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Chairman: Mr. Mario AMADEO (Argentina).

AGENDA ITEM 21

Report of the Committee on the Peaceful Uses of Outer
Space (A/4987, A/C.1/857, A/C.1/L.301) (*continued*)

1. Mr. KULESHOV (Byelorussian Soviet Socialist Republic) said that within a mere forty years of the October Revolution the Soviet Union had launched the first earth satellite, thereby inaugurating the era of the conquest of outer space. The well-known achievements of the Soviet Union, the leading country in space exploration, were a clear demonstration of the advantages of socialism and contained the promise of unlimited further development in science and technology. At the same time the Soviet people, as the Chairman of the Council of Ministers of the USSR had said, regarded those achievements as belonging to the whole world. The Soviet satellites had gone into space as messengers of peace and friendship between peoples and in ushering in the era of space exploration they had emphasized the need for recognition by all States of the principle of peaceful coexistence. Mere talk about the desirability of using space for peaceful purposes was not enough: practical steps must be taken towards co-operation in all matters, including the development of outer space.

2. The Soviet Union acknowledged the achievements of the United States in outer space, and had no doubt that if the scientists of those two countries and others were to link forces, progress would be much more rapid. The United States representative had said that space was as yet free from earthly conflicts and prejudices. Unfortunately, those considerations had not prevented the United States from carrying out its West Ford project, despite world-wide protests. Military projects played an important part in the United States space programme, and any new success by the Soviet Union was always viewed by the United States from a military standpoint. The United States Press, complying with the wishes of monopolies which profited from the arms race, sought to present the Soviet Union's peaceful achievements in space as an attempt to achieve world domination. While publishing such slanders, the United States was attempting to make up for the failure of the U-2 policy by launching satellites designed to spy on the territory of the socialist countries. Such actions did not accord with its pious statements.

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3. At its fourteenth session, the General Assembly had, by resolution 1472 (XIV), set up the Committee on the Peaceful Uses of Outer Space to organize international co-operation in that field and to study the related legal problems, a step which his delegation had welcomed. Unfortunately, the Committee had not been able to function effectively because of the unrealistic policy of the Western Powers. So far only the Soviet Union and the United States had carried out space programmes of any importance, and accordingly it was clear that any acceptable decisions on international co-operation in that sphere must be based on agreement between those countries. Yet the United States was trying to ensure for itself a position such that it would be able to impose its will on the Soviet Union by means of an obedient majority of votes in the Committee. International co-operation was essential in any field of science, but particularly in space exploration because of its vast scale and cost. It was not an area in which chauvinism was appropriate.

4. The Soviet Union was carrying out a huge programme of space research involving all branches of science. The Soviet cosmonauts' flights had given valuable information on the conditions encountered by man in orbit and in returning to earth. Soviet scientists had already tested methods of putting rockets into interplanetary space and guiding space stations in flight. Important work had been done in such fields as long-range radio communications, the study of radiation near the earth and in outer space, the study of the upper layers of the atmosphere and space biology.

5. His country had always been in favour of international scientific co-operation for peaceful purposes; but such co-operation was frustrated by the arms race, and would reach full development only when general and complete disarmament had been achieved. The Byelorussian delegation hoped that the decisions taken by the General Assembly at the current session would be such as to promote co-operation between all States in the peaceful exploration of outer space. The Committee on the Peaceful Uses of Outer Space must reflect the actual situation in the world today, and, if it was to do constructive work, must operate on a basis of equality and unanimity among those taking part. It should bear the main responsibility for international space co-operation, and should be assisted by the Secretariat. The possibilities offered by the new era were too immense for their realization to be thwarted by national self-interest.

6. Mr. VAKIL (Iran) said that the responsibility for solving the urgent problems arising from the exploration of outer space rested primarily with the major Powers. Although the first satellite had been launched almost four years previously, there had been no serious attempt at international co-operation in that field, and the Committee on the Peaceful Uses of Outer Space had become inoperative. Yet it was en-

couraging that neither the United States nor the Soviet Union had claimed a privileged position in outer space, and that, since no State had objected to the free orbiting of satellites, it seemed to be tacitly acknowledged that territorial sovereignty did not extend beyond air space. Although progress in developing a legal code for outer space might be hampered if an attempt were made to formulate detailed space laws at the present early stage, the United Nations should select the more general and less complicated problems for early codification. At the meeting of the American Society of International Law held in April 1961, a long list of such problems had been suggested.^{1/} It was important that formulation of space law should not be put off on the pretext that outer space was a new and unexplored field. Agreement on the legal problems involved might promote scientific work, for the greater the attention paid to its peaceful uses, the less likely it was that outer space would be used for other purposes. The rational development of space technology could bring mankind great benefits; but those benefits would become possible only through international co-operation.

7. The meeting of the Committee on the Peaceful Uses of Outer Space held on 27 November, though it had been mostly procedural, had raised hopes that the long stalemate had come to an end, and that the co-operation aimed at in General Assembly resolution 1348 (XIII) would at last be achieved. Those hopes had been disappointed by the current debate in the First Committee. His delegation believed that the Committee on the Peaceful Uses of Outer Space should be enlarged in order to give adequate representation to African States; certain other changes in its composition which had been proposed would be at variance with the principle of geographical representation. The mandate of the Committee should be reaffirmed by the General Assembly, with such changes as might seem appropriate, but any formal change in voting procedure would be a retrogressive step reminiscent of the era of the League of Nations. He hoped that the current differences would be resolved and that the Committee on the Peaceful Uses of Outer Space would be able to start work early in 1962.

8. The draft resolutions in document A/C.1/L.301, which dealt with various aspects of international co-operation in outer space, did not dictate a rigid formula and would impose no undue strain on the resources of the United Nations. They would help to strengthen the work of existing specialized agencies in such fields as advanced weather forecasting and space communications. His delegation would therefore vote in favour of the draft resolutions.

9. Mr. DE LEQUERICA (Spain) said that the great advances made in space exploration since 1958 would be of certain benefit to mankind, provided that international co-operation in the uses of outer space was ensured. Although the most spectacular results had been achieved by two countries, others had carried out more modest programmes, or could co-operate in them, and all were affected by space activities. The Ad Hoc Committee on the Peaceful Uses of Outer Space had suggested in its report of 14 July 1959 (A/4141) that international co-operation in the use of outer space should be co-ordinated by the United Nations Secretariat. He noted that centralized co-

ordination through the Secretariat was provided for in document A/C.1/L.301, and his delegation had no objection to such an arrangement.

10. Draft resolution A in document A/C.1/L.301 laid the legal foundations for future space law. Since it was too early to settle all the legal problems involved, the sponsors of the draft had rightly confined themselves to laying down the principle that international law applied to outer space and celestial bodies, and the principle that outer space and celestial bodies were free for exploration and use by all States. It was clear from the debate in the First Committee and from the report of the Ad Hoc Committee on the Peaceful Uses of Outer Space that the second principle was already generally accepted, since no country had objected to the orbiting of space vehicles over its territory either during or since the International Geophysical Year.

11. His delegation considered that the mandate of the Committee on the Peaceful Uses of Outer Space should be renewed, and that Nigeria and Chad should be added to the Committee's membership in order to reflect the changes which had taken place in the membership of the United Nations.

12. There was no reason why the Committee should not follow the voting procedure laid down in the rules of procedure of the General Assembly, but for practical reasons he hoped that its work would be carried out in such a way as to permit agreement without any necessity for voting.

13. Mr. TSEVEGMID (Mongolia) said that over the preceding four years the Soviet Union had launched a whole series of heavy satellites into orbit around the Earth and the solar system, making it possible to study the upper atmosphere and photograph the other side of the moon. The flights and successful landings of Gagarin and Titov were of the utmost scientific importance. Considerable success had also been achieved by the United States in space research and interplanetary flights were no longer a remote possibility. In those circumstances, international co-operation in space exploration was essential. Mongolia was a small country, and had launched no satellites; but it was prepared to make its contribution. Such co-operation was particularly important for the underdeveloped countries; they were not yet able to undertake their own programmes, but they could participate in space exploration by carrying out observations and other scientific work on the ground. Mongolian scientists had participated in the International Geophysical Year, and their experience in that programme had confirmed the importance of international scientific co-operation. Scientists at the Ulan Bator Observatory had conducted valuable research in various fields, including the study of the upper atmosphere, the solar corona, cosmic rays and meteorology. The Mongolian Academy of Sciences co-operated with corresponding institutions in other countries. International co-operation, however, was beneficial only when it was based on equal rights; it was of no real value if States tried to turn it to their own advantage. His delegation therefore hoped that the First Committee would be successful in finding a solution to the problem of the peaceful use of outer space, and would come to an agreed decision on the composition of the Committee on the Peaceful Uses of Outer Space.

14. Mr. JHA (India) said that if outer space were once used for warlike purposes, it would be very difficult to restore it to peaceful use. Fortunately, the two

^{1/} See Proceedings of the American Society of International Law at its Fifty-Fifth Annual Meeting, held at Washington, D.C., April 27-29, 1961 (Published by the Society, Washington, D.C., 1961), p. 164.

Powers which had pioneered space exploration had recognized from the very beginning the need for international co-operation to ensure the peaceful use of outer space. But it was four years since the first satellite had gone into orbit, and the matter was now urgent. The Indian delegation believed that the United Nations was the body best fitted to promote the necessary international co-operation. It had therefore given strong support to General Assembly resolutions 1348 (XIII) and 1472 (XIV), and had agreed to serve on the Committee on the Peaceful Uses of Outer Space. Unfortunately, that Committee had been unable to proceed with its work because of the disagreement between the two major Powers on various organizational matters.

15. Although the application of space research would benefit all nations, international co-operation at present meant, primarily, agreement and co-operation between the two Powers which were able to conduct such research. His delegation had been disturbed by irresponsible statements made in political and military circles in support of the military use of outer space. It believed that all States, particularly the two great Powers concerned, should declare that outer space was not to be used for military purposes. The Antarctic Treaty was an excellent example of such a declaration. Although the representative of the United States had said (1210th meeting) that the military questions of space should be studied within the context of comprehensive negotiations for general and complete disarmament, the Indian delegation thought that a declaration of the kind suggested might make it easier for agreement to be reached on general and complete disarmament, and would greatly advance international co-operation in that field.

16. His delegation had no objection to the draft resolutions submitted (A/C.1/L.301), but would have preferred to see an agreed draft sponsored both by the United States and by the Soviet Union. The proposals for international co-operation in draft resolutions C and D were welcome, but careful study would be necessary before they could be carried out. His delegation would vote for the draft resolutions if they met with general approval in the Committee, particularly from the two principal Powers concerned.

17. He agreed with the principles proclaimed in operative paragraph 1 of draft resolution A, but he felt that the basic concepts of international law might perhaps be too limited for outer space, where the concepts of nationality and sovereignty would be out of place.

18. It was essential that the Committee on the Peaceful Uses of Outer Space should begin work as soon as possible. Since action in regard to international co-operation would have to be taken principally by two or three Powers, the Committee should be organized in such a way as to ensure that its decisions and recommendations would be acceptable to all concerned. It was obvious that resolutions adopted by a majority vote would achieve little; yet it did not seem practical to apply the principle of unanimity strictly, since that would give each member of the Committee a right of veto. His delegation thought that there should be no voting at all in the Committee, but that decisions should be taken by a consensus of opinion. When such a consensus existed—a matter which was easy to determine without voting—the Chairman could sum it up; when it did not, any important differences of views

should be reflected in reports to the General Assembly, which alone could take final decisions.

19. Mr. DEMETROPOULOS (Greece) observed that there was no difference of opinion in the Committee with regard to the goals to be pursued in the exploration and use of outer space. Nor had the draft resolutions submitted given rise to controversy. The only point of contention was the organization and methods of work of the Committee on the Peaceful Uses of Outer Space. His delegation, while it fully supported the principle of the sovereign equality of States, could not agree that the Committee's decisions should in all cases be unanimous. To require unanimity *a priori* would be at variance with the established procedure of Assembly Committees and would in effect confer more importance on a single State than on all the others acting collectively. Moreover, all Committee decisions remained subject to the General Assembly's approval. On the other hand, since it was true that resolutions on important questions could not in fact be carried out unless all Member States complied with their provisions, it was imperative that all concerned should agree on the broad principles which should govern activities in outer space. In particular, they should agree on the principle that international law should apply to outer space and celestial bodies, and on the principle that all nations should be free to use outer space and that celestial bodies should not be subject to national appropriation. Given agreement on those principles, it would be possible to define the task of the Committee on the Peaceful Uses of Outer Space in precise terms, so that it would be able to work harmoniously on the basis of purely scientific criteria. Once the basic principles had been established, moreover, there should be little difficulty in solving the problems which had arisen with respect to the composition of the Committee. The suggestion that Nigeria and Chad should be added to the membership seemed to be in conformity with the general desire to see the new African States adequately represented in the Committee; on the other hand, there was merit in the Swedish view that members should be selected on the basis of whether they could make a valuable contribution to the Committee's work. That might be determined in the light of their technological achievements, their scientific potentialities, the extent of their legal experience and their need for scientific progress in the development of their economies. The less developed countries might be transformed by the progress of space research even more markedly than the highly developed nations; they should accordingly be allowed to participate in the activities of the Committee. He hoped that unanimous agreement would be reached on the principles he had mentioned, so that the Committee on the Peaceful Uses of Outer Space could be reactivated, and he would support the draft resolutions in document A/C.1/L.301.

20. Mr. TARABANOV (Bulgaria) said that the spectacular achievements of the Soviet Union in space technology had demonstrated concretely the rapid advances of science in the use of outer space. Since those advances could be utilized to full advantage only through collaboration between all branches of science and technology, and by a joint system of financing, international co-operation in the field of outer space was imperative; moreover, such co-operation was the best guarantee that space would be used for peaceful purposes only. On the basis of those considerations, Bulgaria had consistently supported the measures taken in the United Nations to achieve international

co-operation on space matters, and regretted that the efforts of certain Powers to secure a privileged position for themselves in the Committee on the Peaceful Uses of Outer Space had prevented that body from functioning properly. The Powers in question had endeavoured to apply obsolete methods which would enable them to resolve the problems of outer space unilaterally, with the support of majorities made up of their military allies. Moreover, the statements made in the First Committee by certain delegations, in particular by the delegation of Australia at the 1211th meeting, indicated that that strategy had not been abandoned. But the work of the Committee on the Peaceful Uses of Outer Space could not be fruitful unless it was organized on a basis of full equality for all members, and unless decisions were taken by agreement. He hoped that the United States would reconsider its position on the organization of the Committee's work and that the Committee's composition would reflect the profound changes which had taken place in the world community.

21. In his delegation's opinion, the draft resolutions in document A/C.1/L.301 had a serious drawback: they would restrict participation in the work on outer space to Members of the United Nations and members of the specialized agencies, and thus limit the number of countries which could benefit from United Nations space activities. Obviously, the intention was to exclude the People's Republic of China, even though it was recognized in the preamble of draft resolution A that all mankind had a common interest in furthering the peaceful use of outer space, and that the use of outer space should be to the benefit of States irrespective of the stage of their economic or scientific development.

22. Mr. ROSSIDES (Cyprus) said that the most important effect of international co-operation in the peaceful use of outer space would be psychological: it would reduce cold-war tensions and inject a new spirit of brotherhood into human relations. The sharp conflicts arising from differences in economic and political systems on earth would be dwarfed by the broader vistas opened to the human mind, and a new consciousness of cosmic harmony, unity and order would turn humanity away from antagonism and strife.

23. It was encouraging to note that the approach of the United States and the Soviet Union to questions of

outer space had far been one of peaceful co-operation and peaceful competition. He hoped that that spirit would be maintained, and that the draft resolutions before the Committee would be adopted unanimously.

24. Mr. JHA (India), speaking on a point of order, said that negotiations were at present in progress between the principal States concerned with a view to the submission of an agreed draft resolution. Moreover, the debate had been characterized by a considerable measure of good will and agreement among delegations, which should be reflected in any draft resolution which might be put to the vote. In the circumstances, instead of holding its night meeting, at which France, the United States, the United Kingdom and the Soviet Union were scheduled to speak, the Committee might do well to postpone further consideration of the item until Monday, 11 December, when, after hearing the statements of those four Powers, it could proceed to the vote.

25. Mr. BELAUNDE (Peru) agreed with the representative of India that the Committee should not hold its scheduled night meeting, and should not vote on the draft resolutions in document A/C.1/L.301 until it knew what prospects there were of agreement on the text between the United States and the Soviet Union. However, he felt that the Indian suggestion should be amended in one respect: the Committee should reconvene, not on Monday, but on Friday, 8 December, for the purpose of continuing the general debate. At that meeting, it could decide in the light of the statements made by the major Powers whether or not to defer the vote on the draft resolutions.

26. Mr. JHA (India) accepted the amendment to his suggestion offered by the representative of Peru.

27. Mr. SIDKY (United Arab Republic) supported the suggestion of the Indian representative as amended by the representative of Peru.

28. The CHAIRMAN said that in the absence of any objection the night meeting would be cancelled and the Committee would meet the following morning to continue the debate on the item under discussion.

It was so decided.

The meeting rose at 1 p.m.