



SUMMARY RECORD OF THE 26th MEETING

Chairman: Mr. STARCEVIC (Yugoslavia)

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Distr. GENERAL  
A/SPC/38/SR.26  
23 November 1983  
ENGLISH  
ORIGINAL: FRENCH

20 p.

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 73: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued)

- (a) REPORT OF THE COMMISSIONER-GENERAL (A/38/13)
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1. Mr. MANSOUR (Observer, Palestine Liberation Organization) said that one could not envisage any solution to the situation of the Palestinian refugees that was not, at the same time, a political solution to the question of Palestine.

2. Since the creation of the State of Israel, as a result of the political conflict between Zionist settlers and their imperialist supporters, on the one hand, and the Palestinian people, on the other hand, the Palestinians had continued to be expelled. In 1948, there had already been half a million refugees; in 1983, there were approximately 2 million registered refugees, and the number was constantly rising.

3. In the circumstances, the Palestinians, unable to accept indefinitely the fate of helpless refugees and equally unable to accept "assimilation", had chosen to engage actively in the struggle for the actualization of their inalienable rights, which were their right to return to Palestine, their right to self-determination and their right to establish an independent Palestinian State on Palestinian soil under the leadership of the Palestine Liberation Organization, the sole and legitimate representative of the Palestinian people.

4. The report of the Commissioner-General (A/38/13) recounted, in its own way, a chapter in the history of the Palestinian people. It recalled the Israeli invasion of Lebanon, in the summer of 1982, and Israeli attempts to exterminate the Palestinians and destroy their camps, their livelihood and their children's schools ... That invasion had had disastrous consequences: tens of thousands of displaced and homeless, thousands of prisoners in Ansar and elsewhere, thousands massacred in Sabra, Shatila, Ein-el-Hilweh, Rashidieh and elsewhere. The figures and programmes of service provided by UNRWA showed that Israel was responsible for all that had happened to the Palestinians in Lebanon in the summer of 1982.

(Mr. Mansour, Observer, PLO)

5. The report showed that the situation in the occupied territories had scarcely improved. The Palestinians, UNRWA staff and others had been detained arbitrarily; refugee camps had been raided constantly and curfews imposed for days and weeks; UNRWA schools and other educational establishments had been closed for weeks and months; in the West Bank and the Gaza Strip, the destruction of homes in refugee camps was a common occurrence; land was confiscated, new settlements were established on Palestinian land, and existing settlements were enlarged. The Palestinian people encountered daily hundreds of thousands of acts of repression, discrimination, intimidation and cruelty. In the occupied Palestinian territories, it was, again, Israel which was totally responsible for the suffering of the Palestinian people. Nevertheless, that people resisted the Israeli onslaught heroically and continued the struggle courageously for the liberation of their homeland.

6. Despite its merits, the report of the Commissioner-General was wanting in several regards. Firstly, it failed to present the Palestinian problem as a problem of a people aspiring to return to their national homeland, which was the only proper perspective.

7. The report ignored the question of the implementation of United Nations resolutions concerning the Palestinian refugees, such as resolution 194 (3) of 1948, concerning the right of return, and resolution 37/120 H concerning the establishment of a special fund for the receipt of income derived from properties of Palestinian refugees. Whereas UNRWA had an obligation to pressure Israel into implementing United Nations resolutions concerning refugees, there was no mention of its action in that area.

8. The report also ignored the Israeli efforts to eliminate totally refugee camps in the West Bank and Gaza Strip, in order to remove all political or physical trace of the question of Palestine. In paragraph 5 of the Foreword, it was stated that, in Beirut, the presence of military observers of the United Nations Truce Supervision Organization as well as the multinational force had contributed to the restoration of some feeling of security in the camps and that, in the camps in south Lebanon, a similar feeling had prevailed, to the extent that there had been a presence or proximity of patrols of the Israeli army. The report itself indicated, in another section, that the camps had been 93 per cent destroyed and damaged by the invading Israeli forces. It was difficult to see how the refugees had felt secure in the presence of those who had destroyed their homes in the camps.

9. In paragraph 15 of chapter I, it was stated that the employment provided by Palestinian organizations and enterprises had disappeared with the collapse of the PLO infrastructure in Beirut and south Lebanon. It was not the task of the Commissioner-General to characterize the status of the infrastructure of the PLO in Lebanon.

10. UNRWA services should be sustained and improved until the Palestinian refugees returned to their homeland in Palestine. The PLO expressed its gratitude to all who had contributed to UNRWA, particularly those who were friendly to the Palestinian cause, and urged them to continue their contributions.

(Mr. Mansour, Observer, PLO)

11. In view of the consequences of the Israeli invasion of Lebanon in 1982 for the Palestinian and Lebanese peoples, it was Israel, the aggressor, which should bear the full financial responsibility thereof.

12. In the report of the Secretary-General on the question of the establishment of a university at Jerusalem (A/38/386) was included the report of the Group appointed under General Assembly resolution 37/120 C. That resolution had been adopted by the General Assembly in recognition of the desperate educational needs of the Palestinian refugees. The urgent nature of those problems had been evident to the authorities concerned with the educational development of the Palestinian people, including those of UNRWA, UNESCO, the Government of Jordan and the Palestine Liberation Organization. In the course of Israel's brutal occupation of the West Bank and the Gaza Strip, the military occupation authorities had often seen fit to close institutions of higher learning, had restricted their access to important educational sources and facilities and through repressive legislation, had prevented the faculty of all institutions of higher education from discharging their functions properly.

13. The reports submitted to the Assembly at each session since the adoption of resolution 35/13 B had given some hope that there would be a better understanding of the higher-education needs of the Palestinian people. The Secretary-General had proposed some concrete measures that would have strengthened and expanded the higher-education faculty in the region. The concern had always remained uppermost, however, to establish a university of arts and sciences in Jerusalem under the auspices of the United Nations to serve the needs of the Palestinian refugees. In all the relevant resolutions the Secretary-General had been requested to examine ways and means of creating such a university and to make a feasibility study.

14. The report before the Committee, however, completely ignored the question and constituted a serious misapplication of the resolutions of the General Assembly, in that it could hardly be said to include any feasibility study for the establishment of a university in Jerusalem. For example, it failed to indicate the precise numbers of potential students or their ratio to secondary-school graduates, taking into account the absorptive capacity of the existing educational institutions of the West Bank and the Gaza Strip. It would have sufficed for the Group to have consulted the statistical data on education issued by the Government of Jordan, or even the Statistical Abstract of Israel, instead of relying on some ambiguous figures obtained from Bir Zeit University and Amideast. The report did not even contain any data from the educational department of the Palestine Liberation Organization. A careful examination of the report revealed an absence of any understanding of the legal status of higher educational institutions on the West Bank and the Gaza Strip or of the possible legal status of an educational institution established under the auspices of the United Nations. It was obvious, however, that a feasibility study must seek to ascertain the legal bases for establishing such an institution, taking into account the fact that the West Bank, the Gaza Strip and East Jerusalem were occupied territories.

(Mr. Mansour, Observer, PLO)

15. The report of the Group failed to determine the physical needs of the projected institution, owing to two omissions: the number of students and teachers to be absorbed by the projected institution, and the physical area in which it might be established in Jerusalem. It could be asked, then, how the General Assembly could act and make recommendations on the basis of information which the Group had failed to provide.

16. Lastly, the most striking omission of the report was its failure to indicate the financial implications of a university to serve the needs of the refugees. Surely, the financing of such a venture was an essential component of a feasibility study.

17. In short, the report did not accomplish very much. After a visit to Amman and consultations with a number of responsible authorities, including the deported presidents of al-Najah and other universities, the Group became the spokesman of a number of Palestinian refugees from the West Bank and Gaza who were considering the possibility of grouping three small educational establishments of uncertain legal, academic and financial standing and making them into a university; and without providing any precise information on the subject, the report concluded that the educational needs identified by the General Assembly in connection with the adoption of resolution 35/13 B were met by that otherwise laudable initiative. One thing was clear however: such an undertaking had nothing to do with the United Nations; it was neither the product of a decision of the United Nations nor was it under the auspices of the United Nations, as called for by the resolution. It was regrettable that the Group did not make better use of its site inspection of the projected institution or of its discussions with responsible educational authorities in the West Bank and Gaza Strip and others concerned with the promotion of higher education for Palestinian refugees.

18. The report departed considerably from what the General Assembly had envisaged: it did not address itself to the question of establishing a university of arts and sciences in Jerusalem under the auspices of the United Nations; it was completely lacking in rigour; and it was seriously deficient in portraying the higher-education needs of the Palestinian refugees.

19. Mr. LOGOGLU (Turkey) said that the interminable suffering of the Palestinian people continued without respite, while at the same time the prospect for a return to their homeland and for independence was receding. There was not, nor could there ever be, any justification for the misery and injustices heaped on the Palestinians. To put an end to that unacceptable state of affairs, it was necessary to find a political solution to the question of Palestine, to redress the underlying reasons for the diaspora of the Palestinian people and to restore their inalienable rights. That was why his delegation had always considered it essential, in discussing the humanitarian aspects of the Palestine refugee problem, to keep in mind the fundamentally political nature of the Palestinian question. The views of the Government of Turkey on the situation in the Middle East and the question of Palestine were well known and would be reaffirmed at the appropriate time.

(Mr. Logoglu, Turkey)

20. He considered the report of the Commissioner-General of UNRWA (A/38/13) satisfactory. As in previous reports, the Commissioner-General had presented a realistic appraisal of the current state of affairs and of the difficulties that lay ahead for the Agency. For their selfless efforts to try to bring a minimum of basic services to the refugees under extremely difficult circumstances, the Commissioner-General and the officials and staff of the Agency deserved the gratitude of all.

21. He shared the Commissioner-General's view, expressed in the Foreword to his report, that the Agency's programmes represented an element of continuity and security in an area of dangerous instability. If they were to be put in jeopardy by a failure of income to meet essential needs in 1984 and beyond, the interruption of services would inject another major element of destabilization into an already troubled part of the world (A/38/13, para. 24).

22. The Working Group on the financing of UNRWA had also presented its conclusions in its report (A/38/558). As Chairman of the Working Group, Turkey favoured the establishment of as firm and broad a basis as possible for the financing of UNRWA and invited all States to implement the Working Group's recommendations, which were realistic and took into account the existing constraints. The Working Group called on Governments that had not contributed to the Agency to start doing so, on those that had so far made only small contributions to make more generous ones, on those that had made generous special contributions to do so again, on those that had made generous contributions to UNRWA throughout the year to continue to do so and to strive to increase them; lastly the Working Group urged Governments to make payment of their contributions as early as possible. If all present and potential contributors acted in conformity with those recommendations, the operations of the Agency would be greatly facilitated.

23. He noted with concern the information provided by the Commissioner-General about the various abuses of the Agency's presence and the serious obstacles which the Israeli authorities were continuing to impose in the way of its proper functioning. He called upon all the parties concerned not to disrupt the services of the Agency and requested Israel as the occupying Power to respect the rules of international law which were applicable to UNRWA's presence and activities in the occupied territories, particularly the provisions of the 1946 Convention on the privileges and immunities of the United Nations, and condemned all Israeli interference in the work of the Agency.

24. There was no doubt that the first priority was to find a just, honourable and lasting solution to the question of Palestine, but the international community must not overlook its immediate responsibilities towards the Palestinian refugees and must do everything possible to alleviate their sufferings.

25. Mr. KURODA (Japan) paid tribute to the Commissioner-General and his staff for their tireless efforts at a time of great difficulty. The activities of UNRWA were of the utmost importance to the stability of the Middle East. The recent outbreak of hostilities in northern Lebanon, which had caused many casualties among innocent refugees, could only be deplored. The destruction of housing and other facilities

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(Mr. Kuroda, Japan)

in the camps would impose further suffering on the refugees who would need UNRWA more than ever before. Japan had been co-operating with UNRWA for a long time and its contributions to the Agency had increased steadily over the years. His Government recognized the acute need for emergency relief in Lebanon and would increase its contribution by one million dollars in 1983, thus bringing its total cash contribution to \$8 million which, despite its budgetary constraints, represented an increase of 100 per cent compared with its contribution four years previously. Moreover, his Government intended to make a contribution of food worth approximately \$4.4 million to the emergency relief programme in Lebanon and other relief programmes. Thus Japan's total contribution to UNRWA in 1983 would amount to approximately \$12.4 million. His Government would continue to do its utmost to provide support to UNRWA.

26. UNRWA was experiencing severe financial problems and 1984 was expected to be a very difficult year for the Agency. In that respect, he drew attention to two points: first, expenditure must be rationalized so as to ensure the most efficient use of limited resources and, in that respect, his delegation fully supported the Agency's efforts to rationalize its budget in 1982 and 1983 by reviewing and identifying priority areas and areas of possible savings. Second, it was essential that UNRWA should be assured sufficient income to be able to perform its tasks in a satisfactory manner, and it was therefore essential that all Governments and international agencies concerned should increase their contributions to UNRWA. In that connection, he drew the attention of member countries to paragraph 22 of the report of the Working Group on the Financing of UNRWA.

27. The report of the Joint Inspection Unit (A/38/143) on the organization, budget and operations of UNRWA, requested by the General Assembly at its thirty-sixth session, contained a number of useful recommendations, and his delegation wished to make provisional comments on some of them. Recommendation 7, dealing with the system of budget presentation, contained elements which would contribute to the rationalization of the Agency's budget. Although the implementation of some of those measures might be difficult at the current time, the establishment of a more precise and appropriate budget system should be given serious consideration. As to recommendation 8 dealing with separation benefits, he reiterated that Japan could not agree to place liability for those benefits on the United Nations regular budget. Such an action would contradict the voluntary nature of UNRWA funding and would discourage efforts to increase contributions. It would also affect other United Nations agencies whose funding was based on voluntary contributions. As to recommendation 9 dealing with the geographical distribution of international professional staff, it was certainly desirable that the distribution should be fair, but it must be taken into account that UNRWA was financed by voluntary contributions. Despite those reservations, his delegation believed that the report of the Joint Inspection Unit was worthy of serious consideration. His delegation looked forward to the Secretary-General's comments on the report and hoped that appropriate follow-up action would be taken.

**AGENDA ITEM 70: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE**  
**(continued)**

- (a) REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/38/20)
- (b) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECOND UNITED NATIONS CONFERENCE ON THE EXPLORATION AND PEACEFUL USES OF OUTER SPACE: REPORT OF THE SECRETARY-GENERAL (A/38/412)

28. Mr. PAVLOVSKY (Czechoslovakia) said that the Committee on the Peaceful Uses of Outer Space and its two sub-committees had been particularly active in the past year and had considered a wide range of questions concerning international co-operation in the peaceful uses of outer space, and in particular measures to be taken to ensure the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE-82). At the technical level, Czechoslovakia welcomed the fact that a large number of States, and in particular developing countries with limited scientific and technical potential, were joining in the efforts that were being made in that field by the more advanced countries.

29. He drew attention to the successes of the programme of co-operation among the socialist countries, INTERCOSMOS, in which Czechoslovakia actively participated. He stressed that the COSPASE-SARSAT systems, in which Soviet COSMOS satellites took part, constituted a very satisfactory example of international co-operation for the benefit of all mankind. The data transmitted by those systems had made it possible to save human lives in several countries.

30. At the level of the peaceful use of outer space, significant progress had been made in the course of the past year which demonstrated the effectiveness of the United Nations Programme on Space Applications and the need to develop and strengthen it.

31. Unfortunately the situation was very different in respect of the fundamental problem of maintaining the exclusively peaceful nature of space activities. In that respect, everyone knew of the plans of the United States to militarize outer space and in particular its plans to install anti-missile and anti-satellite systems within the general framework of its programme to intensify the production of strategic offensive nuclear weapons and other nuclear weapons systems which included the deployment of hundreds of new medium-range missiles in Europe. Those plans clearly formed part of a broader strategy aimed at setting up a nuclear strike force in which systems of space weapons would play a decisive role. That development was liable to lead to a full-scale nuclear catastrophe. Czechoslovakia was therefore bound to express its concern about the sterile discussion in the Committee on Disarmament on the question of the prevention of an arms race in outer space. At the past two sessions of the Committee, it had not even been possible to initiate specific negotiations with a view to concluding a treaty on the prohibition of the stationing of weapons of any kind in outer space, a draft for which had been submitted by the Soviet Union as early as 1981. Moreover, a group of delegations from Western countries had gone so far as to prevent the formation



(Mr. Pavlovsky, Czechoslovakia)

of a special working group of the Committee on that question, proposing instead that the Committee should merely "study" questions linked with the prevention of the arms race in outer space. It was clear that that manoeuvre aimed to give those countries time to implement their projects for the militarization of outer space. In that respect, Czechoslovakia wholeheartedly supported the very important and timely proposal for the conclusion of a treaty on the prohibition of the use of force in outer space and from space against the Earth which the Soviet Union had submitted to the General Assembly at its current session.

32. That proposal was in line with the many appeals the member countries of the Warsaw Treaty Organization had issued to the NATO States, in particular the appeal they had formulated during the meeting of the Political Consultative Committee, held in January at Prague. As was known, the proposal provided for a number of political and legal measures prohibiting the stationing of weapons of any kind in outer space and specified the obligations of States in that regard. In view of the exceptional urgency, and the complexity of the question of preventing an arms race in outer space, Czechoslovakia believed that COPUOS was in fact the most appropriate forum in which to consider that question, and particularly, in which to define the political and legal obligations of States in such matters. The discussion of that question and, especially, the consideration of the draft treaty submitted by the Soviet Union would make a useful contribution to solving that problem. States having the greatest capabilities in terms of the peaceful exploration of outer space should follow the Soviet Union's example and should pledge not to deploy anti-satellite weapons of any kind in outer space. Such a commitment would strengthen efforts to prevent the militarization of outer space and would promote progress in the negotiations currently under way in that connection. COPUOS was, and should remain, an important centre for co-ordinating the consideration of space questions with a view to achieving progress and strengthening peace.

33. With regard to the questions COPUOS and its two Sub-Committees had discussed during the past year, his delegation wished to express its satisfaction with the results of the activities COPUOS had undertaken with a view to implementing the recommendations of UNISPACE-82. In that connection, his delegation was prepared to play an active part in the long-term activities to be carried out in that area, particularly in research on the spacing of satellites in the geostationary orbit and on their utilization for the benefit of all countries. As everyone knew, the question of the geostationary orbit was related to the delimitation of outer space and air space. Czechoslovakia wished to draw attention to the need to ensure that the discussions on that subject in the Legal Sub-Committee were more effective and, to that end, to establish a working group to study every aspect of the question. In particular, Czechoslovakia supported the proposal made by the Group of 77 in that regard.

34. His country attached great importance to the question of the remote sensing of the earth from space, an activity which lent itself to the largest number of practical applications of space science and technology. For that reason, draft legal principles governing the activities of States in that area should be elaborated as soon as possible. He also welcomed the progress made on that issue in the Legal Sub-Committee and expressed the hope that those activities would make more rapid progress in future.

(Mr. Pavlovsky, Czechoslovakia)

35. The question of the use of nuclear power sources in outer space was one of the most important issues COPUOS had dealt with in the past year, and the results achieved had been entirely positive, particularly with regard to the elaboration of an agreed text and a procedure to be followed for the notification of States in case of malfunction of a spacecraft carrying a nuclear power source on board. That undertaking must be based on scientific facts and on a realistic assessment of the situation, and the problem must not be needlessly politicized. Moreover, the importance of the use of nuclear power sources in developing the peaceful uses of outer space must not be forgotten. Failure to use nuclear power sources would artificially limit scientific and technical progress and would considerably delay space research, as well as its peaceful applications. No doubt, that problem could be effectively solved by observing a number of safety rules on board spacecraft using nuclear power sources.

36. Another very important question on the COPUOS agenda was the elaboration of legal principles governing the use by States of satellites for international direct television broadcasting, on the basis of the principles adopted by the General Assembly at its previous session. Such a step would constitute progress towards the development of an international legal régime governing outer space and its utilization for the benefit of international peace and co-operation. Czechoslovakia was prepared to support every effort directed towards attaining that goal.

37. Mr. LESSIR (Tunisia) said that his country attached great importance to outer space and to the need to regulate its use for the benefit of mankind as a whole, without exception.

38. The enormous task of codifying international law undertaken by the United Nations should be extended to relatively unknown areas, such as outer space. Since scientific and technological progress generally preceded codification efforts, the texts governing the various uses of outer space were either non-existent or inadequate.

39. UNISPACE-82, in which Tunisia had taken part, had confirmed, for everyone, mankind's interest in the peaceful exploration of outer space and, despite their different objectives, all States were aware of the dangers inherent in the absence of strict regulations in that area. Tunisia wished to express its satisfaction with the results of the Conference and, above all, with the particular attention it had devoted to the specific problems of the developing countries in the field of space. In fact, the Conference had served as a catalyst for the developing countries and had enhanced their awareness of the benefits space technology offered for their development strategies. However, if space technology remained the exclusive preserve of the great Powers, the developing countries would have no hope of benefiting from it. In that connection, the United Nations had a useful role to play, and UNISPACE-82 had helped to identify a number of activities to be undertaken at the international level with a view to ensuring that the benefits of space technology were shared. For example, as part of the recommendations of the Conference, COPUOS had been entrusted with the task of conducting three studies

(Mr. Lessir, Tunisia)

on the remote-sensing needs of countries on the use of direct broadcasting satellites for educational purposes and on the closer spacing of satellites in the geostationary orbit. Tunisia was convinced that, once the Scientific and Technical Sub-Committee, with the aid of the specialized agencies and, in particular, the International Telecommunication Union, had completed those studies, they would help to clarify the problems that existed in the areas concerned.

40. Another very important element, which should be taken into account in order to enable the developing countries to benefit from the uses of outer space, was training. In that connection, Tunisia welcomed the fact that several delegations had offered to host training courses and to hold seminars, in co-operation with the United Nations. The training course organized in 1983 outside Munich by the Federal Republic of Germany, in co-operation with FAO, had been of particular interest in that it had dealt with remote sensing, an activity which posed a number of problems for the developing countries. In view of the benefits which that aspect of scientific progress offered to mankind as a whole, he expressed the hope that voluntary contributions would be forthcoming.

41. Remote sensing by satellites was of course useful in evaluating the natural resources of a country and in studying its environment and topography. However, that technology had on occasion been utilized without any regard for the sovereignty of States and without prior notification. The sensed States had a right to benefit from the data collected in remote-sensing operations, until a code of conduct governing the activities of States in that area had been established. Tunisia noted with satisfaction that that very important question would receive special attention at the next session of COPUOS.

42. The use of satellites for direct television broadcasting for educational purposes was a new technology which could radically change the situation in the developing countries, both from the point of view of information and from that of education and other aspects of cultural, economic and social life. For that reason it was to be hoped that the reticence shown in that respect also would disappear as the new world information and communication order became a reality. The codification of the responsibilities of transmitting and receiving States must, however, be continued.

43. The question of the delimitation of outer space was also extremely important. The principle of equality should be the criterion. In that context, due account should be taken of the geostationary orbit, considered as a scarce and limited resource whose use should be rationalized, with due regard for the needs of the developing countries.

44. Like the other members of the Group of 77, Tunisia felt that it would be useful to establish a special working group to deal with that question. The point of view of the Swedish delegation on that subject did not contradict that of the Group of 77 in so far as the working group could deal with certain complementary aspects of the study on the geostationary orbit.

(Mr. Lessir, Tunisia)

45. One aspect of the use of outer space that was rather disturbing for the future of that activity was the launching of nuclear-powered space vehicles. As the recent accident had shown, a malfunction of such vehicles could have unforeseeable consequences. It was therefore urgent to adopt measures to protect humanity against the dangers posed by the use of such vehicles both to the environment and to people, particularly those in the developing countries, who could not protect themselves against radiation.

46. Another phenomenon that had been worrying States for some years was the militarization of outer space. As some speakers had pointed out, most of the satellites launched so far had been designed for military purposes, and no substantial progress had been made towards disarmament. The arms race must be prevented from extending to outer space and the war psychosis prevalent on earth must not be allowed to reach outer space. That was the concern of all peoples and was justified by the desire of the vast majority to live in peace and security. Tunisia therefore appealed to the great Powers to abstain from crossing the threshold of space militarization and to reserve outer space for purely peaceful uses. It would be useful to discuss that aspect of the problem in the Committee as well.

47. Mr. KURODA (Japan) said that progress in the field of outer space continued to be made at a rapid pace. In that connection, he wished to congratulate in particular the member countries of the European Space Agency on the successful launching of the ECS-1 communication satellite.

48. In the field of scientific research, Japan had succeeded in launching in February 1983, its eighth scientific satellite, ASTRO-B (the "TENMA"), and planned to follow that in February 1984 with its ninth scientific satellite, EXOS-C, which would observe the area around the earth. In January 1985, it would launch the satellite MS-T5, its first satellite to be placed in a heliocentric orbit, and in August 1985, its tenth scientific satellite, PLANET-A, which would make observations of Halley's Comet, as it passed near the sun after an interval of 76 years, in the ultra-violet region. Japan's eleventh scientific satellite, ASTRO-C, to be launched at the beginning of 1987, was to make observations of x-ray-active galaxies. Japan was also planning to participate in the first United States space laboratory programme to carry out space experiments with particle accelerators on board the Space Shuttle.

49. In the field of space applications, in February 1983, Japan had launched into geostationary orbit its first operational telecommunications satellite, CS-2a or "SAKURA 2-a" followed in August 1983 by a second. It planned to launch in the future, a television broadcasting satellite, a geostationary meteorological satellite, a marine observation satellite, an engineering test satellite, and a telecommunications satellite. In addition, his Government was making preparations for the First Material Processing Test programme to be operated by a Japanese scientist on board the United States Space Shuttle about the year 1988. Japan continued to promote actively multilateral and bilateral co-operation in the peaceful uses of outer space and was co-operating in particular with the member

(Mr. Kuroda, Japan)

countries of the Economic and Social Commission for Asia and the Pacific by providing data on cloud images obtained from its geostationary meteorological satellite and by holding seminars on remote-sensing technology under the auspices of Japan's International Co-operation Agency.

50. His delegation noted with satisfaction the progress made at the last session of the Outer Space Committee concerning the use of nuclear power sources in outer space, despite the benefits it might provide, it was imperative that every possible measure should be taken to secure the safety of space activities, as was amply proved by the problems posed by the re-entry of the COSMOS-1402 satellite into the earth's atmosphere early in 1983. For example, thorough technological evaluations must be made to ensure that a nuclear reactor system could be boosted to a higher orbit after a satellite's mission was completed or that the radioactive material could be reliably dispersed if a reactor system re-entered the earth's atmosphere. Japan was pleased to see that at its twenty-sixth session, the Outer Space Committee had agreed to reconvene during the next session of the Scientific and Technical Sub-Committee the Working Group on the use of nuclear power sources in outer space. The Legal Sub-Committee had long been holding consultations on the measures necessary to secure the safe operation of nuclear-powered satellites. Japan welcomed the progress made in 1983 in reaching an agreement on the procedures for notifying States in case of malfunction of a nuclear-powered space vehicle. It hoped that those procedures would be followed, and the consideration of appropriate safety measures and the elaboration of the relevant legal principles accelerated.

51. With regard to the definition and/or delimitation of outer space and the geostationary orbit, he said that Japan saw no need to convene a special working group on the subject at present. With respect to the follow-up activities for the UNISPACE-82 Conference, the Outer Space Committee had recommended three studies, one of which concerned the feasibility of obtaining closer spacing of satellites in the geostationary orbit in order to ensure its most effective utilization in the interests of all countries. It was important to ensure the participation of the International Telecommunication Union, which had already conducted extensive studies on the subject. Furthermore, at its 1985 and 1988 sessions, the World Administrative Conference of ITU would consider questions regarding the optimum use of that orbit. It would therefore be more appropriate for the Sub-Committee to await the completion of these studies and devote itself in the meantime to the consideration of existing priority items.

52. All States were aware that the rapid development of space technology could lead to an arms race in outer space, a matter of grave concern to them. In view of the complexity and gravity of the matter, it would be preferable for it to be considered by the Committee on Disarmament, which had indeed started to do so. As his delegation had stated in the general debate in the First Committee, it was its hope that the Conference on Disarmament would establish an ad hoc working group at its 1984 session and would begin to deal with the substance.

53. With regard to the decision-making process, the spirit of co-operation shown within COPUOS was deserving of praise and it was to be hoped that, for the good of its work, the tradition of decision-making by consensus would be restored at its next session.

54. Mr. LASARTE (Uruguay) said that the great interest his country had always accorded to the development and application of space technology had found expression in the establishment of a national space research agency, the conclusion of bilateral agreements on co-operation, the participation of the relevant Uruguayan services in the world satellite telecommunication system, the use of information received from meteorological satellites and the analysis, for technical and economic purposes, of data gathered by remote sensing. Such considerations, as well as the firm desire to promote the progressive development of space law, had prompted Uruguay to accede to all the multilateral instruments in that field and to endeavour to support the work of COPUOS, of which it had been a member since 1981.

55. With regard to science and technology, Uruguay noted with satisfaction that COPUOS had applied itself almost exclusively to implementation of the recommendations of UNISPACE-82, most of which were being acted upon and which had been taken into account in the formulation of the United Nations programme on space applications for 1984, in the organization of various international seminars and in the programmes of the specialized agencies and related bodies. It should also be stressed that priority had been given to the preparation of the three studies recommended by UNISPACE-82, due account being taken of the hopes and needs of the developing countries, whether with regard to remote sensing, the geostationary orbit, or direct broadcasting satellites for educational purposes. COPUOS had managed to reach agreement on a series of guidelines for the preparation of those studies, in which Governments, groups of experts nominated by Member States and the relevant specialized bodies would take part. Uruguay hoped that such co-operation would yield the expected results.

56. No progress had been made, however, on remote sensing of the earth by satellites, nor on the technical aspects and safety measures relating to the use of nuclear power sources in outer space other than the adoption of a format for notification. In that regard, Uruguay paid a tribute to the initiative of Sweden for the establishment of a moratorium on the use of nuclear power sources on board spacecraft until such time as a régime governing their use had been established.

57. Likewise, very little progress had been made in the examination of the physical nature and technical attributes of the geostationary orbit because of the reluctance of certain countries which insisted that the question should be placed before the International Telecommunication Union. Uruguay reaffirmed its support for the initiative of the equatorial countries for the establishment of a working group to examine, on a priority basis, the question of the definition and/or delimitation of outer space and the need for technical planning and legal regulation of the geostationary orbit. Circumstances seemed favourable for approval of that initiative by the General Assembly.

58. Uruguay associated itself with the appeal made by COPUOS to the Secretary-General to intensify his efforts for the establishment or strengthening of regional mechanisms for co-operation. In Latin America, the viability and significance of such efforts would depend on the success of the first meeting of governmental experts to be held in Argentina in 1984 which would provide an opportunity for drawing up a regional strategy.

(Mr. Lasarte, Uruguay)

59. With regard to the funding of United Nations activities relating to the peaceful uses of outer space, his delegation noted with concern that they would continue to receive only modest financial resources because of the reluctance of certain wealthy countries to increase their contributions and because of the present inability of the World Bank to fund them. That situation, which severely limited multilateral co-operation in space applications, could only be regretted.

60. As for the juridical situation, results had been discouraging with the continued stagnation of space law. Examination of the relevant paragraphs of the COPUOS report revealed that the gap between scientific progress and legal regulation remained as wide as ever. COPUOS had made no progress on the three substantive legal issues. The draft principles on remote sensing had still not been formulated, the formulation of international norms governing the use of nuclear power sources in outer space had made no progress and the working group on the delimitation of outer space and the use of the geostationary orbit, for whose establishment many States had appealed, had still not been formed. If the status quo continued, space activities would evolve in anarchy, States would continue to fear for their national sovereignty and the dangers arising from the absence of guarantees in relations between States would be aggravated.

61. The question of the military use of outer space was of undeniable importance. As the Chairman of COPUOS had said in his recent statement, cognizance must be taken of the fact that that Committee might perhaps no longer have the opportunity to reiterate the need to keep outer space demilitarized and to make it a sanctuary for the entire international community. His statement was entirely in keeping with the clear and unanimous recommendation of UNISPACE-82 concerning the urgency of preventing an arms race in outer space, as the great majority of the members of COPUOS had also stressed at the last session. That concern had not given rise to the adoption of specific recommendations because of the objections of some delegations which had, once more, invoked the principle of consensus in order to frustrate the legitimate hopes of the developing countries, whose position was nevertheless well reflected in paragraph 78 of the report. In particular, those countries demanded that the views of COPUOS should be taken into consideration by the Committee on Disarmament in its negotiations. They also insisted on the need to include that question in the agenda of COPUOS for consideration on a priority basis.

62. Those two demands had prompted his delegation to submit a proposal to that effect, a proposal which would give COPUOS a mandate to consider the question at its next session in co-ordination with the Committee on Disarmament. The proposal, which was of a purely procedural character, did not prejudge substantive issues and would not duplicate the relevant activities of the Committee on Disarmament. Without entering into a detailed analysis of the respective fields of competence of the two bodies, it was obviously a situation of shared competence, a common phenomenon in the United Nations system.

63. If outer space was to become an area of co-operation rather than confrontation among States and if, for that purpose, the legal gaps in various space activities were to be filled, States must intensify and co-ordinate their efforts in all forums of the Organization.

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64. Mr. DENIGER (Canada) said that in spite of the complexity of the problems which arose, States had no other choice but to co-operate in order to attempt to develop an agreed policy on the peaceful uses of outer space. A number of questions highlighted by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE-82) should be given urgent consideration, particularly since the rapid growth of technology already threatened to make the existing international framework outmoded.

65. In the last 20 years, Canada had developed a satellite system which was an integral part of the national telecommunication network and provided service to the entire country in the two official languages. A second ANIK-C communications satellite had recently been launched. Remote sensing satellites were also increasingly used for resource management and environmental monitoring.

66. In remote sensing and telecommunications, it was not in the interest of States to work on their own. Wider international participation through bilateral and multilateral co-operation spread the benefits and the risks. That applied both to space research and to the uses of the technology resulting from such research. For that reason, it was extremely important that all States without discrimination should have free access to remote sensing data.

67. The report of the Committee on the Peaceful Uses of Outer Space (A/38/20), which was very important because it was an integral part of efforts to continue the work of the UNISPACE-82 Conference, defined the best follow-up to that Conference, but also noted a number of important issues on which States had not yet reached agreement. If its work was to remain relevant, COPUOS should concentrate primarily on those areas where progress was most likely to be achieved. Canada supported the work programme recommended in the report for the Scientific and Technical Sub-Committee and the Legal Sub-Committee. It was good, for example, that the Scientific and Technical Committee should continue, as one of its priorities, its work on nuclear power sources in outer space, because that was a vital field and one in which the international community could hope to achieve positive results. The idea of reconvening the Working Group on the Use of Nuclear Power Sources in Outer Space was a good practical measure in that regard and his delegation was prepared to exchange ideas with other delegations on additional work to be done on the basis of the report of that working group. In its work on space law with regard to nuclear energy, the Legal Sub-Committee had successfully elaborated an agreed text concerning the format and procedure for notification in case of malfunction of a spacecraft carrying a nuclear power source on board, which had also been adopted by COPUOS. That was very encouraging and the Working Group of the Legal Sub-Committee should be strongly supported in its work of regulating activities. Questions such as the responsibility of States engaging in such activities, assistance to States likely to be affected, and radiological protection for the environment and human life were some important issues to be considered. The entire question of the use of nuclear power sources in outer space should be given priority consideration because the alarming incidents which occurred from time to time demonstrated the urgent need to elaborate principles governing the activities of States in that part of the universe.

68. At the thirty-sixth session of COPUOS, Canada had stated that it was necessary to ensure maximum co-ordination of work in the field of telecommunications with



(Mr. Deniger, Canada)

specialized agencies such as the International Telecommunication Union (ITU), in order to avoid any overlapping or duplication of effort. ITU, which had recently submitted a very useful note on geostationary orbit studies to be undertaken as a follow-up to UNISPACE-82, must remain the main focus of activity in that field to ensure that the technical, legal and regulatory aspects were all considered in harmony. COPUOS should develop a productive work programme also with respect to remote sensing. Canada had already announced that it could provide experts and working papers for the working groups which would carry out the three studies which COPUOS had decided to undertake.

69. Lastly, in order to avert the danger of an arms race in outer space, work should be done on the basis of the existing legal instruments. The Committee on Disarmament was the most appropriate international forum for that work.

70. Mr. NOWAK (Poland) said that his country highly valued international co-operation in developing legal norms to guarantee the peaceful use of outer space. Poland had contributed, as far as its means permitted, to space research through its national programmes and in collaboration with other countries, particularly within the framework of INTERCOSMOS with the Soviet Union as its principal partner. It was also ready to co-operate in projects in that field within the framework of international organizations.

71. The technological progress that made it possible to explore outer space should be used to promote the economic and technological development of all countries. For example, all countries should have access to remote-sensing satellite data in environmental monitoring, water resource development, agricultural and forest inventories, geological prospecting and meteorology, fields which were of particular interest to Poland. Data obtained by remote-sensing satellites was becoming an essential factor in the establishment of a new international information order. The use of satellites for education also had great potential. Nevertheless, States must have the political will to establish a rule of law in outer space and plan co-operation to ensure that all States shared in the benefits without discrimination.

72. The international community was increasingly alarmed at the militarization of outer space; two out of every three spacecraft served military purposes. The new plans developed by the United States Government served to step up the arms race, which now extended to a new area where the risks were incalculable. Everything must be done to prevent competition in outer space. In that regard, it was regrettable that the representative of the United States had not considered it necessary to respond to the concerns voiced repeatedly in COPUOS.

73. His country had already had occasion to welcome the recent initiative of the Soviet Union concerning the conclusion of a treaty on the prohibition of the use of force in outer space and from space against the Earth. Such an instrument would prevent outer space from becoming a dangerous arsenal and would also orient space research towards peaceful purposes, which would benefit developing countries and countries which, like Poland, had limited resources. The unilateral pledge given by the Soviet Union not to be the first to deploy anti-satellite weapons in outer space was an example which should be followed. COPUOS seemed to be the competent

(Mr. Nowak, Poland)

body to consider such proposals. That Committee could not remain idle in view of the gaps in international law in its own field. COPUOS was therefore qualified to study the proposal of the Soviet Union, which introduced the concept of the rule of law in the field which that Committee dealt with and was in keeping with its work.

74. Poland supported the recommendations adopted by COPUOS at its twenty-sixth session and expressed satisfaction that that body had sought to define ways of implementing the recommendations of UNISPACE-82. Nevertheless, the work of COPUOS and its two Sub-Committees had slowed down somewhat, as a result of polarization of views caused by international tension, which was alarming when there was an increase in unilateral and regional space activities. It was very important that COPUOS should conduct its work on the basis of consensus. The Legal Sub-Committee should elaborate as speedily as possible a draft treaty concerning the use of direct television broadcast satellites on the basis of the principles adopted by the General Assembly at its thirty-seventh session (General Assembly resolution 37/92). Further delay increased the danger of the misuse of direct broadcast satellite systems with all the repercussions which that would have for international relations. His country also favoured a clear demarcation between air space and outer space in order to clearly define the limits of State sovereignty. That important task should be urgently undertaken by a separate working group. Lastly, it was necessary to complete without delay the elaboration of a legal régime regulating remote-sensing activities, which should not infringe the sovereignty of the sensed States or be misused, but should promote the gathering of data to be shared by all.

75. Mr. KI (Upper Volta) said that outer space, which had become accessible, was an increasingly important factor in the modern world. The great Powers were engaging, more and more intensely, in all sorts of activities in outer space, in a frantic race for supremacy in that part of the universe. That rivalry could be encouraged only as long as it remained peaceful and pursued scientific goals which benefited all mankind. The growing militarization of outer space, however, posed a threat to the world which became clearer each day. United Nations bodies, therefore, played an extremely important role, because they enabled the developing countries to express their views on those problems, which concerned them and over which they would otherwise have no control. For example, the Committee on the Peaceful Uses of Outer Space should, if necessary, make proposals to preserve the peaceful nature of outer space. COPUOS had already laid the foundation for space law by adopting a number of legal instruments. Those instruments, however, remained fragile and COPUOS, moreover, had for some years had difficulty in elaborating other instruments. Although COPUOS had adopted, by a very large majority, principles concerning the use of direct television broadcast satellites, fundamental differences of opinion had impeded progress in the elaboration of principles on remote sensing by satellite, on the question of the definition and/or delimitation of outer space and the geostationary orbit, and on the use of nuclear power sources in outer space. COPUOS should redouble its efforts in order to achieve concrete results, bearing in mind that the principle of consensus was good provided it did not become a veto in disguise.

76. One of the main tasks of COPUOS was to promote peaceful co-operation in outer space among all States. The Second United Nations Conference on the Exploration

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(Mr. Ki, Upper Volta)

and Peaceful Uses of Outer Space (UNISPACE-82) had already achieved positive results in that regard. Nevertheless, in spite of the training and information facilities placed at their disposal, the developing countries did not benefit as much as they should from the applications of space technology because they did not have the necessary infrastructure. Remote sensing of the earth by satellite, for example, would be very useful to African countries, which would thus be better able to study and deal with a number of natural phenomena, such as the growing ecological imbalances. However, because they did not possess the necessary infrastructures, those countries ill equipped to combat those phenomena, which impeded their development. The remote sensing programme adopted by ECA was at a standstill for want of facilities. In particular, the three planned receiving centres were still only at the feasibility-study stage. On the other hand, the establishment of the regional remote sensing centre in Ouagadougou was progressing well. His country was collaborating at the centre with other participating countries, whose contributions would make it possible to install a receiving station for direct reception of the data transmitted by satellites.

77. Space co-operation could also involve the co-ordination of space activities within the United Nations system, space transport systems, etc. Direct television broadcasting by satellite, in particular, could be a powerful tool for education and promoting understanding and there should be solid co-operation in that field. As the Chairman of COPUOS had said, only by constructively and imaginatively developing the opportunities for co-operation in the field of outer space, for the benefit of all mankind, would it be possible to prevent outer space from being used for other than peaceful purposes.

78. Mr. KASINA (Kenya) said that the recommendations of UNISPACE-82 had enabled nations to see which direction they should take for greater co-operation in exploring outer space. Those recommendations would undoubtedly aid mankind in gaining further scientific knowledge and promoting industrialization and social development. They highlighted the fact that space technology, with its ever increasing number of applications, was developing at such a rapid pace that the international community must continually strive to elaborate rules of law to regulate all the activities which had become possible.

79. In implementing the recommendations of the Conference, the Committee on the Peaceful Uses of Outer Space had felt that the United Nations should carry out, on a priority basis, studies concerning assistance to countries in studying their remote sensing needs, the feasibility of using direct broadcasting satellites for educational purposes, and the feasibility of obtaining closer spacing of satellites in the geostationary orbit. The potential of remote sensing by satellite in assessing the natural wealth of the planet and carrying out environmental studies was great. Those techniques had been of great help to the developing countries. The United Nations, therefore, should increase its efforts in co-ordinating activities at the international level in that field. Furthermore, the necessary training facilities in all aspects of remote sensing should be provided to the developing countries. His delegation expressed satisfaction in that regard at the role played by the FAO Centre in Rome; the Centre should be strengthened to enable it to meet the particular needs of the developing countries. Remote-sensing activities should, however, should be carried out on the basis of total respect for

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(Mr. Kasina, Kenya)

the sovereign rights of the sensed State and with its prior consent. The sensed State should also have direct access, before any third State, to data thus obtained and should have the right to decide whether the data on its territory could be disseminated to other countries. With regard to the principles governing the use of direct television broadcast satellites, it was unfortunate that there were still difficulties with certain States which had delayed the adoption of such principles. Nevertheless, COPUOS should continue its efforts to codify those principles in a legally binding international instrument which would define the responsibilities of the broadcasting State and the receiving State. Although direct television broadcasting by satellite would increase the flow of information, caution should be exercised because many abuses could be brought about under the pretext of the free flow of information. Although Kenya believed in freedom of information, that principle must not be used as an excuse for spreading political propaganda, which could only be detrimental to relations between States.

80. It was regrettable that COPUOS had made little progress with regard to the definition and/or delimitation of outer space and the geostationary orbit. A world conference organized for 1985 by the International Telecommunication Union (ITU) would study and plan the use of that orbit; it was to be hoped that the conference would do so equitably and efficiently, taking into account the specific requirements of each country, and of the particular geographical situation of States, particularly the equatorial States.

81. Science and technology in outer space should be used only for peaceful purposes. Recently, however, concern had been expressed that the arms race and confrontation might also extend to that part of the universe. The militarization of outer space would considerably increase the risk of a nuclear war and everything possible should be done to persuade the superpowers not to militarize outer space. It was imperative, therefore, to draw up a treaty prohibiting the introduction of any weapons into outer space and their use there. To achieve that end, it was necessary to implement the recommendations of UNISPACE-82 and have sufficient funds. In that respect, all the States and organizations which had contributed, financially or otherwise, to the United Nations Programme on Space Applications were to be thanked; nevertheless, appealing for voluntary contributions was not the best way to collect funds to carry out such important projects because it would always be difficult to decide which projects should be given priority. The best solution would be to include those projects in the regular budget of the United Nations, which at the same time would ensure proper planning and timing of projects.

82. The CHAIRMAN said that there had been some confusion with regard to the decision taken by the Committee at its 21st meeting concerning the distribution of summary records of meetings and he repeated that decision: summary records would appear in the original language in the first few days following the meeting to which they corresponded. The translations of those records into the other languages would appear at a later date.

The meeting rose at 1.10 p.m.