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SUMMARY RECORD OF THE 14th MEETING

Chairman:

Mr. KARUKUBIRO-KAMUNANWIRE

(Uganda)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 73: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE
(continued) (A/45/20, A/45/589)

1. Mr. GONZALEZ (Chile) reiterated his delegation's opinion that space activities should benefit mankind and should take place within the conceptual framework of mankind's common heritage. It was necessary to promote international co-operation in outer space and to preserve it for future generations. As the Group of 77 had indicated, that co-operation should be marked by transgenerational equity.
2. The Charter of Economic Rights and Duties of States, which was the written expression of international development law and the fundamental frame of reference for space law, called for the non-reciprocal preferential treatment of developing countries. Fittingly, space law itself provided that space activities should be carried out for the benefit of all peoples, whatever their level of development.
3. International organizations provided the necessary framework for obligating the Member States to work together to reach the aforementioned goals. For those ideas to be politically viable, it was necessary for them to play an active role in that area. His delegation therefore welcomed the decision of the General Assembly to include a new item in the agenda of the Committee on the Peaceful Uses of Outer Space (COPUOS) and to establish a working group on that item, which marked the beginning of a new phase in the progressive development of space law. The item was a modified version of article I of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and it very clearly expressed the doctrine of modern international development or co-operation law as a factor that should benefit present and future generations. It was the key concept for putting the benefits of space activities to work for the entire international community.
4. Now was not the time to go into details. However, it was important at least to establish that although technology could be appropriated, science should be considered res communis. The principle of non-reciprocal preferential assistance to developing countries was of crucial importance in that context, but it would only go from the status of guideline to that of a general principle of co-operation law when it was spelled out in specific norms whose enforcement was subject to international control. The United Nations could play an important role in the progressive development of space law, and every effort should be made to continue to move ahead in that area. The deterioration of the environment, terrorism, drug trafficking and other global problems had led to the increasing interdependence of all countries and had given rise to a body of incipient rights that might be called rights of mankind. The international community was witnessing a veritable revolution in legal science, which was expressed as a transnational right and made it necessary to reconcile different interests for the benefit of all mankind.
5. However, opposing perceptions and strategic interests made it difficult to achieve major breakthroughs, a problem which particularly affected the interests of developing countries. For example, with respect to the geostationary orbit,

(Mr. Gonzalez, Chile)

despite the efforts of developing countries to be flexible in their positions and to look for compromise solutions, the technological Powers still refused to accept regulation of the orbital segment. It had also been impossible to reach minimum agreements with respect to the militarization of outer space. It was appropriate to mention a few aspects of the report of the Committee on the Peaceful Uses of Outer Space (A/45/20), in particular paragraph 20, which mentioned the need for legal mechanisms to prevent an escalation of the arms race. One possible step would be to draw up an interpretive protocol to article IV of the 1967 Treaty that would fill its legal gaps and would expand it to cover all types of arms. His delegation still thought that there should be a clearer relationship between COPUOS and the negotiations supposedly being conducted within the Ad Hoc Committee responsible for studying item 5 of the agenda of the Conference on Disarmament.

6. His delegation also believed that the format of the Scientific and Technical Sub-Committee had been weakened, thereby depleting its substance, and wished to take advantage of the present opportunity expressly to request the review of its methods of work. It was concerned by the lack of concrete results of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE 82), and it reiterated its support for the decision of the General Assembly to designate 1992 as International Space Year. The Year would be highly political, and the developing countries hoped that it would not result in frustrated expectations, as in the case of the Conference.

7. Mr. BUGTI (Pakistan) said that, as the common heritage of mankind, outer space should be used to promote the development of all nations equally and should not be militarized, which meant that the relevant international instruments must be strictly enforced. In that context, it was necessary to strengthen the 1967 Treaty, and his delegation favoured a comprehensive convention that would prevent an arms race in outer space. Special attention should be devoted to banning and dismantling anti-satellite weapons and ballistic missile defence systems. COPUOS should continue to consider the question of how to reserve outer space for peaceful uses.

8. His country had been making modest contributions to the United Nations Programme on Space Applications since 1984. The Programme had an important role to play and should be strengthened so that a substantive programme of assistance and technology transfer to developing countries could be developed. It was unfortunate that the Programme still did not have sufficient financial support from Member States. His delegation agreed with the suggestion that the activities celebrating International Space Year should demonstrate that space research and development was responsive to social and economic needs. In that context, COPUOS should take the lead in developing a framework to ensure the equitable distribution of the benefits of outer space activities.

9. The international community was greatly concerned by the unchecked growth of the amount of debris in outer space, which was becoming a serious safety hazard in space and a threat to its use. That topic should be included as an item in the agenda of the Scientific and Technical Sub-Committee.

(Mr. Bugti, Pakistan)

10. The international community was also concerned by the increasing impact of commercial considerations on remote sensing activities and by the rising cost of remote sensing services. The United Nations should continue to promote free access to remote sensing data satellites and should attempt to ensure the continuity of transmitting characteristics between various remote sensing satellite systems in order to avoid premature obsolescence of existing ground facilities. For their part, satellite operating States should substantially reduce their prices and access fees.

11. Space technology was being increasingly used in developing countries, particularly in areas such as communication, earth resource surveys, position mapping, search and rescue operations and data collection and relay. Under Pakistan's space programme, in July 1990, the first experimental satellite, Badr-A, had been launched on board a Chinese launch vehicle; work on the design concept of a more up-to-date model of that satellite, Badr-B, had been started; and a ground station had been established for direct acquisition of data from the United States land satellite Landsat and the French Spot satellite. It was very necessary to ensure the equitable and just access of all States to the geostationary orbit, without prejudice to the role of the International Telecommunication Union (ITU). That would require that preferential treatment should be granted to developing countries.

12. Mr. KHANI (Syrian Arab Republic) said that, on account of the work done by the COPUOS, irrespective of their level of development, countries were enjoying the benefits of the progress made in science and technology. He welcomed the advances made in space activities but pointed out that such progress had mostly benefited a small number of industrialized countries that had space technology, whereas the majority of the developing countries were far from making use of those advances, which could help them to solve their development problems. He hoped that international co-operation, in the form of technical and financial assistance, would help the developing countries to improve their space capacity. Assistance should be given to the developing countries in remote sensing and in training technicians in that and other disciplines such as data processing and space photography. Lastly, the utilization of outer space should be reserved exclusively for peaceful purposes, and space activities should be conducted for the benefit of all States, particularly the developing countries, in a spirit of co-operation, which would protect the legitimate interests of all peoples and ensure respect for their sovereignty.

13. Mr. NOREEN (Sweden) said that he was satisfied with the results achieved during the past year, especially in the field of nuclear power sources in outer space. He mentioned, in particular, the agreement reached on recommendations for the safe use of nuclear power sources in outer space, in the Scientific and Technical Sub-Committee and in the Legal Sub-Committee, and also the agreement on draft principle 3 relating to guidelines and criteria for safe use. An agreement on draft principle 2 relating to notification of the presence on board a space object of a nuclear power source and draft principle 4 relating to assessment would be more difficult to achieve. His country supported the idea of making safety

(Mr. Noreen, Sweden)

assessments publicly available and also prior to each launch, as that would provide a practical solution to the problem of notification.

14. Satellite remote sensing was of fundamental importance for monitoring the Earth's environment and in particular for studying and monitoring global change. Remote sensing was going to play a central role in the activities proposed for International Space Year, the theme of which was "Mission to Planet Earth". In those activities, special emphasis would be placed on the use of space technology for studying and monitoring the environment. Similarly, remote sensing was likely to be an essential issue at the United Nations Conference on Environment and Development in 1992. The training and educational capabilities of the United Nations Programme on Space Applications would be utilized to highlight the meaningful role of the United Nations. In support of that programme, Sweden had held the first United Nations training course on remote sensing education for educators and was prepared to repeat the course in 1992 as part of the International Space Year activities. In his delegation's view, the question of remote sensing should continue to be a priority item on the agenda of the Scientific and Technical Sub-Committee.

15. Concerning space debris, he said that COPUOS had agreed that it could be an appropriate subject for discussion in the future. Sweden continued to believe that the question of outer space environment should be kept on the agenda of the Scientific and Technical Sub-Committee. The countries with major space capabilities should assume a special responsibility since they were the ones most immediately affected by the growing amount of space debris.

16. Mr. POSSO SERRANO (Ecuador) said that the international community had an obligation to promote the use of outer space for exclusively peaceful purposes and to prevent the use of space solely for the benefit of certain States which had technological and scientific resources. International co-operation and solidarity were imperative in order for Ecuador to gain access to those resources and offer them to its people. The main obstacle to such access was the fact that science and technology were being continually used for massive destruction and to promote preparation for war. The States with the greatest scientific and technological capability were responsible for putting science to such use, and the Organization should redouble its efforts to promote international co-operation for the benefit of mankind. In that connection, the work being done by COPUOS and its Sub-Committees was truly commendable, but much remained to be done to increase space activities in the world, especially in the developing countries.

17. His delegation was in favour of the Working Group continuing to discuss the subject of the exploration and utilization of outer space for the benefit and in the interests of all States, taking into particular account the needs of the developing countries. His delegation also felt that the Scientific and Technical Sub-Committee should intensify its work on topics fundamental to international co-operation, such as remote sensing satellites, space transportation, space medicine, planetary exploration, studies of the biosphere and the conservation and protection of outer space. The chapter on the synchronic geostationary orbit was

(Mr. Posso Serrano, Ecuador)

of especial importance to Ecuador, because it had the particular feature of being a limited and non-renewable resource.

18. Ecuador repeated its position that the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, did not even mention it and that a special legal instrument was, therefore, needed to end the present exploitation by States to the exclusion of the rights of other States. Such exploitation was irresponsible and irrational not only because it took no account of the interests of all countries but because it actually prevented access to the orbit owing to the virtual saturation of the resource. Ecuador was therefore proposing a legal régime based on equity and oriented towards international co-operation so as to ensure that the geostationary orbit would be used for the benefit of all mankind. Such a régime should be discussed by the Legal Sub-Committee and not by the International Telecommunication Union. The main questions at issue were the recognition of the interests and special rights of the developing countries, particularly equatorial countries and the real opportunities for those countries to accede to the synchronic geostationary orbit. Of particular importance was the appropriate use of the range of frequencies.

19. Mr. QUINTANA (Spain) fully supported the statement made by the representative of Italy on behalf of the 12 States members of the European Community but added that he would like to make certain observations on behalf of his delegation.

20. Spain had always considered international co-operation to be an essential component of scientific research and other activities related to the peaceful uses of outer space. Upon being appointed a member of the Committee on the Peaceful Uses of Outer Space, Spain had agreed to alternate with Portugal every three years as a member of the Committee. In recent years Spain's situation had changed drastically. In 1990, over \$300 million had been invested in various space programmes, making Spain the tenth largest spender in that area. His delegation hoped that Spain's current status in the Committee would be re-examined in the near future, so that it might become a full member without having to alternate with any other member of the Committee.

21. As had been stated on other occasions, one way of reducing the gap between the developed and the developing countries would be by giving a co-ordinating and integrating role to those nations situated in zones of intermediate development. That would require considerable efforts as well as the support of the international organizations through which co-operative activities between States were promoted and channelled.

22. In 1988 a meeting of experts had been held in Maspalomas in the Canary Islands, in accordance with General Assembly resolution 43/56. Some of the recommendations from that meeting had already been incorporated in the United Nations programme for 1992. The programme established that Maspalomas would be the venue the Third United Nations/FAO/ESA Workshop on Microwave Remote Sensing Technology, for the benefit of Member States in the ECA and ESCWA regions,

(Mr. Quintana, Spain)

scheduled for June 1991. Spanish scientists would take an active part in the organization of that workshop. Maspalomas would also feature in the process, to be completed in 1991, of bringing Spain into the COSPAS-SARSAT system. That would give the international community the necessary facilities to detect radio beacon signals from the Atlantic zone between the Iberian peninsula and the equator, which was currently not covered. In 1990 Spain had taken part in the Space Conference of the Americas: "Prospects of co-operation for development", which had been held in Costa Rica under the auspices of the United Nations. It had also taken part in the United Nations workshop on space communications for development, organized in Cuba for the benefit of Member States in the region of the Economic Commission for Latin America and the Caribbean (ECLAC), at which it had presented the HISPASAT programme, aimed at establishing a space communications system between Spain and Latin America.

23. In 1992, which would mark the fifth centenary of the discovery of America, a major international EXPO would be held in Seville and the Olympic Games would be held in Barcelona. He was pleased to announce that a pavilion at the Seville EXPO would be devoted to the promotion and dissemination of activities related to the peaceful uses of outer space.

24. Mr. AZIKIWE (Nigeria) said that Nigeria's interest and active participation in international forums on international co-operation in the peaceful uses of outer space was based on the following fundamental principles and objectives: (1) outer space was the common heritage of mankind, with no defined frontiers and collective efforts were therefore needed to ensure that its exploration was exclusively peaceful; (2) space exploration and the maintenance of international peace and security were closely linked, and the developing countries had no means of monitoring activities in outer space; and (3) the exploration of space had opened wide opportunities for humanitarian initiatives.

25. In 1959 the General Assembly had established the Committee on the Peaceful Uses of Outer Space, which had given increasingly convincing justification of its existence through its efforts to extend the benefits of space activities to all nations, irrespective of their level of development. Much remained to be done, however, not only to make space activities genuinely peaceful and secure, but also to ensure the fair distribution of the benefits which accrued from them.

26. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which had been signed on 27 January 1967 and which Nigeria had acceded to on 14 November 1967, remained the corner-stone of the international juridical régime governing space exploration. It should, however, be recognized that in 1967 no one could have foreseen the enormous technological advances of recent years, nor the more recent and momentous changes in international politics.

27. In the current climate of reduced world tension, Nigeria was pleased to note that at its twenty-seventh session the Scientific and Technical Sub-Committee had reached consensus on scientific and technical guidelines for the use of

(Mr. Azikiwe, Nigeria)

nuclear-power sources in outer space and had elaborated important safety standards on radiation, on the design, use and disposal of nuclear reactors and on isotope generators on satellites and other space objects.

28. The Legal Sub-Committee had reached a consensus agreement on the draft principles relevant to the use of nuclear-power sources in outer space, based on recommendations of the Scientific and Technical Sub-Committee.

29. While the retention of outer space for peaceful uses necessitated the active co-operation of all States, it was the space Powers which bore the greatest responsibility in that undertaking. The design, launch and operation of space-bound satellites must conform to the strictest standards of safety, environmental pollution must be reduced and the exposure of people to radiation must be eliminated.

30. Outer space itself must be clearly defined and delimited, necessary information about the launching or malfunction of space objects must be provided to the United Nations in a timely manner, adequate, prompt and just compensation must be paid to the victims of accidental crashes and steps must be taken to prevent future disasters in space and on Earth resulting from the accidental accumulation or deliberate dumping of space debris.

31. In any event, the spin-off benefits of space technology were already having an impact not only on national and international communication systems, life sciences, space medicine, astronomy and remote sensing but also on urban planning, natural resource exploration, deforestation, bush-fire fighting, hydrology and climate change. They were thus affecting the quality of life of millions of people throughout the world, for they could help to mitigate hunger, socio-economic hardships and natural disasters.

32. Consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of the developing countries, was of fundamental importance for countries like Nigeria. The space Powers must demonstrate in practice how they could extend the benefits of the conquest of space to all countries, particularly the developing countries. It was obvious that the unequal access of the developing countries to space science and technology was a result of the gap between them and the developed countries in scientific, technological and economic development; that gap must be closed.

33. His country recommended that emphasis should be given to the following key priorities and objectives: the establishment of an international framework for the conscious development of indigenous manpower and capability in science and technology in the developing countries; the institutionalization of the exchange of information, materials and equipment and the establishment of joint ventures by the space Powers and the developing countries; the establishment of an international framework to provide easy and cheap access to remote-sensing data, ground receiving

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(Mr. Azikiwe, Nigeria)

stations and digital image processing systems; the creation of an international fund to help to accelerate the development of national infrastructures, promote the transfer and acquisition of space technology, and train specialized technical personnel in the developing countries; and the establishment of an appropriate framework for the effective and equitable distribution of the spin-off benefits of space science and technology.

34. Lastly, his delegation maintained that the consideration of the provisions of international and national law relating to international co-operation in outer space as a prior step to the formulation of proposals for increasing such co-operation must not be allowed to delay the start of effective practical work designed genuinely to take into account the interests of all countries, particularly the developing countries, whose national outer-space legislation was often, for understandable reasons, not the most appropriate.

35. Mr. KOUPRIAN (Ukrainian Soviet Socialist Republic) said that the debate on the item was taking place in an atmosphere of co-operation which facilitated the search for compromise solutions, thereby demonstrating the goodwill generated in the international community by the favourable developments in international relations. The new political thinking which was gradually gaining ground facilitated the development of international co-operation in the peaceful uses of outer space, a goal which would be attained only if the whole international community united its efforts for the benefit of mankind. Mention should be made of the role of the United Nations as a co-ordinating centre for the work of Member States in that sphere and of the need to continue to strengthen that important function.

36. His country wanted to take an active part in the work of the Committee on the Peaceful Uses of Outer Space, and the Group of Eastern European Countries had therefore proposed the Ukrainian SSR for the seat vacated by the German Democratic Republic after the reunification of Germany. His delegation hoped that the General Assembly would support its candidacy.

37. His country had the necessary potential and experience to engage in space exploration for peaceful purposes and it systematically informed the United Nations about the results of its work. Since 1962 it had been participating in programmes such as INTERCOSMOS and had collaborated in the launching of some 370 artificial satellites. During such activities Ukrainian scientists worked on the improvement of the satellites, the development of instruments for various tasks, the production of new chemical and pharmaceutical products, the use of new technologies to solve ecological problems, and the early detection of natural disasters. In 1989, when a typhoon was moving towards the United States, it was owing to information supplied by the Ukrainian SSR that appropriate defensive measures had been taken, demonstrating that such activities were useful to many countries. The Academy of Sciences was carrying out important work and served as a co-ordination centre for activities relating to the peaceful uses of outer space. In the field of space biology and medicine a valuable research project was being carried out in collaboration with France, the Netherlands and Norway which would be of great utility for the international community. Mention should also be made of the scientific work carried out in his country in collaboration with various countries of Eastern Europe and other States.

(Mr. Kouprian, Ukrainian SSR)

38. His delegation firmly supported the General Assembly's decision to designate 1992 as International Space Year. The implementation of the programme "Mission to Planet Earth" and the other activities of Member States would enable the international community to make progress in the study and use of outer space for the benefit of mankind.
39. Soviet experts and scientists were planning to hold an international symposium on problems of the effects of solar processes on the natural environment of the Earth and on human beings, and a conference was to be held in Kiev on outer space and mankind's problems in the twenty-first century. There would also be an international meeting on the problems of instrument construction in outer space and an international meeting of young scientists and Ukrainian experts engaged in space research. The Academy of Sciences might perhaps organize a seminar for experts from the developing countries, under the auspices of the United Nations, on new methods of remote sensing of the Earth. It was also willing to consider the possibility of offering post-graduate courses in outer space research and uses to specialists from the developing countries.
40. There was no doubt that the conquest of outer space required an era of peace and effective measures by the international community to prevent the militarization of outer space. It was important for the Committee on the Peaceful Uses of Outer Space to approve by consensus recommendations on the search for ways and means of maintaining outer space exclusively for peaceful purposes, for that would help to increase the collaboration between COPUOS and the Conference on Disarmament.
41. His delegation reiterated its support for the creation of a world outer space organization to serve as a co-ordination centre for the peaceful uses of outer space, to collate results from all States, and to supervise the implementation of the international conventions on the non-militarization of outer space.
42. His delegation attached particular importance to the agreement reached by consensus at the twenty-ninth session of the Legal Sub-Committee on principles relevant to the use of nuclear-power sources in outer space in safe conditions. His country had suffered the tragedy of Chernobyl and it fully supported the views of the Working Group of the Legal Sub-Committee on the elaboration of draft principles relative to the use of nuclear-power sources in outer space. In that connection, it was important for the international principles governing protection against radiation to be strictly observed, in order to save mankind from a nuclear disaster.

The meeting rose at 12.15 p.m.