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Chairman:

Mr. ENCKELL
(Rapporteur)

(Finland)

Report of the Committee on the Peaceful Uses of Outer Space [21]
(continued)

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AGENDA ITEM 21

REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE (A/4987; A/C.1/85; A/C.1/L.301) (continued)

The CHAIRMAN: I wish to announce that in view of their interest in the question now being discussed in the First Committee, four of the special agencies have indicated their desire to be represented here by observers. The agencies are: the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the International Telecommunications Union, and the World Meteorological Organization, whose observers have taken their respective seats in this conference room.

I now call on the first speaker on my list, the representative of Argentina.

Mr. FERREIRA (Argentina) (interpretation from Spanish): The inexhaustible creativity of man and the breakneck advance and progress of science and of technology -- its consequence -- have opened for humanity a new era of incalculable projections: that of outer space. All that which but a few years ago was confined to the realm of literature, imagination and the anticipation of certain visionaries, gradually is becoming a fact today. The day is not far distant when man will be in a position to start the greatest of all exploits: placing his feet on other planets.

We wish to congratulate the scientists of the Soviet Union and of the United States who have made these magnificent fulfilments possible. We wish to pay tribute to the courageous Soviet astronauts who recently hurtled through outer space as the true spearheads of science; we wish to pay tribute to the North American colleagues who with devotion are dedicating their lives to the preparation of a similar exploit.

We must confess that we were not ready to confront the revolutionary consequences of the transformations that these events bring with them hand in hand. The dominion of man over outer space and the possibility of extending this to other celestial bodies raises other juridical, political, technical problems as well as different ones that cannot always be settled by means of

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methods nor even by the repertory of ideas that we have used to confront the problems raised by human coexistence in all aspects of life on our planet.

From the very beginning my Government considered that only if there was the best international co-operation could those problems be tackled constructively. Therefore, my Government felt that the United Nations had an important and thinkable responsibility in the matter. My delegation therefore unreservedly supported the setting up of an ad hoc group in accordance with the decision of the thirteenth regular session of the General Assembly, and accepted the great honour of forming part of that ad hoc committee. In so doing we wished to stress the facts which we felt to be most significant. First, the role that we felt the Organization should play in the development of international co-operation in the peaceful uses of outer space; secondly, in accepting the responsibility of working with the Committee, we wanted to underscore the fact that the work that the Committee would have to do was of interest to all humanity, not only to those countries that at present enjoy the technical means of achieving such goals.

However, despite the hopes placed in the functioning and the working of the Committee and despite the dawning of a new era of fruitful and honest international co-operation, we must recognize the fact that thus far nothing has been achieved and that the balance sheet before us is most discouraging. However, we do not stand here and now to try to sum up the events and to analyze the conduct that led to a paralysis of the work of the Committee. We are more interested in the future and, rather than dwell on the negative aspects of the past, we feel it would be better to outline the new accomplishments that offer us a more promising perspective. Along this line of reasoning we are gratified that after a prolonged period of hibernation, the Committee has set itself up, elected its officers, and as far as possible thereby presents a balanced representation. This is an indispensable first step, and circumstances which we all fully appreciate around this step with special significance. We most fervently hope that this first step will be followed by others, that the Committee will be able to start its work without delay and will be guided by a true spirit of international co-operation.

(Mr. Ferreira, Argentina)

That task is urgent because, I repeat, the conquest of outer space raises new problems that can only be solved on the international level. The technological revolution that has allowed this superb exploit of man to be carried out has had the virtue of modifying deeply rooted concepts that now must progressively adapt themselves to the new situations obtaining.

(Mr. Ferreira, Argentina)

May I very briefly refer to some aspects of these transformations. From the time when the first artificial satellites were placed in orbit around the earth and the moon it became evident that the classical concept of the unlimited sovereignty of a State over the space above it could no longer stand. As Jenks wrote:

"A projection of territorial sovereignty into space beyond the atmosphere would no longer be in keeping with basic astronomical facts. The rotation of the earth on its own axis, its movement around the sun, and the planets in the whole galaxy determine the fact that the private sovereignties on the surface of the earth, and their relation with outer space, never remain constant in the slightest fraction of time conceivable. Such a projection into outer space of sovereignties based upon specific zones of the surface of the earth, would create a series of adjacent cones of irregular form and of a constantly changing content. Celestial bodies would enter the projected cone and emerge from it at all times. Missiles, spatial stations and spatial vehicles moving in space would constantly be changing their position with regard to the territorial sovereignties lying directly underneath, and doing so at such high speeds that the concept of a cone of spatial sovereignty would be a dangerous abstraction lacking completely any meaning."

The most enlightened Soviet jurists agree with this idea, and express their views in very similar terms. These new facts, therefore, made it imperative that the extant concept of stata sovereignty over outer space be revised, and it is almost generally accepted today that there must be an agreed principle of freedom in the use of such outer space. We believe that this is no longer a question of renouncing an aspect of the sovereignty of each and everyone of the States, but rather of defining its meaning and scope.

The exploration of outer space has considerably extended the dominion of man, and the notion of sovereignty must be adapted to the new situation. But if the principle of the freedom of outer space is generally accepted today it is also imperative that we recognize that, as yet, only two great States are in a position to make use of such magnificent possibilities. Therefore, the remainder of the countries have a right to expect that that principle will be complemented by the

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adoption of international instruments or norms that will ensure the peaceful uses of outer space for the benefit of all mankind.

Another equally important problem, but about which there is as yet no concurrent doctrinary understanding, is that of the limitation of outer space subject to the sovereignty of the State lying beneath it, and outer space itself. That is another of the questions that emerge as a result of the technological revolution. Before artificial satellites and space ships travelled through outer space there was no need to ask questions concerning the precise limits of the dominion of a State over outer space or the atmosphere. All circumstances, however, lead one to the thought that this delimitation will become daily more necessary. A number of theories have been advanced in this matter, but none has been universally accepted.

That is why we share the view expressed in the ad hoc committee's report, distributed as document A/4141, namely that the solution of this question can flow only from an international agreement on the basis of setting up a conventional limit, equal for all States, that amongst other things will take into account the factors inherent in national security.

As regards the juridical status of outer space, my Government decisively upholds the thesis that this is res communis omnium extra commercium. In other words, as the eminent Uruguayan jurist, Eduardo Gimenez Arechaga, has pointed out, "This space, and objects in it, cannot be occupied or be appropriated by any specific State and is free for the common and perpetual use of all States."

Moreover, we cannot countenance the non-existence of juridical regulation over outer space. On the contrary, we affirm the applicability in this field of those norms set up by international law, and particularly that of the Charter of the United Nations. We therefore agree entirely with the provisions contained in the draft resolution submitted by Australia, Canada, Italy and the United States, and set out in part A of document A/C.1/L.301, which this Committee will have to examine. We agree that the General Assembly should prepare for universal application the main and basic principles of the freedom of use of outer space for peaceful purposes by all States, and of the res communis omnium to which we previously drew the attention of the Committee. We believe that it is a duty that these norms should

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serve as a guide in the exploration of outer space, and therefore should be drawn up immediately. The examination of the practical consequences inherent in the application of those principles should be considered by the ad hoc Committee on the Peaceful Uses of Outer Space. Such a body should also, we believe, study all the ancillary juridical problems that still give rise to doctrinary differences of opinion, and make recommendations on the matter to the forthcoming session of the General Assembly.

We have listened with great attention to the statements made by the representatives of the United States and the Soviet Union regarding the new field offered by investigations of outer space for the development of tele-communications systems, television, meteorological prediction and forecasting. We are convinced that a programme of international co-operation, which was of long-range duration, would produce very satisfactory results and that all countries would be able to take full advantage of whatever progress was achieved.

The programme presented by the delegations of Australia, Canada, Italy and the United States in parts B, C and D of the draft resolution seek to achieve that aim and, we believe, amount to a most important contribution. Those points, because they bring out purely technical questions, should be studied carefully by the ad hoc committee, with the assistance of experts and specialized agencies together with whatever we may decide here, so that recommendations may be made to forthcoming sessions of the General Assembly.

(Mr. Ferreira, Argentina)

With regard to the work of the ad hoc committee, my delegation will support the expansion of the composition of that body and the continuation of the present membership as set forth in point E of the document before us.

My delegation considers that the exploration of outer space opens a new frontier not only to extending the dominion of man over the regions of outer space, but also to improve his living conditions on earth. In order for this dream to come true, it is imperative, however, that activities in space conform to certain norms that the United Nations must support with all the weight of its moral influence.

In the first place, it is imperative to avoid transferring to outer space the quarrels which today divide States, and this can only be achieved if the utilization of this new field is made purely for peaceful purposes, totally excluding any military purpose or any idea of conquest.

In the second place, this use must be for benefit of all mankind and there must be no occupation or appropriation on the part of any State. We believe that on these bases international co-operation can give most satisfactory results.

We are convinced that the ad hoc committee, if it works on the basis of a real spirit of co-operation and understanding, will be ready to submit to the next session of the General Assembly a constructive programme for the joint and common utilization of outer space. With this idea in mind, my delegation will spare no effort to see that that hope that is shared by all peoples will not be thwarted.

Mr. PLIMSOIL (Australia): It is now two years since the General Assembly last considered the question of outer space, and in that period of time a great deal has happened. A number of bodies have been put into orbit around the earth or have been put further out into space. The first human beings have been put beyond the upper atmosphere and have penetrated outer space. A vast amount of data has been collected either relating to outer space or covering earthly phenomena that are put into new perspective or given greater definiteness as a result of work in outer space.

It is natural that we think of outer space in terms of the most spectacular probes that have been made, in terms of men flying through space in orbit around the earth or in terms of satellites going around the sun or going to the moon. But in point of fact there has been a great deal more done in a less spectacular way, but in a way that is extremely important to us. We have heard in this debate statements by the representatives of the United States and the Soviet Union who have both indicated some of the practical applications that we might expect for mankind from less spectacular efforts than going to the moon or even putting a man into space. Some of the hopes that have been held out for us in meteorology and in communications can be expected to flow from what we must now regard as rather modest entry into outer space, though only a few years ago it would have been beyond man's imagination.

It is therefore right that the General Assembly should now be discussing outer space again, so that we can take account of what has happened in the two years since we last did so. As a contribution to this, a number of countries, of which Australia is one, have presented a draft resolution to this Committee which is contained in document A/C.1/L.301. Before I discuss this draft resolution perhaps I should say something about why Australia is interested in outer space and why we have for several years past taken a prominent part in discussions in the United Nations and in the various agencies concerned with this field.

Our interest stems from two directions: our past activity and contribution in fields related to outer space and the use that Australia believes it can make of the results of work in outer space. I shall say a few words about both of these, first about past activity and contribution.

(Mr. Plimsoll, Australia)

I refer to this not only to show why Australia has an interest, but also to illustrate the way in which a number of countries can play a part even though they themselves of course are not in a position to make the tremendous contributions or to undertake the tremendous efforts that the United States and the Soviet Union are undertaking. But Australia, by virtue of its geographical position in the Southern Hemisphere, has felt in the past that it was in a special position to make some contribution to optical astronomy. As we all know, the aspect of the heavens that is opened out from the Southern Hemisphere is a different one from that of the Northern Hemisphere. In particular, Australia is in a special geographical position to allow observations and to make a study of the Milky Way. The Milky Way is of particular interest to astronomers, but also to those who are now making attempts to further work in outer space.

Australia was one of the pioneering countries of the world in radio-astronomy. Radio-astronomy itself is of course a very new science. But from the beginning, Australians were able to take a lead in many fields, and our interest in this field is continuing. Very recently we have opened a big new radio-telescope near Parkes in New South Wales. This is referred to, incidentally, in a article in the New York Times this morning. It is one of the radio-telescopes of the world which is allowing the utmost limits of space, as far as we can now probe it, to be explored.

There are other forms of radio-telescopes. There is the Mills Cross, which was devised in Australia and which is regarded as a particularly cheap form of entering into radio-astronomy. Then again Australia for some time, in participation with other countries, has been using Skylark rockets for upper atmosphere research.

Australia is one of the very small number of countries in the world actively engaged in launching rockets and in conducting fundamental research through their use. In Woomera we have the only rocket range in the Southern Hemisphere and this, as I have already explained, allows the conditions of the Southern Hemisphere, which in many respects are so different from the Northern, to be explored. Australia has considerable equipment for tracking space vehicles and has had substantial experience and success in this field.

(Mr. Plimsoll, Australia)

We have been able in the last year or so to play a part, in co-operation with the United States and the United Kingdom in particular, and also with other States, in their work in outer space. We have co-operated with the United States in the development of the use of artificial satellites for meteorological purposes. I shall come back to that again in a few minutes. We have co-operated with the United States in making detailed post analyses of satellite cloud data, in working on methods of identification and interpretation of cloud photographs and in preparing a geographical grid for application to Tiros cloud photographs, as well as in other ways in which we have been working on the comparison of cloud pictures from satellites.

These are cited to the Committee not just as an illustration of Australia's activities but as an illustration of what many countries can do and of what some are doing. It is a reason why so many of us are in a position to take an interest in the development of outer space even though we have no intention of getting, and no ability to get, into the wider and more costly forms of penetration of outer space.

The second reason why Australia is interested in outer space and why we felt sufficiently interested to co-sponsor a draft resolution is that we consider that there is a great practical use which can be made by us of developments in outer space, a use which is not simply potential but one which is even now actively being made.

Yesterday the representatives of the United States and the Soviet Union both referred to meteorology and communications as matters on which outer space could contribute practically to the betterment of mankind. Weather is extremely important to us. A large amount of our economic life depends upon the weather. It depends upon whether we have a good season for our crops and for our cattle and sheep, and therefore we have for a long while been interested in meteorology, its application and even in the way in which we can change the weather. We are naturally interested, like all countries with big rural areas, in forecasting. Over the years, both inside Australia itself and in areas like the Antarctic, we have been conducting experiments and

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reporting observations to see, for example, to what extent we can have accurate long-range forecasting of climate. We have even been interested in creating weather. Australia has probably done more work than any other country in artificial rain making. Consequently, we have naturally been interested in and have immediately seized upon any opportunities for taking advantage of developments in outer space in relation to meteorology. In this field we have now for more than a year been taking practical advantage of the openings that are being made by the artificial satellites operated by the United States. We regularly receive from the United States the coded results of cloud pictures secured from artificial satellites of the Tiros category. The statements have been received within a few hours of the taking of the picture by the satellites, and we have investigated the operational utility of these statements. Our conclusion is that even at this early stage of development the Tiros cloud pictures are of definite practical value in operational meteorology analysis and forecasting.

There have been a number of occasions on which Tiros cloud photographs over the ocean areas to the west and south of Australia have been of direct benefit to Australian meteorologists in forecasting for Australia. One of the first examples of this, possibly the first in the world, was the use of a photograph taken over the Timor sea, which enabled us to foretell weather conditions of the Northwest coast of Australia.

In other words, the application of outer space developments to meteorology is actually here. It is not something that is in the future. It is actually now being made use of in various parts of the world. We in Australia have been applying it for more than a year. This is of particular relevance to countries in the Southern Hemisphere where there are such large expanses of ocean where the normal possibilities of observation that exist on land do not exist.

(Mr. Plimsoll, Australia)

Another field where outer space developments can be expected to be of immediate practical application is communications. Here again it is of particular relevance and of special interest to remote countries, to a country like Australia which is separated from others by long ocean distances.

If techniques can be devised for making communications over long distances cheaper as a result of satellites -- and this possibility has already been referred to in the debate by the representative of the Soviet Union as well as the representative of the United States -- then it is of great interest to countries like ours.

The representative of the United States spoke yesterday about the possibility next year of television being used across the Atlantic. All these things, therefore, are immediately on top of us and all have immediate relevance.

There may of course be other advantages and other possibilities from outer space in addition to meteorology and communications. When we get into a vast new field like outer space, no one can predict with certainty what is likely to emerge.

With these remarks, I might perhaps turn to the draft resolution (A/C.1/L.301) which has been presented by Australia, Canada, Italy and the United States. This is not regarded by the sponsors as being necessarily a final text. We are hoping that many countries round this table will make comments on it. We shall listen to the discussion with great interest and with the hope of getting something that will have a wide degree of support. The sponsors of the draft resolution thought that by submitting a comprehensive draft of this nature at the beginning of the debate, it would help to focus discussion and to direct speeches and the attention of representatives to some of the points which merit early consideration and on which some decision by the Committee would be helpful.

(Mr. Plimsoll, Australia)

The draft resolution, as you will see, is divided into five parts. The first part is primarily related to legal aspects. It is not intended to be comprehensive. It does little more than touch two of the fundamental conceptions in outer space and to provide some direction for further work by the Committee on the Peaceful Uses of Outer Space. It does not attempt, for example, to define what outer space is, where outer space begins or where the earth's atmosphere ends. This is a very difficult question, one on which it is perhaps premature to make any decision yet. At any rate, it is a question on which there is still sufficient degree of difference to make it undesirable in a resolution of this nature to give any ruling on just now.

The draft resolution, therefore, confines itself to two principles which we believe have general acceptance: that international law, including the United Nations Charter, applies to outer space and celestial bodies, and that outer space and celestial bodies are free for exploration and use by all States in conformity with international law and are not subject to national appropriation by claim of sovereignty or otherwise.

In the second operative paragraph the Committee on the Peaceful Uses of Outer Space is asked to study and report on legal problems which may arise from the exploration and use of outer space. I do not interpret that to mean that the Committee on the Peaceful Uses of Outer Space need do all the work itself. I think it is quite within its competence and within the terms of this resolution for it to organize the work to be done by other appropriate bodies if this should prove preferable. In fact, the whole conception that we have of the Committee on the Peaceful Uses of Outer Space is not an operating agency, an executive agency, but rather an agency that keeps the whole field of outer space under survey, sees where gaps exist, sees that the relevant specialized agencies or non-governmental organizations or even national Governments are doing what should be done to fill any gaps or conduct such activity as is necessary.

Resolution B attempts to ensure that there will be in some central registry a record of the various objects that are put into outer space.

(Mr. Plimsoll, Australia)

In resolutions C and D an attempt is made to cover those two aspects that have been referred to by the representatives of the Soviet Union and the United States: meteorology and communications. Here again it will be seen that the conception of the Outer Space Committee is that it will be a body which will not act as an executive or operating agency. We hope that the specialized agencies -- those that are specifically mentioned and others such as the World Health Organization, if it should turn out that matters within their fields arise -- will bear the brunt of the burden.

Resolution E renews the membership of the Committee on the Peaceful Uses of Outer Space and adds two African States in recognition of the fact that since the Committee was established the number of States from Africa that are Members of this Organization have grown considerably in number.

Perhaps I should say something further on resolution E. The Committee, as members know, though it was in existence for two years, only met a week ago. The reasons why it was not able to meet earlier have been put before the members of this Committee in various forms. They will have seen the verbatim record of the Committee on the Peaceful Uses of Outer Space which has been circulated. They will also have seen some of the statements by individual Governments. In order to canvass the differences that have existed and to explain the position of the Australian Government, I shall refer to the statement by the representative of the Soviet Union which was circulated in document A/C.1/857.

The representative of the Soviet Union restated this position yesterday in his speech to the Committee on this item. But the essence of the position is stated at the bottom of page 2 of document A/C.1/857. It reads:

"... the United States has throughout the whole of the talks, which have already lasted nearly two years, struggled obstinately to gain for itself and its allies in the military blocs a predominant place in the Committee. It has categorically rejected the principle proposed by the Soviet Union that decisions should be taken only by agreement between the members of the Committee, and has fought to retain its power to impose decisions on the Committee by means of the automatic majority based on the numerical superiority in the Committee of the members of the Western military alignments".

(Mr. Plimsoll, Australia)

That statement boils down to two objections to the conduct of the operations of the Committee in the past two years. One objection is to the method of voting and the other is to the membership of the Committee.

On the method of voting, the Soviet Union wants the principle of unanimity applied -- in other words, the right of veto. This has not proved acceptable to a majority of the members of the Committee, and I shall outline the reasons. Of course, in simple terms, there is the fact that a General Assembly committee operates under the normal rules of all General Assembly bodies; that is to say, rule 162 should apply, which says in brief that the rules relating to the procedure of committees of the General Assembly shall apply to the procedure of any subsidiary organ unless the General Assembly or the subsidiary organ decides otherwise.

It seems to the Australian delegation that this should have been taken for granted. The Committee was set up as a General Assembly decision. There is a rule of the General Assembly applying to it.

But apart from the legal position, let us look at the realities of the situation. I think we all agree that it is desirable, as far as possible, to have agreement between the Soviet Union and the United States in questions of outer space. Certainly when we get into the biggest questions of all, the most dramatic questions, the attempts by man to go to the moon, even to get man into space at all -- on these questions the Soviet Union and the United States, which are the only two countries capable of these efforts, should have the major say; and I think we should all believe that agreement, if at all possible, should be achieved between the two of them.

(Mr. Plimsoll, Australia)

But there are other questions short of that which indeed do not concern only the two great Powers. Even so, we should try to get agreement between them, and in fact the position that was taken by countries which did not accept the position of the Soviet Union was not, I believe, an unreasonable one. There were discussions over a period of two years between the Soviet Union and the United States, each of them from time to time consulting other countries on the Committee so that they could not be regarded as speaking only for themselves but rather each of them speaking for a number of countries. In the end the final position of the United States, before the General Assembly met, was the following one. It was a position that was adopted after consultation with many countries, including Australia. Therefore, it is the position of the Australian Government also.

The position was that there should be statements made at the Committee on the Peaceful Uses of Outer Space by any countries which wish to make them, including no doubt the Soviet Union and the United States, but possibly others, on the principles of voting relating to the Committee, and at the end of it the Chairman of the Committee would make the following statement, agreed in advance with all the Members. The Chairman of the Committee would say this:

"If there is no objection, the Committee takes into account the statements which have just been made by the delegations of the United States and the Union of Soviet Socialist Republics. While there can be no question but that this Committee is governed by appropriate rules of the General Assembly, I interpret what has been said to mean that it will be the aim of the members to conduct the Committee's work in such a way that the Committee will be able to reach agreement in its work without need of voting."

In other words, those of us who took this view were not prepared to say that a Committee of the General Assembly would operate under final restrictions other than those laid down in the rules of procedure of the General Assembly. We were not prepared to say that from the beginning the right of veto would automatically exist. But we were prepared to say, and we wanted to say, that it would be the aim of the members to conduct the Committee's work in such a way that the Committee will be able to reach agreement in its work without need for voting.

I think that that is a reasonable position, a position which recognizes that in practical terms agreement is desirable, and in many cases necessary, between

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the Soviet Union and the United States if international work and decisions by the United Nations are to have any effect.

As I said in the Committee on the Peaceful Uses of Outer Space last week, my own approach to this would be a pragmatic one. Let us go ahead with the Committee as it is without attempting to spell out the right of veto. Let us see where we get to. Let us wait until there actually is a disagreement between the Powers on outer space before we ask ourselves what we are to do in that situation. Many of us, in many situations, find that we know what to do in a specific case, that there is general agreement about what to do in a specific case, but that it is very difficult to agree in advance on principles that are going to apply for hypothetical situations which we hope may never arise and which in any case we cannot envisage. But here we are launching out into an entire new field of man's activity, outer space. We do not know where it is going to lead us and it is wrong and unwise to build in the principle of the veto from the very beginning.

The second question that has been raised by the Soviet Union relates to the membership of the Committee on the Peaceful Uses of Outer Space, and I have quoted the remarks of the Soviet Union as contained in document A/C.1/857, and these remarks will be found repeated in the statement by its representative yesterday. In short, the Soviet Union believes that the Committee contains too large a proportion of countries which are associated with the United States in military relationship. On that aspect I would make the observation that this is a Committee on the Peaceful Uses of Outer Space and it is not a matter for military blocs. Now I am not unrealistic enough to say that everything that is done in the peaceful uses of outer space has no military significance. Of course, some of it does. Everything that we do, in any form of human activity, has some military relationship, just as everything that is done in the military field has some relationship to peaceful activities.

But I believe that there is a great deal that can be done in the peaceful uses of outer space that has no direct or no great relationship to the military aspects of life. I think that is particularly the case in the field of meteorology. There is a great deal that can be done in meteorology that has no direct or no great military significance. Let us not bring into outer space, from the beginning, the confining or stultifying limitations of old rivalries

(Mr. Plimsoll, Australia)

and earth-born conceptions and prejudices. Let us realize, or accept, that in the peaceful uses of outer space we can draw on the membership of this Organization without too much regard for the military associations that any of us has. A rigid approach which automatically assigns in advance the attitudes which individual countries will adopt on every matter is wrong. We have already seen in various forms of international organization, in the specialized agency and non-governmental organization, that the differences of opinion in matters relating to outer space often do not follow the political affiliations or military associations of individual Governments. Many of the differences of opinions stem from genuine differences and scientific estimation, or economic or other needs, and not from political or military associations.

Therefore, I believe that the composition of this Committee, which was agreed upon two years ago between the Soviet Union and the United States, is still basically a good composition. The countries were chosen partly in order to give geographical representation, but very much with the possible contributions that the individual countries might make to work in the field of outer space. The four-Power draft resolution (A/C.1/L.301) that is before us however does propose that the membership be increased by two, to add two African States to take account of the increase in the African membership of the Organization as a whole.

With those remarks, I will commend the draft resolution to the Committee, repeating, as I said before, that it is not regarded as a hard and fast form of words. It is something to focus discussion and we hope that there will be many contributions and many views expressed on this by the members of the Committee.

(Mr. Plimsoll, Australia)

Time is moving on. Two years have gone by since the Committee was established, and advances and activities are occurring in outer space whether we act in the United Nations or not. That is why we must attempt, before it is too late, to get as wide as possible an area of international agreement and machinery for international consultation. As I have said before, in the field of meteorology, bilateral and multilateral co-operation in practical ways has been occurring for over a year, and in communications we will have perhaps within the next year direct relationships between a number of countries. We must try to have this within a framework of international co-operation. If we do not press on in the United Nations, if we do not try now to get this framework established, then we will find that, willynilly, bilateral relationships will be established and multilateral relationships will be established in which some countries are members and others are not.

It is an immense task. Only the United States and the Soviet Union at present are able to reach out into the furthest limits of outer space, but there is much that many of us can do. Some of us can play a part with the greater Powers in their work, perhaps by making observations. Many of us can help to analyse and study the data that is obtained by the various probes all over the world. In these things scientists from all countries big and small can play some part, and all of us of course can benefit in some way, and directly benefit in our economies. But we are reaching a stage where outer space is becoming too great for any one country, too great even for the Soviet Union or for the United States. Before very long the penetration of the furthest reaches of outer space, to the moon and beyond, and the practical use and development of all this will be something that no one country can undertake. We are reaching the stage where outer space presents a task for mankind as a whole.

Mr. MARTINO (Italy): Two years ago, the fourteenth session of the General Assembly approved unanimously resolution 1472 entrusting a special Committee of twenty-four Member nations with the following task:

"To review, as appropriate, the area of international co-operation, and to study practical and feasible means for giving effect to programmes in the peaceful uses of outer space which could appropriately be undertaken under United Nations auspices". (Resolution 1472 (XIV))

(Mr. Martino, Italy)

Since then we have all witnessed the tremendous progress achieved in space and, as inhabitants of the planet Earth, we have all exulted at the news of the heroic flights of Gagarin, Grissom, Shepard and Titov, and I wish here to express once again the admiration of the Italian people for such outstanding accomplishments.

At the same time, other perhaps less spectacular but equally important space activities have brought very close to their practical utilization several types of satellite systems, which will open up new possibilities for benefits for all the nations of the world in the fields of communications, meteorology and navigation.

It is, therefore, with a feeling of deep regret -- which the Italian delegation must place on record with this Committee -- that I must note, from the report presented to us by the Committee on the Peaceful Uses of Outer Space, that, while workers, engineers, scientists and cosmonauts around the world have been pushing rapidly towards the conquest of space, we diplomats have accomplished nothing here except to have the special Committee meet just once in two years to present a formal and, I am sorry to say, an empty document.

Not even a modest beginning has been made by the Committee towards the substance of its task, namely the establishment of international co-operation within the framework of the United Nations in the important field of peaceful space activities, which has already demonstrated its direct implications as regards the welfare and betterment of mankind.

The representative of the Soviet Union stated on 19 October:

"The conquest of outer space will continue without the assistance of our Committee." (A/C.1/PV.1170, page 27)

Again, on the same day, he said:

"Since the Soviet Union and the United States work in this field of the conquest of outer space, it is clear that it is these two States that must come to an agreement on ways of organizing the work of that Committee" (Ibid., page 12) -- meaning the special Committee on the Peaceful Uses of Outer Space. These statements seem to indicate a lack of consideration towards that Committee as a whole and lead to the legitimate suspicion that the procedural difficulties put forward as a reason in 1959 for abstaining from the useful work performed by the Ad Hoc Committee on the Peaceful Uses of Outer Space and as a reason for failing to reach

(Mr. Martino, Italy)

an agreement in getting the special Committee to work in 1960 and 1961 are only an indication that one is not really interested in international co-operation in the peaceful uses of outer space within the framework of the United Nations.

The Italian delegation has very high hopes that this suspicion will be proved incorrect during the proceedings of this discussion, and we do not intend to recriminate any further about past failures, looking forward instead to a future of constructive co-operation amongst all the nations of the world in the field of space.

It is perfectly true that today only two great nations are working in space, but within the next few years at least four others will join them and in a rather short time a dozen or more nations might be able to launch space vehicles into orbit and beyond. To avoid the extension of the cold war outside of our planet and to prevent the birth of a new kind of colonialism in space, the Italian delegation wishes to reaffirm very strongly the principle that no nation or group of nations on earth, no matter how large or powerful or how far ahead in technical know-how, can claim an exclusive right to space utilization. In today's world political responsibility does not rest any longer solely with the strongest Powers, despite the fact that this strength in respect to the smaller countries is infinitely greater than in the past. Full political responsibility in international life is claimed, and at an increasing rate, by the smaller Powers which are today conscious of their moral strength. This very Organization of the United Nations is indeed living proof of the fact that this responsibility belongs largely to the smaller Powers and is clear evidence of their ever-increasing weight in international life.

(Mr. Martino, Italy)

Interplanetary space belongs to everyone and everybody should be guaranteed equality of rights in its use if peaceful coexistence and harmonious development of the community of peoples shall not be empty words.

But only within the framework of the United Nations can equal rights in space be protected for all the nations of the world, and the Italian delegation strongly believes that this can be done only through full co-operation and harmonious work by the members of the Committee on the Peaceful Uses of Outer Space.

In this respect, the Italian delegation recommends that the following fields of space activities be given urgent attention by the special Committee, if the United Nations is to discharge its obligations to the world:

First, space meteorology. Early co-operation in this field on a world-wide basis may bring relief to many famine areas and even open the way to future means of weather control and consequently to the possibility of food production in now desert areas.

Second, communications. Communications have always been associated with progress and civilization. Early co-operation in this advanced field may save lives, promote trade and accelerate education in under-developed areas of the world and increase mutual understanding.

Third, traffic control. With dozens of space vehicles already circling the globe, and hundreds to come, a registry of space launchings is becoming urgent, both for the safety of space and air navigation and for a certain degree of protection from surprise attacks.

Fourth, space law. To permit full exploitation of outer space for peaceful purposes, a declaration of principles is needed, to be subscribed to by all nations, that outer space and celestial bodies are free and not subject to appropriation by anybody.

In view of the need to take into consideration these urgent matters, the Italian delegation has the honour to co-sponsor the resolution A/C.1/L.301 presented to this Committee, which is closely related to the problems I have just mentioned and which, if approved, as I hope it will be, will clear the way for a significant step forward in international co-operation on the peaceful uses of outer space.

Italy has a long tradition as the mother of scientists, explorers and navigators who, in past centuries, have made a large contribution to the discovery,

(Mr. Martino, Italy)

knowledge and development of the exciting world we live in today. The Italian interest in space is a natural evolution of this tradition, since the scientists, explorers and navigators of our time can and will find in space their most rewarding experiences.

And just as in past centuries my country has always been ready to share the results and benefits of its discoveries with the rest of the world, so will it always be ready to share the results and benefits of its developing long-range space programme, including satellites and space vehicles, with all the nations of the world irrespective of their scientific and technological state of development and within the framework of the United Nations or the specialized agencies.

In conclusion, it is the hope of the Italian delegation that we may all be in agreement at least on one point: that rivalries and controversies generated by ideological contrasts should, for the sake of our common interests, be put aside in order to reach a constructive agreement on the peaceful uses of outer space for the benefit of mankind as a whole and not for the advantage of one Power or group of Powers.

Mr. BELAUNDE (Peru) (interpretation from Spanish): The events which have been taking place since the year 1958 when the superb debate was held on outer space, events which have aroused the enthusiasm of mankind and won the applause of all peoples for the heroes of great exploits -- the first man to circling the planet in outer space; the placing of a rocket on the moon; photographing the far side of the moon; the train of satellites which now accompanies the earth, providing us with most useful information -- all these things which so fill us with enthusiasm serve to confirm the position taken by practically all delegations at that famous debate in 1958.

Mankind is coming closer to the conquest of the infinitely great after having achieved the conquest of the infinitely small. But having realized the conquest of the infinitely small, we find ourselves in the tragic situation where the discovery of nuclear energy has made very small progress so far as its peaceful and industrial uses are concerned, but on the other hand has made enormous strides to the construction of devices sufficiently powerful to destroy at any given moment all life on the planet. Thus our approach to the infinite, in so far as the

(Mr. Belaunde, Peru)

infinitely small is concerned, reveals a tragic aspect. And today, when mankind is coming close to the infinitely great, we are overtaken by the fear that the same thing is about to happen: that this conquest of the infinitely great will not be utilized by science for the good of mankind, but that it will constitute but another battlefield in the terrible struggle for power.

These two infinities, the small and the great, serve to confirm an idea of Pascal about the infinity of extension. And man's conquest, the wonderful knowledge that man, this "thinking reed", has derived from these two infinities at the same time reminds us of that other infinity of which Pascal spoke, the infinity of thought. But man, who shares in the infinity of thought and who thereby is about to achieve mastery at both extremes -- the small and the great -- of the infinity of extension, seems to have forgotten or to be ignoring the other infinity pointed out by Pascal, the infinity of charity and love; and if man does not strive for co-operation in charity and love of his fellow man, if he does not base his scientific conquest on true understanding and co-operation, then he runs the risk of destruction.

(Mr. Belaunde, Peru)

This is a terrible dilemma for humanity, which is unable or unwilling to love one's neighbour and thus fulfil the mission for which God placed man on earth.

The conquest of outer space can result in great danger to mankind. Other representatives have, in brilliant terms, opened our eyes to the tremendous advantages flowing from the conquest of outer space, but in my statement in 1958 I said that there was a negative side to it, that there was a danger of conquering outer space without at the same time considering the principle of love and co-operation. I said that if outer space were not used in the interest of international co-operation, it would only exaggerate and make more acute extant international tension. This is a danger of which we are all aware today and we must say in all sincerity that it is a danger of which we see symptoms in the lack of effectiveness showed by the Committee on Outer Space set up by the United Nations and the difficulties which that Committee has encountered and may well encounter again in the fulfilment of its task.

Secondly, I said that the control of outer space would bring domination of the earth itself. And this is obvious. If a Power were, by some means, to dominate outer space, that same Power would also control the earth. I do not think that I need dwell on this point, but I believe that all are aware of the danger inherent in the domination by one Power of the whole earth.

Thirdly, I said that space platforms used for warlike purposes would presuppose grave dangers involving wars of much greater destructive power than mere bombs or rockets.

Fourthly, control of outer space may determine the utilization of a series of unknown elements of a physical or cosmic nature beyond human imagination which has perhaps leapt ahead of mankind in foreseeing the cosmic elements which might be encountered and possibly used in the conquest of outer space.

Fifthly, I said that from these space satellites there could be physical and biological changes on the earth.

Thus, outer space stands today as a fundamental interest for humanity. It is not a matter alien to the life of man. It is no longer a purely scientific spectacle. It is no longer just a possibility of a horizon for science. There is an immediate human interest in that outer space should be left free and not allowed to come under the power of one State, but should be used for international

(Mr. Belaunde, Peru)

co-operation. This leads us to the conclusion -- which I consider to be important -- that outer space cannot be appropriated; it cannot be exploited; it cannot be used exclusively by one Power or one group of Powers with the material means to do so, because there is a human interest involving mankind's right to the use of outer space.

When nuclear energy failed to be made international, it increased tensions and crises on earth. The control of outer space without international co-operation increases the danger many times. Therefore, we must find an international solution to the question of outer space. Naturally, there has been one great advantage, and that is that the theory of projecting terrestrial sovereignty into the skies was discarded immediately; and today, of course, it has been entirely exploded by what we might call international control because the launching of satellites to hurtle through space, through the application of the law ius soli ius celi: gave rise to protest, I believe, from no country. The satellites go through the outer space of many countries and, as far as I know, no country has protested their incursion into what might be called its outer space.

Positive law established by the Paris Convention and reinforced by the Chicago Convention extended sovereignty only to air space, but the problem is not as simple as it would appear because it is very often difficult to set the precise limits of air space -- the so-called Carman Line or the "aero-pause", the point at which the atmosphere ceases to possess sufficient gas and density to hold balloons or aircraft. Despite this difficulty, I believe that it has been generally accepted by international scientists that sovereignty can be extended only to air space, to the space where, because of the atmosphere itself, it is possible for aircraft to fly and for balloons to be suspended. We know that there has been an effort to extend sovereignty beyond the air space to traverse the Carman Line by the use of the principle of the capacity to exercise domination. This application of the principle of capacity comes from Greece. In other words, my right extends to the end of my land. Unfortunately, it has appeared in modern philosophy, especially that of Hegel and others, that right was conditional on power itself.

(Mr. Belaunde, Peru)

However, in the debates on this matter in international bodies the only professor who maintained this same idea was Westlake, who found his views rejected, as was also the idea of the unity of flight. Some contended that flight presupposes the prolongation of sovereignty and that, therefore, the sovereignty of a State extended to the point to which the instrument utilized by a country had reached. This theory would have given rise to very serious difficulties, but fortunately, it has been rejected by technicians and experts, as was also the theory of gravity which would carry sovereignty to a point perhaps beyond the Carran Line and to a region beyond the "aero-pause".

(Mr. Belaunde, Peru)

There is one general view today, which is accepted all over, that although we cannot precisely and mathematically set, or should I say uniformly set the limits of atmospheric space, it is only to that atmospheric space, which cannot be clearly defined, that the sovereignty of States can reach. But there will be a time when because of certain interests of mankind, even that atmosphere will have to be controlled by international instruments, and the permanent interests of small countries defended -- and we are going towards the application of international law to this new field. For the moment we are working with conclusions to which Mr. Cooper reached in a survey that was published in 1958. The limit out in space is set by the atmosphere itself. Outer space escapes all claims by countries for sovereignty. That so-called cosmic space or outer space, which latter I think is less perfect than cosmic and sidereal space, which is also used but which is very vague, the Italian jurist, Ambrosini, representing Italy in the 1958 discussion, also dwelt on the same projection of sovereignty. The Italian idea was that outer space is res communis omnium.

Since that time I have said that although there is a basis of truth in the Italian thesis, the truth of the matter is that the juridical expression that should be invoked regarding outer space goes beyond the idea of the res communis omnium, which is a Roman institution, and which could be applied to the air, to the high seas or other elements common to all mankind, but that has to be qualified, that has to be rounded out by the use of certain elements when applied to outer space.

Why do I feel that the doctrine of the res communis omnium cannot be accepted ad libitum and without other restrictions than that of the Latin proverb "alterum non ledere" in other words, do not harm the other's rights. Because outer space in itself is so dangerous when the new elements are taken into account and offers such tremendous possibilities of using further elements; it implies so many transformations of a radical nature. If applied one way they will be kindly and in other words generous to mankind, that immediate regulation is required in order to safeguard the interests of mankind. Therefore, it is a res communis omnium which requires regulation on the part of mankind; and that regulation can only take place obviously by means of conventions, treaties and agreements.

(Mr. Belaunde, Peru)

I do not believe that conventions and treaties will necessarily exhaust and complete what we might call the application of the juridical treasury on which mankind can call for the setting up of human rights and guarantees of human co-existence and of human co-operation in outer space. I, however, am aiming at something a little further. In the theory of the res communis omnium States are given the right to make use of outer space without, of course, damaging the interests of other parties. However, here we are referring not to an ad libitum use limited by the desire not to harm a third party. Because all countries are interested in outer space, not only must we avoid the danger of the struggle for power being extended to outer space, which is an imminent danger under which, unfortunately and tragically we have lived, and are still living, at least as far as nuclear energy is concerned, but as the representative of Australia very correctly said today, this is a question of utilizing all the elements and information on outer space in order to produce favourable changes on earth. He referred to changes that had been favourable and potential or achieved in Australia. We could say the same thing in so far as Latin America is concerned where we have great desert regions that are working and living for artificial rain. There are forests where the rain is so intense that man's hand is useless. There are many zones in Latin America that will require a change in climatic conditions in order to exploit their wealth. It is these changes that can only be operated if the United Nations and if the specialized agencies, together and jointly, can exploit outer space and apply it to good use.

I reaffirm what I said in 1958 that there must be the full jurisdiction of the international community itself over outer space. I could give this a religious foundation, basing myself on the words of Genesis where God created man and made him lord over the creation -- words that were cited and spoken by His Holiness Pope Pius XII. The nub of the question is, Is there or should there be an international community? The United Nations has to confront this problem because we are basically the clearing house of multilateral or bilateral treaties. Are we the body for the implementation of a Charter that is discussed, that is denied, that is violated, that is variously interpreted? Or, rather, are we an international community, with common interests, with acceptance of spiritual values binding us and forming the essence and soul of our

(Mr. Belaunde, Peru)

Organization, that are our true personality, that moral personality in its collective sense which has perfect rights and which has perfect obligations? The development of that moral personality will determine a dynamic interpretation, as the late Secretary-General said, a generous dynamic interpretation in keeping with the terms of the Charter, and an interpretation of our duties, as the founders of the United Nations would have had us interpret it? Or are we going to be a debating society? Are we going to be merely a clearing house or a registry for treaties and disputes?

That is the problem that every serious dispute raises in our minds. Basically it is the question of "To be or not to be" if "To be" is substantially collective. I prefer to believe that we must try, simply because we are achieving universality, because the United Nations today is composed of small countries having only one ideal, one interest, one raison d'être, and that is to live in peace together, to ensure international co-operation for the benefit of all.

(Mr. Belaunde, Peru)

I do not deny, I cannot deny, that these interests and these ideals are shared by the great Powers. I believe -- I prefer to believe -- that they share them. I prefer, further, to believe that the peoples of the great Powers share these interests and ideals and values, but perhaps among the great Powers the tragic gravitation of power may to a certain extent attenuate the intensity with which, in the small nations, we are ready to express our needs for peace, for coexistence and for international co-operation.

So that I am going beyond the theory of the res communis omnium, to the theory of jurisdiction of the international community. I know full well that this jurisdiction must be expressed in the stipulations of a treaty, but to sign a treaty without a concept underlying it, without motivations, precepts and ideas that will be the soul of the treaty would merely amount to signing a dead instrument. When we sign a treaty for a convention on outer space it must be preceded by the knowledge, the consciousness and the awareness of the fact that we today are the human community -- especially now that we are achieving universality. Today we need to dominate and control the extensive infinite capacity of mankind to think and to apply that infinite capacity for charity and co-operation.

We meet, therefore, at a crucial moment in the life of the world. I say this with all due respect for all opinions, all ideologies. As far as my conviction is concerned -- that is, that there is a fundamental economic, intellectual, cultural and human interdependence among all peoples of the world, however distant their political systems may be, the social ideals believed in by each and everyone of them -- from this point of view I must analyse the resolution before us. It is only from this point of view that I can do so. I must say that I am eager to pay warm tribute to the proponents of this resolution. The first section, part A, sets forth very clearly the fact that international law and the principles of the United Nations must be applied to outer space and celestial bodies, and to their utilization. It goes further because it says:

"Believing that the exploration and use of outer space should be only for the betterment of mankind and to the benefit of States irrespective of the stage of their economic or scientific development,

(Mr. Belaunde, Peru)

"1. Commends to States for their guidance in the exploration and use of outer space the following principles;

"(a) International law, including the United Nations Charter, applies to outer space and celestial bodies;

"(b) Outer space and celestial bodies are free for exploration and use by all States in conformity with international law, and are not subject to national appropriation by claim of sovereignty or otherwise."

In other words, the draft resolution sets forth the opinion of all international thinkers, that outer space does not fall within the competence or ownership of any nation, regardless of the argument adduced: it is international and must be covered by international law. The draft resolution did not have to go into a philosophical disquisition. It is all contained in this. However, the draft resolution sets out the main point: it refers to international law. When is there international law? We do not belong to the truly positivist school that there is only international law when treaties are in existence. No, treaties express a pre-existing right. There is also custom. There is habit. There is the awareness and conscience of mankind, and treaties are inspired by, and in, something. Treaties invent nothing. They codify. They set forth. They consecrate principles in the mind of man. So, technically speaking it is sufficient, and I believe that on this point part A has been most felicitously drafted.

Part B of the draft resolution goes even further. As far as I can see it calls for intervention, and the United Nations acting as a United Nations, with the co-operation of the Secretariat, intervening, as I have said, in exploration of outer space, and its use. Obviously it is a human interest and today there is an organ which embodies, protects, shelters and carries out the acts necessary to ensure the maintenance of those interests. It is obvious that the States, having launched objects into orbit or beyond, should furnish information promptly to the Secretary-General for the purposes of the registration of launchings. This is what we call upon States to do. The international community must be kept up to date on all launchings that are made, their purposes and the development of flights. Therefore, the Secretariat must organize and index such information.

(Mr. Belaunde, Peru)

If, as I hope, we unanimously adopt parts A and B, we shall already have gone very far ahead. The representative of Argentina said today -- and perhaps in this he may be right -- that part C, which refers to the extremely interesting aspect of meteorological changes, falls into a technical field so that it might be difficult, unless we devoted more time to it than we can afford at the conclusion of our Assembly, to deal with it adequately; and perhaps, as he said, it might be better to refer part C to the specialized agencies. The same would be true of part D, which deals with telecommunications which are an immediate consequence of the beneficial use of outer space. However, this is a matter for decision by the General Assembly, after other speakers have made known their views. As I have said, my mind is open to any suggestion or argument.

For the moment, to simplify matters -- we may come back to this subject at a later session -- I would be willing to have these two points taken up, even by the Committee on Peaceful Uses of Outer Space. But the Assembly will have to decide upon part E, which refers to the Committee, because operative paragraph 1 reads:

"1. Decides to continue the membership of the Committee on the Peaceful Uses of Outer Space as contained in resolution 1472 (XIV) and to add Nigeria and Chad to its membership in recognition of the increased membership of the United Nations since the Committee was established;

"2. Requests the Committee to meet early in 1962 to carry out its mandate as contained in resolution 1472 (XIV) ..."

The least that we can do now is to take note of the work that has been accomplished by the smaller Committee -- as the representative of Italy has said -- in the hope that when the international atmosphere has changed somewhat the Committee on the Peaceful Uses of Outer Space can do more productive and fruitful work.

(Mr. Belaunde, Peru)

I shall not go into this subject at length. We hope to be able to maintain an atmosphere of cordiality and co-operation and harmony, and thus I do not wish to make any statement that might offend anyone. But I would be lacking in sincerity if I did not say frankly that the voting procedure in the Committee cannot be an exception when compared to that of the other Committees of the United Nations. From the very beginning, from the days of San Francisco, we have always been in favour of unanimity being sought. When such unanimity is not possible, we must take note of the existence of different points of view. However, it would be very grave to change this procedure and it would be very grave if a country, no matter how large it is and no matter how great its military power, no matter how great its political influence, could thwart this effort because it has the veto right.

These are the views, as I have just expressed them, that will determine the position of my delegation when the voting on this matter comes up. Moreover, I wholeheartedly hope that we can come to a unanimous agreement and that we will not waste the great opportunity within our grasp. Doubtless it will be said that this is only one more resolution. If that is so, then let us have a unanimous vote on this draft resolution. Such a vote would be a good harbinger of international co-operation which is not only desirable today but also is becoming more and more imperative for the very survival of our planet.

Mr. LOUIFI (United Arab Republic) (interpretation from French): The delegation of the United Arab Republic firmly hopes that during the consideration of the report of the Committee on the Peaceful Uses of Outer Space this year, the General Assembly will respond adequately to the demands born of the speedy progress made in the exploration of outer space.

It was nearly four years ago that the first object manufactured by man, the Sputnik, was launched into space by the Soviet Union. While during these four years the people of the whole world watched with astonishment and admiration the spectacular exploits of man in space, here in the United Nations, in striking contrast, there was an obvious absence of any effort by

(Mr. Loutfi, United Arab Republic)

the international community to ensure the protection of the interests of mankind in this new field of outer space. Moreover, since the last discussion on this matter at the fourteenth session of the General Assembly, no debate has been held on this subject except for the meeting held two weeks ago by the Committee on the Peaceful Uses of Outer Space.

If this Organization has played such a passive role up to now, it certainly cannot allow itself to continue along this path at a time when the penetration of outer space is being pursued with such intensity. The role of the United Nations in this field is not only a desirable role, but also it has now become, at the present stage of the science of space, absolutely essential if we wish to see the penetration of outer space remain a peaceful endeavour and not a new arena for the cold war.

The United Nations must study important problems, especially that of assuring that outer space will not be used for non-peaceful ends. It should avoid rivalries and conflicts of interests and should co-ordinate activities in space so as to prevent accidents. The United Nations must deal with the problem of international co-operation in a way which will benefit all States, whatever their stage of development in the economic and scientific fields. Finally, the United Nations must lay down the legal principles which govern activities in space.

These are some of the urgent questions of basic importance to which only the United Nations, as a centre for harmonizing the activities of States, can find a solution.

In another field, that of the peaceful uses of atomic energy, this Organization has taken the necessary measures to create the International Atomic Agency which at present is playing a key role in international co-operation in this field. Nevertheless, the need for international co-operation for the peaceful uses of outer space is even more obvious and essential since any human activity in outer space goes beyond national frontiers and thus has an international character.

(Mr. Loutfi, United Arab Republic)

Scientific reports have already informed us of the fact that a communication system using satellites stationed all around the globe will soon be in existence and that meteorological satellites will be placed into space in the near future in order to perfect weather forecasting. Even the trip of man into space is no longer a fiction after the brave exploits of Major Gagarin, of Mr. Titov and of Mr. Shepard. If all these revolutionary applications of science in space must be pursued on a vast scale, it is natural that international co-operation and co-ordination will have to play a key role.

I should now like to explain the nature of international co-operation in this field as we see it. As this was suggested by the title of the item under discussion, co-operation among States must be undertaken in order to promote the peaceful uses of outer space. We firmly adhere to the idea that outer space should never become a new dimension in the armaments race. So many things, and probably the very existence of this planet, would be at stake if the military potential of outer space were included in the world's arsenals.

For this reason the Conference of the Heads of States and Governments of the non-aligned countries in Belgrade last September addressed an appeal "to all States in general, and to States at present pursuing the exploration of outer space in particular," to undertake "to use outer space exclusively for peaceful ends". There have already been alarming indications as regards the nature of some of the satellites launched into space as well as some of the operations which have been undertaken. These satellites and all other objects launched into space cannot but trespass upon the space situated above foreign countries. Thus, it is both legitimate and logical for these countries to insist that such objects be peaceful and non-military ones.

The problem of outer space is certainly one of those which represent a challenge to the United Nations. The possibilities as well as the risks inherent in the development and exploitation of outer space are of such magnitude that it is essential for this Organization to exercise more vigour and imagination in its efforts. In his opening statement at the first meeting of the Committee on the Peaceful Uses of Outer Space, the acting Secretary-General of our Organization spoke of the implications of these discoveries which:

(Mr. Loutfi, United Arab Republic)

"spread beyond the field of pure science or technology and touch upon many vital aspects of the future of humanity". (A/AC.105/OR.1, page 3)

We think that the United Nations must and can fill this vacuum as regards questions of principle and policy to be followed in this field.

This being so, we think that the law of space must be developed. The development of rules of law will not depend solely upon States which are already active in the space field, but also on the consent of the whole international community. Thus, it seems that before speaking of what one might call "the rules of law generally acceptable in space", we must first of all explore the express will of nations large and small.

As we all know, outer space is a new subject. Its characteristics are similar to none of the subjects already well known to us, and we must resist the temptation of drawing analogies between outer space and other fields which by their very nature are quite different. One of the methods for developing international law in outer space would, in our opinion, be the utilization of the legal organs of the United Nations.

(Mr. Loutfi, United Arab Republic)

I should like now to say a few words on the report of the Committee on the Peaceful Uses of Outer Space. This Committee was established by the General Assembly at its fourteenth session and was entrusted with the task of examining the scope of international co-operation and of studying the practical and applicable means of implementing programmes on the peaceful uses of outer space which might usefully be undertaken under the auspices of the United Nations and of studying the nature of legal problems which would be raised by the exploration of outer space.

Of course, the Committee has not done much as far as this task is concerned. The main reason was the lack of agreement on questions of procedure between the States active in space. It is natural that an agreement between the great Powers is essential if the work of the Committee is to have any meaning. We thus hope that the great Powers will find an arrangement which will enable the Committee to proceed with its work, work which has already been delayed far too long.

We have no objection to changes in the composition of the Committee on condition that they adequately recognize the enlarged membership of this Organization as a result of the admission of newly independent States of Africa.

Science, like any other product of human intelligence, is an instrument which should be used in order to raise the well-being of all peoples. Science knows of no borders, and its fruits must always be shared by all nations. If one considers the realizations of science in their continuity, one should never forget that past civilizations, far as they may be behind us, have all contributed to laying the foundations of what today we admire as scientific miracles. We must recognize that all nations, large and small, are entitled to benefit equally from the results of the exploration of new horizons in space.

At this time I would like to mention the deep interest of the scientific institutions in the United Arab Republic in the peaceful uses of outer space. We have participated in the International Geophysical Year and we hope that we shall soon have an opportunity within the framework of international co-operation of contributing more actively in work in this field.

(Mr. Loutfi, United Arab Republic)

Before concluding, I should like to refer to the draft resolution submitted by the delegations of Australia, Canada, Italy and the United States. It contains a detailed programme which deserves the careful study of my delegation. I therefore wish to reserve our right to express the views of my delegation at a later time.

I should like to conclude by expressing the wish of my delegation that our discussion at this session will yield positive results. My delegation has noted with satisfaction that yesterday the United States and the Soviet Union expressed the ardent desire of their Governments to achieve active international co-operation in the field of the peaceful uses of outer space. This is indeed an excellent augury which might lead to future developments in the fulfilment of our hopes.

Mr. MACHOWSKI (Poland): Ever since the memorable date in the history of mankind, 4 October 1957, marked by the successful launching of the first space vehicle by the Soviet Union, the Polish people and its Government have followed with utmost interest the developments in the conquest of outer space by man. With joy and hope we looked at the achievements of the two cosmic Powers, the Soviet Union and the United States, in this great task. Together with the Soviet people we rejoiced over the unprecedented orbital flights of the two brave cosmonauts Gagarin and Titov. We saw all these unforgettable events as the proud achievements not only of the two cosmic Powers but of all mankind.

It was in this spirit that Polish scientists, adding their modest contribution to this great and universal task, took part in the International Geophysical Year and other scientific international programmes, like CCSPAR and the International Astronautical Federation, as well as others. The Polish Government has always favoured broad international co-operation in space activities, not only through non-governmental scientific institutions but also through intergovernmental organizations, including the United Nations. We took pride in co-sponsoring the resolution establishing the United Nations Committee on the Peaceful Uses of Outer Space, and we gladly accepted the honour of participating in its work. No wonder, therefore, that we have watched with deep concern the developments in that Committee and have tried to find the causes of its failure.

After a careful study of the available documents and material on this subject, the Polish delegation has come to the conclusion that a shocking contrast exists between mankind's magnificent technical achievements in outer space and the failure to reach agreement on international co-operation in this field. We could not find, however, any answer to our anxieties in the brief formal report submitted by the Committee on Outer Space and contained in document A/4987. More light has been shed upon the real situation by another document before us (A/C.1/857) containing the text of a letter from the permanent representative of the Soviet Union to the acting Secretary-General, depicting the course of the negotiations held for nearly two years between the Soviet Union and the United States on matters relating to the organization of the work of the Committee on Outer Space.

(Mr. Machowski, Poland)

The authors of the draft resolution before us were correct in laying stress on the role and significance of international law for the problem under consideration. It is a generally recognized principle that international law must reflect and keep pace with the changes occurring in the world. Scientific and technical achievements, having enabled man to conquer outer space, have turned into a weighty factor in economics and politics. Man's flights into outer space have a tremendous impact upon all aspects of life: politics, economics, sociology, philosophy and technology. But this impact also works the other way round, for the existing political, economic and social relations are bound to influence man's activities beyond this globe of ours. This is what we must be fully aware of when dealing with any problem of outer space. One reality not to be disregarded while considering the problem before us is that the conquest of outer space by man is taking place in a divided world. And this is why it is indispensable that States belonging to the three groupings of which the present world is composed should be duly represented in the organ entrusted with settling the questions of outer space.

Paragraph 1 (a) of the operative part of draft resolution A before us contains a provision that "international law, including the United Nations Charter, applies to outer space". We subscribe to this declaration and would welcome its being carried into the practice of our Organization and into the practice of the Committee on Outer Space in particular.

(Mr. Machowski, Poland)

What this provision involves, among others, is the extension to outer space of the basic principle of sovereign equality of States as formulated in Article 2, paragraph 1 of the Charter. Here we come to one of the main reasons for the Committee's failure. Judging from all statements and documents available, the United States has constantly refused during the negotiations to base the functioning of the Committee on Outer Space upon the genuine equality of its members by rejecting the procedural proposals submitted by the Soviet Union, which Government proposed to diminish the existing disproportion in membership by introducing a procedure for the adoption of decisions in the Committee without a vote. Needless to say, faithful international co-operation, based upon the genuine equality of members, and of the two cosmic Powers in particular, is the only way to ensure the proper functioning of the Committee on Outer Space. It is in this light that the General Assembly should consider, in our opinion the question of the future of this Committee and particularly its composition and terms of reference.

The authors of the draft resolution before us, co-sponsored by the United States, were calling during this debate for "orderly conduct of outer space activities". We consider it a deplorable fact that the practical activities of some of the authors of this draft resolution run counter to its letter and spirit.

Only a few weeks ago the scientific world was shocked to learn that cosmic space around our globe had been littered by 350 million tiny copper wires launched into outer space by the United States. By executing the so-called Project West Ford, which has nothing to do with the peaceful uses of outer space, the United States Air Force acted in defiance of two resolutions which have been passed against this experiment by the International Astronomical Union at its Congress in Berkeley, California, last August, and in disregard of the protests against the cluttering of space that were received from hundreds of leading research astronomers all over the world, including Denmark, Italy, Australia, the United Kingdom, the Netherlands and many others. The prominent British scientist, Professor Fred J. Hoyle, of Cambridge University, said: "What the Americans have committed is a major intellectual crime."

The world was indignant at seeing how American military men could, within impunity, clutter up the sky to the permanent detriment of science.

Dr. Charles L. Seeger, an American scientist, said:

(Mr. Machowski, Poland)

"This is the first example where a small group of individuals can interfere with large-scale activities of the human race."

It is a deplorable fact that this is not the only example of disorderly conduct in outer space. The highly advertised "spy in the sky" operation and similar operations belong to the same category, running counter to the solemn assurances by the American representatives here that the United States has strictly peaceful intentions with respect to outer space.

The draft resolution before us contains many interesting and some very just ideas. I do not intend to comment on all of them in detail at this stage of our debate, since many of them are of a rather strictly technical character. We hope to have a further opportunity to do so on other occasions.

In conclusion, permit me to express the hope of the Polish delegation that our debate and the forthcoming negotiations on the controversial matters in the question of the peaceful uses of outer space will bring about agreed decisions which will enable international co-operation in this field to be conducted on the basis of the genuine equality of all parties concerned and in the interests and for the benefit of all mankind.

The CHAIRMAN (interpretation from Spanish): I have been informed that none of the twenty-three speakers listed to speak on this item is ready to do so during the remainder of this afternoon's meeting. In view of the fact that we have closed the list of speakers this afternoon, I shall not adhere too strictly to the procedure of calling speakers in the order in which they put their names on the list. However, because of the little time we have left, starting tomorrow morning I shall call on speakers in the order in which they are included on the list. It will be with a heavy heart that I shall have to declare those speakers who do not speak when called upon as having lost the right to address the Committee.

If any of the twenty-three speakers on the list desires to take the floor, I am quite ready to call upon him.

As no one appears to be ready to take the floor, we shall adjourn until tomorrow morning.

The meeting rose at 5.40 p.m.