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Chairman:

Mr. ADEEL

(Sudan)

International co-operation in the peaceful uses of outer space:  
reports of the Committee on the Peaceful Uses of Outer Space,  
the World Meteorological Organization and the International  
Telecommunication Union (A/5181, 5229, 5237; A/C.1/879, 880;  
A/C.1/L.320 and Add.1; Report of the Economic and Social  
Council, Chapter VII, section IV; A/5203) [27] (continued)

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## AGENDA ITEM 27

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE: REPORTS OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE, THE WORLD METEOROLOGICAL ORGANIZATION AND THE INTERNATIONAL TELECOMMUNICATION UNION (A/5181, 5229, 5237; A/C.1/879, 880; A/C.1/L.320 and Add.1; REPORT OF THE ECONOMIC AND SOCIAL COUNCIL, CHAPTER VII, SECTION IV; A/5203) (continued)

Mr. NINCIC (Yugoslavia): It is, I think, heartening indeed to note that alongside the momentous advances in technology and the feats of the astronauts, international co-operation in the peaceful uses of outer space is entering the phase of practical achievement. This would tend to show that we are beginning to respond to the awesome challenge with which we have been faced, and that we are beginning to come to grips with the many and complex problems arising therefrom.

Now, of course, these problems and their various aspects are closely interlinked and interdependent. One cannot divorce the question of co-operation in this new and vital field from the broader international context within which it has to be achieved. It goes without saying that the creation of a more propitious international climate, more especially by means of genuine progress towards disarmament, would both facilitate and encourage our advance in the field of the peaceful uses of outer space. It is equally obvious, however, that the needs and requirements of the space age have tended further to emphasize the necessity for a broad and comprehensive international co-operation in a way which would contribute to the general improvement of world conditions. What is actually involved, therefore, is whether our thinking will once again be allowed to lag behind the progress in science and technology or whether we will be capable of adapting our political methods and legal frameworks to the scientific progress that has been achieved.

This is reflected also in the report of the Committee on the Peaceful Uses of Outer Space which we have before us. On the one hand, we have the report of Scientific and Technical Sub-Committee and the reports prepared by the World Meteorological Organization and the International Telecommunication Union. These

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reports make encouraging reading indeed. They show that co-operation in this field has made considerable progress in the twelve months that have elapsed since the adoption of our resolution on this question last year, and that the prospects for its further growth seem bright, provided we make full use of the opportunity that has been offered. In this effort the institutionalized forms of international co-operation, such as the United Nations and the specialized agencies, are clearly called upon to play an important part.

Highly encouraging, also, are the statements that were made here a few days ago by the representatives of the United States and of the Soviet Union with regard to the agreement they have reached on joint endeavours in certain important fields of the peaceful use of outer space.

Less successful, regrettably, has been the work of the Legal Sub-Committee. One, in fact, has the impression that once again, in the eloquent words of Mr. Belaunde, "if science soars like an eagle, law drags itself along like a turtle". In other words, it has proved considerably more difficult to create the necessary legal framework for the further successful development of co-operation with regard to outer space than to achieve actual technical and scientific co-operation. In fact, two different approaches seemed to have emerged with regard to the legal aspects of the problem, that is to say, to the question of how to develop the principles and formulate the legal rules for the peaceful use of outer space, while at the same time dealing with the practical problems that have already arisen and that can be expected to arise in the future.

We are glad to note, however, that these differences of approach seem to have diminished in the course of the debate that has taken place here. In addition to the draft declaration of the basic principles governing the activities of States pertaining to the exploration and use of outer space submitted by the USSR, and the draft code of international co-operation in the peaceful uses of outer space, emanating from the United Arab Republic, the delegation of the United Kingdom has circulated document A/C.1/879 a few days ago, in which a draft declaration of principles relating to this matter is contained. The representative of the United States has, for his part, announced that his delegation has also prepared a draft declaration. All these not only tend to show that a common approach to the basic legal problems involved may be in the making, but will no doubt contribute to the actual working out of these principles.

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We are, of course, fully aware of the need of dealing with practical questions as they arise, as for instance, the question of rescuing astronauts and space ships in the event of emergency landings or of liability for space vehicle accidents; and we do not feel that there should be much difficulty in achieving agreement with regard to such questions. We do feel it to be essential, however, to clarify the fundamental principles which should govern future activities in outer space, lest these activities tend to develop in a sense not in keeping with the requirements of world peace and of the peaceful uses of outer space. When we speak of the elaboration of principles and of legal problems in connexion with outer space, we must, necessarily, bear in mind their political significance and the political impact they might have on international relations in general and on the solution of certain specific international problems. Some of these principles were set forth by the General Assembly last year. Others seem to be naturally derived from those two principles. Some of the principles obviously are still in need of clarification. There is no necessity for me to go into the details of these principles at this point.

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I would, however, like to emphasize my delegation's profound conviction that the elaboration of the principles and the solution of the legal problems involved in the peaceful uses of outer space should actually go hand in hand with the progress that is being achieved at so rapid a pace in the scientific and technical fields.

The overriding requirement is, of course, that outer space should be used for peaceful purposes only. This requirement is given added sense of urgency by the fact that there is a clear and present danger that this most recent conquest of man will, too, be harnessed to military ends. The extension of our present divisions and their consequences beyond the confines of our planet would not merely frustrate the progress we are making, but would aggravate the divisions themselves.

This brings me to the question of the contribution that the General Assembly can, and in our view should, make at this stage further progress in the peaceful uses of outer space. The proposals that have already been submitted, as well as several suggestions and ideas that have been advanced during our debate, should provide the Committee on the Peaceful Uses of Outer Space with a broader frame of reference for its future work. One would, of course, expect the Committee on the Peaceful Uses of Outer Space to make full use of all such ideas and suggestions and to increase its efforts in both the technical and scientific and the legal fields. We would, in this regard, particularly like to express the hope that the Committee's future endeavours will lead to results that will not only meet our present needs but will also be turned towards the future requirements of the family of nations and thus have an active, a stimulating impact on international relations in general.

Mr. VAKIL (Iran): Man still marvels at the great opportunities opened up to him as a result of penetration into outer space. For six years we have been constantly reminded of the reality of the space age as the scientists of the United States and the Soviet Union almost continually have made dazzling achievements in space.

(Mr. Vakil, Iran)

Fortunately, from the beginning the two Powers declared that outer space should not be subject to national appropriation but should remain free and be utilized for peaceful purposes by all States. By acting in this vein and accepting certain principles they have given further substance to their declaration; such an attitude is both practical and noble in character. It is practical because it conforms to the nature of phenomena which they have explored. It may be recalled that in the early part of the sixteenth century, when the major maritime Powers parcelled out the high seas among themselves, the very vastness of the sea and its versatile advantages felt by all States scuttled that provincial dream. It is noble in the sense that it is attuned to the high concept of international co-operation which is the very foundation of our Organization, to which the major Powers are so heavily committed. So we can say that a salutary basis for international co-operation in space has already been established.

However, one alarming factor looms in the background. Technology has never so out-distanced law as is the case in the age of space. Today there is an appalling gap between advancement in technology and development in law. So long as this gap remains so wide there is no real assurance that outer space, as is professed, will be used for the good of mankind.

We are now seized with the report of the Committee on the Peaceful Uses of Outer Space and the interim reports of the WMO and the ITU. In a sense, I believe that the substance of these reports tell us where we actually stand on the question of the peaceful uses of outer space and what the prospect for the future is.

We are gratified at the progress which has been made by the Scientific and Technical Sub-Committee. The recommendations contained in the report are varied and constructive. Should their recommendations be carried through, notable progress would be made in the field of meteorology and international communications through artificial satellites. These recommendations deserve the endorsement of the General Assembly. There are other interesting technical recommendations—for example, those dealing with the question of the exchange of information, the question of scientific and technical assistance

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and the training of specialists -- which should be sympathetically considered by the General Assembly. It is to be hoped that the progress made in the scientific and technical field of international co-operation in outer space will continue and be enhanced.

The Legal Sub-Committee, on the other hand, has not been able to make any recommendation. This is, indeed, the serious aspect of international co-operation in space. We expected much more from the Legal Sub-Committee than a mere exchange of views which seems to be all that one can attribute to its work.

By now we have not only discarded in practice the thesis that law must precede man into space, but a long trail dramatically separates man's exploration into space and the evolution of space law. There is, of course, the Declaration of Principles which was adopted by the General Assembly in December last. The Declaration, no doubt, contains certain important guiding principles. Moreover, there is the corpus of maritime and air law from which certain limited analogies could be derived for application in outer space. But with penetration into outer space a new dimension has been added to man's activity. Outer space poses different legal problems. The problems involved here are unlike those involved in maritime navigation and in air navigation. In the absence of any statutory or case law applicable to space, one naturally feels the need for formulation of space law.

I read much truth in the assertion that:

"Whatever the ultimate product of space exploration and occupation will prove to be, man in his present state of civilization will in a large measure determine whether it will be beneficial or nefarious. He will do so by the development of or the failure to develop a body of law which will govern his activities in space."

There are, indeed, a number of political, scientific and legal obstacles in the way of formulation of a set of specific rules governing space activities. This is a delicate and involved undertaking defying rash action. But certainly

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we cannot afford to allow the slow pattern of evolution of rules regulating man's exploration and use of the seas, taking some hundreds of years, to be repeated in the case of space law.

Six years of exploration of outer space have been so dramatic as to indicate the need for regulation of activities in this realm. A beginning has to be made. We may start with formulation of principles which are less contentious and then gradually extend the pale of the law.

(Mr. Vakil, Iran)

It is encouraging to note that both the United States and the Soviet representatives expressed the need for and readiness to develop further principles. In recapitulating the policy of his Government the representative of the United States mentioned:

"... United States policy in outer space is as follows: to be guided by the general principles already laid down by the United Nations for the establishment of a regime of law in outer space, and to negotiate an extension of those principles by international agreement ...".

(A/C.1/PV.1289, p. 32)

The representative of the Soviet Union has been equally specific on this point. It is to be hoped that these positive statements of policy would encourage the formulation of specific rules regulating space travel and exploration. Scientific exploration in space could grow uninterrupted when it is aided by a set of rules setting forth the rights and obligations of States. This factor is, I believe, instrumental in reaching the ultimate goal of reserving outer space only for peaceful uses.

We have studied with interest the reports of the ITU and the WMO. The respective fields of study of these agencies in the peaceful uses of outer space are of great importance to developing countries. We are looking forward to receiving a more comprehensive report from the ITU when the Administrative Council concludes its next session which is scheduled to meet in 1963. In the meantime we take note of the assurance given by the ITU that "it will do all in its power to ensure that the development and use of space communication will proceed in an orderly fashion."

The WMO's plan to establish a world-wide network which has been called the World Weather Watch is a much needed and worthy scheme. The final phase of the plan which might lead to modification of weather conditions would be of great and exceptional importance to countries such as mine. Almost two-thirds of the Iranian plateau is arid land. Should space science be able to exert

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a definite influence on the weather and climate this, and other similar waste lands, might feel the novel touch of moisture and yield crops to support the population, thus contributing to the over-all development of the country. Although, as of today, this appears no more than a whim, we may hope that the age of space will transform this into reality.

The report of the WMO points out the necessity for further research work in connexion with the World Weather Watch. We trust that the subsequent reports of the agency will contain additional information in regard to this programme.

The dividends from the peaceful uses of outer space are now being paid off. Telstars, the Tiros satellites, to mention but a few, are in operation. Should outer space be used exclusively for the peaceful ambitions of man, as we have been told by the space Powers that it would, great beneficial modifications and improvements in terrestrial events are in the offing. The statements made to the Committee on Wednesday last by the representative of the United States and the representative of the Soviet Union regarding the agreement reached between the two countries in three fields of space activity have reinforced our belief in future co-operation in space. It is to be hoped that this agreement will lead to further and more rapid progress in this field. In the prevailing circumstances one may reasonably hope that the Committee on the Peaceful Uses of Outer Space and the United Nations specialized agencies will be able to play a positive role.

The CHAIRMAN: I should like to ask members of the Committee if any member is ready to speak on this item now. This morning we had six speakers inscribed on the list but, subsequently, for one reason or another, four of these delegations have informed me that they are not prepared to speak this afternoon. That impels me to renew my appeal to the members to be ready to speak when they are called upon, in the order in which they are inscribed on the list. We still have thirteen delegations inscribed to speak in the general debate on this item. The members of the Committee will recall that

(The Chairman)

at the end of this morning's meeting, I announced my intention to complete the general debate on this item on Monday, and take a vote on the draft resolution on Tuesday; that still remains my hope and I hope that with your co-operation we can still live up to that time-table.

The meeting rose at 3.45 p.m.