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Chairman: Mr. Miguel Rafael URQUIA (El Salvador).

AGENDA ITEM 60

**Question of the peaceful use of outer space (A/3818
and Corr.1, A/3902, A/C.1/L.219) (continued)**

- (a) The banning of the use of cosmic space for military purposes, the elimination of foreign military bases on the territories of other countries and international co-operation in the study of cosmic space;
- (b) Programme for international co-operation in the field of outer space

GENERAL DEBATE (continued)

1. Mr. NOSEK (Czechoslovakia) expressed his country's admiration for the achievements of the Soviet scientists who had succeeded in launching the first artificial earth satellite, thereby inaugurating a new era in the history of mankind. The present scientific advances raised the question whether they would be used to serve peaceful or military purposes. The Czechoslovak delegation, wedded as it was to the cause of peace, had welcomed with the greatest satisfaction the Soviet Union's proposal for the banning of the use of cosmic space for military purposes, the elimination of foreign military bases on the territories of other countries, and international co-operation in the study of cosmic space (A/3818 and Corr.1).

2. The study of cosmic space necessitated the use of rockets; and unfortunately, rockets could carry nuclear warheads. That possibility must be eliminated, if outer space was not to be used for military purposes. It was therefore essential that atomic and hydrogen weapons should be prohibited and eliminated from the arsenals of States, and that stocks of such weapons should be destroyed.

3. Unfortunately, it was the policy of the United States to accumulate nuclear weapons. The Soviet Union's proposals, combining the prohibition of the use

of outer space for military purposes and the elimination of foreign bases, actually met the interests of the United States just as much as those of the Soviet Union. On the other hand, the United States proposals were simply designed to prohibit or put under inspection intercontinental ballistic missiles, which the USSR was at present the only country to possess, without at the same time giving up those bases which would enable the United States to strike at the most important centres in the socialist countries.

4. Those bases were distributed over thirty-five countries and territories, not counting those countries in which the United States maintained so-called advisory or training missions. The weekly magazine *U.S. News & World Report* in its issue of 14 November 1958, reported that the United States and its allies had more than 400 air or missile bases ringing the socialist countries, apart from the mobile bases at sea. Those bases, which were thousands of miles away from the United States, could not be for defensive purposes. Their real function had emerged during the intervention by the United States and the United Kingdom in the Middle East. Bases in the Azores, Spain, France, Italy and Turkey had served as staging points for transporting troops and equipment, while the first reinforcements had come from bases situated in West Germany.

5. However, the countries concerned were more and more demanding the liquidation of those bases; that had been recognized by Mr. Hoopes, until very recently a consultant to the White House on matters relating to overseas bases, in an article published in the October issue of *Foreign Affairs*,^{1/} in which he had said that the bases generated friction and created acute difficulties between the United States and the host countries, and that it was becoming more and more difficult to persuade those countries that their security was bound up with the physical presence of United States air forces.

6. In trying to bring about the prohibition of intercontinental ballistic missiles, the United States was seeking to secure a military advantage by eliminating the Soviet Union's power of retaliation.

7. In accordance with its custom, the United States delegation, having no arguments to justify its opposition to the Soviet proposals, had turned to attacking the presence of USSR forces in Eastern Europe. It should be noted that since the end of 1945 there had been no Soviet unit or Soviet bases in Czechoslovakia, whereas just next door the Federal Republic of Germany harboured a large number of United States bases which contributed much to espionage activities and propaganda of the "balloon campaign" type. In point of fact, the United States constantly sought to interfere

^{1/}Townsend Hoopes, "Overseas Bases in American Strategy," *Foreign Affairs*, vol. 37, No. 1 (October 1958), p. 69.

in the domestic affairs of the Eastern European countries. On the other hand, the relations between Czechoslovakia and the Soviet Union were based upon sovereignty, equality, non-interference, mutual respect, co-operation and brotherly assistance.

8. The proposals in the Soviet Union draft resolution (A/C.1/L.219) served the interests of security and scientific progress. The experience gained from the International Geophysical Year justified the Soviet proposal to set up a permanent agency for international co-operation in the study of cosmic space. Moreover, the adoption of the Soviet draft resolution would be of great help in the solution of the problems of disarmament, particularly in regard to rockets and atomic weapons. By helping to relax international tension, it would strengthen peace and security throughout the world. Co-operation among scientists and engineers of all countries would help greatly in the exploration and harnessing of the secrets of the universe, to the greater good of all mankind.

9. Mr. LODGE (United States of America) thought that man's exploration of outer space was one of the most important events in the history of mankind. However, effective steps must be taken to find methods which would ensure that outer space was used exclusively for peaceful purposes, and preparations must be made for international co-operation in that field.

10. As early as January 1957, the United States had urged that study should be begun of the disarmament aspects of the problem of outer space (A/C.1/783). In the same year Canada, France, The United States and the United Kingdom had suggested to the Sub-Committee of the Disarmament Commission that a technical committee should be established to study an inspection system which would make it possible to ensure that the sending of objects through outer space would be exclusively for peaceful and scientific purposes (DC/113, annex 5, sect. VI). At its twelfth session, the General Assembly had endorsed that approach in its resolution 1148 (XII), and the United States had declared itself willing—and that offer still stood—if there was general agreement to proceed with such a study, to enter into discussions without awaiting the conclusion of the negotiations on other aspects of disarmament (866th meeting, para. 19). It was essential that the question should be studied as soon as possible, despite the difficulties which it raised. However, since any agreement on the matter still lay in the future, the United Nations should take immediate steps to prepare for a fruitful programme of international co-operation in the peaceful uses of outer space. The United States had taken a similar position in the past in regard to nuclear energy when it had decided that a study should be made of international co-operation in the field of non-military application of nuclear energy irrespective of the settlement of the question of disarmament in nuclear weapons.

11. The United States firmly believed that international co-operation in the peaceful uses of outer space should be pursued by all appropriate means, including the United Nations and scientific organizations such as the International Council of Scientific Unions, and through appropriate bilateral and multi-lateral arrangements. It was well known that scientific co-operation in that field already existed as part of

the machinery for the International Geophysical Year; and it was expected to continue in the Committee on Outer-Space Research established by the International Council of Scientific Unions. Moreover, the United States was willing to have foreign scientists participate in an appropriate way in its scientific space programmes.

12. The study of outer space might well lead to far-reaching results in several scientific fields, and the opportunities afforded by such co-operation were many and varied. It should result in the economical use of world resources and manpower and should enable countries which wished to participate in space programmes to do so. Furthermore, the exchange of information, personnel and equipment, as well as the training of scientists, should be of help to countries in carrying out their programmes of outer-space exploration and should make possible effective co-ordination and avoid duplication.

13. In view of the importance of such co-operation, the United States, in association with nineteen other countries, had prepared a draft resolution (A/C.1/L.220) providing for the establishment of an ad hoc committee which would enable the General Assembly to obtain the information necessary to single out the fields in which co-operation should be undertaken. In the view of the United States delegation, the committee should consist of representatives of Governments, who could be assisted by scientific and other advisers. It would comprise about nine members, who should be chosen from States which had already demonstrated an active interest in the peaceful uses of outer space, and should also be representative of the General Assembly. The committee would consult with the appropriate specialized agencies and give careful attention to the programmes already under way, particularly that of the Committee on Outer-Space Research of the International Council of Scientific Unions. It would also study the nature of the legal problems of outer space. As knowledge of outer space was expanded, States would have a better idea of the actual legal problems and their possible solution.

14. The proposed ad hoc committee could undoubtedly help to promote co-operation between nations which would enable scientists to advance faster in their research and would inspire statesmen to take new steps for the settlement of pressing political problems.

15. The CHAIRMAN said that, in view of the scientific importance of the debate, three of the specialized agencies, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the International Civil Aviation Organization, were represented on the First Committee by observers.

16. Mr. BELAUNDE (Peru), referring to the nature and role of the United Nations, said that, while the Organization was not a super-State, it nevertheless constituted, as it were, an association of sovereignties.

17. In recent years there had been a tendency to regard the United Nations as a centre for collective co-operation. But the United Nations was more than that: it was an institution, a legal entity with powers, jurisdiction, a field of action and great moral authority, which it should use to the utmost in solving current problems and in exacting respect and complete obedience from all its Members, especially in matters

pertaining to their legal obligations. It was the culmination of a process of international evolution which was identified with human culture.

18. Moreover, under the Charter of the United Nations, States had given the Organization the responsibility of ensuring, on a basis of complete equality, the common welfare, security and peace, that is, not only of curbing all acts of aggression and other breaches of the peace, but also of taking effective collective measures to prevent and avert threats to peace.

19. Unlike the question of atomic energy, which arose out of a wartime discovery, the problem of outer space resulted from peaceful enterprise and research by scientists eager to probe the secrets of the universe. However, if the conquest of cosmic space offered benefits, it also held a number of dangers.

20. Unless there was a change for the better in the moral outlook of mankind, that conquest could aggravate the struggle for supremacy and thereby increase international tension. Obviously, the conquest of cosmic space would give control of the earth to the Power which triumphed in the race. Stations that might be set up in space as a result of scientific progress could cause untold harm if used for warlike purposes. Extremely harmful physical, climatic and biological changes could be brought about on earth by means of such stations or artificial satellites.

21. The United Nations could not therefore let cosmic space become, like the earth, the scene of struggles for supremacy and of conflicting interests. It must intervene immediately to put an end to the danger which threatened international peace and security.

22. The Organization should at least be granted the right to regulate the use of outer space in the interest of human welfare. A convention could be concluded under the auspices of the United Nations, to complement the Chicago Convention^{2/} by laying down rules for the use of cosmic space.

23. In the view of the Peruvian delegation, national sovereignty could not be extended to outer space. The rule *cujus est solum ejus est usque ad cælum*, which derived from Roman law, corresponded to the notion that, since the earth was the centre of the world, space was immobile and absolute. What moved were the spheres of the planets, the sun and the stars. Though the idea of vertical space above the earth was valid at that time, it was no longer valid nowadays. In a system in which the earth gravitated around the sun, which itself was rotating, it was no longer possible to say which was the upper or lower plane.

^{2/} Convention on international civil aviation, signed at Chicago on 7 December 1944. United Nations, Treaty Series, vol. 15 (1948), No. 102.

24. Before the conclusion in 1919 of the Paris Convention,^{3/} the principle of freedom of the air and free navigation through the air had been applied, but the First World War had obliged countries to defend their air space. The Chicago Convention had taken from the Paris Convention the term "air space", which was a translation of the French expression "*espace atmosphérique*". It could thus be said that international law did not give States sovereignty extending beyond the atmosphere. Moreover, the atmosphere formed an inseparable unity with the earth, because they moved together, but that unity ceased where the atmosphere ended.

25. According to those who believed that gravity should be taken into account, there was a territorial space and a contiguous zone, as in the law of the sea; but that delimitation was surely arbitrary. According to another theory, the concept of air space should be replaced by the concept of "flight space", but that theory, which corresponded with the theory which assessed jurisdiction according to power, was alien to the juridical ideas which should prevail in the United Nations.

26. There was none the less one fact which seemed to have established a tacit precedent in the matter. The Soviet Union and the United States had launched artificial satellites to circle the earth without eliciting a protest anywhere in the world. No State therefore seemed to have claimed sovereignty over outer space.

27. Citing an article by John Cobb Cooper in *Revue française de droit aérien*,^{4/} in which the author concluded that an international decision should be taken to determine the future status of regions between the effective flight zone and the zone of outer space, Mr. Belaúnde pointed out that the problem was not only scientific and juridical, but also psychological and humanitarian.

28. While the problem of outer space, despite its special features, was of course linked with that of general security and consequently with that of disarmament as a whole, it could not be arbitrarily tied to any one aspect of the general problem of the maintenance of international peace and security, such as that of military bases, in isolation from all other aspects.

29. In conclusion, it should be emphasized that the significance of the problem lay in the magnificent opportunity it offered to the peoples of the world to achieve not only scientific co-operation, but also moral solidarity.

The meeting rose at 12.35 p.m.

^{3/} Convention relating to the regulation of aerial navigation, signed at Paris on 13 October 1919. League of Nations, Treaty Series, vol. XI, 1922, No. 297.

^{4/} John Cobb Cooper, "Espace navigable et satellites," *Revue française de droit aérien*, vol. XII, No. 1 (January-March 1958), Paris, Sirey, pp. 18 ff.