

banning of the use of space for military purposes and the elimination of foreign military bases as conditions for international co-operation toward that end. Those questions must be solved in the context of balanced disarmament measures to be initiated under adequate international controls, and since the Soviet draft resolution gave no such assurances, his delegation could not support it. The New Zealand delegation hoped that all States would join it in support of the twenty-Power draft resolution, which suggested measures to be adopted immediately to establish and confirm international co-operation in the field of outer space, without prejudice to the security of any State.

24. Mr. SASTROAMIDJOJO (Indonesia) emphasized the need to reverse the tendency to think of outer space in terms of its military potentialities. Both approaches to the problem suggested in the Committee had merit: on the one hand, it had been suggested that the disarmament aspect of the question of outer space should be kept separate from the question of international co-operation, so that progress could be made pending agreement on disarmament; on the other hand, it had been urged that both the disarmament aspect and the question of the peaceful use of outer space should be resolved in order to establish a basis for international co-operation. In the view of the Indonesian delegation, while the disarmament aspect could not be completely divorced from that of international co-operation, the latter should not be made contingent upon a solution of the disarmament problem. The United Nations should work on both aspects of the question simultaneously.

25. The relation between the elimination of military bases and the peaceful use of outer space could not be ignored. In a divided world in which both sides were constantly striving for equality, it was small comfort

to know that military bases were intended for defensive purposes only. Such bases increased suspicion of aggressive intentions, tended to accelerate the arms race in nuclear weapons and prevented the establishment of an atmosphere of confidence between East and West, without which no progress could be made towards real disarmament.

26. After recalling the Indonesian position on the use of atomic energy for peaceful purposes and on a cessation of nuclear weapons tests pending a ban on the production and stockpiling of nuclear weapons, he urged that the United Nations should immediately establish machinery which would similarly be directed towards achieving two objectives. On the one hand, it would ensure the use of outer space for peaceful purposes only; on the other hand, it would promote international co-operation for the peaceful use of outer space. The first objective should be implemented by establishing, through agreement, controls on the sending of all types of rocket weapons and missiles through outer space. It should be discussed as a matter of urgency in the reconstituted Disarmament Commission. The second objective should be carried out by initiating steps to establish the necessary international machinery, leaving the legal aspects to be dealt with by qualified experts.

27. The question of the peaceful use of outer space was not merely academic: States conducting programmes in the field of outer space should find common ground for co-operation in the interest of all peoples. They would thus gain security and use science and technology to promote a better understanding and remove the causes of international conflict. The vote on the question of outer space should be unanimous.

The meeting rose at 12.45 p.m.

United Nations
**GENERAL
ASSEMBLY**
THIRTEENTH SESSION
Official Records



FIRST COMMITTEE 987th
MEETING

Monday, 17 November 1958,
at 3.20 p.m.

NEW YORK

CONTENTS

	Page
Agenda item 60:	
Question of the peaceful use of outer space (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)	211

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, A/C.1/L.220) (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. SCHURMANN (Netherlands) said that it would be absurd to apply to outer space terrestrial notions which could prove unsuited to deal with situations still largely unknown. Law made a distinction between rules governing relations between persons and rules applying to the relations of persons to things. The first group of rules was universally applicable, but the same was not true of the second group when the object ceased to be terrestrial.
2. There could be no doubt that relations between States must, even in outer space, continue to be subject to the "general principles of law recognized by civilized nations". Some of those principles, such as the principle of responsibility, were directly applicable. Other principles could easily be adapted to the new circumstances contemplated: thus the principle of the freedom of the high seas and the principle which required States to refrain from any act likely to interfere with the use of the high seas by another State could be applied to outer space. The same was true of the principle that power created no distinction of right.
3. On the other hand, certain rules of international law could not be applied to outer space. That was, in particular, the case with the rules concerning sovereignty, which presupposed a defined area reserved to

the jurisdiction of a State. If the Governments so desired, they could divide the high seas into regions subject to the sovereignty of the different States, but such a division of outer space was physically impossible. International practice had already confirmed the doctrine of the indivisibility of the universe: when the artificial satellites had crossed the space above the territory of a number of States, none of those States had protested. The rules concerning the occupation of vacant territories were similarly inapplicable in the absence of an effective occupation of the other planets.

4. Those considerations were not of course applicable to atmospheric space which unquestionably remained subject to the sovereignty of States or, in the case of the airspace above the high seas, subject to "terrestrial" international law. A decision on the precise delimitation of that would have to be made one day.

5. At all events, it was essential to ensure that outer space should be used only for strictly peaceful purposes. To link that question with military bases could only be harmful to the dispassionate study of an important matter. The question of bases was a matter for the Disarmament Commission.

6. Although the time for treaty-making and for final decisions had not arrived, it was time to give serious consideration to the question of cosmic space and, in particular, to the means for promoting international co-operation and its organization, the co-ordination of the measures to be taken, and the nature of the legal questions that might arise. The International Geophysical Year had shown that good results could be obtained by careful planning of the work proposed. That method should be followed in the case of outer space; the preparatory work should be entrusted to non-governmental and private organizations as well as to national and international organizations.

7. The attainment of those ends could be promoted by the adoption of the draft resolution which the Netherlands had submitted together with nineteen other Powers (A/C.1/L.220). The principle which had animated the sponsors of that draft was that mankind should carry into outer space the positive, and not the negative, results of its civilization.

8. Mr. JORDAAN (Union of South Africa) said that it was the first time in the history of the United Nations that the Organization had been called upon to plan for the future instead of to take remedial action in respect of past unfortunate occurrences. Outer space offered unlimited opportunities for international co-operation.

9. As in the case of disarmament, one particular feature of the question could not be isolated from the rest. Moreover, it was desirable to keep the question separate from matters which had no real connexion with it and concerning which States were still far from agreement. In his statement (982nd meeting), the Soviet

Union representative had given the impression of having lost sight of the question of the peaceful use of outer space; he had so concentrated his attention on the United States bases. Such methods would not lead to practical results.

10. In those circumstances, and considering that outer space was still shrouded in a veil of mystery, the only reasonable attitude would be to act in conformity with the proposal suggested in the draft resolution contained in document A/C.1/L.220 sponsored by twenty Powers, including the Union of South Africa.

11. Mr. ORTIZ MARTIN (Costa Rica) said that a distinction had to be drawn between the two sides of the question of outer space. There was the scientific side: the exploration of outer space, its possible use for military purposes and the responsibilities of the United Nations in that regard. And there was the theoretical side: the study of the question from the angle of international public law. It was evident that it was premature to lay down legal principles which could not yet be applied whereas the real difficulties to be faced were not known.

12. The Costa Rican delegation supported the twenty-Power draft resolution (A/C.1/L.220), which recognized that all States had the right to carry out scientific exploration and which was intended to ensure that the conquest of outer space should be for the benefit of all mankind. That draft resolution provided also for the establishment of an *ad hoc* committee to study all the known facts in order to lay down legal rules consistent with the principles of justice. The United Nations could do no more and still remain in the realm of reality; it would be in a position to make appropriate rules at a later stage in the light of subsequent developments. It was important not to lose sight of the immense impact of great discoveries and their influence over men's minds. Man was still unaware of the consequences of his present efforts to unveil the secrets of nature.

13. Mr. NISOT (Belgium) said that there was an urgent need to undertake the study of the question of the peaceful use of cosmic space. No progress could be expected without a clarification of the various aspects

of the question by means of objective and disinterested study, and an attempt to determine with some degree of accuracy the potentialities of outer space for the benefit of mankind, the conditions and manner of using it and the ways and means of realizing those aims. It was particularly urgent to institute international co-operation in that field. At the present stage, the work of exploration and clearing the ground, which had to be kept separate from the disarmament aspect of the question, appeared to require priority treatment in a purely scientific spirit divorced from all controversial matters.

14. That was the spirit which had animated the draft resolution submitted by twenty Powers, including Belgium. That draft proposed the establishment of a committee to provide the General Assembly with certain preliminary information. The aim was to investigate possibilities in order to clarify the situation and make future achievements possible.

15. The role of international organizations in the matter should be made clear. Certain questions would first have to be decided, such as whether there existed at present any legal rules limiting the freedom of individual States or inter-State organizations in outer space. In the doctrine of international law several systems had been conceived. Those studies would perhaps help in finding the *lex ferenda* which could be proposed to States with some chance of being accepted. The problem was a complex one from the legal and political points of view. Accordingly, the draft resolution was aimed at conducting a preliminary investigation as a necessary step towards a degree of international co-operation commensurate with the aims to be achieved. In addition, the draft made ample provision for the assistance of the Secretary-General, upon whom it conferred even a power to make recommendations extending beyond the measures it expressly contemplated. The draft resolution did as much as possible at the present stage to provide the most appropriate method for defining the conditions for the peaceful use of cosmic space.

The meeting rose at 4.10 p.m.

United Nations
**GENERAL
ASSEMBLY**

THIRTEENTH SESSION
Official Records



FIRST COMMITTEE 986th
MEETING

Monday, 17 November 1958,
at 10.50 a.m.

NEW YORK

CONTENTS

Agenda item 60:	Page
Question of the peaceful use of outer space (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)	207

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, A/C.1/L.220) (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. BRUCAN (Romania), challenging a statement made by the United States representative at the 982nd meeting on the nature of the relationship between the socialist countries in so far as it affected military bases on their territories, pointed out that under an agreement concluded between the Romanian and Soviet Union Governments, with the consent of the other signatories of the Warsaw Treaty, all Soviet forces had been withdrawn from Romania by 15 August 1958. The United States maintained bases in many countries. It asserted that its forces in foreign territory would leave at the request of the Governments of such territories, yet its forces in Okinawa had not been withdrawn and the base had not been liquidated, although that request had been made by the population of Okinawa in elections held in 1956 and again in 1958.

2. The mastering of outer-space missiles had added a new and important dimension to the threat of all-out war and the problem for the United Nations was to eliminate the possibility that destruction might come from or through outer space. Thus, the military aspect of the use of space was of paramount importance and should determine the approach of all delegations to the item under discussion. The USSR draft resolution (A/C.1/L.219) adopted that approach and presented a comprehensive plan for a solution. Its recommendations for international scientific co-operation were based on experience in other scientific fields. It held,

quite rightly, that only if the danger of the use of outer space for military purposes was removed could such co-operation benefit mankind.

3. The Western position on the use of outer space appeared to have undergone a significant change. During the twelfth session, the United States and other Western Powers had shown great interest in the military aspect of outer space, an interest clearly expressed in the United States memorandum of 12 January 1957 (A/C.1/783). They now appeared, however, to have lost that interest, though they were continuing to spend huge sums on rockets and other space missiles and on related research and experiments. Their apparent loss of interest could be explained only by their realization that they could not deal with the question of outer space in disarmament negotiations from their former position of strength. Indeed, the United States representative had stated (983rd meeting) that his Government maintained the position it had taken in the Sub-Committee of the Disarmament Commission at London in 1957: it would detach intercontinental ballistic missiles from the complex of disarmament questions and conclude a separate agreement unconditionally banning such missiles. That position was puzzling, especially as the West attached conditions to agreement on all other aspects of disarmament, including the cessation of nuclear weapons tests. Yet the real danger to mankind was not rockets or missiles, but nuclear warheads with their tremendous destructive power. The West would maintain nuclear weapons on the grounds that they acted as a deterrent to war, yet it would not consider outer-space weapons as deterrents. That attitude could be explained by the fact that the United States had not until recently—that is, until the first artificial earth satellite was sent to orbit in space—understood the magnitude of new space developments.

4. The logical conclusion that should be drawn was that the Western policy of negotiating from "positions of strength" was no longer valid and that it was high time to proceed with equal regard for the security of all parties and renounce all efforts to secure unilateral advantage. The use of outer space and the question of military bases on foreign territory were inextricably linked: to bar the intercontinental ballistic missile from outer space while accepting intermediate range missiles in the atmosphere would secure a military advantage for United States bases to the detriment of the socialist countries. United States military bases on foreign territory were an overwhelming obstacle to disarmament and to peace. The United States argued that withdrawal of its forces from such places as Germany and Korea would remove them to too great a distance from the area concerned, while Soviet forces would be too close. In substance, the argument implied that the Power maintaining its troops within or close to its borders would always be at a disadvantage, while the Power with far-flung bases and troops