

OUTER SPACE LAW

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As a country with communications satellites in geostationary orbit and an active program in the field of remote sensing, Canada has a direct interest in the rational and progressive development of international law relating to outer space. The United Nations has provided a focal point for this process through its Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee. This Committee has been responsible for the development of the following international instruments relating to outer space: the 1967 Treaty on Principles Governing the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, the 1968 Agreement on the Rescue of Astronauts, Return of Astronauts and the Return of Objects Launched into Outer Space, the 1972 Convention on International Liability for Damage Caused by Space Objects and the 1975 Convention on Registration of Objects Launched into Outer Space.

At, its Sixteenth Session, held in New York from March 14 to April 8, the Legal Sub-Committee continued to consider, as a matter of high priority, the "elaboration of principles governing the use by States of artificial earth satellites for direct television broadcasting". The major outstanding questions facing this year's session were the issues of consent and participation, illegal broadcasts and program content. A recent development of particular relevance to the work of the Sub-Committee was the World Administrative Radio Conference (WARC) held in Geneva from January 10 to February 13, 1977. This conference developed detailed plans for the broadcasting satellite service in the 12 GHz band for Europe, Africa, Asia and the South Pacific. Countries of the Americas are expected to conclude a similar detailed plan in 1983. The basis for these plans is Regulation 428 (a) of the Radio Regulations of the International Telecommunication Union which states, "In devising the characteristics of a space station in the broadcasting satellite service, all technical means available shall be used to reduce, to the maximum extent practicable, the radiation over the territory of other countries unless an agreement has been previously reached with such countries".

Put somewhat differently, the technical framework of the 1977 WARC was based on the general principle that