

MS 22

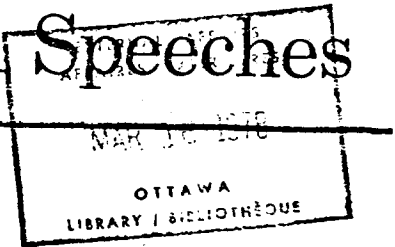
REF 01



REF

# Statements and Speeches

No. 77/22



## PEACEFUL USES OF OUTER SPACE

Statement in the First Committee of the Thirty-Second Session of the United Nations General Assembly by Mr. William H. Barton, Ambassador and Permanent Representative of Canada to the United Nations, November 23, 1977.

It is a pleasure for me to take the floor once again in this Committee to place on record Canada's views on the two agenda items now before us, the report of the Committee on the Peaceful Uses of Outer Space and the formulation of a set of principles to govern direct television broadcasting by satellite. My delegation believes that these items are of particular importance and looks forward to our debate in the anticipation that progress will be made in our attempts to resolve the issues involved.

\* \* \* \*

This seems to be a year of anniversaries, and I think it would be appropriate, and perhaps also salutary, for us to note the accomplishments of recent years. It is 20 years since the Committee on the Peaceful Uses of Outer Space was founded, and 20 years since the first satellite was sent into orbit. Now man has walked on the moon and probes the secrets of the solar system and of other galaxies. Parallel with these remarkable scientific activities in outer space, much has been done on earth towards codifying international law in this domain. This is the tenth anniversary of the entering into force of the Outer Space Treaty, and three other important international legal instruments have also entered into force. Such achievements have demonstrated that the Committee is an effective instrument in resolving important issues of concern to member states; for this we can, I think, be justifiably proud.

The Canadian space program has matured in the past 20 years, and it too has seen its share of accomplishments. It was, in fact, 15 years ago, with the launch of *Alouette 1*, designed and built in Canada, that Canada became the third nation to place a satellite in orbit. Subsequent Canadian achievements in space-science research, telecommunications, remote-sensing and in other areas of space applications have been numerous and have been reported previously to this Committee. I need not repeat them now.

What I should like to repeat is Canada's continuing and increasing commitment to co-operate in the development of new technologies and new programs with other countries. Since last we reported to this Committee, for example, Canada has explored with the European Space Agency possibilities for increasing the degree of mutual co-operation. The Canada Centre for Remote-Sensing has signed agreements to exchange information and personnel and to pursue mutually-agreed programs with the European Space Agency and with the Centre nationale d'Etudes spatiales of France. Following talks at senior levels, links are being forged with the appropriate Japanese space authorities for the exchange of information and the identification of specific and practical areas for co-operation. Finally, co-operation with our principal

---

space partner, the United States of America, continues to grow. There have been a number of developments in the last 12 months, but perhaps the most significant has been discussions examining the possibility of developing a joint program for an experimental search-and-rescue satellite system that would supplement existing methods for locating aircraft and ships in distress. A number of other countries are also interested in this experiment, and it may be that a truly co-operative and truly international project will emerge.

I should like now to refer specifically to the report of the Committee on the Peaceful Uses of Outer Space. I have already said that the Committee has accomplished much, and so I believe it has. Nevertheless, I am reminded that last year, when speaking to this same agenda item, I took particular pains to sound a note of urgency, to state that, if greater progress were not made, "technological developments, and the expectations of people around the world will together render our debate irrelevant". My delegation is pleased that some progress has indeed been made since last year. However, much yet remains to be done, and in our view there are two areas in particular in which further progress is necessary. The first of these is the question of direct television broadcasting by satellite (DBS).

In spite of the efforts of both the Legal Sub-committee and a working party of the Committee on the Peaceful Uses of Outer Space, it did not prove possible to complete a full draft set of principles on DBS during 1977. A development of relevance to the Legal Sub-committee's consideration of this issue was the World Administrative Radio Conference (WARC), held in Geneva earlier this year. This conference, which developed detailed plans for the broadcasting-satellite service in the 12-GHz band, based its work on the principle that intentional broadcasting by one state to another required the agreement of the receiving state.

At the sixteenth session of the Legal Sub-committee, Canada and Sweden jointly introduced a revised draft principle entitled "Consultation and Agreements", together with a draft preamble. These texts, which were consistent with the 1977 WARC, provided the basis for negotiations both in the Legal Sub-committee and in the parent committee. During both sessions, the Canadian and Swedish delegations urged the adoption of the compromise texts, which represent an effective balance between the need to facilitate the orderly development of an important new area of technology and the need to protect the sovereign right of states to regulate their communications systems. Canada is convinced that the texts developed in New York and refined in Vienna can provide the foundation for consensus on a full set of principles at the next session of the Legal Sub-committee.

A second area of particular Canadian concern is remote-sensing. Progress is being made in attempting to formulate a legal framework that might be established to govern remote-sensing of the earth by satellite. In our view, such a framework, based primarily on the identification of "common elements" in the various proposals that have been put forward, should reflect a balance between the need to ensure the greatest possible benefits to the world community through remote-sensing activities and the need to safeguard legitimate national interests.

---

Progress is also being made on the technical and scientific level as increasingly sophisticated radars are developed and remotely-sensed data are found to have more and more applications. Where sufficient progress is not being made is on the organizational and political level. A number of delegations at the last meeting of the Committee on the Peaceful Uses of Outer Space expressed concern over the lack of co-ordination of the increasingly-disparate remote-sensing efforts of a growing number of countries. As a result, the Canadian delegation proposed, and the Committee agreed, that the Scientific and Technical Sub-committee give high priority to questions relating to the co-ordination on a global basis of remote-sensing activities. This was a positive step, but a step that will be meaningless unless we are able to define more precisely what it is we want from remote-sensing and how we should organize ourselves to realize our objective. In this connection, it is noteworthy that the Scientific and Technical Sub-committee, in its report, encouraged those countries that were contemplating the establishment of pre-operational remote-sensing systems to consider their compatibility and complementarity with existing systems. Another idea that has been mooted in the past involves setting up a system or systems of internationally-owned satellites that would be co-ordinated by an international body, much like the World Weather Watch system of the World Meteorological Organization. This might be a good idea; it might be a bad one. What we are saying is that the present situation calls for more ideas, for imaginative and creative thinking, or the problems we face in this area will become intractable. It would not augur well for the efforts of this organization to break down the barriers that have separated nations for years if we are unable to avoid polarization in this new and developing field.

My delegation is pleased to note that some progress was also made during the last session of the Scientific and Technical Sub-committee in regard to the technical definition of terms connected with remote-sensing, including "data" and "information". Unfortunately, the Legal Sub-committee was unable to make use of them in its efforts to agree on a legal régime to govern remote-sensing. The Canadian delegation was thus gratified that the main committee, at its meeting in Vienna in June, took a decision on this matter that is reflected in Paragraph 39 of its report.

My delegation is also pleased at the movement that is being shown in considering the question of holding a second United Nations conference on outer space. In our view, this is a question that requires more careful study — study of the subjects such a conference would address, how it would be co-ordinated with other conferences, when it might most usefully be held, and such organizational aspects as its financing. The establishment of working party of the Scientific and Technical Sub-committee to examine these questions is an important step, and we look forward to playing a constructive role in that working party under the capable and experienced guidance of Professor Carver.

In this connection, I should like to recall that, in Paragraph 77 of the main committee's report, mention was made of the desirability of governments submitting to the Secretariat at an early date their ideas and recommendations concerning this proposed conference. If such submissions are received sufficiently in advance of the consecutive meetings in February 1978 of the Scientific and Technical Sub-committee and of this working party, the preparation of a comprehensive report, despite the inevitable pressures of time, may still prove possible.

Before concluding, I should like to make a brief allusion to one passage in the speech given on November 21 by the distinguished Chairman of the Committee on the Peaceful Uses of Outer Space, Ambassador Jankowitsch, in opening our debate. He referred at that time to the fact that the Outer Space Committee was not an "exclusive club" composed of member states from the developed world. I should like to reiterate his sentiments and call for ever-increasing involvement in the work of the committee by other member states, particularly those from the developing world. Indeed, a number of countries have already availed themselves of opportunities to participate in the work of the main committee and its two sub-committees in an observer capacity. We should, therefore, wish to support the resolution introduced by the Austrian delegation calling for a study by the Outer Space Committee itself of the means by which wider participation in its work might be facilitated, whether through an expansion of its membership or through other methods. That having been said, it should perhaps be noted that one reason why the endeavours of the committee to date have been accomplished in an efficacious manner is just because its membership, while fully consonant with the principle of equitable geographical distribution, has been kept to a manageable size.

Finally, I should like to state that my delegation is pleased to co-sponsor the omnibus resolution on the peaceful uses of outer space that has just been introduced this afternoon by the Austrian delegation. The resolution makes very well the two points that have been the main theme of the Canadian delegation's intervention — namely, that we note with considerable satisfaction the work that has been done but do so conscious of the work that yet remains unfinished. It is my delegation's conviction that progress can be made during this next year, and in this collective effort I pledge Canada's full support and co-operation.

---

S/C