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CONTENTS

Chairman: Mr. Leopoldo BENITES (Ecuador).

AGENDA ITEMS 30, 89, AND 91

International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (concluded) (A/6431, A/C.1/941, A/C.1/L.396 and Add.1 and 2, A/C.1/L.397 and Add.1, A/C.1/L.398)

Conclusion of an international treaty on principles governing the activities of States in the exploration and use of outer space, the Moon and other celestial bodies (concluded) (A/6341, A/6352/Rev.1, A/C.1/L.396 and Add.1 and 2, A/C.1/L.398)

Treaty governing the exploration and use of outer space, including the Moon and other celestial bodies (concluded) (A/6392, A/C.1/941, A/C.1/L.396 and Add.1 and 2, A/C.1/L.398)

1. Mr. NABRIT (United States of America) introduced the seventeen-Power draft resolution (A/C.1/L.397 and Add.1). The proposed international conference on outer space and the draft treaty on principles governing the activities of States in space had been dealt with in the twenty-eight-Power draft resolution (A/C.1/L.393 and Add.1) and the forty-three-Power draft resolution (A/C.1/L.396 and Add.1 and 2) respectively, and the seventeen-Power draft resolution therefore dealt with the remainder of the work of the Committee on the Peaceful Uses of Outer Space.

2. Every year saw new progress in space and the development of new techniques for its use. More and more countries were taking part in such efforts and hence international co-operation could contribute much to the progress. If time had not been so short, his delegation would have given an account of United States co-operation with some seventy other countries in space activities. The draft resolution contained recommendations for the future work of the Committee on the Peaceful Uses of Outer Space and for the general development of international co-operation in space.

3. Mr. CERNIK (Czechoslovakia) said that the past year had seen new achievements in outer space. A tribute was due to the technical and scientific abilities of the countries concerned, especially the Soviet Union and the United States. Such efforts opened up great possibilities for all mankind. The work of the Committee on the Peaceful Uses of Outer Space in promoting international co-operation was therefore very important, both to countries which were engaged in space research and to those which were not yet carrying out research activities. His delegation therefore supported the recommendations of the Committee on the Peaceful Uses of Outer Space. Czechoslovakia was also taking part in international space activities and would continue to do so to the extent of its abilities.

4. Scientific and technical progress in space must be accompanied by the development of space law in order to regulate activities in space for the benefit of all mankind and in the interests of peace. The basis for space law had been laid in General Assembly resolution 1962 (XVIII) and the efforts made since had now culminated in the drafting of a treaty on principles governing States' activities in space, the significance of which would increase as man penetrated further into space. The treaty rightly barred discrimination and encouraged co-operation and understanding on an equal footing. Of particular importance were article II, prohibiting national appropriation of outer space; article IV, prohibiting the placing of nuclear weapons in orbit around the Earth and the use of space for other than peaceful purposes; article V, on assistance to astronauts; and article VII, on liability for damage.

5. All States were concerned with activities in outer space, which could affect them in many ways. The treaty was therefore rightly open for signature by all States, and it was regrettable that the same principle of universality had not been applied to the international conference.

6. No great progress had yet been made on earth towards lasting peace, which was threatened by acts of aggression committed by certain States. Nor had

there been great progress towards disarmament. The fact that agreement had been reached on the treaty was therefore grounds for rejoicing. The text was based on the draft submitted by the Soviet Union and included all its important provisions, which showed the rightness of the position the Soviet Union had adopted over the years. His delegation hoped that the forty-three-Power draft resolution, of which Czechoslovakia was a sponsor, would win unanimous support. It would also support the seventeen-Power draft resolution.

7. Mr. PARTHASARATHI (India) said that the report of the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space contained many useful recommendations. In particular, his delegation whole-heartedly supported those dealing with exchange of information, encouragement of international programmes, and education and training, which were of special interest to developing countries. India was particularly concerned with the Thumba Equatorial Rocket Launching Station (TERLS), where a sounding rocket programme was being conducted under United Nations sponsorship, in accordance with General Assembly resolution 2130 (XX). Assistance in the form of equipment and training was supplied by the United States, France and the Soviet Union. His Government's suggestions for increasing the usefulness of TERLS for training purposes had been endorsed by the Advisory Panel for TERLS in its report (A/AC.105/L.30), and the Scientific and Technical Sub-Committee, in the report on its fourth session (see A/6431, annex II), had recommended that the United Nations should give consideration to the Indian suggestions.

8. His delegation expressed disappointment that it had not been possible for the Legal Sub-Committee to make any progress on the two draft agreements on liability for damages and assistance to astronauts. At the Geneva meeting of the Sub-Committee his delegation had advanced certain specific proposals on the question of liability (see A/6431, annex III, appendix III). The provisions of article VII of the draft treaty before the First Committee were vague and ambiguous, owing to the use of the words "internationally liable" instead of the words "absolutely liable", which his delegation had recommended in the Legal Sub-Committee. Moreover, the article made no reference to the separate agreements on liability for damage and on assistance to astronauts called for in General Assembly resolution 1963 (XVIII); his delegation would continue to work for the early adoption of those two agreements.

9. Although the scope of the treaty was not limited to the Moon and other celestial bodies, but also included outer space, the omission of the words "outer space" from the second paragraph of article IV was likely to be interpreted to mean that outer space could legitimately be used for military manœuvres and the like. Efforts to reserve outer space exclusively for peaceful purposes should be made now, rather than later, when armaments had already been placed in outer space. Moreover, in other contexts it was asserted that where the scientific processes for peaceful and non-peaceful activities were the same, the matter could not be left to the sincere intentions of a country but required rigid safeguards and reliable guarantees; in the particular case before the Committee, however, the use of military personnel and any necessary equipment or facility was expressly permitted, and in circumstances where it was emphatically asserted that "peaceful" meant not "non-military" but merely "non-aggressive".

10. The provisions of articles VI and XIII also required some clarification, since they did not indicate the extent of the responsibility of individual States for the actions of international intergovernmental organizations of which they were members.

11. His delegation's reservations on the provisions of the draft treaty were consistent with the position it had taken on those issues in previous debates, and its vote in favour of the forty-three-Power draft resolution should not be interpreted as implying any change in that position.

12. Mr. GOWLAND (Argentina) welcomed the agreement reached on the treaty annexed to the forty-three-Power draft resolution, which would lay the basis for the legal regulation of man's activities in space. It provided for the exploration and use of space on a basis of universality and equality, thus promoting friendship and understanding in accordance with the United Nations Charter. It should be followed by agreements on assistance to astronauts and space vehicles and on liability for damage. His delegation urged the States concerned, and particularly the great space Powers, to conclude such agreements within the next few months. The adoption of the treaty might well be a precedent for agreement on the non-proliferation of nuclear weapons and disarmament. Argentina was a sponsor of the forty-three-Power draft resolution, and he trusted that it would be adopted unanimously.

13. His delegation was pleased with the results achieved by the Committee on the Peaceful Uses of Outer Space and had joined in sponsoring the seventeen-Power draft resolution. The draft resolution expressed approval of the co-operative space programmes in effect between many Member States. In that connexion, his Government had requested the United Nations to sponsor the establishment, at its launching base at Chamical, of an international sounding rocket launching facility like the one at Thumba, India. The base had been in operation for over four years and many research programmes, some of them international, had been carried out there in collaboration with the United States and France. It was also engaged in an inter-American programme of meteorological research through sounding rockets, in co-operation with the United States and Brazil, and hoped that other Latin American countries, especially Mexico and Peru, would join in those efforts. As far as its means permitted, it was engaged in research and training activities relating to the exploration of the ionosphere and cosmic radiation. It conducted all such activities on an international basis, with emphasis on the regional aspect.

14. Mr. ASTROM (Sweden) expressed satisfaction at the agreement reached on the treaty, which showed that the procedure of negotiating a declaration of general principles first could sometimes be valuable.

The Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space contained in General Assembly resolution 1962 (XVIII), together with resolution 1884 (XVIII) urging States to refrain from placing nuclear weapons in orbit, had provided a good basis for the treaty. It was vital that the law should keep abreast of technical advances. All the articles of the treaty were important from that standpoint, but especially article IV. Although that article did not provide for the full demilitarization of space, it should be noted that Charter obligations were also binding on States with regard to their activities in space. Article IX was of special value, since all States had a legitimate interest in keeping the environment free from contamination. His delegation welcomed article XI on the need to give information about space activities, and particularly the fact that the only limitations placed on the obligation to do so were feasibility and practicability. Article XII, on the role of international organizations, was important to small countries like his own, which could take part in space activities only in co-operation with others.

15. The success achieved with the treaty should encourage further efforts to conclude agreements on liability for damages and on assistance to astronauts and space vehicles, and perhaps on other matters of even greater importance for the achievement of the basic goals of the United Nations. The treaty showed the value of patient and persistent effort. The main burden had been borne by the space Powers, but many smaller countries had also contributed. The Organization had once again shown itself to be a centre for harmonizing the actions of nations, as required by the Charter.

16. Mr. DIACONESCU (Romania) said that the exploration of space gave a new dimension to men's activities and would lead to radical changes in their material and spiritual life. The contribution of all countries, whether space Powers or not, was therefore important in ensuring that activities in space were for the benefit of all mankind. Romania's own participation in such activities was small but growing; there was an account of it in document A/AC.105/L.25. Space activities by their nature entailed international co-operation and Romania had benefited from bilateral and multilateral co-operation and from programmes undertaken by intergovernmental organizations such as WMO and ITU. The Committee on the Peaceful Uses of Outer Space had done much to promote international co-operation and the peaceful use of space and his delegation supported its recommendations.

17. The forthcoming international space conference would help to achieve the same goals. Discrimination, however, could only reduce the practical and political value of the conference and it was therefore regrettable that the principle of universality had not been recognized in the draft resolution the Committee had adopted on the subject.

18. Romania had been one of the first countries to stress the need to incorporate the principles of space law in binding instruments and was a sponsor of the forty-three-Power draft resolution. The treaty reflected progressive trends in the development of international law, particularly in articles I, II and III. As a whole, but particularly in article IV, it helped to create an atmosphere of security and to bring the world nearer to disarmament. His delegation hoped that the spirit which had presided at its preparation would prompt States to eliminate the sources of conflict on earth, in accordance with international law and the Charter.

19. Mr. TILAKARATNA (Ceylon) said that the treaty was a major step towards the establishment of rules governing the activities of States in the peaceful exploration of space. But all such efforts would be of value only if they were part of a general effort to secure peace and prosperity. His delegation, therefore, while welcoming the provisions of article IV, was perplexed by the omission of any reference to the Moon in the first paragraph and of any reference to the Moon or outer space in the second sentence of the second paragraph. By implication the text permitted military installations and manœuvres in outer space and on the Moon, which man was likely to conquer in the very near future. If the treaty in any way acted as a licence for States to conduct military activities in outer space and on the Moon, its usefulness would be open to doubt. His delegation would therefore be grateful if the sponsors of the draft resolution or the space Powers could explain the reasons for those omissions.

20. Mr. SHAW (Australia) observed that his delegation's views on the treaty were set out in the records of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space. He was glad that many delegations, including those of the two major space Powers, had been able to reach agreement on a text that would, after signature and ratification, become legally binding, although he regretted that it had not been possible to incorporate in the final text more of the suggestions advanced during the Sub-Committee's meetings at Geneva. He particularly welcomed those articles which added to the content of General Assembly resolutions 1884 (XVIII) and 1962 (XVIII), including those relating to freedom of scientific investigation in outer space, international co-operation in facilitating such investigation, and transmittal to the Secretary-General of the United Nations of the results of investigation. The non-militarization provisions, too, represented an important step forward, and it was significant that agreement had also been reached on an article providing for inspection by States parties on a basis of reciprocity.

21. He was gratified to note that article XIII provided for the space activities of intergovernmental organizations, although it did not fully meet their position. Those organizations were the principal means by which the medium-sized smaller countries could hope to play a constructive role in space research.

22. With regard to article X, the records of the Legal Sub-Committee showed that his delegation had had the most serious reservations about the original Soviet proposal on tracking facilities, which would have imposed heavy obligations on States providing facilities without offering them any commensurate benefits. He therefore endorsed the United

States representative's statement on the effects of article X; it was on the understanding that the article would be interpreted in that sense that Australia had become a sponsor of the forty-three-Power draft resolution.

23. It was also his understanding that adoption of the accession clause in article XIV did not in any way prejudice the position of Governments on the recognition or non-recognition of unrecognized régimes or entities, or alter the status of entities which might subsequently seek to sign or to deposit an instrument of accession with one or more depositaries of the treaty.

24. The treaty was an important step forward, but much remained to be done. He would, indeed, have preferred to include a provision stating that adoption of the treaty would not prejudice the negotiation of future specific agreements on the peaceful uses of outer space. In any case, the forty-three-Power draft resolution provided for further study of legal questions relating to space exploration.

25. Australia was also a sponsor of the seventeen-Power draft resolution and commended it to the Committee.

26. Miss BROOKS (Liberia) said that the new draft treaty forbidding the use of nuclear weapons or other weapons of mass destruction in outer space was, as the President of the United States of America had said, the "most important arms control development since the limited test ban treaty of 1963". The Committee on the Peaceful Uses of Outer Space had played a commendable part in the development of the treaty, and it was gratifying to note that a significant contribution had been made by members representing smaller States. At the same time, it was of the greatest importance that the Soviet Union and the United States had been able to reach agreement on early steps to avert nuclear chaos in outer space. It was to be hoped that the experience gained from co-operation in space would point the way towards dispelling suspicion and establishing true brotherhood on earth.

27. While the ban on weapons was the chief negative virtue of the treaty, it also had many positive virtues which promoted co-operation among States: the obligation to aid astronauts in distress, open access to moon stations, reciprocity in the matter of tracking stations and the avoidance of contamination of celestial bodies or adverse changes in the earth's environment due to space activities. It was an encouraging fact that men of different origins, who could seldom fully trust each other in normal surroundings, came to realize their interdependence when they ventured into lonely and dangerous surroundings such as Antarctica or outer space.

28. While advancing to the Moon, Mars, Venus and other parts of the heavens, men must not forget that their most important task was to improve the conditions of life on earth. The President of Liberia, speaking on 8 December 1966, had suggested an international moratorium for a reasonable period —possibly five years—on all space experiments except those specifically accepted in advance by international agreement. Projects for launching communications satellites, or weather observation satellites, and other outer space projects of evident usefulness to earth-bound mankind could be conducted under international sponsorship and control. The moratorium would also remove the element of competition, haste and heedlessness from man's exploration of the heavens and oblige him to take time for careful study before proceeding further with outer space activities whose possible effects were not yet fully understood. The moratorium would have the corollary benefit of avoiding expenditures which were now made necessary not by the quest for knowledge itself, but by the haste and urgency with which experiments were undertaken. If even a fraction of present-day space expenditures could be turned to alleviating hunger and disease and ignorance on earth, the results would be of immense benefit to mankind.

29. The draft treaty affirmed that "the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development". It described astronauts as "envoys of mankind", thereby suggesting that the aims of space exploration should transcend narrow national loyalties. It had been reported in the Washington Star that many United States leaders realized that the most obvious next step after the present projects to explore the Moon through the individual national efforts of the Soviet Union and the United States was space exploration carried out as a collective effort in which those two Powers would be joined by other technologically advanced nations. The idea of giving the United Nations authority over future space projects seemed much less improbable than it had a few years earlier.

30. President Tubman had called upon Liberia's sister African States to join in "developing specific steps" towards the negotiation of a space moratorium, for although the African countries were not direct participants in the space race today, they lived under the same heavens as the great Powers and their fate was intimately affected by the success or failure, the effectiveness or wastefulness, of space exploration and research.

31. The moratorium proposal was in full harmony with the treaty and offered opportunity for remedying some of its weaknesses. For example, some representatives had suggested that the treaty left too many loop-holes for States that wished to undertake space projects without disclosing their true purpose. Such "cheating" would be virtually impossible under the moratorium plan, since the space activities it permitted would be subject to international supervision.

32. It was in no way naïve or credulous to suppose that the great Powers would be disposed, or could be persuaded, to accept and enforce the moratorium. If States had made great efforts to avoid a confrontation at Berlin or in South-East Asia, it was far more imperative to avoid confrontations in outer space which could end the life of man on his own planet.

33. She noted that Liberia had joined the sponsors of the two draft resolutions before the Committee.

34. Mr. MATSUI (Japan) observed that during the past year great progress had been made with regard to two aspects of space exploration. First, there had been a number of substantial achievements in research, and he wished to congratulate the countries concerned, particularly the United States and the Soviet Union. Secondly, the Committee on the Peaceful Uses of Outer Space had succeeded in reaching agreement on the treaty annexed to the forty-three-Power draft resolution, of which Japan was a sponsor. As previous speakers had pointed out, the treaty was of historic importance, for it not only ensured that outer space, the Moon and other celestial bodies would be used for peaceful purposes only, but provided for co-operation among all States, both large and small, in space research. Japan, which was pursuing its own space exploration programme and hoped to launch a four-stage rocket in the near future, was ready to comply with the spirit and the letter of the treaty.

35. Certain articles were of particular importance. Article II, by removing outer space from the sphere of national rivalries, would help to lessen international tension, as would article IV. He endorsed the United States representative's comments on article X. Article XI would ensure wide international co-operation and encourage freedom of scientific investigation, while article XII was significant not only because of its implications for the encouragement of research but also in connexion with the non-militarization of the Moon and other celestial bodies. Lastly, his delegation had accepted the "all States" formula in article XIV because it considered that space exploration was a matter which concerned all mankind. That acceptance should not, however, be construed as constituting a precedent to be followed in the case of other treaties or agreements concluded under United Nations auspices, nor did it imply recognition of all States or Governments which acceded to the treaty.

36. He hoped that all States would accede to the treaty in order to achieve the widest possible degree of international co-operation, and that the spirit of progress and understanding which had guided the preparation of the treaty would lead to the solution of other problems afflicting mankind.

37. Mr. GARCIA ROBLES (Mexico) said that the treaty on principles governing the activities of states in the exploration and use of outer space, including the Moon and other celestial bodies, was encouraging for two reasons. First, it showed that, in spite of existing international tension, negotiation was always possible if there was a genuine will to arrive at a solution. Secondly, the readiness of the nuclear Powers to undertake obligations with regard to outer space, the Moon and other celestial bodies would undoubtedly be helpful in the search for solutions to disarmament problems on earth.

38. The concern of the United Nations with outer space activities was as old as the space age itself, beginning with General Assembly resolution 1148 (XII) adopted on 14 November 1957, less than six weeks after the launching of the first Sputnik. That resolution had urged States to reach a disarmament agreement providing, inter alia, for the "joint study of an inspection system designed to ensure that the sending of objects through outer space shall be exclusively for peaceful and scientific purposes". The draft treaty on outer space was the fruit of a nine-year process of development to which the Mexican delegation had always done its best to contribute. In the Conference of the Eighteen-Nation Committee on Disarmament in 1963, Mexico had submitted a working paper entitled "Draft treaty prohibiting the placing in orbit and the stationing in outer space of nuclear weapons".[1/] Many of the ideas embodied in the treaty now before the Committee were similar to, or identical with, ideas in the Mexican draft. Also in 1963, at the eighteenth session of the General Assembly, his delegation had introduced a draft resolution, later adopted unanimously by the Assembly as resolution 1884 (XVIII), calling upon all States to refrain from stationing in outer space any objects carrying nuclear weapons or other weapons of mass destruction.

39. The United States and the Soviet Union had submitted different draft treaties to the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space (see A/6431, annex III, appendix I); the two drafts had served as the basis for a text on which the two great space Powers could agree and which was now annexed to the forty-three-Power draft resolution. His delegation hoped that the draft resolution would be adopted by the General Assembly and the treaty opened for signature and ratification as soon as possible. It believed, however, that, when the time came to amend the treaty, as provided in article XV, two important omissions should be remedied. First, article IV should be so amended as to forbid the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manœuvres not only on celestial bodies, but in all of outer space. Secondly, article II should contain a more precise definition of outer space, clearly delimiting it from air space, so as to avoid difficulties of the kind which had often arisen over the extent of territorial waters.

40. Mexico also considered it particularly important that the Committee on the Peaceful Uses of Outer Space should successfully conclude at an early date its work, referred to in operative paragraph 4 (a) of the forty-three-Power draft resolution, on the elaboration of an agreement on liability for damages caused by the launching of objects into outer space.

41. The treaty constituted an important step towards disarmament, and more particularly towards denuclearization. The example of the denuclearization of Antarctica and of outer space should help the Latin American States at their January 1967 meeting to reach agreement on the permanent denuclearization of their own continent.

42. Mr. BURNS (Canada) said that the work of the Committee on the Peaceful Uses of Outer Space during the past year had been most productive. The recommendations in the Committee's report (A/6431) were practical and generally useful, and his delegation would certainly support the seventeen-Power draft resolution endorsing them. It welcomed the continued interest shown in the Thumba Equatorial Rocket Launching Station, although it had some reservations about the wording used in operative paragraph 11 of the draft resolution. It assumed that the words "all the assistance necessary" were not

1/ See Official Records of the Disarmament Commission, Supplement for January to December 1963, document DC/208, annex 1, sect. N.

meant to prejudge any decision by the United Nations Development Programme in respect of a specific request.

43. He urged all delegations to vote for the forty-three-Power draft resolution, of which Canada was a sponsor. The treaty attached to the draft resolution was the result of serious endeavours both in and outside the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space. It represented a significant effort to achieve a régime of law for outer space. His delegation attached great importance to four particular features of the treaty. First, national appropriation of outer space and celestial bodies was to be prohibited; secondly, activities in outer space were to be carried out for the benefit and in the interests of all countries. Thirdly, the placing of weapons of mass destruction in outer space and their installation on celestial bodies was to be prohibited. Fourthly, there were to be no military installations or activities on celestial bodies. There was to be no testing of any types of weapons on celestial bodies, and contamination of celestial bodies and the earth in the course of space exploration was to be avoided. In mentioning those features, he did not wish to detract from the importance of others. The treaty as a whole would provide a firm foundation for subsequent and more detailed agreements. The measure of agreement reached on principles governing the activities of States in outer space was a great encouragement and source of hope for all who were working for effective measures of disarmament. His delegation associated itself with the United States representative's observations on the meaning of article X of the treaty.

44. In the text of the forty-three-Power draft resolution, he welcomed the recognition that further work remained to be done, particularly on the elaboration of an agreement on liability for damages caused by the launching of objects into outer space and an agreement on assistance to and return of astronauts and space vehicles. Operative paragraph 4 (b) also called for a study of questions relating to a definition of outer space and the utilization of outer space and celestial bodies.

45. His delegation believed that the forty-three-Power draft resolution deserved unanimous support and hoped that once it had been adopted, action would be taken by the depositary Governments to open the treaty for signature and ratification as soon as possible.

46. Mr. SCHUURMANS (Belgium) stated that the rapid advances made in space science and technology seemed to indicate that the chances of soon landing a man on the Moon were excellent. It was essential to establish as early as possible the legal rules to govern the growing activities of man in outer space. For that reason, Belgium had joined in sponsoring the forty-three-Power draft resolution concerning the treaty on space, and he hoped that it would be approved by a unanimous vote of the Assembly.

47. His Government's views on the treaty had been made clear in the Committee on the Peaceful Uses of Outer Space and in the Legal Sub-Committee; today, he wished only to point out the special importance of several of its provisions.

48. With regard to article IV, on the utilization of space for military purposes, the task to be accomplished in that field would not be completed with the approval of that article: it had been pointed out by several representatives that it would be necessary to seek formulae preventing any militarization of space. It was gratifying to note, however, that the first paragraph of article IV, on nuclear weapons and other kinds of weapons of mass destruction, endorsed principles already set forth in resolution 1884 (XVIII). It should also be noted that the second paragraph of that article proclaimed new principles expressly prohibiting the utilization of celestial bodies for military purposes. By approving those principles, the General Assembly would be contributing directly to the achievement of further progress towards disarmament.

49. The principle of co-operation and mutual assistance was the keystone of the treaty; it was not only mentioned in general terms in the preamble and in the operative part, for example in article IX, but also given practical application in several articles dealing with specific questions. Article II, prohibiting any claim to sovereignty in outer space, including celestial bodies, and article XII, guaranteeing free access to space vehicles and installations on celestial bodies, prohibited the parties from interfering with international co-operation. Other articles, such as article V, on assistance to astronauts, and article XI, on information on space activities, required States parties to the treaty to take active measures for assistance and co-operation.

50. Many general principles stated in the treaty could serve as the foundation for precise legal rules. The Belgian delegation would have wished that it had been possible to define more clearly the scope of certain of those principles. It would have preferred to see the role of international intergovernmental organizations more clearly brought out. Because of their important activities, those organizations were fully entitled to enjoy the various rights specified in the treaty. Belgium accepted the present formulation of article X, dealing with the observation of space flights, and associated itself with the United States representative's comments. It attached special importance to operative paragraph 4 (a) of the draft resolution: it was essential to elaborate as soon as possible separate agreements on liability for damages caused by the launching of objects into outer space and on assistance to and return of astronauts and space vehicles, in order to complete the provisions of the treaty. In fact, the treaty included a certain number of principles which were stated in very general terms and whose precise meaning could only be formulated in separate conventions.

51. He welcomed the elaboration of an instrument which brought into play the active co-operation of the whole international community under the auspices of the United Nations. Belgium was firmly convinced that unanimous approval of the treaty by the United Nations would do much to encourage States to seek, in other fields besides that of space, peaceful solutions to the serious problems which continued to divide them. It hoped that Member States would demonstrate their devotion to the ideals and principles of the United Nations by prompt and massive accession to the treaty.

52. Mr. ODHIAMBO (Kenya) observed that space exploration, like nuclear science, was a two-edged sword which could prove both harmful and useful to mankind. It was therefore gratifying that the Committee on the Peaceful Uses of Outer Space had succeeded in reaching agreement on a treaty which would ensure that outer space, the Moon and other celestial bodies would be used for peaceful purposes only and that the benefits of space exploration would be made available to all. The co-operation of all States would be needed if the mysteries of space were to be fully understood, and it was in that spirit that Kenya had worked with Italy on the joint space project to which the Italian representative had already referred. He had reservations about the omission of outer space in the second paragraph of article IV, but would support the forty-three-Power draft resolution. He hoped, however, that the Committee on the Peaceful Uses of Outer Space would soon reach a satisfactory conclusion on the question of liability for damages caused by launching objects into space and on the definition of outer space. He also hoped that the adoption of the treaty would act as a catalyst for the conclusion of disarmament treaties.

53. He attached particular importance to the recommendations of the Scientific and Technical Sub-Committee on navigation satellites and education and training, and would support the seventeen-Power draft resolution.

54. Mr. KUTAKOV (Union of Soviet Socialist Republics) said that the past year had been particularly fruitful in regard to the activities of States in the exploration of outer space and the promotion of international co-operation.

55. The Soviet Union had continued work on the exploration of space, the Moon and the planets with rockets, artificial satellites and automatic interplanetary stations. On 3 February 1966 the Luna 3 automatic station had made the first soft landing on the Moon, and had provided the first photographs of the lunar landscape to be obtained directly from the Moon's surface. Later the Luna 10, Luna 11 and Luna 12 automatic stations had been placed in orbit around the Moon. Soviet scientists believed that the study of conditions on the Moon's surface and in the immediate vicinity was just as important as the solution of the purely technical problems involved in man's flight to the Moon. Extremely valuable experiments had been carried out with the Venus 2 and Venus 3 automatic stations. Several basically new problems of interplanetary flight had been solved, and new technical data on outer space had been obtained. The programme of space research with satellites of the Cosmos series had continued successfully. The Soviet Union had recently launched the 135th satellite in that series.

56. Work was also progressing on the practical application of space services for meteorology, telephonic communications, television broadcasts and other practical purposes. The meteorological observations obtained from the Cosmos 122 satellite were being used by the operational weather service. As an experiment, the World Meteorological Centre in Moscow was transmitting meteorological information obtained from satellites to other centres. The development and refinement of broadcasting and television systems using artificial earth satellites was continuing successfully. Under the current five-year plan for the development of the Soviet economy, radio and television systems using artificial earth satellites were to be expanded considerably. Ground stations were to be built to receive television programmes in distant parts of the country. The Molniya 1 satellites were being used for a wide variety of experiments in television, telephone, telegraph and photo-telegraph transmissions over extra-long distances. Black-and-white and colour television programmes were being successfully transmitted between Moscow and Paris, using the SECAM system. Experiments had shown that the Molniya satellites could be used for intercontinental and long-distance international communications systems, including colour television transmission systems.

57. In the past year, interesting work in the exploration of space had also been undertaken by the United States, France, Italy, Japan and other countries. The Soviet Union had continued its efforts to promote co-operation and joint activities with other countries. The programme of co-operation in the exploration and peaceful uses of outer space adopted in November 1965 at a meeting of experts from the socialist countries was now being put into effect. Soviet scientists were co-operating with those of the United Arab Republic, India and other countries in various forms of space research. The agreement concluded between the Soviet Union and France in June 1966 had laid the foundation for co-operation between the two countries in space activities for many years ahead.

58. The work of the Committee on the Peaceful Uses of Outer Space and of its two sub-committees had been quite fruitful during the past year. His delegation supported the recommendations adopted by the Committee on ways of promoting international co-operation in space activities. One of the Committee's main achievements had been the preparation of plans for an international conference on space activities to be held in September 1967. Soviet scientists had taken an active part in preparing the conference programme. The recommendations on the proposed conference made by the Working Group of the Whole (A/6431, annex IV) should be adopted as soon as possible, so that the necessary preparations could be made in the time remaining.

59. In the Legal Sub-Committee the persistent efforts of several delegations and the general desire for agreement on problems of space law had resulted in the drafting of an agreed text of a treaty on principles governing the activities of States in the exploration and use of outer space, including the Moon and other celestial bodies. That achievement should serve as an encouragement for further work by the Legal Sub-Committee on present and future problems of space activities. The completion of the treaty did not in any sense mark the end of the Legal Sub-Committee's work. On the contrary, the Legal Sub-Committee should continue its work on the elaboration of

an agreement on liability for damages caused by the launching of objects into outer space and an agreement on assistance to and return of astronauts and space vehicles. His delegation also thought it important for the Committee on the Peaceful Uses of Outer Space to begin at the same time the study of questions relating to the definition of outer space and the utlization of outer space and celestial bodies, as proposed in the forty-three-Power draft resolution.

60. The Committee on the Peaceful Uses of Outer Space should also take stock of the results of the international conference on the exploration and use of outer space, and should submit a detailed report on the matter to the General Assembly at its twenty-second session.

61. As one of the sponsors of the forty-three-Power draft resolution, his delegation hoped that it would be adopted unanimously.

62. Mr. TARABANOV (Bulgaria) observed that the treaty annexed to the forty-three-Power draft resolution, which was the result of constructive international co-operation, was a significant and encouraging achievement, particularly in view of the complexity of the subject matter and the inauspicious international atmosphere now prevailing. The treaty had been produced in a relatively short space of time, for such an instrument had first been called for by the Soviet Union in 1958. It was interesting to note that the entry into force of the treaty and the convening of the international conference on space exploration would coincide with the tenth anniversary of the launching of the first artificial satellite in 1957. The treaty, as a legal instrument designed to stimulate international co-operation in the exploration and peaceful utilization of outer space, was a historic achievement; it was not, however, an end in itself, but a promising beginning.

63. The treaty was based on a number of important legal principles, including those of universality, sovereign equality and peaceful international co-operation, which were essential to its effectiveness. It was particularly significant that the treaty would be open for signature by all States, as well as being universal in its application. The treaty not only affirmed the principles of the United Nations Charter and of international law, but established the concept of peace as a legal rule with regard to space activities. Articles III and IV were particularly significant in that respect. Indeed, the treaty contained a whole set of fundamental rules which constituted the basis of a new international law: for example, those relating to assistance to astronauts, international liability for damage caused by space activity, access to space vehicles, and international co-operation in space research and exploration. In short, the treaty would open up new perspectives for international co-operation and prepare the way for agreement on other questions now being discussed by the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee.

64. Mr. HASAN (Pakistan) whole-heartedly welcomed the draft treaty as a momentous step towards international peace and amity. It would enable all States, irrespective of their financial and technical resources, to benefit from the results of space exploration. He hoped that it would usher in a new era of fruitful international co-operation and that progress would be made towards the speedy conclusion of a treaty banning the proliferation of nuclear weapons. It was particularly gratifying that the treaty was open to all States for signature, for the peaceful use of outer space was a matter which concerned all countries.

65. He expressed concern at the fact that the first paragraph of article IV did not prohibit the installation of nuclear weapons or other weapons of mass destruction on the Moon, and that the second paragraph failed to stipulate that outer space, as well as the Moon and other celestial bodies, would be used exclusively for peaceful purposes. He would welcome clarification from the sponsors of the draft resolution on those omissions.

66. Mr. FAHMY (United Arab Republic) welcomed the progress so far made in translating the principles set forth in General Assembly resolutions 1884 (XVIII) and 1962 (XVIII) into legally binding provisions. The treaty on principles governing the activities of States in outer space was a major step in the codification of space law, and a major effort to keep certain areas of space free from military activities. His delegation particularly appreciated the statement in article I that the exploration and use of outer space should be carried out for the benefit and in the interests of all countries, that there should be freedom of scientific investigation in outer space and that States should facilitate and encourage international co-operation in such investigation. Article I gave a genuine assurance that all countries not at present engaged in space activities would be able to take part in the peaceful use of outer space. The statement in article V that astronauts were to be regarded as envoys of mankind, and that all possible assistance and help should be extended to them, was equally welcome. But, rather than single out the merits of specific articles in a treaty which his delegation approved and accepted as a whole, he wished to refer to certain points which had not been included in the text.

67. First, article IV enjoined States not to place in orbit around the Earth any objects carrying nuclear weapons, install such weapons on celestial bodies or station such weapons in outer space in any other manner. But it did not explicitly state that outer space should be used for peaceful purposes only. As his delegation and others had repeatedly stated in the Committee on the Peaceful Uses of Outer Space, outer space should be used exclusively for peaceful purposes. Mankind could not afford to witness a new kind of arms race in space.

68. Secondly, at the fifth session of the Legal Sub-Committee, his delegation had asked for urgent consideration of the implications of direct broadcasting from communications satellites. Broadcasting of that kind should be regulated, and should be used only for fostering friendly relations and co-operation among States. The proposal had been received favourably by other members of the Committee on the Peaceful Uses of Outer Space but, for various reasons, it had not subsequently been included in the treaty. His delegation hoped that the matter would be given further consideration in the Sscientific and Technical Sub-Committee and the Legal Sub-Committee and that a convention regulating direct broadcasting from satellites would soon be concluded. Accordingly, together with Chile and Mexico, the United Arab Republic was submitting an amendment (A/C.1/L.398) to the forty-three-Power draft resolution (A/C.1/L.396 and Add.1 and 2), to the effect that the words "including the various implications of space communications" should be added at the end of operative paragraph 4 (b) of the draft resolution.

69. Thirdly, his delegation hoped that the Legal Sub-Committee would continue its work on the question of liability for damage caused by the launching of objects into outer space, a question referred to in article VII of the treaty. The foregoing considerations were not in any sense intended to detract from the importance of the treaty, which all countries should ratify and observe.

70. A glance at the draft resolutions under consideration showed that the Committee on the Peaceful Uses of Outer Space had a heavy agenda. In accordance with the request in operative paragraph 4 of the forty-three-Power draft resolution, the Legal Sub-Committee would have three very important items to consider. In the scientific field the Committee was requested in the seventeen-Power draft resolution to consider, in addition to its traditional items, the establishment of a working group to consider the need, feasibility and implementation of a navigation services satellite system; programmes of education and training of specialists to assist the developing countries; the assistance to be given to the Thumba Equatorial Rocket Launching Station; the possibility—referred to by the Argentine delegation—of establishing similar ranges under United Nations sponsorship in other regions; and means of increasing the usefulness of the Committee on the Peaceful Uses of Outer Space itself as a centre of information for Member States, particularly the developing countries and those with small space programmes. As it was, the First Committee depended to a great extent on the thorough work of the Committee on the Peaceful Uses of Outer Space and its two sub-committees. He suggested that in future that Committee might devote more time to considering the large number of items referred to it, so that it could provide the General Assembly with comprehensive reports and devise programmes to promote international co-operation in the peaceful uses of outer space.

71. His own delegation had long stressed the importance of education and training in the peaceful uses of outer space, to ensure that countries not engaged in space activities, especially developing countries, could enjoy the benefits of space communications, space meteorology and similar applications of space research. At the twentieth session, it had been on the initiative of Cameroon and the United Arab Republic that paragraph 1 of section III had been included in resolution 2130 (XX), requesting the Committee on the Peaceful Uses of Outer Space to prepare and consider during its next session suggestions for programmes of education and training of specialists in the peaceful uses of outer space to assist the developing countries, and to report to the General Assembly at its twenty-first session. He regretted that no report on the matter had been submitted. The Secretariat had, it was true, suggested three ways of developing education and training in the peaceful uses of outer space, namely, the compilation and dissemination of information, the provision of fellowships and travel grants and the organization of seminars. The request had been considered by the specialized agencies, which had suggested that a pilot project, sponsored by the United Nations and the specialized agencies concerned, should be initiated to assist the developing countries in education and training. On the basis of those preliminary steps three developing countries—Brazil, India and the United Arab Republic—had made a specific proposal to the Scientific and Technical Sub-Committee, but the proposal had not been accepted. As a result, the Committee did not have before it the report requested in section III of resolution 2130 (XX). The request for such a report was reiterated in operative paragraphs 5 and 6 of the seventeen-Power draft resolution. His delegation hoped that the Committee on Peaceful Uses of Outer Space would give serious consideration to the matter at its forthcoming session, and would submit the report requested to the General Assembly at its twenty-second session.

72. Mr. ROSSIDES (Cyprus) expressed satisfaction at the successful preparation of the treaty. The text was not comprehensive enough, particularly with regard to the use of outer space solely for peaceful purposes. The treaty was, however, a bold and important step forward. Scientific progress in outer space was now matched by legal progress, so that international law and the United Nations Charter would apply fully to space activities. But the treaty went beyond international law and the Charter, which regarded nations as independent sovereign agents, whereas the treaty saw mankind as a single entity. In other areas, and particularly with regard to nuclear weapons, the legal order had not kept pace with scientific development. It was therefore to be hoped that the effect of the treaty and the exploration conducted under it would be to raise mankind above differences in political and economic systems and open new prospects for peace. The treaty was particularly welcome as an example of co-operation and understanding between the Soviet Union and the United States and should be followed by other joint action by those countries on nuclear weapons and the arms race. Many valuable comments had been made during the debate and should be referred to the Committee on the Peaceful Uses of Outer Space for consideration. His delegation whole-heartedly supported the three-Power amendment (A/C.1/L.398).

73. Mr. IGNACIO-PINTO (Dahomey) said that Dahomey was not a space Power or likely to become one, but like any country had an interest in the achievements of the human intelligence. In the past, such achievements had tended to cause division between nations, which had used new discoveries against each other. Now, for the first time, all were agreed that a new activity should be controlled for the common good. The great Powers, which had often set a bad example in the past, had on this occasion set a good one. His delegation therefore welcomed the treaty, which would introduce the rule of law into a new environment. Through it smaller countries

unable to conduct space exploration on their own would be able to make a contribution in those activities through the United Nations. The fact that nations could agree on such a vital matter pointed towards a brighter future for mankind.

74. Mr. LOPEZ (Philippines) said that the whole Committee would share the high sense of achievement engendered by the conclusion of the treaty. It represented the culmination of United Nations efforts to reach agreement on binding legal principles applicable in an area where scientific technology had taken such swift and startling strides. In one matter at least, the fundamental legal principles had been framed before it was too late. For once, the development of basic legal and political concepts was keeping pace with the progress of science and technology.

75. His delegation fully agreed with the three fundamental concepts underlying the treaty. In the first place, article II clearly and expressly guaranteed the internationality of outer space. It was only proper that, as States moved into the new field of outer space, they should try to depart from the practices prevailing on earth, where State relations were still governed by the restrictive rules of national sovereignty. No one State should be allowed to lay a special claim to outer space or any part of it. By internationalizing outer space, the treaty had prevented it from becoming a subject of contention between present and future space Powers and had at the same time proclaimed the equality of States in its use and exploration.

76. According to the second fundamental concept, which was expressed in article IV, outer space, the Moon and other celestial bodies were to be used exclusively for peaceful purposes. That provision guaranteed that a State's accession to the treaty would at the same time be an accession to the cause of peace. In view of the slow progress toward disarmament on earth, it would be tragic indeed if a new arms race were to develop in outer space.

77. The third underlying concept of the treaty, as expressed in articles IX, X and XI, was the need for international co-operation in outer space. It might well be that, in view of the exceptionally heavy cost of space activities, only a few countries would be able to take an active and direct part in space programmes. But the treaty did point to the day when all Governments and peoples would peacefully co-operate in space research and enjoy the benefits accruing from it.

78. He hoped that, after its success in ensuring peace and co-operation in Antarctica and outer space, the United Nations would before long be able to bring peace and security to the terrestial world.

79. Mr. WALDHEIM (Austria) said that the sponsors of the forty-three-Power draft resolution (A/C.1/L.396 and Add.1 and 2) had decided to accept the three-Power amendment (A/C.1/L.398) to the draft resolution.

80. Mr. COLERIDGE-TAYLOR (Sierra Leone), explaining his delegation's vote, said that the international conference on the peaceful uses of outer space, arrangements for which had been approved at the Committee's 1491st meeting, would go a long way to bring the benefits of space research within the reach of smaller countries, which were unable to take a direct part in space activities. By the seventeen-Power draft resolution, the Committee on the Peaceful Uses of Outer Space would be requested to examine means to increase its usefulness as a centre of information for Member States, particularly the developing countries. If that request were carried out, the developing countries would benefit even more. The information disseminated by the Committee would increase man's understanding of the universe and would help to improve his living conditions.

81. It was not idealistic to say that the desire for a better understanding of the universe had given new impetus to the search for peace. The growing feeling of reverence before the mysteries of the universe had, he thought, contributed to the conclusion of the treaty. Sierra Leone was one of the sponsors of the forty-three-Power draft resolution, calling for the widest possible accession to the treaty. He hoped that the conclusion of the treaty would be followed by agreements in other fields, particularly disarmament. His delegation would vote for the seventeen-Power draft resolution, which was one of the few draft resolutions ever submitted to the Committee which enjoyed the joint sponsorship of the Soviet Union, the United States of America and delegations from every continent. He wished to congratulate the major Powers on their achievements in the exploration of outer space and hoped they would continue to support the Committee on the Peaceful Uses of Outer Space in its efforts to promote international co-operation.

82. U SOE TIN (Burma), explaining his delegation's vote, said that it would vote for the forty-three-Power draft resolution, as it believed that the treaty text annexed to the draft resolution was a significant step in the establishment of legal principles governing the exploration and use of outer space

83. Some of the provisions of the draft treaty, especially the text of article IV, were not entirely satisfactory to a number of delegations, including his own, since the installation of nuclear weapons and other kinds of weapons of mass destruction on the Moon was not specifically prohibited. The text of the treaty as a whole was, however, the best available under present circumstances, and a consensus had been reached on it by all, including the two space Powers.

84. Mr. SINCLAIR (United Kingdom) said that his delegation, as a sponsor of the forty-three-Power draft resolution, had accepted the three-Power amendment to operative paragraph 4 (b), on the understanding that it did not affect the competence of other international organizations, including the International Civil Aviation Organization and the International Telecommunication Union, in the field of space communications.

85. Mr. VELLODI (Secretary of the Committee), referring to the financial implications of the seventeen-Power draft resolution (A/C.1/L.397 and Add.1), informed the Committee that provision had been made in the budget estimates for 1967 for the normal activities of the Committee on the Peaceful Uses of Outer Space and its sub-committees.

86. The CHAIRMAN said that if there was no objection, he would take it that the forty-three-Power draft resolution (A/C.1/L.396 and Add.1 and 2), as amended, was adopted unanimously.

The draft resolution, as amended, was adopted without objection.

87. The CHAIRMAN said that if there was no objection he would take it that the seventeen-Power draft resolution (A/C.1/L.397 and Add.1) was adopted unanimously.

The draft resolution was adopted without objection.

AGENDA ITEM 27

Question of general and complete disarmament: report of the Conference of the Eighteen-Nation Committee on Disarmament (concluded) (A/C.1/L.379/Rev.1)

CONSIDERATION OF DRAFT RESOLUTIONS (concluded) (A/C.1/L.379/REV.1)

88. The CHAIRMAN announced that the sponsors of draft resolution A/C.1/L.379/Rev.1 had decided not to press it to a vote. He therefore took it that the Committee had concluded its consideration of agenda item 27.

It was so decided.

Completion of the Committee's work

89. Mr. GARCIA ROBLES (Mexico), on behalf of the delegations of the Latin American countries, Mr. SHAW (Australia), on behalf of the delegations of the Western European and other countries, U SOE TIN (Burma), on behalf of the delegations of the Asian countries, Mr. TOMOROWICZ (Poland), on behalf of the delegations of the socialist countries, Mr. IGNACIO-PINTO (Dahomey), on behalf of the delegations of the African countries, Mr. SHU (China) and Miss BROOKS (Liberia) thanked the Chairman for the impartiality, courtesy and patience he had shown throughout the session. They also thanked the Vice-Chairman, the Rapporteur and the Secretariat for contributing to the success of the Committee's work.

90. Mr. FAHMY (United Arab Republic), Vice-Chairman, and Mr. CHERNUSHCHENKO (Byelorussian Soviet Socialist Republic), Rapporteur, thanked the members of the Committee for their kind words.

91. The CHAIRMAN, summing up the Committee's work, said that its record was a positive one. At the beginning of the session, the draft resolution on the renunciation by States of action hampering the conclusion of an agreement on the non-proliferation of nuclear weapons, submitted by the Soviet Union and sponsored by the major nuclear Powers, had been adopted almost unanimously, and there was hope that the negotiations now under way would lead to the conclusion of a treaty on the non-proliferation of nuclear weapons, which would free mankind from the threat of nuclear disaster. The Committee had concluded its work by unanimously adopting a resolution to which was annexed a treaty on the peaceful uses of outer space, which contained not only negative provisions but also positive clauses relating to the exploration and scientific investigation of outer space.

92. It was true that strong feelings had been expressed during the discussion of some items, but negotiation had made it possible to reach constructive conclusions in every case. A particular tribute was due to the representatives of the Latin American countries, especially the late Mr. Belaúnde, for their efforts to achieve a positive result in connexion with the item on the implementation of the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty.

93. He thanked the members of the Committee for their unfailing co-operation, which had greatly facilitated the Chair's task, and for their tributes. Lastly, he associated himself with the expressions of gratitude to the other officers of the Committee and to the Secretariat.

The meeting rose at 7.10 p.m.

Litho in U.N. 77101—October 1967—2,100