

tasks of the World Space Organization include the monitoring, by satellite, of compliance with the provisions of disarmament and arms control agreements, then it would have to take over the functions proposed for ISMA.

The report stresses throughout the *dual-purpose character of satellite technology*: the same satellites, equipped with the same sensors, can be used for development purposes and to check violations of disarmament and arms control agreements. It notes that "in the United States there is a recent trend to incorporate sensors for both military and civilian missions on the same satellite . . ."

In the future, considerable progress may be expected which could bring the performance of civilian satellites close to military ones used for area surveillance. Such a development, the report points out, would be of great importance for the establishment of an International Satellite Monitoring Agency (or Space Organization) since it would make available necessary data from sources other than military surveillance satellites which would be of significance in the field of verification.

The difficulty is to distinguish a satellite used for peaceful purposes from a spy satellite. The only way to solve this problem is to combine both aspects, to carry out both peaceful research and monitoring of military activities with the same satellites under the control of the World Space Organization, and to make all data available to that organization. A number of useful functions of a satellite agency, or space organization, are contained in the Secretary's Report.

They include the monitoring of compliance with disarmament/arms control agreements, the monitoring of crisis situations, the strengthening of international confidence-building measures, and the observation of the use or threat of force.

In the case of the Law of the Sea negotiations, many countries, especially developing ones, wanted a broad range of functions and requisite powers for the Authority. Others, mainly among the industrialized countries, basically distrusted the Authority which they feared would be dominated by developing countries, and accordingly tried to limit its functions and powers as narrowly as possible. Finally, the maritime powers insisted on a separation between peaceful uses, over which the Authority was to have jurisdiction, and military uses, which were to remain a prerogative of the national state. It is likely that a similar alignment will emerge in the negotiations on the World Space Organization.

It is important that the negotiations should in no way touch the basic structure of the United Nations System. The functions of the Authority will be development and control — management, monitoring and surveillance — not decisions on retaliatory measures in case of treaty violations. The latter role remains the responsibility of the Security Council.

It is also obvious that provocative manoeuvres

during the negotiations are to be avoided. A voluntary moratorium on certain military tests in space while the negotiations are in course would go a long way towards fulfilling this condition.

The Structure of the World Space Organization

The Secretary General's Report suggests that membership would be open to all members of the United Nations. There would be three types of membership: regular membership, associate membership and observer status (for non-governmental or inter-governmental organizations). The legal nature of the World Space Organization would be that of an independent body. It would have an "international legal personality," enabling it to conclude treaties, enjoy various privileges and immunities in member countries, own property, and enter into contracts with states and other entities. Its principal organs would be an Assembly of states members, with broad policy-making and electoral responsibilities and the power to approve the budget, etc.; an Executive Council, which should be small in order to be effective but large enough to be representative of all regions; and a Secretariat, consisting of a Director General and a staff of international civil servants. Financing would be provided through membership fees and, additionally, through voluntary contributions and funds contributed in return for services rendered.

An interesting feature of the organization would be its dispute-settlement machinery. This would be a panel of arbitrators nominated by member states, appointed by the organization's council and approved by the Assembly from which parties to a dispute would select the agreed number of arbitrators for each dispute (an arrangement comparable to that of the Permanent Court of Arbitration). The award of the arbitration tribunal would be final and binding, with no right of appeal.

The Secretary-General's Report also contains a detailed list of technical machinery needed by the organization for the effective conduct of its monitoring and surveillance activities. These would include systems specifically designed and adapted for the needs of the organization by member states; the organization could also have its own research and development facility.

These systems, it is to be assumed, would function under the direction of the Executive Council, through technical commissions similar to those to be established by the Council of the Seabed Authority. One of these technical commissions would also be responsible for the monitoring of compliance with arms control and disarmament agreements.

The functions of the World Space Organization are more comprehensive than those of the proposed International Satellite Monitoring Agency, with the latter's emphasis on police action. Since the focus of the