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AD HOC COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE

DRAFT REPORT ON PARAGRAPH 1(c) OF
GENERAL ASSEMBLY RESOLUTION 1348 (XIII)

Working paper circulated by the Chairman

A. MANDATE OF THE COMMITTEE UNDER PARAGRAPH 1(c)

Paragraph 1(c) of General Assembly resolution 1348 (XIII) of 13 December 1958, adopted at its 792nd plenary meeting, reads as follows:

"The General Assembly ... 1. Establishes an ad hoc Committee on the Peaceful Uses of Outer Space ... and requests it to report to the General Assembly at its fourteenth session on the following ... (c) The future organizational arrangements to facilitate international co-operation in this field within the framework of the United Nations."

The Ad Hoc Committee felt that its report under this paragraph should briefly survey the types of organizational arrangements which were possible within the framework of the United Nations, and relate these to studies made by the Committee in connexion with subsections (a), (b) and (d) of paragraph 1 of resolution 1348 (XIII). In performing this task the Committee was cognizant of the fact that these studies pointed to the need for continued study and review in this rapidly advancing field.

B. ORGANIZATIONAL POSSIBILITIES

There are a number of possible organizational arrangements within the framework of the United Nations.

1. United Nations agencies

The most elaborate and comprehensive organizational arrangement for facilitating international co-operation is the creation of a specialized agency. A specialized agency is an autonomous inter-governmental organization whose constitution is the product of international convention appropriately ratified by member States. The entity thus created is brought into relationship with the United Nations (under Articles 57 and 63 of the Charter) through an agreement negotiated between the Economic and Social Council and the agency which is approved by the General Assembly. Such an organization reports annually on its activities to the Economic and Social Council.

Specialized agencies are contemplated by the Charter and are accorded certain privileges; they may for example, be given the right by the General Assembly to refer questions to the International Court of Justice, and they automatically become members of inter-Secretariat bodies such as the Joint Pension Fund and ACC. They maintain, however, their status as autonomous inter-governmental organizations, and they have responsibility for such activities as budgetary arrangements, staff rules and regulations, and rules of procedure.

Examples of specialized agencies presently in existence which have some interest in outer space are the United Nations Educational, Scientific and Cultural Organization (UNESCO), International Telecommunication Union (ITU), World Health Organization (WHO), World Meteorological Organization (WMO) and the International Civil Aviation Organization (ICAO). Those, as well as other agencies not so clearly interested in space activities, differ widely one from another in character of functions and in relationship to the United Nations.

The scope and nature of the functions of these agencies suggest the possibility of a comparable United Nations agency to deal with space activities. However, the tasks recommended in accompanying sections of this report would not appear to require the present establishment of a United Nations agency, with a professional staff, to co-ordinate and supplement other efforts, public and private, in international space co-operation.

2. Semi-autonomous bodies within the United Nations

The General Assembly may, by resolution, establish semi-autonomous operating bodies within the United Nations with mandates or terms of reference established

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by the General Assembly. The chief executive officer of such a body has broad authority under his mandate but is administratively responsible to the Secretary-General. Three such bodies, with somewhat differing structure, are in existence (Office of the United Nations High Commissioner for Refugees - UNHCR, United Nations International Children's Emergency Fund - UNICEF, and United Nations Relief and Works Agency for Palestine Refugees in the Near East - UNRWA).

In the case of UNICEF, the Director was appointed by the Secretary-General for an indefinite term, without reference to or approval of the General Assembly or the Economic and Social Council. His salary and those of his staff are paid for out of the UNICEF budget, which is based on voluntary contributions of Member States. For administrative purposes, however, the staff generally operates as any other office of the United Nations Secretariat. The Executive Board of UNICEF is elected by the Economic and Social Council for definite terms.

In the case of the Office of the UNHCR, the High Commissioner is appointed by the Secretary-General, with the approval of the General Assembly, for a limited term. The Director of UNRWA is appointed by the Secretary-General in consultation with an Advisory Commission but without reference to or approval of the General Assembly or the Economic and Social Council. In each case there is an executive committee or advisory group. Financial arrangements also vary somewhat, the UNHCR programme being financed partly from the regular United Nations budget and partly from voluntary contributions, whereas the UNRWA and UNICEF programmes are financed entirely by voluntary contributions.

If, at some future time, it was believed that an international agency with a small professional staff would be a useful addition to other co-operative efforts in space, a semi-autonomous body within the United Nations might be appropriate.

3. Performance of functions by existing specialized agencies

As is apparent from other parts of the report of this Committee, existing United Nations specialized agencies can perform various useful functions with regard to space activities. UNESCO, ITU, ICAO, and WMO can all play a role in carrying out technical studies. It does not, however, seem that any of these agencies should be asked to undertake over-all responsibility for future arrangements to facilitate international co-operation in the field of outer space

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activities, although each can undoubtedly continue to play an important part within the area of its special competence and interest. Their functional interests should of course be welcomed and encouraged.

4. Other arrangements within the United Nations

The General Assembly may, by resolution, establish a permanent Committee; outline the work to be accomplished; and authorize the Secretary-General to employ appropriate personnel. This was done in the case of the Scientific Committee on the Effects of Atomic Radiation and in the case of the Secretary-General's Advisory Committee on the peaceful uses of atomic energy. In the case of the former, the Committee itself is responsible for reporting to the General Assembly. In the case of the latter, the General Assembly resolution places this responsibility on the Secretary-General. Personnel of the United Nations supporting these two committees are members of the United Nations Secretariat and covered by all of its administrative orders. The activities and any outside assistance of experts is covered by the regular United Nations budget.

Another possibility would be for the General Assembly to ask the Secretary-General to establish a small technical unit within the Secretariat to carry out certain limited functions. Arrangements could also be made for establishment of an expert advisory committee composed of representatives of interested specialized agencies and key scientists to assist the Secretary-General in the execution of any functions that might be assigned to the Secretariat.

C. CONCLUSIONS

1. Concerning the organizational arrangements which would be appropriate and adequate on a long-term basis for international co-operation in outer space activities, the Committee believes that this question should be given further and continuing study. Meanwhile, the Committee has arrived at certain conclusions regarding steps to be taken at the present stage.

2. The Committee believes that it would not be appropriate at the present time to establish any autonomous inter-governmental organization for international co-operation in the field of outer space. Likewise, the Committee considers that it would not be suitable to ask any existing autonomous inter-governmental organization to undertake over-all responsibility in the outer space field.

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3. The sections of this report dealing with legal and scientific aspects of the question of the peaceful uses of outer space suggest certain general functions and tasks that might appropriately be undertaken within the framework of the United Nations at the present time. These include:

- (a) To review, as appropriate, the subject-matters entrusted by the General Assembly to the Ad Hoc Committee in resolution 1348 (XIII);
- (b) To study practical and feasible measures for giving effect to programmes of international co-operation, including those indicated by the Ad Hoc Committee in its report under paragraph 1(b) of the resolution;
- (c) To consider means, as appropriate, for studying and resolving legal problems which may arise in the carrying out of programmes for the exploration of outer space;
- (d) To provide a focal point for facilitating international co-operation with respect to outer space activities undertaken by Governments, specialized agencies and international scientific organizations.

4. The Committee believes that, for the most part, the questions involved under (a), (b) and (c) above may be such as to require consideration at the governmental level. The General Assembly, if it agrees with this conclusion, may wish to consider the establishment of an Assembly committee, composed of representatives of Member States and having such membership as the Assembly may decide, to perform these functions, to report to the General Assembly and to make recommendations as appropriate.

5. The Committee considers that the functions suggested by paragraph (d) above, which primarily is intended to implement the conclusion of the technical subcommittee that "there is need for a suitable centre related to the United Nations that can act as a focal point for international co-operation in the peaceful uses of outer space," are of a different character. These are functions of the type frequently entrusted to an international secretariat. The General Assembly may therefore wish to consider among other possibilities that of requesting the Secretary-General to organize a small unit within the Secretariat for this purpose. Because the precise character of such a Secretariat unit can be developed only in the light of experience and after consultation with the various bodies involved, it may be desirable to provide a means whereby the Secretary-General can avail himself of the advice and assistance of those

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directly concerned in this field. Consideration might be given to provision for a small advisory committee which could include representatives of the appropriate specialized agencies, scientists designated by international scientific organizations, and representatives of Member States, as necessary.

6. The Committee believes that it would be appropriate for existing specialized agencies to continue to pursue lines of endeavour within their competence in regard to outer space activities. The Committee believes that the General Assembly might ask these agencies to include in their reports to the United Nations information on their activities in connexion with outer space.

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Information document

Position of Belgium with regard to outer space research
(Dr. L.M. Malet)

Since 1945 the experiments carried out and the progress achieved in the field of outer space research have been followed very closely by some Belgian scientists.

In order to increase substantially Belgium's ability to participate in such research, a special Belgian Committee for Outer Space Research has just been established by the Belgian Academy of Sciences. It will be a correspondent of COSPAR and will therefore form part of ICSU. It will also work in close relationship with another recently-established body, the National Space Research Centre (Centre National des Recherches de l'Espace (CNRE)).

CNRE is an association of scientists, and its aims are to carry out research and practical work and to collect and maintain a body of documentation from all sources on the subject of space research.

The President of CNRE is Professor Cox (celestial mechanics) of the University of Brussels; its Vice-President is Professor Florin (biology) of the University of Liège; its Director Professor M. Nicolet (radiation, ionosphere, etc.) of the Royal Meteorological Institute; and its Secretary-General Dr. L.M. Malet (experimental aerology), scientific adviser to the Ministry of Education.

Its membership includes:

Professor Swings (astrophysics), University of Liège

Professor Jaumotte (aerodynamics), University of Brussels