A few days' exhortation in panel discussions would fall short of the desired goal. In this context we must seriously guard against the iron law of space oligarchy.

74. Those of us whose space programmes are in the embryonic stage would welcome any gesture that would try to improve our knowledge of space. To go to these panel discussions just for a three-day briefing and to talk and move from place to place will not satisfy the needs of the developing countries. I repeat what I have just said: let the developed countries with their university facilities and their space facilities give scholarships to students from developing countries so that they can study at home. If they cannot do it with their own financial facilities, let the United Nations make provision for it, let them go to their centres, remain there for one, two or three years and study space on the spot. Two or three people from the United Nations should not be sent there just to walk about, to see and then to come back and make a long report. That is what I have in mind. Our space programme is in its embryonic stage and we would welcome any gesture that would improve our status, in the interests of all mankind.

75. In our plans for space and all that that entails, comparative experience in the world that we know and feel should be our guide. We see the confusion, we see the play and interplay of world politics and we also know the position of the human equation. So our experience here should give us a comparative guide to space, of which we know nothing.

76. The essence of my thoughts at this instance cannot be conveyed by summarizing, but the pressure of time demands an epitomized presentation.

77. Spurred by the sweet harmony among the big Powers, including the Soviet Union and the United States, revealed by their co-sponsorship of the draft resolutions before us,

we should be induced by that posture of things to waive any opposition that we might have entertained against those draft resolutions. Despite the technical nature of those items, there are always political overtones to guide their course. Therefore, whenever we see the United States and the USSR on the same side on any issue in these committees and in the United Nations, we certainly have to say that happiness reigns supreme, especially when it is not an alignment against the "have-not" nations. If we believe in this, and if you believe in it as we do, there should be no further need for words in explanation of the points touching on documents A/C.1/L.569, 570/Rev.1 and 571—we need only ask you to vote unanimously in favour of their adoption.

78. As regards document A/C.1/L.572, it is a timely effort. Any attempt to reserve the moon for peaceful benefits is entitled to our support and we shall vote for this draft resolution.

79. We are happy at the compromise on the Canadian amendment which was proposed by the Belgian representative. Compromise in politics is a great thing, and it is all the greater in diplomacy. We shall support the agreed revision of the draft text [A/C.1/L.570/Rev.1].

80. As regards the draft convention it is our fervent wish that all Governments support its speedy ratification.

81. Mr. PEREZ DE CUELLAR (Peru) (*interpretation from Spanish*): Since the draft convention on international liability for damage caused by space objects was distributed only a comparatively short time ago, my Government has regrettably not had the time to study it as thoroughly as it deserves to be studied. Nevertheless, since it seems to represent the best that can be attained in this field after so much delay, my delegation will vote in favour of draft resolution A/C.1/L.570/Rev.1. However, for the reasons I have indicated, this does not commit the position of my Government in regard to the draft convention or its signature or accession thereto.

82. Mr. LEGNANI (Uruguay) (*interpretation from Spanish*): My delegation will vote in favour of draft resolutions A/C.1/L.569, 571 and 572. My delegation will also vote in favour of draft resolution A/C.1/L.570/Rev.1, in spite of the remarks which I made in my statement at the preceding meeting, now that it is understood that such remarks imply express reservations with regard to the final position of my Government on the actual draft convention. I should like to conclude by indicating that had the amendment proposed by the delegation of Canada been maintained we would have voted in favour of it.

83. Mr. SHAH (Nepal): Despite the fact that the draft convention on liability is not victim-oriented, my delegation will vote in favour of draft resolution A/C.1/L.570/Rev.1. I wish to make it clear, however, that this vote does not commit my Government to signature.

84. Mr. THEODOROPOULOS (Greece): We sincerely appreciate the efforts which were made these last few days in various quarters to take into account the reservations which my delegation and many other delegations had formulated with regard to article XIX. We shall vote in

favour of draft resolution A/C.1/L.570/Rev.1, without prejudice, however, to the final decision of the Greek Government whether or not to adhere to or to sign the Convention.

85. Mr. ABDALLAH (Tunisia) (*interpretation from French*): First of all, my delegation would like to congratulate you, Sir, and the other officers of the Committee on your unanimous election.

86. As regards draft resolution A/C.1/L.570/Rev.1, my delegation will vote for it notwithstanding our reservations on articles XII and XIX of the draft convention. Our affirmative vote will not necessarily mean that my country will ratify the convention on liability as submitted to us.

87. My delegation will vote for the draft resolutions contained in documents A/C.1/L.569, 571 and 572.

88. Mr. FARHANG (Afghanistan): The delegation of Afghanistan welcomes the efforts made by the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee. We commend also the spirit of compromise shown by the major space Powers, which has made possible the preparation of the draft convention on the international liability for damage caused by space objects. We will vote affirmatively, therefore, on draft resolutions A/C.1/L.569, A/C.1/L.570/Rev.1 and 571.

89. However, we should like to put on record the hope that the space Powers will act in accordance not only with the letter of the Belgian revision but also with its spirit and consider favourably the wishes of the non-space countries for making awards by the claims commission binding on both sides.

90. Mr. TOUKAN (Jordan): Though we believe that compensation should be borne by the launching Power for damages caused by space objects, my delegation will vote for draft resolution A/C.1/L.570/Rev.1. Also, my delegation will vote in favour, without reservation, of draft resolution A/C.1/L.571 because of my delegation's sincere belief in the necessity of international co-operation in the peaceful uses of outer space, having in mind the interests of all mankind.

91. My country notes with sincere appreciation the achievements of both the United States of America and the USSR in exploring outer space and the moon. It is with admiration that we acknowledge the courage of those astronauts who have reached the moon, with a special tribute to those who lost their lives in such an adventure. Though both Governments—the Soviet Union and the United States of America—are paying the price both in terms of technology and money, they should not monopolize the benefits or the information obtained. They should put this information and the benefits achieved at the disposal of all States. My delegation believes that all knowledge on space and the moon should be shared with the developing countries, which have the talents needed for such enterprises but are deprived of the means to make use of those talents.

92. So, my delegation having this in mind, will vote in favour of draft resolution A/C.1/L.572.

93. Mr. HYERA (United Republic of Tanzania): I apologize for having to take the floor again on behalf of my delegation but it is only to make a clarification. In our statement we said that we would abstain from voting on the draft resolution contained in document A/C.1/L.570. That statement was made on the basis of the previous document. We have now the revised document embodying a revision by Belgium and in a spirit of compromise my delegation will support that draft resolution when it comes to the vote.

94. The CHAIRMAN (*interpretation from French*): As there are no further speakers we will now vote on draft resolutions A/C.1/L.569, 570/Rev.1 and 571.

95. The revised text of draft resolution A/C.1/L.570 has just been distributed. However, unless any representative finds that the voting on this draft resolution needs to be deferred to allow a more careful study of it, we shall now proceed to the vote and shall vote first on draft resolution A/C.1/L.569.

96. Is there any objection to this draft resolution? Does anybody insist on a formal vote or may we take it that it is unanimously adopted?

The draft resolution was adopted unanimously.

97. We turn now to draft resolution A/C.1/L.570/Rev.1. A roll-call vote has been requested.

A vote was taken by roll call.

Luxembourg, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Madagascar, Malawi, Malaysia, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, South Africa, Spain, Sudan, Swaziland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia, Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic.

Against: None.

Abstaining: Sweden, Canada, Iran, Japan.

The draft resolution was adopted by 90 votes to none, with 4 abstentions.

98. In the absence of opposition, draft resolution A/C.1/L.570/Rev.1 is adopted unanimously.

99. We turn now to draft resolution A/C.1/L.571. If I hear no objection I shall take it that this draft resolution is unanimously adopted.

The draft resolution was adopted unanimously.

100. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translation from Russian*): The Soviet delegation would like to express its satisfaction that all three resolutions have in essence been adopted unanimously, as the Chairman has just announced. We are particularly happy to note the adoption of draft resolution A/C.1/L.570/Rev.1, approving the draft convention on international liability for damage caused by space objects in the version which, over a long period of time, was successfully drafted in the outer space Committee. We hope that, since the matter has now been settled in the draft resolution we have adopted, as many countries as possible will accede to this convention. We should also like to express our satisfaction at the statement made by the Canadian delegation explaining that it had considered it possible to withdraw its amendment [A/C.1/L.574] to the text of the draft convention. We welcome this step by the Canadian delegation, because the text which had been drafted—I repeat, over a long period of time—was a compromise text and a balanced text; it was not only the Canadian delegation that had some doubts and reservations, as was clear from the statements of many delegations, and even today at the meeting of the First Committee some reservations were expressed. Nevertheless, we all voted unanimously to approve the text of the draft convention. In view of this, and only in view of this, we think it would be more correct if the views, ideas and considerations of the Canadian delegation were reflected in the report of the First Committee to the General Assembly, just as the views, considerations, wishes and reservations of other delegations which have spoken at meetings of the First Committee could be reflected there. We think this would be more correct and more just and would put all delegations on the same footing. But we did not object to the revision submitted by the Belgian delegation, and we supported and voted for the draft as a whole.

101. So I think I can say that in our view an important stage, the stage of preparation for the practical implementation of the Convention on International Liability for Damage caused by Space Objects, has been completed.

102. Mr. TURKMEN (Turkey): My delegation has cast an affirmative vote, or, more correctly, has not objected to the unanimous adoption of draft resolution A/C.1/L.571, with the understanding that the draft resolution in its operative paragraph 2 covers co-ordination with the Committee on Natural Resources as expressed in operative paragraph 8 of General Assembly resolution 2733 C (XXV), adopted last year. We believe such co-ordination is essential not only to avoid duplications, but also to increase the effectiveness of the work carried out in the field of earth resources survey.

103. It was my delegation's intention to submit an amendment to operative paragraph 2 of the draft resolution we have already adopted, to spell out the co-ordination between the Working Group and the Committee on Natural Resources in accordance with the General Assembly resolution adopted last year. However, in our consultations with the sponsors of the draft resolution, we found out that such

an amendment would create a number of difficulties and might endanger the delicate compromise reached on the whole of the draft resolution.

104. It is in a spirit of compromise and understanding, and in view of the explanations given by several sponsors of the draft resolution assuring us that the draft resolution in fact covers co-ordination with the Committee on Natural Resources, that my delegation refrained from putting forward this amendment. However, we believe every member of this Committee shares the view that we shall create a most dangerous precedent if we start adopting draft resolutions, even for the sake of compromise, which are not in compliance with the letter or spirit of the resolutions adopted in another year. It is in the conviction that draft resolution A/C.1/L.571 is not initiating such a dangerous precedent that my delegation has voted for it.

105. Mr. AGUILAR (Venezuela) (*interpretation from Spanish*): My delegation, like others, did not have time to study the draft convention as carefully as it should have been possible in the case of a draft convention on the liability for damage caused by space objects. However, on a preliminary basis, we can say that we share the reservations of many other delegations with regard to the draft convention. We think that a convention of this kind should be directed more towards protecting victims—should be victim-oriented—as many delegations have emphasized in the Committee on the Peaceful Uses of Outer Space and in the debate on the item here in this Committee. We also believe that the best solution would be the application of the law of the place where the damage occurs. However, endorsing the interpretation of many delegations in regard to the scope of the provisions of article XII of the draft convention, in the light of what is stated in the fourth preambular paragraph of the draft resolution, and bearing in mind the revision clause in article XXVI—and the fact that the draft convention submitted to us seems to be the only viable way out at this time—my delegation voted in favour of draft resolution A/C.1/L.570/Rev.1. This decision, of course, does not prejudge the position which my Government will ultimately take in regard to the convention when it is opened for signature and ratification.

106. As regards the other two draft resolutions contained in documents A/C.1/L.569 and 571, my delegation had no difficulty whatsoever in voting in favour of them and thus making possible their unanimous adoption.

107. Mr. ALOM (Cuba) (*interpretation from Spanish*): With regard to our voting on draft resolution A/C.1/L.570/Rev.1, my delegation would like to point out that although we voted in favour of that draft resolution, we wish to place on record that at the time when the convention on the international liability for damage caused by space objects is opened for signature and ratification, we shall then declare our reservations.

108. In regard to draft resolution A/C.1/L.569, we did not wish to object since there was unanimity in the Committee.

109. Mr. AZZOUT (Algeria) (*interpretation from French*): I want to associate my delegation with the reservations expressed in particular by the delegation of Cuba on the paragraph concerning liability.

110. Mr. RYDBECK (Sweden): The Swedish delegation has not been persuaded that the draft convention on international liability for damage caused by space objects creates an effective procedure for guaranteeing promptly and equitably compensation in full to possible victims of damage from a space object. For that reason the Swedish delegation was not ready to cast its vote in favour of the adoption of draft resolution A/C.1/L.570/Rev.1.

111. However, in view of the fact that the draft convention contains in article XXVI a clause providing for a review of the convention within a specified time, and furthermore realizing that insisting on provisions giving greater protection to possible victims would, as the matter stands now, delay the conclusion of the convention on the matter for an indefinite time, the Swedish delegation did not wish to vote against the text, which has the support of the two major space Powers and seems to be acceptable to a majority of this Committee. We therefore abstained from voting on draft resolution A/C.1/L.570/Rev.1.

112. Mr. YOSHIDA (Japan): I should like to explain very briefly the vote of my delegation on draft resolution A/C.1/L.570/Rev.1, which commends the draft convention on international liability for damage caused by space objects. My delegation abstained from the vote on this draft resolution for the reasons it made clear in its statement at the 1821st meeting. Therefore I do not think it necessary to go into the details of our reservations on the draft convention, which I hope are now known to all members of the Committee. I wish only to add that, although my delegation is pleased to see that the proposal for revision of the draft resolution made by the delegation of Belgium was incorporated in the draft resolution, it was not in a position to vote for draft resolution A/C.1/L.570/Rev.1 because the insertion of the new operative paragraph was not enough to satisfy the position of my delegation concerning the reservations on the draft convention.

113. Mr. BAVAND (Iran): I should like to take this opportunity to explain our position with regard to draft resolution A/C.1/L.570/Rev.1. As the members of the Committee are aware, at the preceding meeting we explained our position with regard to the draft convention and at the same time supported the amendment submitted by the representative of Canada [A/C.1/L.574]. However, my delegation maintained that, should the Canadian amendment not be voted on or be withdrawn, we would wish the idea contained in it to be included somewhere in the draft resolution which the Committee adopted. We are glad that our suggestion was viewed with favour by the sponsors of the draft resolution contained in document A/C.1/L.570/Rev.1. So far as we are concerned, however, that draft resolution did not change the character of the declaration and my delegation therefore abstained from voting on it.

114. The CHAIRMAN (*interpretation from French*): The Committee has now concluded its consideration of agenda item 33.

115. We shall now consider draft resolution A/C.1/L.572, relating to agenda item 92.

116. Mr. SOUZA E SILVA (Brazil): My delegation has carefully examined the draft treaty concerning the moon

submitted by the Soviet Union [A/C.1/L.568] and the draft resolution contained in document A/C.1/L.572.

117. We already advanced our preliminary views on this subject during the last meeting of the outer space Committee. It was our opinion then that the Soviet draft did not seem at first glance to make any remarkable or new contribution to the progress of our work: the improvement of juridical rules that should govern activities related to the peaceful uses of outer space.

118. This preliminary point of view has been fully confirmed by a subsequent perusal of the Soviet draft. Our conclusion is based merely on the comparison of the provisions contained in the Soviet draft with the provisions already adopted in the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [resolution 2222 (XXI), annex], as well as those of the draft convention on international liability for damage caused by space objects.

119. Let me advance some specific comments. In his statement during the general debate on this item in this Committee, the Soviet representative said that "The Soviet draft, first of all, contains a number of important new provisions." [1820th meeting, para. 36.] Ambassador Issraelyan mentioned specifically that the draft treaty contained new provisions concerning the prohibition of any military utilization of the moon and circumlunar space. He also cited new norms prohibiting the appropriation in any manner whatsoever of parts of the lunar surface and subsoil.

120. As to both points, my delegation is of the opinion that the corresponding provisions of the outer space Treaty are already comprehensive enough. As a matter of fact, article IV, paragraph 1, of the Treaty says that:

"States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station weapons in outer space in any other manner."

121. I think that representatives will agree that these new provisions would not add substantially to related provisions already in force.

122. The second point raised by the Soviet delegation, appropriation of parts of the moon, has already been disposed of in a very concise and effective way by the outer space Treaty, article II of which reads as follows:

"Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means."

123. The Soviet delegation has also mentioned other so-called advancements proposed in the draft treaty, as the right of States to carry out scientific activity on the moon freely and to take all possible steps to preserve the life and health of men on the moon.

124. With all respect, my delegation fails once again to detect any substantial progress in the draft treaty before us in relation to the general and comprehensive norms of, for instance, articles I, IV, V and IX of the outer space Treaty.

125. There are in addition some important omissions in the Soviet draft. One of them is the fact that it does not deal with the question of the legal régime governing substances and natural resources of the moon. The Soviet draft also fails to recognize, in its article III, that the exploration of the moon, besides taking into consideration the interests of States, should be carried out for their benefit, as provided for in the corresponding article I of the outer space Treaty.

126. At this stage I should like to refer to the statement made this morning by the representative of Tanzania, in which there are some very pertinent remarks on the draft we are now considering, especially regarding the juridical régime of the moon: whether it should be considered a *res nullius* or *res communis*, as was decided by the General Assembly in the case of the sea-bed.

127. Those are just a few examples, but enough to characterize in broad terms what I would perhaps euphemistically call the "timidity" of the Soviet draft treaty, or its unwillingness to advance new concepts involving further rights and obligations, both for space and non-space Powers.

128. At this stage my delegation also wishes to restate that it does not consider that first priority should be assigned to the discussion of questions relating to the moon. In our opinion it would not be wise to allocate a substantial part of the relatively scarce amount of time and resources available to the outer space Committee and to its Legal Sub-Committee to the examination of a matter which has already been disposed of in general terms and which, in any case, is not of the same urgency. In our general statement at the 1821st meeting we commented on the questions we consider to be of more general interest and in more pressing need of immediate debate by the outer space Committee. Those questions are, I repeat, the registration of space objects, the various implications of space communications and the definition of outer space.

129. The Brazilian delegation has participated in the informal consultations that took place before the actual introduction of the draft resolution contained in document A/C.1/L.572. If we had to have a resolution on this item, we were interested to include in its text a mention of the approach proposed by the delegations of Argentina and France at the last session of the Legal Sub-Committee, that is, the study of the legal régime governing substances coming from the moon and other celestial bodies, including the principles governing activities in the use of natural resources of the moon and other celestial bodies. We were also very much concerned with the possibility that the resolution under consideration, in dealing with the question of priority, might reopen the question which is settled in paragraph 38 of the outer space Committee's report [A/8420].

130. I noted that our concerns have been taken care of in the draft resolution that is before the Committee. In point of fact the seventh preambular paragraph refers to the approach we consider to be more appropriate. Operative

paragraph 2, in its turn, specifically mentions the fact that the Soviet treaty will be discussed in accordance with the priorities already agreed upon in the outer space Committee and endorsed in the omnibus draft resolution contained in document A/C.1/L.569 which we have already approved.

131. It is thus with this understanding that my delegation will not oppose transmitting to the outer space Committee the procedural Soviet draft treaty concerning the moon, as provided for in the draft resolution contained in document A/C.1/L.572, and we shall vote in favour of it.

132. The CHAIRMAN (*interpretation from French*): Since no other representatives wish to make a statement or to explain their votes before the vote, the Committee will now proceed to vote on draft resolution A/C.1/L.572. There has been no proposal with regard to the manner of voting and, if I hear no objection, I shall take it that the Committee unanimously adopts the draft resolution.

The draft resolution was adopted unanimously.

The meeting rose at 1 p.m.