

However, this year for the first time the Legal Sub-Committee considered remote sensing, using the reports of the Technological and Scientific Sub-Committee and its Working Group as background documents.

Representatives of a number of countries, including Canada, have been stressing the need to begin drafting legal principles which, while firmly based on the technical requirements of remote sensing, would strike a responsible balance between the interests of the principal entities involved in the activity, i.e., sensing states, sensed states, user groups and the international community generally. These principles would govern the essential facets of remote sensing in its various phases, including the acquisition of raw data, the processing of the data into usable form, dissemination and interpretation of such data.

Although proposals for draft principles to govern remote sensing were submitted in the Legal Sub-Committee by a number of states, little progress was made at its 1974 session toward agreement on the need for a legal régime. There will obviously be a lengthy and intense international debate on this subject before any legal principles to govern the activity are elaborated.

At the 1974 meeting of the Legal Sub-Committee, the full spectrum of divergent views on the subject was reviewed. These views ranged from the pro-sovereignty approach advocated by Brazil and some other Latin American States, to the "open-skies" policy espoused by the U.S.A. The former would seek to recognize rights by sensed states over the collection and dissemination of data pertaining to their terrain. The latter holds that the present state of international law (particularly the Outer Space Treaty) adequately covers this activity and that sensing states do not require the consent of sensed states either to collect or disseminate data, even if the dissemination is to third parties. The basic issue is, therefore, whether a state has, or should have, any rights to data or information about its resources, as opposed to rights in the resources themselves.