4-1-1983

Regional and International Activities

Isidoro Zanotti

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Recommended Citation
Isidoro Zanotti, Regional and International Activities, 15 U. Miami Inter-Am. L. Rev. 151 (1983)
Available at: http://repository.law.miami.edu/umialr/vol15/iss1/12

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I. Meeting of the Inter-American Juridical Committee

Draft Inter-American Convention on Jurisdictional Immunity of States

During its meeting from January 10 through February 4, 1983, the Inter-American Juridical Committee approved a draft Inter-American Convention on Jurisdictional Immunity of States. The following is a summary of the provisions of this draft convention.

Article 1 provides that a State is immune from the jurisdiction of any other State. For purposes of the Convention and as provided in article 2, the definition of State includes, but is not limited to, the following: a) the government and its departments, its decentralized agencies and self-governing or self-sustaining entities; b) its agencies, whether or not endowed with a separate legal personality, and any other entity, of legal national interest, whatever its technical and legal form; c) national, regional or local political or administrative institutions.

Under article 3, a State is immune from jurisdiction for acts performed by virtue of governmental power. Immunity from jurisdiction applies equally to activities involving property owned and to assets which the State uses by virtue of its governmental powers. Article 4 establishes that, notwithstanding the provisions of article 1, a State may be brought before the adjudicatory authorities of another State under the circumstances foreseen in the Convention.

Articles 5, 6, and 7 contain rules providing for exceptions to

* General Rapporteur and member of the Council and of the Executive Committee, Inter-American Bar Association, member of the Board, Inter-American Bar Foundation; former Deputy Director, Department of Legal Affairs, General Secretariat of the Organization of American States.
jurisdictional immunity. States shall not invoke immunity against claims relating to trade or commercial activities undertaken in the State of the forum. In addition, States shall not claim immunity from jurisdiction either: a) in labor affairs or employment contracts between any State and one or more individuals, when the work is performed in the state of the forum; b) in proceedings for the distribution of assets, be they of civil, trade, or commercial nature; c) in actions involving real property located in the State of the forum with the exceptions contained in international treaties or in diplomatic or consular practices; d) in tax matters, regarding property located in the forum State; e) in proceedings for losses or damages on tort liabilities arising from trade or commercial activities; or f) when the judgment includes court costs.

The adjudicatory authorities of a State shall exercise jurisdiction over another State, subject to the provisions of the Convention, when the latter State: a) institutes proceedings before them; b) defends a suit or joins in proceedings or brings legal action against the merits of the case without explicitly claiming immunity, when such immunity would be applicable; or c) counterclaims or brings a third-party claim. A State is not deemed to have accepted the jurisdiction of the adjudicatory authorities merely by appearing before a court of another State in order to assert immunity.

Articles 8 through 15 provide for rules of procedure; a summary of some of these articles follows. Notwithstanding the provisions of the Convention, a State Party to proceedings filed before an adjudicatory authority of another State shall be subject to the procedural rules of the forum. To summon or notify a foreign State of a claim, the competent adjudicatory authority of the forum State shall send letters rogatory to the applicable adjudicatory authority of the foreign State through the Ministry of Foreign Affairs of the forum State. The latter shall forward said letters rogatory to the Ministry of Foreign Affairs of the foreign State, through diplomatic channels, within fifteen working days. The Ministry, in turn, shall notify the addressee of the summons or notice, within an identical time-limit, in accordance with legal procedure.

The letters rogatory shall be supplemented by certified copies of the claim filed, the attachments thereto, and a copy of the resolution supporting the summons or notice served on the defendant. These documents shall be exempt from authentication, but, if required, must be translated into the language of the receiving State.
Compliance with the letters rogatory shall not imply a recognition of the competence of the plaintiff adjudicatory authority.

The foreign State shall have a time limit of forty working days (from the date in which the notice is served) to come before the appropriate adjudicatory authorities to exercise its rights and, at its discretion, to claim immunity from jurisdiction. This time limit can be extended by a maximum of forty working days. If a foreign State claims immunity from jurisdiction, it shall be free to appoint a special agent to the proceeding who can be assisted by an attorney registered in the forum State. A foreign State claiming immunity from jurisdiction shall not be required to go into the substance of the dispute nor submit evidence at such occasion.

Final judgment given in accordance with the Convention shall be executed in the foreign State which is a Party to the proceeding, subject to the provisions of treaties in force between the States involved or, in default thereof, to their national legislation. The foreign State shall always be immune from foreclosure or other preventive measures, unless it formally waives immunity. Actions on real property located in the forum State are excepted from this provision, unless granted international protection.

According to a special rule contained in article 16, no provision of the Convention shall affect privileges and immunities applicable under international treaties currently in force. Articles 17 and 18 contain general provisions, stating that the Convention applies only to proceedings initiated after it has entered into force. If any dispute arises between Contracting Parties regarding the acceptance or rejection of immunity from jurisdiction under the Convention, the defendant State shall be entitled to appeal to the International Court of Justice, without any need of a prior agreement, for a definitive judgment on the matter, unless the parties agree to resolve the dispute by other means.

The final clauses of the convention are contained in articles 19 through 25. The Convention will be open for signature by member States of the OAS and is subject to ratification. The instruments of ratification are to be deposited with the General Secretariat of the OAS. The Convention shall be open for accession by any other State. The Convention becomes effective on the thirtieth day following the date of deposit of the second instrument of ratification and will remain in force indefinitely, but any of the State Parties may denounce it. One third of the State Parties may request that a Conference be called to revise or amend the Convention five years
after it has entered into force.

Tenth Course on International Law

During its meeting, the Inter-American Juridical Committee approved the program for the Tenth Course on International Law to be held in Rio de Janeiro in August of 1983. The Course was organized by the Juridical Committee in 1974 and it has been held annually in Rio de Janeiro with the collaboration of the General Secretariat of the Organization of American States. The General Assembly of the OAS has expressed its full support of the Course, several times, which is an advanced level activity and has been both successful and useful to OAS member states.

To emphasize the nature of this special event, the Juridical Committee has invited the Ministers of Foreign Affairs of the following OAS member states to deliver lectures at the Tenth Course: Venezuela, Ecuador and Mexico. The program will consist of courses on Public and Private International Law and the Inter-American System. Members of the Juridical Committee, as well as especially invited professors and officers of the OAS General Secretariat, will deliver lectures, conduct seminars and lead round table discussions. The OAS will grant about 30 scholarships to candidates from OAS member states, selected by the OAS Fellowship Program. The selected participants in the past have been law professors, diplomats, high ranking government officials, judges and practicing attorneys from OAS member states. The number of applicants has increased over the years. In 1981 and 1982, more than 90 candidates submitted their applications. The Course has grown in prestige over the years due to the able and dedicated direction of those involved. Today it is a highly successful and useful program of the Inter-American Juridical Committee, the principal juridical organ of the OAS.

II. Third Inter-American Specialized Conference on Private International Law (CIDIP-III)

The Third Inter-American Specialized Conference on Private International Law (CIDIP-III) will be held early in April 1984.

1. The Tenth Course on International Law is of particular significance and personal satisfaction to the author. He has had the privilege and honor of collaborating closely in the preparation of the programs and in the direction of the Course from the first session, held in 1974, to the ninth session, held in 1982, and has been one of the professors.
The OAS General Secretariat, through its Secretariat for Legal Affairs, has been actively involved in the preparation of this specialized conference.

This Conference will continue the work done on the development and codification of Private International Law in the Inter-American Legal System performed by CIDIP-I, in 1975, and CIDIP-II, in 1979. The agenda will include the following topics: Drafting an additional protocol to the Inter-American Convention on the Taking of Evidence Abroad (approved by CIDIP-I in Panama in 1975); Drafting an Inter-American Convention Jurisdiction in the International Sphere for the Extraterritorial Validity of Foreign Judgments; international maritime transportation; international land transportation of goods and persons; personality and capacity of natural and juridical persons; adoption of minors.

The draft Rules of Procedure for CIDIP-III was approved by the OAS Permanent Council on February 2, 1983 by CP/RES.379 (515/83). Accordingly, CIDIP-III will consider the topics on its draft agenda as well as the draft conventions and other documents prepared by the Inter-American Juridical Committee and the studies, proposals, and draft international instruments presented by the governments of OAS member states on agenda topics. The governments of OAS member states may accredit delegations to the Conference through their respective Ministry of Foreign Affairs. These delegations must have full powers to sign the Conventions that the Conference approves.

The Permanent Observers to the OAS may attend the Conference in accordance with the provisions of the relevant resolutions of the General Assembly and the Permanent Council. The following may accredit observers to the Conference: The Inter-American specialized organizations and American regional intergovernmental agencies; the United Nations and its specialized agencies; international or national organizations maintaining a relationship of cooperation with the OAS; or, when the Permanent Council so decides, the governments of states which are not members of the OAS and which have no Permanent Observers, when such governments express an interest in attending and the Permanent Council authorizes them to do so.

III. WORLD CONFERENCE ON THE INDEPENDENCE OF JUSTICE

The World Conference on the Independence of Justice will be
held in Montreal, June 5 to 10, 1983, and will be sponsored by the Canadian Judicial Council, the Canadian Judges Conference, the Canadian Association of Provincial Court Judges, the Canadian Bar Association, the Royal Society of Canada, the Canadian Institute for the Administration of Justice, and the Canadian Section of the International Commission of Jurists. The Conference enjoys the support of the Governments of Canada and the Province of Quebec. The Coordinator of the Conference will be the Chief Justice of the Superior Court of Quebec.

The main objective of the Conference is the study and adoption of a draft Declaration on the Independence of Justice. It is expected that this draft Declaration will be submitted to the United Nations through the offices of the UN General Rapporteur. Several international organizations of lawyers have been invited to participate in the Conference, including: The Inter-American Bar Association, Comisión Andina de Juristas, The World Peace Through Law Center, The International Association of Penal Law; The Caribbean Bar Association, The International Bar Association, The Inter-African Union of Lawyers, Union International des Avocats, The All Asia Bar Association, and the International Commission of Jurists. The International Court of Justice, The Court of Justice of the European Communities, the European Court of Human Rights, and the Inter-American Court of Human Rights are also invited.

The Inter-American Bar Association will be represented at the Conference by the Secretary General, the General Rapporteur, the Chairman of the Executive Committee and some of the members of the Council of the Association.

IV. THIRTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

The Thirty-Seventh Session of the General Assembly of the United Nations was held in New York from September 21 through December 21, 1982. During the Session, a number of important resolutions touching a wide range of international concerns were adopted by the General Assembly. The following is a summary of some of these resolutions.

2. Press Release GA/6787 of the UN Department of Public Information, Jan. 4, 1983.
The General Assembly adopted and solemnly proclaimed the World Charter for Nature through Resolution 37/7, approved on October 22, 1982. In the preamble, the General Assembly reaffirmed the fundamental purposes of the United Nations, in particular, the maintenance of international peace and security, the development of friendly relations among nations and the achievement of international cooperation in solving international problems of an economic, social, cultural, technical, intellectual or humanitarian character. They expressed their awareness that mankind is a part of nature and that life depends on the uninterrupted functioning of natural systems which ensure the supply of energy and nutrients; that civilization is rooted in nature, which has shaped human culture and influenced all artistic and scientific achievement, and that living in harmony with nature gives man the best opportunities for the development of his creativity, for rest and for recreation. The Assembly indicated that it was firmly convinced of the need for appropriate measures at all levels, national and international, individual and collective, and private and public, to protect nature and to promote international cooperation in this field.

The first chapter of the Charter establishes the following general principles: nature shall be protected and its essential processes shall not be impaired; the genetic viability on the earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and for this purpose necessary habitats shall be safeguarded; all areas of the earth, both land and sea, shall be subject to these principles of conservation, and special protection shall be given to unique areas, to representative samples of all the different types of ecosystems and to the habitats of rare or endangered species; ecosystems and organisms, as well as the land and atmospheric resources that are utilized by man, shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of those other ecosystems or species with which they coexist.

The second chapter, dealing with functions, provides that in any decision-making process it shall be recognized that man's needs can only be met by ensuring the proper functioning of natural systems and by respecting the principles set forth in the Charter. In the planning and implementation of social and economic
development activities, due account must be taken of the fact that
the conservation of nature is an integral part of those activities.
Natural resources should not be wasted, they should only be used
with a restraint appropriate to the principles set forth in the Char-
ter, and in accordance with certain rules, such as the following: liv-
ing resources should not be utilized beyond their natural capacity
for regeneration; the productivity of soils should be maintained or
enhanced through measures which safeguard their long-term ferti-
licity; activities which might have an impact on nature should be
controlled, and the best available technologies, which minimize sig-
nificant risks to nature, should be used; activities which are likely
to cause irreversible damage to nature should be avoided; activities
which may disturb nature shall be preceded by assessment of their
consequences, and environmental impact studies of development
projects should be conducted sufficiently far in advance, and if
they are to be undertaken, such activities should be planned and
carried out so as to minimize potential adverse effects; the dis-
charge of pollutants into natural systems should be avoided; spe-
cial precautions should be taken to prevent the discharge of radio-
active or toxic wastes.

The final chapter, which is on implementation, stipulates that
the principles set forth in the Charter should be reflected in the
laws and practices of each State as well as at the international
level. It espouses the philosophy that knowledge of nature should
be broadly disseminated by all possible means, particularly by in-
cluding ecological education as an integral part of general educa-
tion. The Charter further establishes that planning should include,
among its essential elements, the formulation of strategies for the
conservation of nature, the establishment of ecosystems and as-
sessments of the effects of proposed policies and activities on na-
ture; and the funds, programs, and administrative structures, nec-
essary to achieve the conservation of nature. Constant efforts
should also be made to increase the general level of knowledge
through scientific research, and to disseminate such knowledge
through any possible means.

The Charter provides that military activities which are damag-
ing to nature should be avoided. States, and to the extent they are
able, other public authorities, international organizations, individ-
uals, groups, and corporations should: cooperate in the task of con-
serving nature through common activities and other relevant ac-
tions (including information exchange and consultations); establish
standards for products and manufacturing processes that may have adverse effects on nature, as well as developing methods for assessing these effects; implement the applicable international legal provisions for the conservation of nature and the protection of the environment; ensure that activities within their particular jurisdiction or control do not cause damage to the natural systems located within other States or in the areas beyond the limits of any national jurisdiction; safeguard and conserve nature in all of the areas beyond any national jurisdiction.

Taking into account the sovereignty of States over their natural resources, the Charter also establishes that each State should give effect to the provisions of the Charter through their competent organs and that they should do so in cooperation with other States. All persons, in accordance with their national legislation, should have the opportunity to participate, individually or with others, in the formulation of decisions which may have a direct effect on their environment, and should have access to means of redress when their environment has suffered damage or degradation.

The Charter states that each person has a duty to act in accordance with the provisions of the Charter. Whether they are acting individually, in association with others, or through participation in the political process, each person should strive to ensure that the objectives and requirements of the Charter are met.

**Peaceful Settlement of Disputes Between States**

On November 15, 1982, the General Assembly through Resolution 37/10, approved the Manila Declaration on the Peaceful Settlement of International Disputes, the text of which was annexed to said resolution. The General Assembly expressed its appreciation to the Special Committee on the Charter of the United Nations for strengthening the role of the Organization and for their important contribution to the elaboration of the text of the Declaration. The Assembly also urged that every effort should be taken in order that the Declaration becomes generally known, fully observed, and implemented.

Excerpts from the Declaration provide as follows: all States shall act in good faith and in conformity with the purposes and principles enshrined in the Charter of the United Nations. They should act with a view towards avoiding disputes among themselves which are likely to affect friendly relations among States,
and thus they will contribute to the maintenance of international peace and security. Every State shall settle its international disputes exclusively by peaceful means and in such a manner that international peace, security, and justice, are not endangered. International disputes shall be settled in light of the sovereign equality of States and in accordance with the principle of a free choice of means in conformity with the obligations created by the UN Charter, various principles of justice, and tenets of international law.

States shall seek an early and equitable settlement of their international disputes in good faith, and in a spirit of cooperation, by any of the following means: negotiations, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional arrangements, agencies, or other peaceful means of their own choice, including good offices. State parties to regional arrangements or agencies shall make every effort to achieve pacific settlement of their local disputes through such regional arrangements or agencies before referral them to the Security Council. States are not precluded from bringing any dispute to the attention of the Security Council or the General Assembly in accordance with the Charter of the United Nations.

State parties to an international dispute, as well as other States, shall refrain from any action whatsoever which may aggravate the situation and thus endanger the maintenance of international peace and security or impede the peaceful settlement of the dispute. States should, without prejudice to the right of free choice, bear in mind that direct negotiations are a flexible and effective means of peaceful settlement of their disputes. Neither the existence of a dispute nor the failure of a means of peaceful settlement shall permit the use of force or threat of force by any of the State parties to the dispute.

Member states should make full use of the provisions of the UN Charter, including the procedures and means provided for therein, particularly Chapter VI, concerning the peaceful settlement of disputes. Member states shall fulfill, in good faith, the obligations that they have assumed in accordance with the Charter of the United Nations.

The Declaration provides that member states must reaffirm the important role conferred on the General Assembly by the Charter of the United Nations concerning the peaceful settlement of disputes and must stress the need for it to effectively discharge
its responsibilities. Accordingly, they should, among other things: bear in mind that the General Assembly may discuss any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations and, subject to article 12 of the Charter, recommend measures for its peaceful adjustment; consider making use of the potential to bring any dispute, or any situation, which might lead to international friction or give rise to a dispute to the attention of the General Assembly when they deem it appropriate; consider, when they are parties to a dispute brought to the attention of the General Assembly, making use of a consultation within the framework of the Assembly, in order to facilitate an early settlement of their dispute.

Member states should strengthen the primary role of the Security Council so that it may fully and effectively discharge its responsibilities in accordance with the UN Charter in the settlement of disputes or of any situation, the continuation of which, is likely to endanger the maintenance of international peace and security. To this end, they should: be fully aware of their obligation to refer a dispute, to which they are a party to the Security Council if they fail to settle it by the means indicated in article 33 of the UN Charter; make greater use of the possibility of bringing any dispute, or any situation, which might lead to international friction or give rise to a dispute, to the attention of the Security Council; consider making greater use of the fact-finding capacity of the Security Council in accordance with the UN Charter; encourage the Security Council to act without delay, and in accordance with its functions and powers (particularly in cases where international disputes develop into armed conflicts).

The Declaration establishes that States should be fully aware of the role of the International Court of Justice and it draws attention to the facilities offered by the Court for the settlement of legal disputes, particularly those enacted by the revision of the Rules of the Court. Alternatively, states may entrust the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future. States should bear in mind: that legal disputes should, as a general rule, be referred to the International Court of Justice by the parties, in accordance with the provisions of the Statute of the Court; and that it is desirable that they consider inserting clauses in treaties which provide for the submission of disputes which may arise from the interpretation or application of such treaties to said court. Re-
course to judicial settlement of legal disputes, particularly referral to the International Court of Justice, should not be considered as an unfriendly act between States.

The Secretary-General should take advantage of all of the provisions of the Charter of the United Nations concerning the responsibilities entrusted to him. The Secretary-General may bring any matter, which in his opinion may threaten the maintenance of international peace and security, to the attention of the Security Council. He shall also perform such other functions as are entrusted to him by the Security Council or by the General Assembly.

The General Assembly urged all states to observe the provisions of the Declaration and to promote them in good faith in the peaceful settlement of their international disputes, and declared that nothing in the Declaration shall be construed as prejudicing the relevant provisions of the UN Charter, the rights and duties of States, or the scope of the functions and powers of the United Nations organs under the Charter (in particular those relating to the peaceful settlement of disputes) in any manner. It stressed the need to continue the efforts to strengthen the process of peaceful settlement of disputes, in accordance with the UN charter, through the progressive development and codification of international law when appropriate, and through enhancing the effectiveness of the United Nations in this field.

Principles Governing the Use By States of Artifical Earth Satellites for Direct Television Broadcasting

On December 4, 1982, the General Assembly approved Resolution 37/92 concerning the preparation of an international convention on principles governing the use of artificial earth satellites by states for direct television broadcasting. The General Assembly, recalling some of its previous resolutions, considered that several satellite direct broadcasting experiments have been carried out and that a number of direct broadcasting systems are operational and may be commercialized in the near future.

Stating that the operation of international direct broadcasting satellites will have significant international political, economic, social, and cultural implications, the General Assembly adopted the principles governing the use of artificial earth satellites by states for international direct television broadcasting.
These principles provide that activities in the field of international direct television broadcasting by satellite should be carried out in a manner compatible with the sovereign rights of States, including the principle of non-intervention and the right of everyone to seek, receive, and impart the information and ideas which are enshrined in the relevant United Nations instruments. Such activities should promote the free dissemination and mutual exchange of information and knowledge in cultural and scientific fields; assist in educational, social, and economic development, particularly in the developing countries; enhance the quality of life of all peoples and provide recreation, with due respect to the political and cultural integrity of States.

Activities in the field of international direct television broadcasting by satellite should be conducted in accordance with international law. Various guidelines have been delineated in several treaties, conventions, and agreements including the Charter of the United Nations; the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, of 1967; the relevant provisions of the International Telecommunication Convention and its Radio Regulations; international instruments relating to friendly relations and cooperation among States and to human rights.

According to these principles, every State has an equal right to conduct activities in international direct television broadcasting by satellite and to authorize such activities by persons and entities under its jurisdiction. All States and peoples are entitled to, and should enjoy the benefits from, such activities. The activities should be based upon, and encourage, international cooperation, and such cooperation should be the subject of appropriate arrangements.

The principles provide that any international dispute, which arises from the activities covered by these principles, should be settled through the established procedures for the peaceful settlement of disputes, agreed upon by the parties to the dispute, in accordance with the provisions of the UN Charter.

State responsibility is provided for as follows: states should bear international responsibility for activities in the field of international direct television broadcasting by satellite which are carried out by them or under their jurisdiction, and for the conformity of any such activities with these principles. When international direct television broadcasting by satellite is carried out by an inter-
national, intergovernmental organization, the responsibility should be borne both by that organization and by the States participating in it.

The principles establish that, without prejudice to the relevant provisions of international law, states should cooperate, both on a bilateral and on a multilateral basis, for the protection of copyright and neighboring rights by means of appropriate agreements. Notification to the United Nations is provided, as follows: in order to promote international cooperation in the peaceful exploration and use of outer space, states conducting or authorizing activities in the field of international direct television broadcasting by satellite should inform the Secretary-General of the United Nations, to the greatest extent possible, of the nature of such activities. On receiving this information, the Secretary-General should disseminate it immediately (and effectively) to the relevant specialized agencies, as well as to the public and to the international scientific community.

A State which intends to establish or authorize the establishment of an international direct television broadcasting satellite service should notify the proposed receiving State or States of such intention without delay and should promptly enter into consultation with any of the states which so requests. An international direct television broadcasting satellite service should only be established after the said conditions have been met, and on the basis of agreements and/or arrangements in conformity with the relevant instruments of the International Telecommunication Union, and in accordance with these principles.

According to Press Release GA/6787 of the UN Department of Public Information, dated January 4, 1983, the following countries voted against this resolution: Belgium, Denmark, Federal Republic of Germany, Iceland, Israel, Italy, Japan, Luxemburg, Netherlands, Norway, Spain, United Kingdom, and the United States. The following member states of the OAS voted in favor of the resolution: Argentina, Barbados, Bolivia, Brazil, Chile, Columbia, Dominican Republic, Ecuador, El Salvador, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, Suriname, Trinidad and Tobago, Uruguay, and Venezuela.

*International Cooperation in the Peaceful Uses of Outer Space*

On December 10, 1982, the General Assembly, through Reso-
olution 37/89, endorsed the report of the Committee on the Peaceful Uses of Outer Space from its thirty-fifth session. The General Assembly noted, with appreciation, that the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space has been successfully concluded. It noted that the Legal Subcommittee, during its twenty-first session, continued its efforts to formulate draft principles relating to the legal implications of remote sensing of the earth from space; considered the possibility of supplementing the norms of international law relevant to the use of nuclear power sources on outer space; and continued its discussion of matters relating to definition and/or delimitation of outer space and outer space activities, bearing in mind, inter alia, questions relating to the geostationary orbit.

The General Assembly decided that, the Legal Subcommittee, at its twenty-second session should: a) continue on a priority basis its detailed consideration of the legal implications of remote sensing of the earth from space with the aim of formulating draft principles relating to remote sensing; b) continue its consideration of: i) the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space through its working group; ii) matters relating to the definition and/or delimitation of outer space and outer space activities.

The Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that the Scientific and Technical Subcommittee at its twentieth session should: a) Consider the following items on a priority basis: i) the UN Program on Space Applications and the coordination of outer space activities within the United Nations system; ii) questions relating to remote sensing of the earth by satellites; iii) the use of nuclear power sources in outer space; b) Consider the following items: i) questions relating to space transportation systems and their implications for future activities in space; ii) an examination of the physical nature and technical attributes of the geostationary orbit.

The Assembly requested the Committee on the Peaceful Uses of Outer Space to continue its work, in accordance with the pertinent resolutions of the General Assembly, to consider new projects in outer space activities, and to submit a report to the Assembly at its thirty-eighth session, including its views as to which subjects should be studied in the future.
International Law Commission

On December 16, 1982, the General Assembly through Resolution 37/111, took note of the report describing the work of the International Law Commission during its thirty-fourth session. It expressed its appreciation to the Commission for the work they had accomplished and for having completed the final reading of the draft articles on the law of treaties between States and international organizations or between international organizations. The General Assembly recommended that the Commission should continue its work and should continue the preparation of drafts on all of the topics in its current program. It reaffirmed its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the UN Secretariat. The General Assembly appealed to governments and, as appropriate, to international organizations to respond, as fully and as expeditiously as possible, to the requests of the Commission for comments and observations on its draft articles and questionnaires and for materials on topics included in its program of work. It also expressed its desire that the Commission should continue to hold seminars and that an increasing number of participants from developing countries should be given the opportunity to attend those seminars.

Draft Convention on the Law of Treaties between States and International Organizations or between International Organizations

On December 16, 1982, the General Assembly, through Resolution 37/112, expressed its appreciation to the International Law Commission for preparing draft articles on the subject, and invited States to submit their written comments and observations on the draft articles before the official deadline of July 1, 1983. It also invited international intergovernmental organizations to submit their written comments and observations on the subject. The General Assembly decided that an international convention shall be concluded on the basis of the draft articles adopted by the International Law Commission and that the convention shall be included on the agenda of its thirty-eighth session (1984).

UNCITRAL

On December 16, 1982, the General Assembly, through Resolution 37/106, noted the report of the United Nations Commission on International Trade Law (UNCITRAL) on the work of its
fifteenth session. It called upon UNCITRAL to continue to take account of the relevant provisions of the resolutions concerning the new international economic order adopted by the General Assembly. It further noted and expressed appreciation of the completion of studies of clauses in contracts for the supply and construction of large industrial works by UNCITRAL, in preparation for commencement of work on drafting a legal guide which identifies the legal issues in such contracts, and suggests possible solutions to assist parties, in particular those from developing countries, in their negotiations.

The General Assembly noted that UNCITRAL had approved recommended guidelines for arbitration institutions and agencies to assist in adopting procedures for acting as an appointing authority or for providing administrative services in cases to be conducted under the Commission’s arbitration rules. It recommended that UNCITRAL continues to maintain close cooperation with the other international organs and organizations which are active in the field of international trade law, particularly: the UNCTAD, the International Law Commission, the U.N. Industrial Development Organization, and the Commission on Transnational Corporations.

The General Assembly also reaffirmed the importance of bringing the conventions for the global unification and harmonization of international trade law, emanating from the work of UNCITRAL into effect. It reaffirmed the importance of the work of UNCITRAL concerned with the training and assistance in the field of international trade law and the desirability for the Commission to sponsor symposia and seminars, in particular those organized on a regional basis. The Assembly expressed its appreciation to those States which have made financial contributions towards the financing of symposia and seminars.

The General Assembly recommended that UNCITRAL continue its work on the topics included in its program. It reaffirmed its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, would significantly contribute to the universal economic cooperation among all States on a basis of equality, equity, and common interests and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples.
Effective Measures to Enhance the Protection, Security and Safety of Diplomatic and Consular Missions and Representatives

On December 16, 1982, the General Assembly, through Resolution 37/108, emphasized the duty of States to take the appropriate steps to protect the premises of diplomatic and consular missions as well as those of international intergovernmental organizations and to prevent any attack on diplomatic, consular, and international organization representatives as required by international law. The Resolution strongly condemned acts of violence against diplomatic and consular missions and representatives and the missions and representatives of international intergovernmental organizations and officials of such organizations. The resolution urged states to observe and implement the principles and rules of international law which govern diplomatic and consular relations. The General Assembly requested that states take all of the necessary measures, in accordance with their international obligations, to effectively ensure the protection, security, and safety of all diplomatic and consular missions and their representatives who are officially present in the territory under their jurisdiction. It stressed that states should take all practicable measures to prohibit illegal activities in their territories of persons, groups, and organizations that encourage, instigate, organize, or engage in the perpetration of acts against the security and safety of such missions and representatives.

The General Assembly called upon the states which have not yet become parties to the instruments relevant to the protection, security, and safety of diplomatic and consular missions and representatives, including inter alia: the Vienna Conventions; on Diplomatic Relations (of 1961), and on Consular Relations (of 1963), and the respective optional protocols, as well as the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents (of 1973). It invited states to report serious violations of the protection, security, and safety of diplomatic and consular missions and representatives to the UN Secretary-General.

Protection Against Products Harmful to Health and the Environment

On December 17, 1982, the General Assembly, through Resolution 37/137, took account of the fact that the primary responsi-
bility for consumer protection rests with each State. It agreed that all of the countries which have severely restricted, or have not approved the domestic consumption and/or sale of specific products yet (in particular pharmaceuticals and pesticides) should make full information available on these products in order to safeguard the health and environment of the importing country. This should be done through labelling products clearly in a language acceptable to the importing country. The Assembly requested that the Secretary-General should continue to ensure that the necessary information and assistance is provided by the United Nations system in order to strengthen the national capacities of developing countries to protect themselves from the consumption and/or sale of banned, withdrawn, severely restricted, and non-approved products. The Assembly requested that the governments and relevant organs, organizations, and agencies of the United Nations system provide all the information and assistance necessary for the prompt and effective fulfillment of this task.

Refugees

On December 18, 1982, the General Assembly, through Resolution 37/195, commended the United Nations High Commissioner and his staff for their work on behalf of refugees, returnees, and displaced persons. The General Assembly approved the resolution after considering the reports of the High Commissioner (on the activities of his office) and of the Executive Committee of the High Commission.

The General Assembly reaffirmed the fundamental nature of the High Commissioner's international protection function and stressed the need for Governmental cooperation with the High Commissioner to facilitate the effective exercise of his essential function. It welcomed the work of the High Commissioner in examining the problems associated with providing refuge to asylum-seekers on a temporary basis, particularly in situations where there is a large-scale influx of refugees. The General Assembly commended the High Commissioner's attempt at finding durable solutions, and requested him to continue the work in this regard.

The General Assembly also stressed the High Commissioner's role in promoting durable and speedy solutions, in consultation and agreement with the countries involved, in dealing with the problems of refugees and displaced persons resulting from voluntary repatriation or return and, whenever appropriate, providing
subsequent assistance in the rehabilitation of returnees, their resettlement in other countries, or their integration in countries which have granted them asylum. It urged the High Commissioner to intensify his efforts to provide humanitarian assistance to refugees and displaced persons, particularly to those in Africa, Asia and Latin America. The General Assembly requested that the High Commissioner should coordinate the efforts of his office closely with those of other relevant agencies, both within and outside the United Nations system, in the field of humanitarian assistance. It also urged the Governments in a position to do so, to support and to contribute generously to the High Commissioner's humanitarian programs.

On December 18, 1982, the General Assembly, through Resolution 37/19, extended the Office of the United Nations High Commissioner for Refugees for a period of five years from January 1, 1984. It requested the High Commissioner should continue to discharge his basic functions of protection, assistance, and the promotion of durable solutions, in accordance with the Statute of the Office and other relevant General Assembly resolutions.

*International Campaign Against Traffic in Drugs*

On December 18, 1982, the General Assembly, through Resolution 37/198, reaffirmed the need to improve regional and interregional cooperation and coordination (particularly in the law enforcement field), to eradicate illicit traffic in drugs. They also noted the significant role of international drug control treaties in the development of effective measures to combat the illicit supply, demand, and traffic in drugs. The General Assembly requested that the member states who have not yet ratified the international drug control treaties do so and that they endeavour to abide by the provisions of the treaties prior to ratifying them. It also encouraged member states to contribute (or to continue to contribute) to the United Nations Fund for Drug Abuse Control to thus enable the UN to pursue its useful programs to aid in the control of drug abuse.

The General Assembly urged organizations and programs within the United Nations system (as well as member states with available resources and expertise) to continue to grant technical and other forms of assistance, especially in the area of training of law enforcement professionals, to the countries which are affected the most by the illicit production and traffic in drugs and by drug
abuse.

The Assembly requested that the Secretary-General should through the Commission on Narcotic Drugs, explore all of the avenues which may lead to further improvement of the regional and international coordination of activities against drug trafficking and drug abuse. They requested, in particular, that the Secretary-General should explore the feasibility of establishing, on a continuing basis, coordination mechanisms for the enforcement of drug laws in regions where they do not exist. They further requested the Secretary-General to give adequate priority to measures designed to alleviate the special problems of transit States.

United Nations Conference on Succession of States in Respect of State Property, Archives and Debts

The General Assembly, by Resolution 37/11, decided that the United Nations Conference on Succession of States in respect of State Property, Archives and Debts (mentioned in General Assembly resolution 36/113) would be held from March 1 to April 8, 1983 in Vienna. The Assembly referred the draft articles on this subject-matter, which were adopted by the International Law Commission at its thirty-third session, to the Conference as the basic proposal for its consideration.

Scale of Assessments for the Apportionment of the Expenses of the United Nations

The General Assembly, through Resolution 37/125, approved the scale of assessments for the contributions of Member States to the United Nations budget for the financial years 1983, 1984 and 1985. The scale of assessments lists 157 Member States of the United Nations. The largest contributor is the United States with 25.00 per cent; the second largest contributor is the Soviet Union with 10.54 per cent; and the third is Japan, with 10.32 per cent. The other larger contributors include: Federal Republic of Germany, 8.54; France, 6.51; United Kingdom, 4.67; Italy, 3.74, and Canada 3.08. The contribution of the United States is clearly not proportionate to that of the other highly developed and industrialized countries. A more adequate, reasonable, and balanced scale of contributions should be adopted.

The total contributions of the eight largest contributors represent 72.40 per cent of the United Nations budget. Thus, eight
countries contribute almost two thirds of the United Nations budget.

The total contribution of the next eight contributors is 10.98 percent and can be broken down as follows: Spain, 1.93; Netherlands, 1.78; Australia, 1.57; Brazil, 1.39; German Democratic Republic, 1.39; Sweden, 1.32; Ukrainian Soviet Socialist Republic, 1.32; Belgium, 1.28. The total contribution of the next ten contributors is 7.09 per cent and can be broken down in the following manner: China, 0.88; Mexico, 0.88; Czechoslovakia, 0.76; Austria, 0.75; Denmark, 0.75; Poland, 0.72; Argentina, 0.71; Iran, 0.58; Venezuela, 0.55; Norway, 0.51. The most incredible fact is that each of 78 Member States of the United Nations contributes only 0.01 per cent of the United Nations budget.

V. LAW OF THE SEA


The United Nations Convention on the Law of the Sea contains 320 articles, plus nine Annexes. It is divided into seventeen parts which are labelled as follows: I. Introduction; II. Territorial Sea and Contiguous Zone; III. Straits Used for International Navigation; IV. Archipelagic States; V. Exclusive Economic Zone; VI. Continental Shelf; VII. High Seas; VIII. Regime of Islands; IX. Enclosed or Semi-enclosed Seas; X. Right of Access of Land-locked States to and from the Sea and Freedom of Transit; XI. The Area; XII. Protection and Preservation of the Marine Environment; XIII. Marine Scientific Research; XIV. Development and Transfer of Marine Technology; XV. Settlement of Disputes; XVI. General Provisions; and XVII. Final Provisions.

The Convention is a long, complex, and extremely important document which should be studied carefully.

VI. THE FUTURE AGENDA

The Future Agenda, recently prepared and published by the United States Congressional Clearinghouse on the Future and the Congressional Institute for the Future, is an outstanding document. It not only contains an analysis and several perspectives on topics of domestic concern to the United States, it also discusses matters which are international in scope.

According to a prefatory note, the Congressional Clearinghouse on the Future, founded in 1976, is a legislative service organization which was created for the purpose of looking at issues with a long-range perspective. "In addition to identifying emerging trends and issues, the Clearinghouse sponsors dialogues between legislators and some of the world's leading thinkers, and provides information, seminars and publications on a variety of topics. Congressman Albert Gore Jr. (D. Tenn.) is the current Chairman of the Clearinghouse."

Similarly, it is noted that the Congressional Institute for the Future was formed in 1979 as an independent, nonprofit organization dedicated to improving the quality and timeliness of congressional decisions which may affect the future of the United States. "[T]he Institute's programs are designed to help Members of Congress and their staff anticipate crisis and opportunities, evaluate consequences of decisions and incorporate foresight into the policymaking process."

The Future Agenda deals with topics, problems, and issues within the jurisdiction of the Committee and Subcommittees of the House of Representatives. In the introduction, the Chairman of the Clearinghouse explains that The Future Agenda is an experiment designed to facilitate a better means of communication between Members of Congress and individual citizens who spend time thinking about the future. He then goes on to state that: "Members of Congress are now faced with a suffocating surfeit of information about changes taking place all around us and an expanding agenda of increasingly complex problems. . . . In the face of these changes, it is of critical importance that the Congress develop longer time horizons and seek to anticipate problems before
they mature into crisis.” The chairman also clarified that: “It is a
fact of life that most of the work done by Congress is done in com-
mittees and subcommittees,” and that the work is “assigned to the
roughly 200 committees and subcommittees.”

The Chairman further observes:

This document is an inventory of what issues each one of the
200 House subcommittees currently anticipates arising within its
narrow jurisdiction in the balance of this century. . . . It is our
hope that persons knowledgeable about particular jurisdictions
will offer comments about the list provided by that subcommit-
tee and other suggestions on how its vision of the future might
become more clearly focused.

The organization requested that comments and suggestions be sent
to The Congressional Clearinghouse on the Future, H2-555 House

In the “Overview,” it is stated that the issues presented in The
Future Agenda form patterns which can be perceived in a variety
of ways:

[O]ne of the main goals of this workbook is to stimulate creative
thought and discussion about the perception of such patterns
and the possibilities they imply. The present overview has been
written with this in mind. It is intended merely as a point of
departure—one of the many possible—to aid in reading the
Agenda, which, in turn, is meant to help foster an active process
of discovering innovative, practical solutions to the problems
facing this nation in these last years of the twentieth century. As
Congressman Gore has stated in the Introduction, readers will
perform an invaluable service by sharing their own insights, re-
actions and suggestions with the Clearinghouse staff so that the
Congress may benefit from the diversity of many perspectives.

International Cooperation and Conflict

This section of the “Overview”, calls attention to the transna-
tional character of many current and emerging issues. It suggests
that there is a growing awareness, within the subcommittees, of the
numerous links of interdependence among nations. Some examples
of shared national interests are mentioned, including: space exploration and development, the international communications spectrum, control of narcotics traffic, ocean mining and pollution, the migration of labor and refugees, Antarctica’s future, international debt and the financial system, equitable distribution of wealth, population growth, environmental concerns, the food supply, transborder data flow, arms sales, nuclear proliferation and waste disposal, weather modification, ground water purity, energy sources, and many others. The “Overview” states that: “[o]ptions for resolving these global problems will require careful assessment. . . . Generally speaking, the role of the United States in a rapidly changing world, in which the international situation profoundly affects domestic well-being, will most likely receive much attention from the subcommittees in the years to come.”

Communications and Technologies

This section indicates that the effects of the fast-proliferating communications technologies may be difficult to anticipate or evaluate:

As data processing and telecommunications merge into interlocking systems, social and individual vulnerability from potential abuse or breakdown may increase. For example, economic transactions, depending heavily upon optimal functioning of these systems, could be seriously disrupted by accident or deliberate intent. On the individual level, protection of privacy and civil rights will continue to occupy the subcommittees, as will the prevention of computer crime.

The Environment Under Pressure

This section calls attention to the problems of global desertification and deforestation, and their implications for species survival, climate, food supply, and wood products. Several other problems are mentioned including: the effects of air pollution upon agriculture, human health, climate and the resource base; international aspects of acid rain or increased atmospheric carbon dioxide from fossil fuels; waste disposal—whether of solid, toxic, or nuclear wastes.

11. Id.
12. Id. at 5.
Rights and Liabilities

The document emphasizes the phenomenal growth in the amount of litigation recently, which has led some observers in the United States to call the country the 'litigious society'. The Agenda develops this concept in stating that:

[Technological advances] have raised unprecedented legal and ethical questions concerning revised definitions of the beginning and end of life, the right to die, patenting of life forms, concepts of copyright and personal property, and access to life-saving technologies. As unanticipated social changes continue, spurred by rapidly evolving technology, the pressures upon the legal system to clarify this nation's values may become even greater than they are today.¹³

Issues of Committees and Subcommittees

Excerpts, or paraphrased portions of The Future Agenda, dealing with problems or issues which are international in scope, are herein included due to their far-reaching importance.

In the context of the issues presented by the Committee on Armed Forces, the document makes reference to several aspects of these issues, for example: Technology for peace-keeping. In addition to improving peace-keeping technologies, certain systems might be used by international organizations to expand and update arms control procedures. For example, offensive microwave weapons offer the potential of using such technologies as "force fields" or beam weapons which have great destructive power. Since these weapons might be easier to develop than nuclear arms, microwave devices could eventually be used by a large number of nations if other offensive technology is not controlled. Other issues include: chemical and biological weapons, smart weapons, arms control and the latest-generation nuclear weapons, and trends in weaponry. The committee stated that although it is not an immediate issue, there is some speculation that the distant future may bring totally new weapons that have the potential to create broad-scale destruction. This category of weapons might include climatological weapons, new electronic devices (such as high-energy directed beams), and mind-control mechanisms. These weapons may be the subject of debate in the coming years.

¹³. Id. at 17.
With respect to the issues discussed by the Committee on Banking and Finance, (i.e., the subcommittee on financial institutions supervision), special mention is made of checkless/cashless society, indicating that with the expansion of credit, consumers are presented with an ever-widening array of options for using credit instead of cash. Future developments may bring advances, such as allowing consumers to draw cash on demand anywhere in the nation, or even to forego cash altogether, as they shop from their living rooms using new communications technologies. As credit practices expand, the ability of the credit companies to affect consumer purchases could become profound.

In dealing with education and labor questions, the document mentions, among other issues, the communications revolution. It states that progress in telecommunications technology may affect both the form and content of education. For example, data bases may provide a pool of information about a wide variety of subject areas to a large population of users not necessarily formally enrolled in educational institutions. Other innovations might include more extensive learning via home television, interactive video, video disc systems, computer-assisted instruction, teleconferencing, and electronic mail. The effects of these technologies upon the roles of teacher and student may be great, and the location of some percentages of learning activities may shift from schools to homes or places of employment.

Telecommunications

Under the issues discussed by the Committee on Energy and Commerce (i.e., the Subcommittee on Telecommunications), reference is made to the French Government's plans, announced in 1982, for a world computer center staffed by eminent scientists, including several from the United States. One of the primary goals of the center will be to transfer the benefits of the electronic revolution to the Third World, where economic development may be greatly accelerated by the use of computers in education and training. The information disseminated stated that the Center's Chairman advocates a large-scale transfer of microchip technology by the developed nations to help ease the poverty of the developing world. The planners explained that the basic premise of this World Center for Microcomputer Science and Human Resources is that the computer can be an agent of social change. The impact of this initiative needs to be assessed.
It should also be recalled that the satellite allocations system is undergoing a severe strain, and that since new communications technologies using satellites are both cheaper and more effective than most of the current communications systems, Third World countries are keenly interested in acquiring as much of the new equipment as possible. The Third World may develop a modern system of telecommunications faster than many industrialized nations, but much of the spectrum that the Third World wants is used by several industrialized countries. Also, a boom in communications systems using satellites could restrict the total number of users.

*Foreign Affairs*

*The Future Agenda* addresses a number of issues in the context of the Committee on Foreign Affairs including world hunger policy, human rights policy, international migrations, the law of the sea, international environmental concerns, world population growth, future developments involving multinational corporations, the New International Economic Order controversy, international technology transfers, scientific and technological development in the Third World, technology and development, transborder data flow, limits and strategies for foreign aid, foreign trade, disorder in international finance, informal global networks, international cultural exchanges, nuclear arms control, nuclear proliferation, diplomatic and military planning, regional cooperation, energy and the Persian Gulf area, terrorism and international control.

*International Environmental Concerns*

The publication notes, that in light of the continuing worldwide problems of pollution, environmental degradation, and resource depletion, many nations acknowledge the need to address these problems on a global basis. Many feel that the industrialized countries must take a lead in the development of an international approach to resource management and environmental protection, and that the developing countries must exercise their share of responsibility in all of the aspects of environmental protection. Further, nations have begun to realize that population increases in the developing world are causing pressures upon the resource base and ecosystems of many nations.
Issues Ahead For Multinational Corporations

The committees have observed that a number of unresolved issues exist concerning the operations of multinational corporations (MNCs) around the world. One major concern is the lack of regulation of these enterprises, which can function according to a wide variety of national laws. Moreover, the far-reaching power and influence of MNCs have raised serious questions about their infringement upon national sovereignty and their economic and social impact on the Third World.

International Technology Transfer

The committee noted that economic progress of developing countries depends, to a large extent, on a strong infrastructure of science and technology. The appropriate role of industrialized nations, in assisting with science and technology transfers will continue to be a subject of debate as questions arise concerning funding, hardware, information, and educational exchange.

Technology and Development

The report stated that a consensus is growing among developing countries concerning the need to develop an approach to technological development based upon new alternatives rather than the adaptation and implementation of inappropriate or obsolete Western technologies. Awareness of this issue requires an understanding of the social and cultural factors involved in technology transfers, as well as some knowledge of export and trade policies, the role of governments in technology transfer, the guidelines for technological exports to the Third World, the incentives for industrial investment in the developing countries, and the importance of the United States export market to the developing world.

Transborder Data Flow

The publication notes that the committee has observed that transborder data flow, i.e. the international exchange of electronic and printed information, raises a number of issues. Those issues include: tariffs, regulations, or costs as barriers to the free flow of information and the effect of such 'barriers' on various organizations, including national governments, academic and research institutions, multinational corporations, the communications industry,
and international organizations. International shifts of power and influences are intimately linked to transborder data flow issues and should be the subject of extensive discussions.

Impact of Information on Foreign Affairs

The report noted that the communications revolution may be affecting international diplomacy in unanticipated ways; for example, many decision-makers now suffer from an overload of information which hampers their ability to make the necessary decisions. Another result may be an increase in the centralization of authority in foreign affairs offices and bureaucracies. Additionally, the ready availability of a wide variety of information and the accessibility to the media to those advocating specific viewpoints may result in greater pressure on citizens in foreign policy matters.

Regional Cooperation

The committees stated that new regional cooperative efforts are being undertaken by many developing nations as a means of solving common problems. They accomplish this through sharing research, information and technology. For example, Latin American nations are cooperating in conducting research in health, energy, and agriculture. Such cooperative ventures are viewed by many as a necessary alternative to the continued reliance on the Western World for their assistance. It will be important in the years ahead to assess the impact such regional alignments may have upon relations between Third World nations and the industrialized countries.

International Issues in Narcotics Control

The Agenda indicated that several methods have been proposed to help control international drug traffic. In addition to supporting drug abuse prevention programs through bilateral assistance programs, one possibility being explored is a multilateral initiative, bringing together countries victimized by drug abuse, to share information and to coordinate strategies. One possible result of such an effort could be a focus on regional planning and the development of an institutional framework to address drug problems. Another suggestion is the use of economic assistance to implement anti-drug measures.
Security Against Terrorism

This is one of the issues which was discussed by the Committee on the Judiciary. The report noted that both domestic and international forms of terrorism point to the need for a strong security system and well-trained personnel to man it. Technological developments, including security devices in high-risk areas, such as airports, might deter a certain amount of terrorism. It also stated that, in the context of international control of terrorism, there are still a large number of countries which condone terrorism. This is usually evidenced either by their refusal to take action against suspected terrorists or by their active support.

Computer Crime: A Growing Trend

New communications technologies make a wide variety of options available to all members of society—including criminals. As the understanding of telecommunication systems grows, so do the opportunities for electronic crime, which may include obtaining cash from computer-controlled dispensing machines, making false electronic deposits or illegal withdrawals, gaining access to confidential information, altering computer programs for personal gain, or disrupting national information networks by deletions or additions of false information. In addition, the sophisticated nature of these crimes makes detection and prosecution difficult. New effective measures are needed to ensure communications and computer security.

Refugees: Need For A World Solution

Since the problem of refugees is not likely to abate while political instability and population pressures continue, it may be time, for the United States and other nations to develop some consensus about methods for addressing this problem.

Science and Technology

Several issues and problems have been assigned to the Committee on Science and Technology and its subcommittees. The Committee discussed the greenhouse effect, and took note of the long voiced concern of the scientific community over the potential effects of increased carbon dioxide in the atmosphere, realizing that a warming of the global temperature could radically alter cli-
mate, thus affecting agriculture, and eventually changing world economic systems. Any solution to the problem must take into account such complex factors as: energy choices, cost estimates, the priorities of the developing countries, various mechanisms for international cooperation, and political systems and goals.

**Climate Variability: Unanswered Questions**

Increased awareness of both the United States and the world concerning the vulnerability to temperature fluctuations or long-term changes in climate has grown in recent years. The discussion has focused upon the possibility that favorable climatic conditions during the past decades in the United States may not necessarily represent a "normal" stable climate. The report noted that if the climate were to change, the effects upon agriculture, transportation, and the food supply could be very serious, especially in the area of high population growth and interdependence.

**Weather Modification**

The committee expressed the view that water supply in the western and other areas of the United States might gain relief from the development of weather modification techniques. Weather modification has been viewed by some as a promising source of new water supplies for drought-stricken areas. A national weather modification policy could ultimately benefit the entire nation. A national program of research and development to test weather modification techniques and assist private industry has been proposed.

**Regulating Outer Space: Law and Order For a New Frontier**

As developments in the space program continue, and as satellites proliferate, the need will increase for new international agreements on the routine use of space for peaceful purposes.

**Materials Processing in Space**

The committee noted that interest has been growing in the possibility of processing materials in the near-zero gravity environment of space, which would reduce certain manufacturing problems. Although proponents of the materials processing in space (MPS) initiative claim that a potentially large market exists,
industry has not shown a great deal of interest. Congress may need to continue addressing the issue of industry involvement in MPS.

**Manned Space Activities**

The report recalled that the flight tests of the space shuttle in 1981 brought the United States back into the field of manned space flight. Future projects such as space platforms or satellite power stations require larger crews for longer periods of time, and could ultimately culminate in the development of space stations. Since such orbiting space stations may be the focus of the next major American space initiative, questions need to be addressed concerning appropriate levels of support, international cooperation, and the potential purposes of such stations.

**Private enterprise and space**

The committee noted that the need for the United States to maintain a predominant role in space exploration and industrialization may lead to authorization for private industries to launch satellites and to participate actively in space programs.