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COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE

REPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF ITS
ELEVENTH SESSION (10 APRIL-5 MAY 1972)

1. The Legal Sub-Committee opened its eleventh session at the United Nations Office at Geneva on 10 April 1972 under the chairmanship of Mr. Eugeniusz Wyzner (Poland).
2. The Chairman in opening the session expressed his gratification that the Convention on International Liability for Damage Caused by Space Objects, the text of which was completed by the Sub-Committee at its tenth session after several years of work, had been opened for signature at the capitals of the three depositary Governments on 29 March 1972 and had already been signed by over 40 countries. The Sub-Committee had thus, within a period of 10 years, prepared three important international agreements on outer space, namely, the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the 1972 Convention on International Liability for Damage Caused by Space Objects. The Chairman congratulated the members of the Sub-Committee for their professional skill in producing the text of the Liability Convention which, without any change, was commended by the General Assembly.
3. In regard to the work of the present session, the Chairman recalled that in response to the request made by the Legal Sub-Committee at its tenth session, the Committee on the Peaceful Uses of Outer Space, at its fourteenth session in September 1971, considered the desirability of establishing the order of priority among the different questions to be included on the agenda of the Legal Sub-Committee at its future sessions. He referred, in this connexion,

to paragraph 38 of the report of the Committee on that session which read as follows: 1/

The Committee recognized that it was within the competence of the Legal Sub-Committee to assign priorities to the various subjects on its agenda. Nevertheless, in response to the request of the Sub-Committee, and on the basis of the suggestions made by many delegations, the Committee recommended, at its 106th meeting, on 10 September 1971, that priorities be given to matters relating to the registration of objects launched into space for the exploration or use of outer space, and to questions relating to the moon. At the same time, the Committee took note of the preference expressed by several delegations that priority be also given to: the various implications of space communications in the light of the reports of the Working Group on Direct Broadcast Satellites and the work undertaken in that field, in particular, by the International Telecommunication Union, the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization; matters relating to the definition and/or delimitation of outer space and outer space activities; and matters relating to activities carried out through remote sensing satellite surveys of earth resources. The Committee also recommended that the Legal Sub-Committee take these views into consideration in the programming of its future work. It further recommended that any decision taken by the Legal Sub-Committee to accord priority to one item should not preclude the consideration of any other item on the agenda during any future session of the Sub-Committee if the Sub-Committee so decides.

4. The Chairman noted that the recommendations quoted above had been endorsed by the General Assembly in its resolution 2776 (XXVI) of 29 November 1971.

Adoption of the agenda

5. At its opening meeting, the Sub-Committee adopted the following agenda for the session (A/AC.105/C.2/11):

1. Statement by the Chairman
2. Matters relating to the registration of objects launched into space for the exploration or use of outer space
3. Questions relating to the moon
4. Other questions, including:
 - (a) The various implications of space communications: report of the Working Group on Direct Broadcast Satellites

1/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 20.

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(b) Matters relating to the definition and/or delimitation of outer space and outer space activities

(c) Matters relating to activities carried out through remote sensing satellite surveys of earth resources.

Message from the Secretary-General on measures of economy

6. At the opening meeting of the session, the Chairman read out a message from the Secretary-General concerning measures of economy to be observed by the Secretariat and on which he would wish to have the support and assistance of United Nations bodies. The Chairman was certain that all members of the Sub-Committee shared the feelings expressed by the Secretary-General.

Decision on summary records

7. The Chairman drew attention to the decision taken by the main Committee in order to realize a substantial saving 2/ that in 1972, on an experimental basis, the summary records of the Sub-Committee would be prepared and issued only for the last week of the session. Following discussion, the Sub-Committee decided to request its Chairman to ascertain, in the course of the present session and through informal consultations, the views of the members on the question of summary records (A/AC.105/C.2/D.1). At its 190th meeting on 4 May, the Sub-Committee agreed that summary records should be prepared and issued for all meetings of its next (twelfth) session in 1973, on the understanding that this would not have additional financial implications and would not set a precedent for future sessions of the Sub-Committee.

Organization of work 3/

8. The Sub-Committee decided that the first week of the session would be devoted to the consideration of item 3 while the second week would be reserved in principle for the consideration of item 2. The Sub-Committee also decided that there would be some flexibility in moving from one item to the other. This flexibility was also maintained by the Sub-Committee during the third week of its work. It was also the decision of the Sub-Committee that the above arrangement should not preclude any delegation from making observations on any other item on the agenda, possibly during the fourth week of the session when the Sub-Committee would be provided with summary records of its meetings.

9. During the session, the Sub-Committee established two working groups for article by article consideration of proposals made under agenda items 2 and 3

2/ See the statement made by the Chief Editor of the United Nations, at the 108th meeting of the Outer Space Committee on 20 December 1971, that the saving would be of the order of \$45,000 (A/AC.105/PV.108, p. 2).

3/ Documents concerning the organization of work (A/AC.105/C.2/D.1, D.2 and D.3) are reproduced in annex III.

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