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President: Mr. Corneliu MANESCU (Romania)

AGENDA ITEM 34

REPORT OF THE SPECIAL POLITICAL COMMITTEE

Mr. Kamal (Indonesia), Rapporteur of the Special Political Committee, presented the report of that Committee and then spoke as follows:

1. Mr. KAMIL (Indonesia), Rapporteur of the Special Political Committee: As you know, the United Nations has been seized of this item for the past eighteen years or so. The Special Political Committee was greatly assisted during its consideration of this item by the statements and advice of the Commissioner-General, Mr. Laurence Michelson, to whom all speakers in the Committee paid tribute for his able leadership of UNRWA. The Committee considered the item at eleven meetings, held between 11 and 16 December 1967, and heard some fifty speakers in the general debate on this long-standing and difficult problem. At the conclusion of its debate the Committee adopted all three of the resolutions which had been presented. Draft resolution A, originally submitted by the United States, was adopted by a roll-call vote of 99 to none, with 7 abstentions; draft resolution B, sponsored by nineteen delegations, was adopted by 152 votes to none, with 1 abstention; and draft resolution C, sponsored by five delegations, was adopted by a roll-call vote of 42 to 38, with 24 abstentions. Accordingly, the Special Political Committee recommends to the General Assembly the adoption of these three draft resolutions [A/70/4, para. 18].

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Special Political Committee.

2. The PRESIDENT (translated from French) said on the representative of Nigeria on a point of order.

3. Mr. ADEBO (Nigeria): Permit me, Mr. President, to associate the Nigerian delegation with the expressions of condolences which have been extended by previous speakers to the Australian delegation and, through it, to Mrs. Holt and to the Government and people of Australia for the loss which they have suffered by the tragic death of Prime Minister Harold Holt.

4. I apologize for intervening at this stage on a point of order, but I do wish to make a proposal with regard to resolution C contained in the report that has just been introduced [A/70/4, para. 15]; that is to say, the draft resolution calling for the appointment of a commission to protect and administer Arab property, assets and property rights in Israel. This draft resolution was taken up and considered in the closing stages of the Committee's deliberations, and the time left for its consideration was short. This was due to the number of speakers, some of whom were anxious to see positive actions taken in a matter in which they attach a great deal of importance. On the other hand, the shortage of time made impossible for the matter to be given the thorough examination that a number of other members felt necessary for a proposition of this kind.
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5. From consultations which have ensued since the adoption by the Committee of the draft resolution, I have gained the impression that the sponsors would be prepared to consider a draft resolution so that they should not press for this draft resolution to be voted upon by this Assembly. Accordingly, I observe that a vote may be necessary on the draft resolution C contained in the Special Political Committee's report.

6. The PRESIDENT (translated from French): The General Assembly and the Non-Aligned representatives make the formal proposal that draft resolution C should not be put to the vote. If there is no objection, I shall make it that the Assembly agrees.

It was so decided.

7. The PRESIDENT (translated from French): I now invite the Assembly to vote on draft resolutions A and B which have been recommended for adoption by the Special Political Committee in its report [A/704, para. 15].

Draft resolution A was adopted by 98 votes to none, with 3 abstentions [resolution 2341 A (XXII)].

Draft resolution B was adopted by 105 votes to none [resolution 2341 B (XXII)].

8. The PRESIDENT (translated from French): I now call upon the Government of the United States which wishes to explain its vote.

9. Mr. FOUNTAIN (United States of America). Resolution A on the report of the Commission-General of that report, which has just been voted, was sponsored originally by the United States. It supports the continued work of UNWNA and is modeled closely on draft resolution [2341 (XIV)] which was adopted by a vote of 68 to none, with 39 abstentions, in the General Assembly last year. We are gratified that this year the resolution has just received a vote of 98 in favour, none opposed, and only 3 abstentions, and that the affirmative vote included those of the Arab States and of all the socialist countries.

10. It is the hope of my delegation that this virtually unanimous approval of the resolution, including as it does an appeal to all Governments to contribute generously to UNWNA, will lead to increased and more broadly-based financial support for UNWNA's programme and thus to the alleviation of the Agency's continuing difficulties.

11. The second resolution on which we have just voted, and which was approved unanimously, is humanitarian in nature and concerns the new refugees. It quite rightly referred to the Assembly's resolution [2342 (XIV)] adopted in July by the fifth emergency special session of the General Assembly, that resolution called upon the different governments to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities and to continue to believe that it must be implemented to the fullest extent possible. The Swedish resolution endorses the efforts of the Commission-General to provide emergency humanitarian assistance for the new refugees, and appeals to all Governments, organizations and individuals to make special contributions for that purpose.

12. A third resolution, calling for the appointment by the Secretary-General of a custodian for Arab property in Israel, was deferred by the Special Political Committee by a bare simple majority. It has—and quite wisely, we believe—been not pressed to a vote in the General Assembly. It is quite clear that on legal and political reasons which we stated on 16 December [594th meeting], my delegation opposed that resolution. In the General Assembly, the Committee has opposed it again and it had been brought to a vote here today.

13. As I stated to the Special Political Committee on 14 December [598th meeting], the tragic plight of the refugees cries out for a permanent solution. The desperate plight of those made homeless by both the recent and previous conflicts—and there are today several hundred thousand more than there were a year ago—must be the concern of us all. Certainly, justice for the refugees is one of the essentials of a lasting peace in the Middle East; indeed, a just settlement of the refugee problem is among the principles affirmed in the Security Council resolution of 22 November [252 (1967)], on the basis of which the Special United Nations Representative, Ambassador Jarring of Sweden, has undertaken his current mission to the Middle East. The nations of the area, with the help of the world community, must now, more than ever before, address themselves with received determination to this most agitating human problem. And so, let us hope and pray that with the assistance of the General Assembly, a solution of the problem of the refugees will be at last, within the framework of an overall settlement, be developed and implemented.

14. In the meantime, urgent measures must be taken if UNWNA is to continue, under both its regular and emergency programmes, to provide desperately needed services to the population of UNWNA's area, which is receiving a service of over nearly twenty years and its outstanding response to the emergency needs that it has faced since its establishment for the greater good the support. Again, my delegation urges all Governments to make the most generous contributions possible to support the programmes of UNWNA in the coming year.

15. The PRESIDENT (translated from French): The Assembly has now concluded its consideration of agenda item 24.

AGENDA ITEM 28
Non-proliferation of nuclear weapons:
(a) Report of the Conference of the Eighteen-Nation Committee on Disarmament
(b) Report of the Preparatory Committee for the Conference of Non-Nuclear-Weapon States

REPORT OF THE FIRST COMMITTEE [A/7017]

AGENDA ITEMS 29, 30 AND 31
Question of general and complete disarmament:
(a) Report of the First Committee on the Conference of the Eighteen-Nation Committee on Disarmament
(b) Report of the Secretary-General on the effects of the possession of nuclear weapons and on the security and economic implications for States of the acquisition and further development of these weapons

REPORT OF THE FIRST COMMITTEE [A/7021]

REPORT OF THE FIRST COMMITTEE [A/7021]

Elaboration of measures to combat the spread of nuclear and thermo-nuclear tests: report of the Conference of the Eighteen-Nation Committee on Disarmament

REPORT OF THE FIRST COMMITTEE [A/7021]

Elimination of foreign military bases in the countries of Asia, Africa and Latin America: report of the Conference of the Eighteen-Nation Committee on Disarmament

REPORT OF THE FIRST COMMITTEE [A/7021]

Mr. ORN (Sweden). Rapporteur of the First Committee on disarmament reports of that Committee and then spoke as follows:

16. Mr. ORN (Sweden). Supporter of the First Committee (translated from French): The first of the four essential elements of the First Committee deals with agenda item 28, Under that item, the First Committee recommends two draft resolutions [A/704, para. 9] for adoption by the General Assembly. Draft resolution A, which concerns the report of the Eighteen-Nation Committee on Disarmament, was adopted by the Committee by 94 votes to 1, with 4 abstentions. Draft resolution B, concerning the report of the Preparatory Committee for the Conference of Non-Nuclear-Weapon States [A/6817], was adopted by the Committee by 99 votes to none, with 8 abstentions.

17. I now come to the First Committee's report on agenda item 29. Under this item, the First Committee also adopted by 99 votes to none, with 1 abstention. Draft resolution A, which relates to the Secretary-General's report on the effects of the possession of nuclear weapons and the most economic implications for States of the acquisition and further development of these weapons. Draft resolution B, was adopted by 97 votes to none, with 2 abstentions.

18. I now turn to the First Committee's report on agenda item 30. The First Committee adopted, by 92 votes to 1, with 6 abstentions, a draft resolution [A/7021, para. 4] concerning the interim report of the Conference of the Eighteen-Nation Committee on Disarmament.

19. I come finally to the report of the First Committee on agenda item 31. By 86 votes to none, with 11 abstentions, the First Committee adopted a draft resolution [A/7022, para. 6] which was also based on the interim report of the Conference of the Eighteen-Nation Committee on Disarmament.

20. With those few remarks, I have the honour to submit the recommendations of the First Committee to the General Assembly for its consideration.

In accordance with rule 58 of the rules of procedure, it was decided not to discuss the reports of the First Committee.

21. The PRESIDENT (translated from French): The Secretariat has just informed me that the document relating to agenda item 28 has not yet been circulated in all the languages, I therefore suggest that we pass to agenda item 29.

It was so decided.

22. The PRESIDENT (translated from French): We shall now hear three representatives who wish to explain their vote.

23. Mr. BURNS (Canada). The Canadian delegation would like to make a brief observation on draft resolution A. I refer to my country's report [A/6858 and Corr.1] on the effects of the possible use of nuclear weapons and on the security and economic implications for States of the acquisition and further development of these weapons [A/7017, para. 10].

24. The Canadian delegation become more powerful of that draft resolution because of the importance which my Government attaches to the Secretary-General's report on this vital subject. The impact of the knowledge of the horrific effects which will be produced if nuclear or thermonuclear weapons are ever used has been softened by much repetition. The report contains facts and conclusions which the world would like to ignore and forget about. The Secretary-General's report and particularly its first chapter brings to us the realization of the sort of questions about which we are concerned in this Assembly when we discuss disarmament. The consequences of the life or death of hundreds of millions of men and women, of the destruction or crippling of civilization as we know it, means that the size of the number of lives that would be lost even if one weapon was detonated is as large as it is possible at this time.

25. We must also think about the Secretary-General, the Secretariat and the group of experts for providing us with a document which will, we are sure, be of great assistance to those of us who are engaged in disarmament and this report is another contribution to the Eighteen-Nation Committee on Disarmament. The recommendations to that end contained in operative paragraph 4 of this resolution will, we believe, be fully implemented.

26. Finally, I should like to express the appreciation of my delegation, as one of the original six co-sponsored resolutions which was not adopted which the draft has received. We are very pleased to note that there are now thirty-one co-sponsors, and we are certain that the support of the draft is of great importance because the majority of delegations attach to this subject.

Mr. TOMOROWICZ (Poland). I should like to express my thanks to the Assembly. The Assembly resolution [A/7017, para. 10] was passed by the First Committee by such an overwhelming majority. We understood that the opposition was mainly expressed in two ways of expressing appreciation to the Secretary-General and to the First Committee. We believe that the report on the effect of possible use development and acquisition of nuclear weapons [A/6858 and Corr.1] not also expressed their very great importance—the need, the very necessity and the will to make full use of the extremely valuable material
contained to that document to pave the way for further steps along the road leading to the ultimate goal of complete nuclear and conventional disarmament.

28. When, on 11 November 1966 [141st meeting], we adopted Resolution A(XI.2), which constituted the basis for the preparation of the report of the Secretary-General, the Polish delegation was able to state that it had participated in gathering, selecting, arranging and then propagating of that material was not only extremely timely, not only greatly so, but also as a matter of its highest quality of action which must be skillfully to the fullest extent.

33. Thanks to the efforts of the team of consulters experts coming from Poland, Mexico, the Union of Soviet Socialist Republics, Sweden, France, Canada, Japan, Nigeria, the United States, Swaziland, India, and the United Kingdom, we believe that the United Nations has now a tool, under the work of the United Nations, and an important step towards realising the (the spread of nuclear weapons) as well as in other measures of nuclear disarmament.

34. We are in duty bound to make full use of the present draft resolution to the end, having in view, at the heart we have gathered together the Canadian delegation and all co-sponsors in producing, and submitting to the draft resolution. The Polish delegation is convinced that when strictly implemented not only by all Members of the United Nations but also by all Governments, the result will in fact contribute to raising the forces to approach successfully the final goal of general and complete disarmament, in the strict and, instead of step by step, consistently in the same direction.

35. The PRESIDENT (translated from French): I now invite the Assembly to vote on the two draft resolutions submitted by the First Committee under agenda item 28 (A/7017, para. 16).

36. I shall put draft resolution A to the vote first. The Fifth Committee has submitted a report (A/702) on the financial implications of the adoption of this draft.

Draft resolution A was adopted by 115 votes to none, with 2 abstentions (resolution 2342 A (XXIII)).

37. The PRESIDENT (translated from French): I shall now put to the vote resolution B. (A/7021, para. 6).

Draft resolution B was adopted by 113 votes to none, with 3 abstentions (resolution 2342 B (XXIII)).

38. The PRESIDENT (translated from French): We have thus concluded consideration of agenda item 32.

39. We shall now pass on to agenda item 30, I now propose to put the resolution submitted by the First Committee to the vote by a show of hands.

The draft resolution was adopted by 103 votes to 1, with 7 abstentions (resolution 2343 (XXIII)).

40. The PRESIDENT (translated from French): We have concluded consideration of agenda item 30.

41. The Assembly will now consider agenda item 31.

42. I call on the representative of Liberia, who wishes to explain her vote on the draft resolution submitted by the First Committee (A/7022, para. 8).

Mme BROOKS (Liberia): I should like, on behalf of the Liberian delegation, to reiterate the reservations of my delegation in connexion with this item. As far as the first draft resolution (A/7017), we feel that the title of the draft resolution, "Elimination of forward-based nuclear forces in the countries of Africa, Asia and Latin America" (A/7022, para. 6), is somewhat discriminatory in that it restricts it to those countries and excludes the continent of Europe.

44. Our second reservation is that the Government of Liberia respects the rights of sovereign States, we believe that it is the desire to have foreign military bases in its territory, that is sovereign right to do so. However, we do approve of the principle contained in the resolutions and bases from dependent territories, because we feel that the peoples under administration do not have equal rights to negotiate on the status of their territories.

45. With these reservations, the delegation of Liberia will vote in favour of the draft resolution, realizing that the Eighteen-Nation Committee on Disarmament is prepared to progress a report to be submitted to the twenty-third session of the General Assembly. We look forward with anticipation to that report from the Eighteen-Nation Committee on Disarmament.

46. The PRESIDENT (translated from French): I shall now put to the vote the draft resolution of the First Committee.

Draft resolution was adopted by 105 votes to none, with 13 abstentions (resolution 2344 (XXIII)).

47. The PRESIDENT (translated from French): The Assembly has thus concluded its consideration of agenda item 31.

AGENDA ITEM 32
International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space (concluded)

48. The PRESIDENT (translated from French): At its 194th plenary meeting, which was held on 29 November 1967, the General Assembly adopted resolution 1260 (XXII) on agenda item 32.

49. The Committee on the Peaceful Uses of Outer Space (Committee I) has adopted a draft agreement on the rescue of astronauts, the return of astronauts and the recovery of objects launched into outer space, which is to be found in the Addendum to the Committee's report (A/6804/Add.1, para. 8).

50. A draft resolution [A/L.544 and A/561] on the subject has been submitted by a number of countries.

51. We have been told in the Assembly today that agreements have been concluded directly in plenary meeting the question raised in the addendum to the report of the Committee on the Peaceful Uses of Outer Space?

52. It was so decided.

53. The PRESIDENT (translated from French): I call on Mr. Walheim of Austria, the Chairman of the Committee on the Peaceful Uses of Outer Space.

Mark DEISMANN (Austria): I would like to refer to the first resolution of the Committee I on the Agreement on the Rescue of Astronauts, and the Return of Astronauts and the Return of Objects Launched into Outer Space, in 1967. The Committee I has agreed to the text of this convention and has approved the Convention on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (A/6804/Add.1, para. 1).

55. The Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space was concluded on 16 July 1967. The Convention entered into force on 16 July 1967, and it is in force for 30 years. The major Member States and it entered into force on 16 July 1967, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space will represent another step forward in the elaboration of the Law of Outer Space.

56. It is, in effect, implementing article V of the outer space Treaty, which has already stipulated that all countries that are signatories to the outer space Treaty should contribute to bringing about the maximum possible contribution to the efforts to bring about the maximum possible contribution to the efforts to ensure that the provisions and objectives of the outer space Treaty are achieved. In this context, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space will represent another step forward in the elaboration of the Law of Outer Space.

57. On behalf of the delegation of Austria, I would like to take this opportunity to pay tribute to the work accomplished by the Committee on the Law of Outer Space, its chairman, Mr. Wexler, and the Secretariat. We believe that it is a significant step forward in the development of the Law of Outer Space.

58. While we are pleased about the conclusion of the Committee's report on the draft resolution, we would like to conclude by expressing our concern about the risks associated with the launch of objects into outer space, and the agreement on the use of control and to return to Earth by the launching of objects into outer space.

59. The Committee on the Peaceful Uses of Outer Space and its Sub-Committee on the Law of Outer Space has adopted an important agreement on the rescue of astronauts, the return of astronauts and the recovery of objects launched into outer space, which is to be found in the Addendum to the Committee's report (A/6804/Add.1, para. 8).

60. The agreement on the rescue of astronauts, the return of astronauts and the recovery of objects launched into outer space, which is to be found in the Addendum to the report of the Committee on the Peaceful Uses of Outer Space?
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decision of the General Assembly, to have before us a draft convention on liability for damage caused by objects launched into outer space.

61. We believe, however, that the continuing work on this matter may give the Agreements on the Liability of States for Damage Caused by Objects Launched into Outer Space. This Agreement was adopted on 10 December 1966 and is the latest in a series of international conventions on liability for damage caused by objects launched into outer space. This Agreement is an important step forward in the elaboration of the law of outer space, but it also provides for the operation and use of all such objects in the great venture of man in the exploration of outer space.

62. In this connection, I would like to express our hope that the draft resolution will receive the unanimous approval of the General Assembly and thus open the way for an early entry into force of the Agreement on outer space and the outer space law.

63. As the result of a series of international consultations, the General Assembly established a special task force of experts to consider the question of liability for damage caused by the launching of objects into outer space and, in any event, to submit it to the Assembly at its twenty-third regular session.

64. I should like to express our hope that the draft resolution will receive the unanimous approval of the General Assembly and thus open the way for an early entry into force of the Agreement on outer space and the outer space law.

65. The PRESIDENT (translated from French): I shall now call on Mr. Wyzynisz (Poland), the Chairman of the Legal Sub-Committee.

66. Mr. Wyzynisz (Poland): It is indeed a privilege for me to take the floor at this introduction of the resolution of the General Assembly on the Peaceful Uses of Outer Space. [A/894 and Add.1] by its distinguished Chairman, Mr. Waldheim, this report, as the Assembly is aware, was based on the text of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects to Outer Space, of 1958, and the Agreement on the Liability of States for Damage Caused by Objects Launched into Outer Space, of 1966. The Agreement has been drafted by the Legal Sub-Committee, the labour of whose members over the past few years has enabled us to achieve this significant step in the development of international law relating to outer space, and the implementation of the Agreement has been deferred to the Assembly at its twenty-third regular session, in accordance with the recommendation of the Committee on Legal Matters to the General Assembly at its sixteenth session.

67. From the very outset of the work of the Legal Sub-Committee, the necessity of preparing and concluding a treaty on assistance to and return of astronauts and spacecraft on the part of the territory of a party, while Article 3 deals with assistance outside that territory on the high seas or in any other place not under the jurisdiction of any State, Article 4 sets forth the duty to return astronauts safely and promptly, and Article 5 deals with the rescue and return of the spacecraft components. The Agreement on Assistance to Astronauts in Outer Space, including the Moon and Other Celestial Bodies, commended by the Assembly in the resolution on the Peaceful Uses of Outer Space, was adopted exactly one year ago on 10 December 1966.

68. The resolution that I am now discussing deals with the question of liability for damage caused by objects launched into outer space and the outer space law.

69. In the course of a series of informal consultations, the General Assembly established a special task force of experts to consider the question of liability for damage caused by the launching of objects into outer space and, in any event, to submit it to the Assembly at its twenty-third regular session.

70. Mr. President, in concluding these remarks, my appreciation to Ambassador Waldheim for his guidance and for the way in which he has guided the work of the Committee on Legal Matters to the General Assembly at its sixteenth session in bringing this work to fruition. May I also express my appreciation for the co-operation and for the helpfulness of all the members of the Legal Sub-Committee, particularly in the period of the last five years, in working out the text of the Agreement and in the discussions that followed, that would not only represent an important step forward in the elaboration of the law of outer space, but also provide for the operation and use of all such objects in the great venture of man in the exploration of outer space.

71. It may be helpful to the members of this Assembly if I very briefly outline the contents of this agreement. Article 1 sets forth the need for the Parties to the Agreement to cooperate in the rescue of astronauts in outer space. Article 2 provides for the recovery of spacecraft components, and Article 3 sets forth the duty of the State that receives the astronauts to return them safely and promptly. Article 4 deals with the rescue and return of the spacecraft components to the parties. Article 5 deals with the assistance and cooperation of the Parties to the Agreement. Article 6 finally provides for the resolution of disputes, and Articles 7 to 10 contain the final clauses which are similar to those in the outer space treaty.
continuing consultation with the launching authority, which will co-operate with it.

82. With respect to the return of astronauts, we wish to state once more that article 4 should not contravene the national or international law. 83. With regard to article 6, which deals with international organizations, my delegate would like to express his satisfaction at the clear statement to the effect that the rights and obligations are defined in the draft convention may be either a State or an international organization.

84. Some of the protocol provisions call for reservations of principles, and in the light of the very special purpose of the draft convention we are prepared to accept them in this particular case.

85. Before concluding, I should like to emphasize that in my Government's view the text of the draft convention applies in full only to experimental and scientific flights. The rights of the signatory States must be fully respected in regard to the day when such flights may be utilitarian or commercial. When that happens it will doubtless be necessary to negotiate a new convention.

86. Lastly, the French delegation strongly hopes that the draft convention on liability for damage caused by objects launched into outer space and the studies on the peaceful uses of outer space will be completed with equal success in the course of the further work of the Legal Sub-Committee.

87. It is in this spirit that my delegation will vote for the draft resolution [A/544 and Add.1].

88. Mr. VINCENZI (Italy): The views of the Italian delegation on the draft convention on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space are contained in the resolution [A/4604, annex III, para. 17], on the general question of the liability and security of peaceful uses of outer space.

89. These brief remarks indicate clearly, I hope, that we consider the agreement that we are being asked to sign both intrinsically and as forming part of a wider design, namely the legal discipline of space activities, the space activities which every day increase their impact on our life on earth and which are bound to do so increasingly in the near future.

90. The task of the United Nations in this field is very clear: to safeguard and promote not only the interests of a specific group of countries, but rather the general interest of all mankind. It is only in this way that they are engaged or not in space activities either individually or as members of a multinational organization. The agreement will create a framework that will facilitate the carrying-out of space activities for peaceful purposes and make such activities not a cause of disputes and tension but rather sources of benefit for everyone and for international cooperation.

91. In view of the highly humanitarian aims of this agreement, the Italian delegation has decided to become a co-sponsor of draft resolution A/544 and Add.1. We do so in the understanding that, pending the conclusion of a separate convention on liability, the general principles concerning responsibility for damages caused by launchings of astronauts and of objects into outer space, as well as the procedures already contained in the space treaty signed last year [resolution 2222 (XXI) 2, annex], will cover the right of each party to remedy due and full compensation for damages suffered.

92. To facilitate the approval of the competent Italian national authorities which so far have had no time to study the final wording of the draft agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and to render possible the ratification of this important instrument, it may be necessary at the present moment to report to the General Assembly concerning our interpretation of the agreement and in this latter case to state that we are prepared to make a formal request to this effect and if and when it may deem necessary.

93. I wish now to express our sincere appreciation to the Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Waldheim, to the Chairman of the Legal Sub-Committee, Mr. Wynner, as well as to all the members of the parent body and the Legal Sub-Committee and to all our colleagues who made it possible this interesting meeting. I believe that the agreement is an achievement, a highly authoritative body of the United Nations family.

94. Mr. DE SOUZA E SILVA (Brazil): I have asked for the floor in order to restate as briefly as possible the Brazilian view on the draft agreement. In regard to the draft agreement on the Rescue of Astronauts, the return of Astronauts and the Return of Objects Launched into Outer Space, [A/544, para. 8], now under consideration by the Assembly.

95. My delegation fully sympathizes with the humanitarian purposes of the document and Brazil, as a member of the Peaceful Uses of Outer Space, has participated in the discussions of the involved agreements on liability and on the rescue of astronauts.

96. During the meeting of the Legal Sub-Committee on 14 December, the Brazilian representative explained his delegation's objections, of both substance and procedure, to the said draft. Although recognizing the significance of the improvements made then in the text, and while voting in favour of the draft resolution, Brazil abstained from the vote, as is provided in the Peaceful Uses of Outer Space, on the agenda for our plenary meetings in accordance with the rules.

97. I should state that, despite these doubts, the States on whose behalf I am speaking did not wish or nor do they now wish, to oppose the decision, and therefore they voted for the resolution. However, they did ask me to declare that this usual procedure ought not to constitute a precedent for the future.

98. My comments on behalf of those States thus refer solely to the draft resolution A/544 and Add.1. My delegation wishes to reiterate its belief in the importance of this subject and to associate itself with the congratulations of the Peaceful Uses of Outer Space Committee for having brought this agreement into being. We believe that, at the request of the Assembly at its twenty-third session, the General Assembly should consider the case of the Peaceful Uses of Outer Space and take a fresh decision on the Peaceful Uses of Outer Space [A/544, Add.1].

99. The second reason why we co-sponsored the draft resolution was the inclusion of paragraph 4, which calls upon the Committee on the Peaceful Uses of Outer Space to complete urgently the preparation of the draft agreement on liability for damage caused by the launching of objects into outer space, and in any case before the beginning of the twenty-third session of the General Assembly. We would express the hope that at the twenty-third session the Peaceful Uses of Outer Space Committee will present a text for our consideration.

100. Mr. KLUSA (Czechoslovakia) (translated from Russian): The General Assembly has before it a draft international agreement on the Peaceful Uses of Outer Space, the return of Astronauts and the Return of Objects Launched into Outer Space, contained in the report of the United Nations Committee on the Peaceful Uses of Outer Space [A/5504, Add.1].

101. The conclusion of the work on that document, and its adoption in the near future, is a matter of the utmost importance. On this basis of the United Nations Committee on the Peaceful Uses of Outer Space and that a solution be found as speedily as possible. The urgency of working out such an
agreement was underlined once again in resolution 2260 (XXII), adopted unanimously by the General Assembly on 3 November 1967.

111. I should like to express our satisfaction over the real progress which has been made in this matter. With the rapid development of science and technology in the use of outer space for peaceful purposes, it is high time that a general, systematic program of regulating problems connected with man's penetration into outer space has become a priority matter, especially one year ago the General Assembly adopted the first important instrument in space law, the "Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies" [resolution 2222 (XXI), annex].

112. That Treaty laid the foundations for a juridical form for the regulation of other important problems as well. The present draft international Agreement undoubtedly falls into this category. Its humanitarian nature only emphasizes its timeliness and appropriateness. We should therefore like to see that Agreement come into force as soon as possible and be applied as effectively as possible. The prerequisites for this exist, since access to the Agreement is open to all States.

113. The conclusion of work on the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Recovery of Objects Launched into Outer Space in our opinion, also makes it possible—and this opportunity must be taken—very soon to complete the treaty-making process an international agreement concerning the liability for damage caused by the launching of objects into outer space, so that a draft may be presented for adoption at the twenty-second session of the United Nations General Assembly.

114. The present draft Agreement unquestionably constitutes a further contribution to international norms that will regulate peaceful use of outer space. As co-sponsor of this draft resolution [A/LS/44 and Add.1] we should like to express our hope that the Agreement will receive the Assembly's support.

115. Mr. VAHIL (Iran): Our consideration of the draft Agreement on the Rescue of Astronauts, the Return of Astronauts and the Recovery of Objects Launched into Outer Space [A/680/Add.1, para. 8] on this last day of our work, should indeed be regarded as an expression of the twenty-second session of the General Assembly, I say this despite the fact that in the course of the discussion of this question in the special sessions of the Legal Subcommittee and in the subsequent debates held in its parent body, the Committee on the Peaceful Uses of Outer Space, we did not have the opportunity to settle this matter, which were not entirely happy with the draft. Thus, while praising the draft as a significant step towards the evolution of international law to qualify it as saying that the draft could have been further improved if more time had been allowed for its consideration, I do not in any way feel that the draft, as it now stands, does not cover all the elements which we consider to be essential.

116. My delegation has had some misgivings regarding the formulation of article 2 on territorial assistance. We introduce a new wording to the latter part of that article, which, in our view, would have clarified the meaning of that article with regard to the necessity for the draft to be adopted. As the draft has not been carefully prepared, it is a good and sound Treaty and one which will stand the test of time and experience. That, together with the other essential action of the Agreement for the construction and forward by the delegation of France, This improvement, together with the statements made by the superpowers concerned, shows a significant change in the position of the Committee on Outer Space, stating that the implications of article 2 could by no means affect the sovereignty and territorial integrity of States. The character of the term, "rendezvous with the agreement regardless of the draft resolution generally acceptable to us.

117. Before concluding, I wish to express the satisfaction of my delegation at the fact that a time limit has already been set for the provision that the liability for damage caused by the launching of objects into outer space, I am referring to the operative paragraph 4 of the draft resolution before us [A/LS/44 and Add.1].

118. We sincerely hope that the same spirit of cooperation which characterized the negotiations leading to the adoption of the Agreement on the Scientific and Technological Cooperation in Earth Science and Space, will also permeate our efforts when we set out to negotiate the second projected convention, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Recovery of Objects Launched into Outer Space, [A/LS/44 and Add.1], The President (translated from French): I shall now turn to the vote draft resolution A/LS/44 and Add.1, The draft resolution was adopted by 115 votes to none [resolution 2395 (XXIII)].

119. The President (translated from French): I should like to thank those representatives who wish to explain their vote.

120. U SOE TIN (Burma): In view of the importance which Burma attaches to the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [resolution 2222 (XXI), annex], and considering the fact that it is of primary importance for all States, in the advancement of space exploration and research for the benefit of mankind, the delegation of Burma would like to express its deep concern to the major space powers, whose astronauts are engaged in the hazardous enterprise of exploring the outer space of our own planet, for the benefit of mankind. What is significant to us is that countries which may not be launching their own astronauts for years to come, or which indeed may never be launching any astronauts, have made it clear that they consider the above resolution as unnecessary. Whatever country they may become, to be a shared responsibility of the world community. That is in the great humanitarian tradition of nations. In our view, the question of space exploration and research for the benefit of mankind is not a question for the few but concerns all, and we believe that all Member States, not only those which have launched objects into outer space, but all those which are interested in outer space—which, indeed, means the entire membership of the Organization. This agreement bears witness to the fact that the United Nations can make a real contribution to extending the role of law to new areas and to ensuring the positive and peaceful opening of man's efforts in science and the building of a better world.

125. It is, not least, a tribute to those who venture forward into the new world of outer space. We shall work to make that venture one of benefit to all, as we hope it will be.

126. It is clear that although all nations, as I have just said, have a great interest in space activities, that is not the case for all special interests. There is a great concern to the two major space powers, whose astronauts are engaged in the hazardous enterprise of exploring the outer space of our planet. Whatever country they may become, to be a shared responsibility of the world community. That is in the great humanitarian tradition of nations. In our view, the question of space exploration and research for the benefit of mankind is not a question for the few but concerns all, and we believe that all Member States, not only those which have launched objects into outer space, but all those which are interested in outer space—which, indeed, means the entire membership of the Organization. This agreement bears witness to the fact that the United Nations can make a real contribution to extending the role of law to new areas and to ensuring the positive and peaceful opening of man's efforts in science and the building of a better world.

127. In our statements before the Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee, my delegation recognized that, as several speakers pointed out, other problems remain to be solved, particularly problems of acute interest to non-space powers. I should therefore like to reiterate the point that we are in the Committee and in our national parliaments that we as a high degree of importance to the prompt conclusion of a satisfactory convention on the subject. The Commission on Outer Space would consider the launching of objects into outer space. We intend to participate actively and constructively in the drafting of that agreement.

128. The resolution which the Assembly has just adopted calls on the Committee on the Peaceful Uses of Outer Space to complete an agreement on liability by the next session of the Assembly, and I pledge the full and unstinting efforts of the United States to that end.

129. My delegation would like also to draw the attention of the Assembly to the position of the United States, the United Kingdom and the Soviet Union as Depósitoary Governments and specifies that the United States will continue to support the Agreement for the rescue and recovery of astronauts in an exceptional situation, of a special character. The "crew" clause has been employed in this instance does not indicate that it will be suitable in other circumstances. Adoption of the "crew" clause—wielded because of exceptional circumstances favouring a very broad geographical coverage for the assistance and return Agreement—does not, of course, affect the recollection or status of an unrecognized regime or entity which might elect to file an instrument of accession to the assistance and return Agreement. Under international law and practice, recognition of a government or government of a state is brought about as the result of a deliberate decision and course of conduct on the part of a government intending to deal with the state as a government.

130. Recognition of a regime or acknowledgment of an entity cannot be inferred from signature, ratification or accession to a multilateral agreement. That, of course, is something which we all recognize.

131. The United States delegation wishes to thank Mr. Waldheim, Chairman of the Committee on the Peaceful Uses of Outer Space and the members of that Committee, Mr. Wyckoff, Chairman of the Legal Subcommittee, and the members of the Legal Subcommittee, our colleague the other major space power and the many representatives and officials of the Secretariat of the United Nations who have made possible the drafting of this Agreement. Agreement, Compromise between the different special interests and the space Powers and the non-space Powers, was essential for such an Agreement as this to be presented to the Assembly.

132. We also thank you, Mr. President, for your help in obtaining a consensus that this item should be placed on the agenda for consideration on the last day of our proceedings. We believe that this Agreement will help to ensure that every possible assistance is rendered to astronauts in distress or emergency, and we consider that the programme of assistance provided by the Agreement will continue to be followed and the exploits of the astronauts with such great interest will be applauded and welcome this Agreement as we do.

133. Let us hope that these Agreements on outer space may inspire us to make similar agreements on our political problems on earth. After all, the Charter is the means of harmonizing our actions, and surely that applies not only in space but also, very much, here on earth.
134. Mr. C. O. E. COLE (Sierra Leone): The Sierra Leone delegation voted in favour of the draft resolution withdrawn by the USSR. The very laudable humanitarian and juridical principles involved, as well as the fact that my Government is a signatory to the outer space treaty. I feel I must take this stand, It is in the least tribute we can pay to all those who bravely venture into outer space for peaceful uses and all those who work diligently to that end.

135. The Sierra Leone Government, however, has not had the opportunity of studying or pronouncing upon the scope and legal implications of the text of the draft resolution. Having, however, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, My Government, like to make it quite clear that by voting in favour of the draft resolution, the Sierra Leone Government has in no way committed itself to signing and ratifying that Agreement.

136. My delegation would also like to express the hope that in the best interests of the non-space Powers and for the same humanitarian and juridical principles, the completion of the equally important agreement on liability for damage caused by the launching of objects into outer space will be attended with an even greater speed and urgency.

137. Finally, my delegation should like to thank all those who have written to express their grateful appreciation to the Chairman of the outer space Committee, the Chairman of the Legal Sub-committee, and all those who have written that they would make this Agreement in question such a huge success.

138. Mr. PEDORENKO (Union of Soviet Socialist Republics) (translated from Russian): The General Assembly has just adopted a decision on the report of the United Nations Committee on Outer Space. In adopting the draft Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, the Soviet delegation is convinced that the conclusion of that Agreement will be of great importance in connexion with the rapid progress of space technology, the development of space traffic, and the ever wider and more elaborate use of space objects for such practical purposes as communications, weather forecasting, navigation, and so forth.

139. The Agreement on the Rescue of Astronauts will certainly be of great practical importance, ensuring the speedy rescue of astronauts in case of breakdowns, accidents or forced landings, for, as a scientific and technological advance continues, manned space flights will become longer and more complex every year.

140. The Agreement on the Rescue of Astronauts is the result of many years of hard work by the Legal Sub-committee of the Committee on Outer Space, starting in 1963, when it first examined the proposal submitted by the Soviet Union on this matter. The draft agreement has taken into account or reflected the provisions of the relevant amendments of a large number of countries which are members of the United Nations Committee on Outer Space and its Legal Sub-committee.

141. Throughout work on the draft Agreement, discussions showed a genuine desire to co-operate and an agreement. We shall now come to the present draft agreement. It is a draft agreement. The text was presented by the Chairman of the Committee on Outer Space, Dr. Kurt Warburg (Austria), on behalf of the Committee, Mr. Eugeniusz Wyzner (Poland) in the text, it goes without saying, that we due it to the entire group of States, the co- operation of co-operation and understanding in connection the work on the draft agreement.

142. The document before us specifies and expands on the right of a State to sign and ratify the Agreement on the exploration and utilization of space by States as well as by international organizations. It further specifies and expands on the exploration and use of outer space under the aegis of States, the international law.

143. The overwhelming majority of States throughout the world have now acceded to this Treaty and its principles. It lays down for the activities of States the exploration and use of outer space under the aegis of States and the principles and standards of international law.

144. The legal basis of the Agreement on the Rescue of Astronauts is fully provided by the provisions of the Space Treaty. All its articles, including several concerning search operations and rescue operations on outer space, are based on the principle of sovereign rights and authority over the territory and sovereignty of space objects on their own territorial boundary.

145. In conclusion, the Agreement on the Rescue of Astronauts will be an important and useful step in the field of space cooperation. It is a concrete contribution to the development of a law of space for peaceful purposes. We believe the adoption of this Agreement on the Rescue of Astronauts will contribute to the wider and more elaborate use of space for peaceful purposes. We believe, of course, that the adoption of this Agreement on the Rescue of Astronauts will not be sufficient in itself to achieve a peaceful and just development of space cooperation. It will be necessary to take further steps in this direction.

146. The Soviet Union will make every effort to help in that direction.

147. In supporting the draft Agreement on the Rescue of Astronauts the Soviet delegation reiterates its willingness in the framework of the Agreement to help in the work of the Committee on Outer Space in connexion with the elaboration of that Agreement in the framework of the Agreement in the framework of the Committee on Outer Space.

148. The Agreement on the Rescue of Astronauts states that the States shall in connexion with the implementation of the Agreement, attach due importance to the provision for the peaceful beneficial use of outer space.

149. In view of the humanitarian and urgent character of the Agreement on the Rescue of Astronauts, we hope that it will be signed and ratified as soon as possible.

150. The PRESIDENT (translated from French): We wish to associate myself with those representatives who have expressed their satisfaction at the development which has been adopted unanimously by the United Nations Committee on Outer Space and its Legal Sub-committee (1545th and 1555th meetings). We should like to express to them our thanks and appreciation for their goodwill, understanding and cooperation in this, in which they negotiated with the non-nuclear weapon Powers the powers embodied in draft resolutions A/1940, para 9.

151. The PRESIDENT (translated from French: I shall now put to the vote the draft resolution B. The Fifth Committee has submitted a report [A/7208] on the financial implications of this draft.

Draft resolution B was adopted by 112 votes to 0, with 8 abstentions (resolution 2346 B (XXIII)).

152. The PRESIDENT (translated from French: I shall now put to the vote the draft resolution B. The Fifth Committee has submitted a report [A/7208] on the financial implications of this draft. A roll-call vote has been requested.

The vote was taken by roll-call.

The United Republic of Tanzania, having been chosen by lot by the President, was called upon to vote first.

In favour: United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, China, Colombia, Czechoslovakia, Chile, China, Colombia, Congo ( Brazzaville), Congo (Democratic Republic of), Costa Rica, Czecho- slovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, Ghana, Greece, Guateulama, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Korea, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives Islands, Mali, Malta, Mauritania, Mexico, Mozambique, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Southern Yemen, Spain, Sudan, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland.

Against: None.

Abridgement: Afghanistan, Burma, Cuba, Cyprus, France, Gabon, Guinea, India.

Draft resolution B was adopted by 110 votes to none, with 8 abstentions (resolution 2346 B (XXIII)).

153. The PRESIDENT (translated from French: We have finished our consideration of agenda item 28.

The meeting rose at 1.15 p.m.