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Chairman: Mr. Omar Abdel Hamid ADEEL (Sudan).

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; A/5203, chap. VII, sect. IV; A/5229; A/5237; A/C.1/L.320 and Add.1) (continued)

GENERAL DEBATE (continued)

1. Mr. BLUSZTAJN (Poland) said that during the past few years, from the launching of the first sputniks to the orbital flights of Popovich and Nikolaev, mankind, thanks to the persevering efforts of science—and, in particular, to the achievements of Soviet and United States scientists, technicians and astronauts—had seen its wildest dreams come true. However, the new dimension thus added to human activity had created new problems, particularly in the realm of economics and politics. The conquest of space was taking place in a divided world, and as the Peruvian representative had already pointed out, it raised the alarming prospect of an extension of the arms race and the cold war to outer space. It was therefore in the interest of everyone to ensure that outer space was used exclusively for peaceful purposes. He found it difficult, in that connexion, to understand the attitude of the United States representative, who, after acknowledging that principle, had gone on to say that the question of military activities in space could not be divorced from that of military activities on earth and that military activities of both kinds could be eliminated only through an agreement on general and complete disarmament. That amounted to saying that until such an agreement was concluded, the use of outer space for military purposes was legitimate. Indeed, the United States considered that so long as the arms race continued on earth, there could be only "some limited measures of arms control" in space.

2. His delegation did not share that view. It felt that every effort must be made to prevent the arms race from spreading to outer space. The problem of disarmament on earth must be divorced from that of

disarmament in space, for to adopt the United States representative's view of space as a new arena in which to go on fighting old battles would mean to expose mankind to the constant threat of annihilation.

3. In its resolution 1721 (XVI), which provided the basis for all future action, the General Assembly had enunciated two fundamental principles: that international law, including the Charter of the United Nations, applied to outer space and celestial bodies, and that outer space and celestial bodies were free for exploration and use by all States in conformity with international law and were not subject to national appropriation. In view of the very general terms in which those principles had been formulated, the Committee on the Peaceful Uses of Outer Space, of which his country was a member, had established two sub-committees to study their implications in greater detail. Although the Scientific and Technical Sub-Committee had done considerable work and had made important recommendations for scientific and technical co-operation between States, the Legal Sub-Committee had failed to achieve any concrete results and had submitted a negative report. But it was essential to have a set of rules governing space activities, and his delegation felt that the draft declaration submitted to the Committee on the Peaceful Uses of Outer Space by the Soviet Union (A/5181, annex III, sect. A) provided a sound basis for more detailed elaboration of the principles set forth in resolution 1721 (XVI). The Soviet declaration made a number of important points; it provided that all activities of any kind pertaining to the exploration and use of outer space should be carried out solely and exclusively by States, and laid down that the use of artificial satellites for the collection of intelligence information in the territory of foreign States was incompatible with the objectives of mankind in its conquest of outer space. His delegation felt that there was also a need for international agreements covering certain specific aspects of space activities, such as the rescue of astronauts in spaceships making emergency landings.

4. Poland had been a sponsor of the resolution setting up the Committee on the Peaceful Uses of Outer Space (General Assembly resolution 1472 (XIV)), and it would continue to support the efforts of the United Nations and the competent specialized agencies to ensure that space, like Antarctica, should be an area of international co-operation in the interest of mankind.

5. Mr. TREMBLAY (Canada) said that the results of the work of the Committee on the Peaceful Uses of Outer Space had been on the whole satisfactory. Inasmuch as the Committee operated by consensus, it had been unable to adopt all the proposals made, with the result that some of its members had perhaps been somewhat dissatisfied with what it had accomplished. However, once the areas of agreement had been defined through discussion there might be less inclination to criticize the negative aspects of the Committee's work and more effort concentrated on expanding co-opera-

tion in areas of activity on which agreement had been reached. In any event, the debate in the First Committee provided the members of the Committee on the Peaceful Uses of Outer Space with an opportunity to present their views, including those which had not won general approval in that Committee, to a body in which recommendations were put to the vote, and to test the response of Members of the United Nations which did not belong to the Committee on the Peaceful Uses of Outer Space.

6. The absence of controversy over that Committee's scientific and technical recommendations provided the best proof of the success it had achieved in those aspects of its work. Section I of draft resolution A/C.1/L.320 and Add.1, of which his delegation was a sponsor, drew attention to the most significant elements in the Committee's report. The organized exchange of information, although it did not represent a dramatic development, was the foundation of effective co-operation in the peaceful uses of outer space. The establishment of international sounding rocket ranges in the equatorial region, the principles for which had already been formulated by the Committee, could be the first concrete example of such co-operation. His delegation welcomed the agreement reached by the United States and the Soviet Union for co-operation in the use of satellites for mapping the world's magnetic field and for meteorological observations. Bilateral co-operation could prove fruitful, as was demonstrated by the launching by a United States rocket of the Canadian satellite Alouette, which was providing Canadian scientists with space data which would be made available to the world scientific community.

7. His delegation wished to thank WMO and ITU for their prompt response to the requests made by the General Assembly in resolution 1721 (XVI), and was glad to note the interest shown by WHO, IAEA and UNESCO in the item under discussion. He hoped that WMO and ITU, assisted by the Governments of member States, would continue to explore the possibilities—particularly along the lines suggested in sections II and III of the draft resolution—for the wider use of space technology in their respective fields of activity. The importance of international co-operation to satellite communications was emphasized in paragraph 3 of section III of the draft resolution, and it was to be hoped that a single system of space telecommunications could be designed and set up. ITU would have an important function to perform, particularly in assigning frequencies.

8. The Committee on the Peaceful Uses of Outer Space had achieved less agreement on the legal aspects of its work. Although some progress had been made, there had been no agreement on the instruments for defining the obligation of States to return space vehicles and for determining liability in case of damage or loss resulting from space vehicle accidents. His delegation felt that an international agreement was needed in that field, and that the General Assembly should urge the Committee to try to resolve the difficulties standing in the way of such an agreement.

9. Since the Committee had been divided on the question whether it should, during its first year, formulate further principles to guide the exploration and use of outer space, there had been no opportunity for thorough consideration of the Soviet draft declaration (A/5181, annex III, sect. A)—many of whose provisions were, in the view of his delegation, open to question—and the draft code for international co-operation presented by

the United Arab Republic (A/5181, annex III, sect. E). However, it had seemed to be the consensus of the Committee that at its next session the Legal Sub-Committee should consider the possibility of formulating more detailed principles. He noted, in that connexion, that the United States was drafting a set of principles for submission to the First Committee.

10. If the Legal Sub-Committee had failed to make the progress which had been hoped for in the drafting of principles on the return and recovery of space vehicles and astronauts, that was largely because some delegations had introduced proposals which clearly did not fall within the terms of reference of the parent Committee. In particular, there had been proposals involving military matters, questions which were most important but which belonged in the context of disarmament negotiations. One such question which should be studied by the Conference of the Eighteen-Nation Committee on Disarmament at Geneva was that of prohibiting the placing in space of weapons of mass destruction; Canada had presented a proposal along those lines to the Eighteen-Nation Committee.

11. As early as 1957, the Prime Minister of Canada had spoken of the need for drafting law to govern the exploration and use of outer space. Although the area was one in which many scientific and technological problems still existed, his delegation considered that the subject of space law was of such potential importance that the Committee on the Peaceful Uses of Outer Space had a responsibility to discuss it. When there was agreement in that Committee on a specific principle it should record that agreement and recommend it to the General Assembly for approval. Those new principles would be added to the two basic principles which the General Assembly had already approved in its resolution 1721 (XVI).

12. The First Committee, for its part, should discuss the principles which had already been proposed in the Committee on the Peaceful Uses of Outer Space by the USSR (A/5181, annex III, sect. A) and by the United Arab Republic (*ibid.*, sect. E), and those which were to be submitted to the First Committee by the United States delegation. The First Committee should then transmit all proposals and the records of its debate to the Committee on the Peaceful Uses of Outer Space, requesting the latter to formulate such principles as it considered appropriate and to keep the problem under review. Where the nature of the problem was known in sufficient detail, the Committee on the Peaceful Uses of Outer Space could also draft treaties, conventions or declarations to record in more formal and precise terms the obligations and rights which could form the basis of the law of outer space. It had adopted a useful procedure and had got off to a good start.

13. Sir James PLIMSOLL (Australia) said that the field of outer space had become so vast that it was necessary to turn from general discussions and to consider the question in more detail. In particular, national decisions had to be made on the priorities to be given to work connected with outer space as against other fields of activity, as well as to various forms of endeavour within the general field of outer space work. For example, Australia, like all developing countries, had to decide how much attention to devote to outer space work as compared to economic expansion, transport, or the development of mineral resources. Within the field of outer space, there was similar competition between, for example, the demands of radio astronomy and those of optical astronomy; and the possibility of a system of

international communications by means of satellites had to be viewed by Australia against the background of its large expenditure for the Commonwealth telegraphic cable service. Those problems had arisen even in the United States and the Soviet Union, since the resources required for space research were enormous. They also had to be considered by international agencies, such as the Special Fund, which had to decide what priority to give to outer space projects as compared to conventional development projects for industry or agriculture, and by the specialized agencies. Countries and international agencies were thus looking to the Committee on the Peaceful Uses of Outer Space, which, without necessarily determining or recommending priorities, could help to ensure that processes were properly co-ordinated in United Nations agencies and other organizations and could provide necessary guidance.

14. He recalled his country's many achievements in space research, particularly in the field of radio astronomy, in which Australian scientists had built up a considerable reputation both for their observations in the Southern hemisphere and for their development of instruments, such as the Mills Cross, which had been put to use in many other countries. For example, the USSR had built the biggest Mills Cross in the world. Australia had in addition just put into operation at Parkes in New South Wales a 210-foot paraboloid radio telescope which had already made significant discoveries. Australia was also a member of the European Launcher Development Organisation, which would use the Woomera launching range in Australia. As an example of Australia's upper atmosphere work, and of international co-operation, he pointed out that Australia and Argentina had just a few days earlier co-operated in a synoptic sounding rocket launching co-ordinated by the United States National Aeronautics and Space Administration.

15. The Australian contribution to space research, though significant, was of course, a small part of the total international effort, especially compared with those of the United States and the Soviet Union. In that connexion, he recalled some of the achievements of those two countries, although little information was available except through the Press on those of the Soviet Union, since that country had unfortunately not replied to the Secretary-General's request to Member States for information on their outer space activities, the answers to which had been published in documents A/AC.105/7 and Add.1. He noted with great interest the experimental system announced by the United States representative (1289th meeting) for the direct transmission to subjacent countries of data recorded by meteorological satellites; such a direct read-out capability, which would reduce the present time-lag in the transmission of data to interested countries from the central read-out point in the United States, was very important for weather forecasting.

16. His delegation was gratified to note that the President of the United States and the Chairman of the Council of Ministers of the USSR, in their exchange of messages, had declared themselves in favour of co-operation in the field of outer space, and that United States and Soviet scientists had met at Geneva and had issued a joint communiqué, which appeared as annex III to document A/AC.105/5. He hoped that the United States and the Soviet Union would soon announce whether they had accepted the recommendations of their scientists. He also hoped that co-operation on a

truly world-wide scale would be established, so as to prevent duplication of effort by the different countries such as was taking place with regard to the sending of astronauts to the moon, a project in which both the United States and the Soviet Union were individually engaged. Of course, there were serious obstacles in the way of such co-operation. For reasons of prestige, each country wanted to be the first to accomplish a particular feat. Each also desired to acquire the knowledge necessary to permit the exploration of space. Moreover, the conquest of outer space had undeniable military implications, since a satellite could record data for military as well as for peaceful purposes. Both the United States and the Soviet Union recognized that as a reality. No doubt certain restrictions could be imposed on military activities in outer space independently of disarmament; but progress in detail in disarmament in outer space must be made in the context of disarmament generally. That was properly the task of the Conference of the Eighteen-Nation Committee on Disarmament, for the role of the Committee on the Peaceful Uses of Outer Space was the positive one of promoting co-operation in the peaceful uses of outer space.

17. The reports submitted by WMO (A/5229) and ITU (A/5237) showed the co-operation already achieved in that field. But both were clearly preliminary reports, and the draft resolution submitted by Canada and the United States (A/C.1/L.320 and Add.1) correctly recognized that technical studies must be made before a course of action could be determined. His delegation also noted the report of the Committee on the Peaceful Uses of Outer Space (A/5181) and fully endorsed its recommendations on the exchange of information, on the encouragement of international programmes, and on equatorial sounding rocket launching facilities. The exchange of information was indeed valuable, as was indicated by the information supplied by Governments in response to General Assembly resolution 1721 (XVI), which should be kept up to date and standardized to make it more comparable. As for international programmes, Australia would do all it could to further them. Finally, in his Government's view, the proposal for establishing an international rocket range was very important, not only in itself but also because it could serve as a precedent. His delegation would support the draft resolution submitted by Canada and the United States.

18. While it was regrettable that no agreement had been reached on the legal aspects, it would be wrong to take too tragic a view of that fact, for the matter had been taken up very late, and agreement was not a pre-condition for progress in the immediate future. The General Assembly had already unanimously adopted two essential principles in its resolution 1721 (XVI). One of the questions that would have to be decided was whether the legal principles formulated by the Committee for the Peaceful Uses of Outer Space should have a binding character or whether they were to be regarded as a declaration of political objectives to be embodied later in legal instruments. But whatever decision was taken on the various legal proposals, it would have no bearing on the three groups of recommendations in the scientific and technical section of the Committee's report, for those stood on their own quite independently of the legal proposals. The Australian delegation would be prepared to take part in more detailed discussion, if it became appropriate, on the question of the legal aspects.

19. It was now possible to see better what the Committee on the Peaceful Uses of Outer Space could and what it could not do. In the first place, it was only among the international bodies interested in outer space. There were specialized agencies, such as WMO and ITU, and non-governmental bodies, such as COSPAR, which had a practical interest and responsibility in space. Secondly, it could not act in a major sense as the international co-ordinator of national efforts; it could review existing and planned programmes with a view to identifying overlapping and blind spots, but it could not act as an overseer in regard to national activities. Thirdly, it had no functional role; it could try to ensure that space activities were carried out in an orderly manner and in accordance with generally accepted rules, but it was not as yet appropriate to give it actual control over what was to be done and how it was to be done.

20. Mr. BELAUNDE (Peru) congratulated the Powers which had achieved spectacular successes in the conquest of space, but regretted that there was no similar progress to be noted so far as concerned collaboration between the great nuclear Powers in regard to outer space. The scientific advances achieved had not been followed by comparable progress in the field of law; yet co-operation in the practical conquest of space was essential. To be sure, there had been some exchanges of experiences between the great Powers; but their activities were competitive rather than co-ordinated. If the belief were held that activities in outer space were to be carried out solely and exclusively by States—as was unfortunately stated in one of the principles submitted by the Soviet Union in its draft declaration (A/5181, annex III, sect. A)—close international collaboration would be more difficult to achieve. The result would be duplication of effort, considerable expense and wasted research work. The resources and energies invested could be better employed, for it should not be forgotten that two-thirds of the world's population suffered under-nourishment, that illiteracy was still widespread and that no success had been achieved in appreciably lengthening man's span of life. How could the world economic situation be improved unless the enormous expenditure incurred in the conquest of outer space was reduced, concurrently with armaments expenditure? Given fraternal co-operation that waste could be ended. The idea of brotherhood should be regarded not as a matter of theory but from the pragmatic standpoint. Competition was doubtless useful in some areas, but not in science. The most important advances in man's progress—those of the seventeenth century, for example—had been made possible only by co-operation.

21. It was essential to establish a system of law to govern space activities. General Assembly resolution 1721 (XVI) laid down two fundamental principles. In the statement he had made at the 1289th meeting, the United States representative had said that his country supported those principles, together with a number of other guiding ideas. It was gratifying that the United States had so solemnly declared the policy it pledged itself to follow. The Committee on the Peaceful Uses of Outer Space should be continued so that it could take up the drafting of the treaty mentioned by the United States representative; and it should not fail to take those principles into account.

22. In its draft declaration (A/5181, annex III, sect. A), the Soviet Union too had set forth the basic principles

which should in its view govern the activities of States pertaining to the exploration and use of outer space. While some of those principles agreed with those laid down in resolution 1721 (XVI), others were hard to accept. For example, the second principle was that no State might claim sovereignty over outer space and celestial bodies. That was a negative and inadequate formulation, for conflicts of interest might arise between two Powers, and that being so there should be a co-ordinating authority with the powers necessary to settle the dispute. The United Nations was particularly well placed to fulfil such functions. The United States view was that jurisdiction over outer space rested with the international community, subject to the right of States to engage in exploratory, navigational and reconnaissance activities; but that formula too was in some respects unsatisfactory.

23. The fourth principle set forth in the Soviet draft declaration was also recognized by the United States; but there again, no provision was made for the possibility of conflicts and no international authority with powers to settle such conflicts was designated. The seventh principle was that all activities of any kind pertaining to the exploration and use of outer space should be carried out solely and exclusively by States. That idea was at variance with the concept of co-operation and international jurisdiction, and accordingly with the preceding principles in the Soviet declaration. While it was true that the initiative in such matters came at present from States, it might in the future, with the progressive consolidation of the international community, come from an international agency. It was wrong to disregard the possibility of future collaboration between States under the auspices of an international agency.

24. The eighth principle was somewhat curious. Of course, he supported the principles of non-intervention and territorial integrity, but it was questionable whether a State which carried out flights over a territory and took photographs was in fact committing an offence under international law. So far as human beings were concerned, a distinction was made between their private lives and their relations with the outside world. It could hardly be asserted that all the activities of a State came within the private domain and were subject to no right of supervision; that was an idea which reflected the difference of structure between two societies.

25. Agreement could probably be reached between the United States principles and those submitted by the Soviet Union; but it should be expressly provided that the question of outer space was one affecting the entire human race and should come within the jurisdiction of an international authority. It was true that the question of outer space, as the Australian representative had just remarked, was closely connected with the disarmament problem. Space exploration was motivated both by the aspiration for scientific progress and by the desire to acquire the absolute weapon. For that reason, the great Powers should agree not only on the principles involved but also on the establishment of an international agency responsible for enforcing the principles relating to outer space; that was an important question which should also be studied by the Committee for the Peaceful Uses of Outer Space.

The meeting rose at 1.5 p.m.