

(Mr. Nisot, Belgium)

The machinery and the organ provided for in the document before us is one that can obviously bring about international co-operation without which there would be no adequate solution to the tremendous problems that confront us. These problems are of all kinds: scientific, political and juridical. They obviously concern States to a great extent. Everywhere centres and institutions are being set up that are called upon to settle these problems either completely or partially in their different aspects. Mention has been made of these here.

The generous proposal that has just been renewed by the Italian delegation is a particularly worthy suggestion that could be stressed. The Belgian delegation, which has fully participated in the activities of the Ad Hoc Committee set up at the thirteen session, will, with equal enthusiasm endeavour to contribute to the successful efforts that are to be carried out in common now and in fulfilment and implementation of the draft resolution that we are to adopt.

The CHAIRMAN: Does any other member of the Committee wish to speak now? Tomorrow morning, at 10.30, the Committee will hear the remaining speakers in the debate and proceed to the vote. If any member wishes to explain his vote, he should be prepared to do so at the next meeting either before or after the vote.

The meeting rose at 11.10 p.m.

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ASSEMBLY**

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MEETING**

Friday, 11 December 1959,
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CONTENTS

	Page
<i>Agenda item 25:</i>	
Report of the <u>Ad Hoc</u> Committee on the Peaceful Uses of Outer Space	
General debate and consideration of the draft resolution	279

Chairman: Mr. Franz MATSCH (Austria).

AGENDA ITEM 25

Report of the Ad Hoc Committee on the Peaceful Uses of Outer Space (A/4141, A/C.1/L.247, A/C.1/L.248)

GENERAL DEBATE AND CONSIDERATION OF THE DRAFT RESOLUTION (A/C.1/L.247)

1. Mr. LODGE (United States of America) said that there were a number of reasons why man's activities in outer space should be conducted on the basis of international co-operation through the United Nations. First of all, since outer space was the concern of all nations, all should share equitably in both the benefits and the burdens involved. The principles of partnership in outer space and of the openness and availability of outer space had won wide acceptance in the United Nations in recent years, and the United Nations was the appropriate instrument for putting those principles into practice. Secondly, international co-operation was essential to the success of various desirable undertakings in outer space; without such co-operation, for example, space communications might be impeded by overcrowding of the radio spectrum. Thirdly, the experience gained in international co-operation in the regulation of space activities might prove valuable in efforts towards disarmament.

2. His delegation fully endorsed the constructive report submitted by the Ad Hoc Committee on the Peaceful Uses of Outer Space (A/4141). It concurred, in particular, in the view expressed in paragraph 22 of part IV of the Ad Hoc Committee's report that the United Nations specialized agencies should carry on such activities in connexion with outer space as lay within their competence, and should report thereon to the United Nations. The General Assembly might at times wish to call upon one or more of the specialized agencies to undertake specific projects in the field of outer space. Whereas some members of the Ad Hoc Committee had declined to participate in the latter's deliberations because of disagreement over its membership, agreement had now been reached between his delegation and the Soviet delegation on a formula for the composition of the new committee which should command general support. Consequently his delegation, together with a number of other delegations, had submitted a draft resolution (A/C.1/L.247) calling for the establishment of a committee to study practical means for giving effect to programmes in

the peaceful uses of outer space which could appropriately be undertaken under United Nations auspices and to study the nature of legal problems which might arise from the exploration of outer space.

3. The holding of an international conference under United Nations auspices to review and exchange the experience gained in current outer-space activities, as proposed by the Soviet Union (823rd plenary meeting), would be an appropriate initial step in international scientific and technical co-operation in the field of outer space; his delegation welcomed the Soviet Union's proposal as an indication of that country's willingness to share the data obtained as a result of its activities in outer space. The proposed conference could supplement international scientific exchanges of the kind already carried on by the Committee on Space Research (COSPAR) of the International Council of Scientific Unions; it should go beyond the purely scientific exchanges previously undertaken and should deal with the engineering, technological and similar aspects of the problem of exploring outer space. The new committee should give early attention to arrangements for convening such a conference. His delegation supported the Belgian amendment just circulated (A/C.1/L.248), which specified that the conference should be attended by "interested Members of the United Nations and members of the specialized agencies" and hoped that the Committee would adopt it by a decisive majority.

4. Expansion of the number and scope of the world data centres originally set up during the International Geophysical Year, which was recommended in paragraph 90 of part II of the Ad Hoc Committee's report, was another type of international scientific co-operation which could profitably be explored by the new committee; it was to be hoped that the participating countries would agree to the prompt and automatic transmission to the world data centres of all scientific information obtained by space craft and of essential related data. The committee should also consider the possibilities of co-operative endeavour in the instrumentation of scientific payloads carried by space vehicles; his Government would be receptive to the idea of making equipment and facilities available for that purpose. Among the practical applications of space science which should be studied by the Committee were improved weather-forecasting, the creation of additional and more effective channels for world-wide communications, and the development of navigational satellites.

5. His delegation supported the view expressed in paragraph 9 of part III of the Ad Hoc Committee's report that it was becoming a generally accepted principle that outer space was freely available for exploration and use by all, on an equal basis, in accordance with existing or future international law or agreements. As the report stated in paragraph 7 of that part, however, a comprehensive code of space law was not yet practicable or necessary. At the same

time, the proposed committee should give consideration to such measures of outer-space regulation as the establishment of a system for identifying all objects placed in orbit around the earth and for removing spent satellites from orbit, and an approach could be made to the problem of regulating international relations with respect to celestial bodies. The committee should also examine the question of liability for injury or damage caused by space vehicles and the problem of the re-entry and landing of such vehicles. In addition, work should continue on such matters as the allocation of radio frequencies, which was already being dealt with by the International Telecommunication Union.

6. In order to avoid delay in achieving international co-operation on the peaceful uses of outer space, his Government remained willing to treat that question separately instead of linking it with the general problem of disarmament.

7. Mr. KUZNETSOV (Union of Soviet Socialist Republics) pointed out that the Soviet Union, by launching the first artificial earth satellite, had inaugurated the exploration of outer space and that a Soviet scientist, Mr. K. E. Tsiolkovsky, was generally regarded as having been the pioneer in creating the jet engine and conceiving plans for space flight. The Soviet Union's success in placing a rocket in orbit around the sun, in launching a rocket to the moon, and in sending a rocket equipped with an automatic interplanetary station around the moon had made it possible to conduct studies of radiation in the vicinity of the earth and in outer space, of interplanetary gas and of the earth's magnetic field, to establish that the moon did not possess a noticeable magnetic field or radiation belts of the kind observed around the earth, and to photograph the side of the moon not visible from the earth. The utilization of outer space for such purposes as long-range weather-forecasting and long-distance radio communication was now a practical possibility, and the time was not far off when men could be safely placed in orbit around the earth and sent to other planets and even beyond the solar system. The Soviet Union welcomed the successes achieved by the United States in the study of outer space and the co-operation maintained by the scientists of various countries under the auspices of the International Geophysical Year; it attached great importance to international co-operation in the study of outer space for peaceful purposes.

8. The very nature of space exploration, which affected the interests of all mankind, made international co-operation in that field essential. In view of the complex technological requirements and the great expense involved, it was imperative to avoid the duplication and waste that would result from purely national efforts. Although valuable international studies had been carried out under the auspices of the International Geophysical Year, in which the Soviet Union had taken an active part, much remained to be done in studying the origin of the radiation belts around the earth and other cosmic phenomena; the launching of space rockets and artificial satellites was contributing greatly to knowledge of the spatial distribution of matter and energy in the universe and of the irradiation of celestial bodies and newly discovered nebulae. Many of the data obtained by Soviet scientists had already been published, and the Soviet Union would continue to make such information available to world science. As Mr. Khrushchev, the Chairman of the Council of Ministers of the USSR, had declared, the

Soviet Union regarded its success in sending a rocket to the moon as a victory for all mankind.

9. An important role in organizing international co-operation in the exploration of outer space could be played by COSPAR; the recent agreement to set up COSPAR's principal organ on the basis of the principle of equal representation for all participants was a hopeful development in that regard.

10. The United Nations must also play a major role in the field of outer space, and the Soviet Union had submitted a broad programme with that end in view as early as 1958 (A/3818). The United Nations had unfortunately not yet been able to establish a body of truly international composition to deal with the problems of outer space, although, in the view of his delegation, genuine co-operation could be achieved only on that basis. However, it had now been possible to reconcile the opposing viewpoints so that agreement could be achieved on the composition of the new committee on the peaceful uses of outer space whose establishment was proposed in draft resolution A/C.1/L.247; although his delegation would have preferred a smaller committee with greater representation for the socialist countries, it had accepted the present formula in order to make agreement possible. Accomplishment of the tasks proposed for the new committee in the draft resolution would unquestionably promote the development of international co-operation in the exploration of outer space.

11. In the belief that the results of all scientific work in the field of outer space should become the common property of mankind, the Soviet Government had proposed the convening of an international scientific conference for the exchange of experience in the peaceful uses of outer space; he was pleased that that proposal, which was embodied in draft resolution A/C.1/L.247, had been widely supported by other delegations. However, his delegation would vote against the Belgian amendment (A/C.1/L.248), proposing that participation in such a conference should be confined to Members of the United Nations and members of the specialized agencies. Genuine co-operation in the field of outer space was possible only if all States concerned were permitted to participate; his delegation could not agree to a decision which would discriminate against States which, for reasons over which they had no control, were not Members of the United Nations or of the specialized agencies.

12. The adoption of the draft resolution would represent a major step in the development of international co-operation in the peaceful uses of outer space and would contribute to the creation of a favourable atmosphere for solving other international problems.

13. Mr. NISOT (Belgium) introduced an amendment (A/C.1/L.248) to the draft resolution. Part B of the draft provided for the convocation of an international scientific conference without specifying the participants. His amendment was intended to fill that gap and thus to enable the Secretary-General to convoke the conference. The wording proposed was extremely broad in scope and was based on United Nations practice.

14. Mr. SANDLER (Sweden) prefaced his remarks by a reference to the treaty recently concluded at the twelve-Power Conference on Antarctica which had in certain respects opened the way for an agreement on outer space. The conclusion of the treaty had been

made possible primarily by the close co-operation and mutual efforts of the two greatest Powers, the United States and the Soviet Union. Their attitude in respect to that treaty held out hopes that similar co-operation could be achieved in space research and that agreements could be reached on the regulations necessary for the conduct of movements in space.

15. The report of the Ad Hoc Committee was of far-reaching value in that it had defined the problems warranting study, enumerated the various organizations which could play a useful part in space research, and made cogent suggestions regarding international co-operation in the new field of endeavour. It was disappointing only in one respect: it failed to establish the limits of air space and of outer space, and held that such a definition did not present a legal problem calling for priority consideration. Sweden hoped that, since it was of paramount importance for each sovereign State to know the exact limits within which its rights and responsibilities were to be respected, space research would soon make it possible to agree on a precise definition as to the lower level of outer space.

16. The Ad Hoc Committee's report contained, in paragraph 132 of part II, two general conclusions: first, that there was a need for a suitable centre related to the United Nations which could act as a focal point for international co-operation in the peaceful uses of outer space; second, that progress, plans and needs in connexion with the peaceful uses of outer space should be reviewed again by the United Nations in about a year's time. The purpose of the first point would be served by the establishment of the new committee. As to the second point, it should be left to the committee to decide whether such a review should be conducted as early as 1960.

17. The membership of the new committee should include, in addition to the existing space Powers, all other States capable of assisting in space research. Sweden agreed that there was no need at present to establish a specialized agency of the United Nations on space problems or to ask any existing autonomous intergovernmental organization to undertake over-all responsibility in the field of outer space. Since the new committee and the Secretary-General were entitled to avail themselves of the advice and suggestions of already existing bodies within and without the United Nations in pursuing their work, the draft resolution need not provide for a Secretariat advisory unit specifically for that purpose; COSPAR and the existing scientific advisory committee could be called upon in that connexion. It should be easy for the member States represented in the committee to have alternate representatives nominated, if necessary.

18. Sweden supported the proposal to convene a scientific conference on space research. Careful preparations for such a conference should be made by the co-ordinating committee to be established for the purpose. Sweden also attached primary importance to the principle that space activities should be conducted in an open and orderly way on the premise that outer space was freely available for exploration and use by all on an equal basis and in accordance with existing or future international law or agreements.

19. Mr. VAKIL (Iran), noting the inadequacy of existing political and legal institutions for dealing with problems created by scientific advances, emphasized the need for international co-operation in the explora-

tion and use of outer space. His delegation regretted the absence from the Ad Hoc Committee of the USSR and four other members and was therefore all the more gratified that agreement had been reached on the composition of the new committee proposed in the draft resolution.

20. The Ad Hoc Committee, of which Iran had been a member, had concentrated on limited steps towards the development of the peaceful uses of outer space which could be immediately applied and had not dealt with long-range measures. In the legal field, the Committee had adopted a cautious approach in the belief that premature codification might prejudice subsequent efforts to develop the law of outer space on a more practical basis. The report of the Ad Hoc Committee constituted the first United Nations contribution towards genuine international co-operation in outer-space questions, and Iran fully endorsed its conclusions.

21. In the view of the Iranian Government, all exploration in space should be confined exclusively to peaceful purposes and should operate to the benefit of all nations irrespective of the level of their economic and scientific development. Since the existing rules of international law were not entirely applicable to outer space and since the law of space should keep pace with scientific progress in the new field, it was essential, from the outset, to attempt to formulate basic rules of universal application governing space activities. The United Nations should immediately set in motion the permanent machinery for international co-operation proposed in the Ad Hoc Committee's report.

22. Mr. PLIMSOLL (Australia) said that his Government welcomed the agreement reached between the United States and the Soviet Union which had resulted in the presentation of the twelve-Power draft resolution. It was most important that the question of the peaceful uses of outer space should be approached by the world as a whole, not by one divided into two camps, and achievement of that single approach had been worth great efforts and substantial concessions. Australia would support the twelve-Power draft resolution and believed that all States could endorse it on its merits.

23. The analogy drawn between the agreement reached on outer space and the treaty recently concluded on Antarctica was valid to the extent that in both cases new areas were being explored in which there were as yet no vested interests and in which nations had not yet adopted fixed positions from which they could not subsequently withdraw. It was at the present stage that the United Nations had to establish international precedents and a pattern of international co-operation. The twelve-Power draft resolution took full account of that need, and Australia welcomed the new committee, with a wide and representative membership, which it proposed to establish.

24. He reviewed briefly the active role played by Australia in outer-space efforts, noting that, viewed against the tremendous achievements of the United States and the Soviet Union, its role was modest, but not insignificant. Smaller countries could usefully contribute to progress in space exploration by, for example, helping to track and report on satellites sent into space by the great Powers. Australia's geographical position in the Southern Hemisphere

gave it an accidental advantage in that respect. Moreover, Australia also had a considerable background of scientific experience in the field: it was one of seven countries which had launched rockets into space and done research on the peaceful uses of rockets. It had a great deal of equipment and experience in tracking space vehicles and was participating with the United Kingdom in the launching of Skylark rockets as part of COSPAR's international programme in high-altitude research. That programme should be of value in establishing the variations in upper-atmosphere measurements. Australia was participating in peaceful research into the upper atmosphere as part of an international effort in association with the United Kingdom, the United States and, through COSPAR and sometimes directly, with the Soviet Union.

25. The Ad Hoc Committee, although handicapped by the absence of certain countries, had produced a constructive report which did not stand in the way of wider agreement and which opened up lines of subsequent inquiry. Australia agreed with the Committee's general approach and with its conclusions. It was wise for the United Nations not to be over-ambitious at the beginning in the new field of space, and COSPAR should continue to be the body primarily responsible for co-ordinating international research, rather than the United Nations committee proposed in the draft resolution, although the position might change in the light of experience. The new United Nations committee, on the other hand, should have special responsibility for the dissemination of information and findings on outer space, ensure that the necessary information bodies existed all over the world, and fit the various international agencies into the over-all programme. There was no need, however, for a separate specialized agency on outer space for the present.

26. Australia endorsed the convening of an international scientific conference on outer space and supported the twelve-Power draft resolution in all other respects. That draft deserved full support: it provided a body to rationalize and co-ordinate activities in outer space which included the two great Powers that had done pioneering work in the field, and it prudently avoided adopting any rigid positions on related matters at the present stage.

27. Mr. GIBSON BARBOZA (Brazil), recalling recent significant achievements in the exploration of outer space, said that the General Assembly, at its thirteenth session, had been well advised to establish the Ad Hoc Committee (resolution 1348 (XIII)), on which Brazil had served. All Member States could contribute to the task of exploring outer space by joining in the efforts to further scientific activities in the field and by working for the establishment of a rule of law governing space. Even in the purely scientific aspects of space exploration, the geographical position of a country might not be a negligible factor. Moreover, the development of outer space should not be used to widen the already existing gap between the more advanced and the less developed States.

28. Brazil had participated in the preparation of the Ad Hoc Committee's report, which successfully excluded all political implications and thereby paved the way for its general acceptance. All States should take advantage of the improved international atmosphere to create a solid basis of international co-operation in dealing with problems concerning outer space.

29. It was essential for the United Nations to accept responsibility, as it did under the twelve-Power draft resolution, for the permanent study of the legal problems which might arise in connexion with space exploration and the peaceful uses of outer space. The organization would be assisted by an awakened public opinion on the question. Moreover, co-operation under the aegis of the United Nations was the only way to avoid the pitfalls of political controversy in relation to the use of outer space. Brazil was therefore glad to co-sponsor the draft resolution. It hoped that the benefits deriving from the exploration of outer space would be shared by all States, irrespective of their stage of economic or scientific development.

30. Mr. AMADEO (Argentina) expressed his delegation's satisfaction at the agreement that had been reached. A tribute was due to the representatives of the United States and the Soviet Union, whose mutual concessions had made possible the submission of a draft resolution reflecting the unanimous views of the Assembly.

31. As the Argentine delegation had pointed out at the previous session (985th meeting), the question of the peaceful uses of outer space was of interest to the entire international community and, since any country might, in the future, undertake the exploration of outer space, and international organization would be necessary to promote maximum co-operation between Member States. Such co-operation was particularly desirable since a number of countries, while having the requisite technical and scientific capacity, lacked the funds and equipment to develop it. A system must therefore be devised, within the framework of the United Nations, for co-ordinating, not only the preparation of international programmes, but also the procurement and adequate distribution of the resources, assistance and technical equipment of all States Members of the United Nations and members of the specialized agencies. Co-operation would not, therefore, be one-sided, but would be a form of mutual aid whereby capacities and skills would be provided in exchange for economic and technical resources.

32. With regard to the juridical aspects of the question, Argentina favoured the adoption of certain general principles of law governing the exploration of outer space. In particular, it emphasized the need to accept the juridical equality of all States and to declare outer space *res communis omnium* with the same status as the high seas. While the report did not use that specific term, it did state that, in principle, outer space was, on conditions of equality, freely available for exploration and use by all in accordance with existing or future international law or agreements. The Argentine delegation felt it was essential formally to agree to that rule as soon as possible. The lengthy disputes concerning the freedom of the seas had shown the need for establishing the principle of freedom at the outset; moreover, an early agreement on that principle would permit greater freedom of activity in the field of outer space.

33. Concerning the analogy that had been drawn between outer space and the Antarctic, Argentina could accept such a concept with regard to the signing of international treaties, but could not agree that the status of outer space, which could not be appropriated by any State or group of States, could not be likened to the status of Antarctica, in which Argentina possessed rights of sovereignty.

34. The Ad Hoc Committee's report was completely objective and contained no reference which might impair the interests or offend the susceptibilities of any country. Accordingly, the Argentine delegation hoped that the Committee's conclusions would meet with the unanimous approval of the Assembly.

35. Argentina strongly favoured the proposal made by the Italian Government at the thirteenth session of the Assembly (982nd meeting) that a new international centre for co-operation in the field of outer space should be established and that its headquarters should be at Rome. It also agreed with the idea of establishing regional centres in different parts of the world.

36. Mr. BISBE (Cuba) said that, for the Cuban delegation, the most important aspect of the question was the possible use of outer space for destructive purposes. Unfortunately, rockets capable of launching satellites into outer space had been designed, not solely for that purpose or for the purpose of procuring meteorological data, but primarily as vehicles for nuclear warheads. The representatives of the two States most advanced in the exploration of outer space had both recognized that fact and the dangers inherent in it. It was now known that the Power capable of dominating outer space would be able to dominate all nations of the world. Therefore in proposing to limit the use of outer space to peaceful purposes it was necessary to recognize clearly the fact that rockets were primarily instruments of war and a manifestation of the arms race.

37. The Ad Hoc Committee was to be congratulated on its report, which contained many constructive elements. The Cuban delegation was pleased to note that the differences concerning the composition of the Ad Hoc Committee had been overcome and that the two great Powers mainly concerned would co-operate in the discussion of the complex questions involved in the peaceful uses of outer space. Cuba was also in favour of holding an international scientific conference, under the auspices of the United Nations, for the exchange of relevant information.

38. It was interesting to note that, as in many other new situations arising out of human achievement, a rule of law was laid down after the fact and did no more than sanction it. Since artificial satellites had passed over the territories of different States and no protest had been made, the basic principle had been accepted that in the peaceful uses of outer space all States, on a footing of equality, could freely use outer space in accordance with existing or future international law or agreements. The concept of freedom of outer space had superseded the principles governing the use of air space, whereby each State held sovereignty over the air space immediately above its territory.

39. Sir Pierson DIXON (United Kingdom) observed that the past year had seen considerable advances in technical achievements and in the practical arrangements required for dealing with new problems concerning the exploration of outer space. Spectacular successes had been recorded by the Soviet Union and the United States and, on a smaller scale, the United Kingdom had also taken significant steps. The United Kingdom Government had, for instance, initiated a programme of space research including the design and construction of instruments to be carried in earth satellites and studies for the adaptation of military rockets to space research. While that would enable

the United Kingdom, should it so desire, to make a national effort in space exploration, its activities during the present year had mainly centred on international co-operation in matters concerning outer space, including consultations with other Commonwealth countries. An important development had been the inauguration of a programme of scientific experimentation in conjunction with the United States National Aeronautics and Space Administration, which had generously offered to launch other countries' satellites.

40. The United Kingdom Government was also extremely anxious to maintain the closest multilateral co-operation, and British scientists participated fully in the deliberations of the COSPAR. It was also gratifying to know that the new charter of COSPAR had been agreed upon, since it offered the prospect that the USSR Academy of Science would resume its participation in the research carried out by that body.

41. The United Kingdom Government was in agreement with the conclusions of the Ad Hoc Committee and felt that a special tribute was due to the officers and secretariat of that Committee, under whose guidance the members had produced a valuable report, which, in being objective, reflected the atmosphere of the Committee.

42. The United Kingdom Government attached great importance to establishing arrangements within the framework of the United Nations which would ensure sound future consideration of problems and activities concerning outer space. The United Kingdom supported the view of the Ad Hoc Committee that no autonomous intergovernmental organization for the co-ordination of international co-operation on the subject should be formed at present and that existing bodies concerned with outer space should not be asked to undertake over-all responsibilities. On the other hand, it agreed that the existing specialized agencies should continue their activities with regard to outer space and hoped that they would include information on such activities in their reports to the United Nations.

43. The United Kingdom was pleased to be among the sponsors of the draft resolution and expressed its appreciation to the representatives of the United States and the Soviet Union, whose patient negotiations had resulted in an agreement which should allow of progress on a fuller international basis.

44. If the proposed committee were established, it might well consider appointing a technical and a legal sub-committee. The technical sub-committee would no doubt consider the aspects of space research which required international co-operation between Governments, rather than unofficial co-operation between scientists. The legal sub-committee would perhaps keep the legal aspects of the matter under review and make appropriate recommendations for action concerning problems that appeared ripe for solution.

45. As to the proposal to convene an international conference of scientists, the United Kingdom delegation felt that it would be appropriate to use the formula adopted in the analogous case of the United Nations International Conferences on the Peaceful Uses of Atomic Energy and hoped that the Belgian amendment would be adopted. The proposal to hold such a conference was to be welcomed since the exploration of outer space and its peaceful use should, ideally, be undertaken as a co-operative enterprise by all coun-

tries. While the United Kingdom would like to see details of the proposals before committing itself, it was pleased that the Soviet Union should be prepared to give the benefit of its experience to such an international conference.

46. The United Kingdom welcomed the new prospect of constructive co-operation and, for its part, would continue to contribute to the best of its ability in the exploration of outer space.

The meeting rose at 6.35 p.m.