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**CONTENTS**

	Page
Agenda item 60:	
Question of the peaceful use of outer space (con- tinued):	
(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. . . . .	193

**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) (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**

1. Mr. ZORIN (Union of Soviet Socialist Republics) drew attention to the great scientific advances of recent years in respect of outer space and expressed regret that they had appeared at a time when relations between States were characterized by mistrust, by an armaments race and by a division into military blocs. The question of preventing atomic war and directing scientific research to peaceful goals was more acute than ever, since military preparations had assumed unprecedented proportions in certain countries.

2. In February 1958, the Secretary of Defense of the United States had published a list of thirty-four types of rockets on which military organizations of that country were working. According to the Press, the number of rockets under study was even higher. According to the publication *Newsweek*, the General Electric Company had reported that in 1958 the United States was spending \$5,600 million on military research and weapons development. In order to ensure approval of those expenditures, the United States Government was maintaining a war psychosis. United States military leaders were speaking of controlling cosmic space or of setting up a base on the moon in order to be able to attack the Soviet Union, and Senator Lyndon B. Johnson had stated in January 1958 that control over cosmic space meant control over the world, because it made it possible to influence the tides, atmospheric conditions and the climate of a particular area.

3. A modern war would be very different from earlier wars, because of the existence of intercontinental ballistic missiles. Nowhere could an aggressor be safe. The Soviet Union had consistently fought for peace and considered that the total prohibition of atomic and hydrogen weapons and the destruction of existing stockpiles were the only means of removing the threat which loomed over mankind. An agreement on that subject would automatically resolve the question of outer space. Unfortunately, the Western Powers had contrary views; they based their entire policy on the use of nuclear weapons, which they had installed at bases all over the world, except in the socialist countries. They had gone so far as to threaten to use those weapons against the Arab countries which were fighting for their independence.

4. The proposals presented by the Soviet Union on 15 March 1958 (A/3818 and Corr. 1) for a ban on the use of outer space for military purposes, for the elimination of military bases in other States and for international co-operation in the study of cosmic space pointed the way to a solution of the problem. Those proposals were repeated in the USSR draft resolution (A/C.1/L.219).

5. The problem would not be solved unless account was taken of the security of both the United States and the Soviet Union. The question of outer space was accordingly linked with that of the elimination, under appropriate supervision, of military bases on foreign territory. The opposition which had been voiced against the idea of linking those two questions represented an attempt to conceal the efforts of United States military circles to achieve strategic supremacy. The foreign bases of the United States would enable it to strike at the Soviet Union without having to use intercontinental rockets, since short-range or medium-range rockets, or even conventional bombers, would be sufficient for launching nuclear weapons against the Soviet Union. The main subject of the talks between the defence ministers of the United Kingdom and the United States just concluded at Washington had in fact been the intensification of the armaments race. At the present time, rockets with nuclear warheads were located on the territory of many countries. Supervision of intercontinental missiles without concurrent elimination of military bases on the territories of other countries would therefore be meaningless. In actual fact, the entire territory of the Soviet Union could be reached by intermediate-range rockets, as the *Christian Science Monitor* had pointed out in its issue of 9 September 1958.

6. That was the context in which the United States proposal to organize international co-operation in respect of outer space, without a parallel solution of the disarmament problem, had to be viewed. The United States was proposing the prohibition of intercontinental rockets, which could only be used against

its territory by way of retaliation, while retaining the advantage it derived from the military bases surrounding the Soviet Union and the other socialist countries.

7. It was self-evident that the Soviet Union could not accept a solution of the problem which thus endangered its own security and that of other countries. The USSR, which was engaged on a large-scale construction programme and would have nothing to gain by attacking anyone, was prepared to sign an agreement prohibiting the use of outer space for military purposes and providing that rockets should not be launched into cosmic space except as part of an international programme. It had one condition to set: that the agreement should provide for the elimination of military bases in other countries. Such an agreement would be consistent with the security interests of both the United States and the Soviet Union and would give neither of them military superiority. The entire world would profit by its conclusion, especially the countries in which United States strategic bases were situated.

8. It was impossible, and it would be regrettable, to halt the scientific progress which would make it possible, by means of rockets, to span the distances separating the earth from the other planets, but it was the duty of statesmen to guide that progress to peaceful ends. By accepting the agreement proposed by the Soviet Union, the Powers would greatly facilitate the solution of the disarmament problem; they would also open the door to extensive co-operation between the scientists of the whole world in studying the problems raised by cosmic space.

9. The previous year the United States had considered that the question of the peaceful use of outer space should be settled as part of a general disarmament agreement. At the present session, however, the United States Secretary of State had declared (749th plenary meeting) that steps must be taken forthwith with a view to using cosmic space to the greatest possible advantage of mankind, even if there was no agreement on disarmament. International co-operation in the field of cosmic space already existed in connexion with the International Geophysical Year, but that was not the point in question. The question of the peaceful use of cosmic space was much more complex, justifying the large number of measures provided for in the Soviet proposals. If the Western Powers really wished cosmic space to be used for peaceful purposes only, they would support the Soviet draft resolution. If not, they should say so openly.

10. The question of the peaceful use of cosmic space should be solved at the same time as that of eliminating military bases in other countries, it being understood that control within the general scope of the United Nations would make it possible to guarantee that States would honour their undertakings. The General Assembly would do well to take a decision of the kind at the present session. Such a decision could not fail to open wide the doors to fruitful international co-operation in the peaceful use of outer space.

11. Mr. LODGE (United States of America) deplored that once again the representative of the Soviet Union had distorted reality. His remarks about foreign bases indicated either a lack of understanding of the situation or a deliberate attempt to mislead the

Committee. Those bases were not "foreign" in the way the Soviet Union representative used the word, but mutual bases, to be used mutually for the common defence by common consent. The Soviet Union representative knew that under the United States system of government it was not possible for a United States base to be used for aggression; he also knew that the United States did not think that force was the way which should be used to solve the world's problems. The United States was deeply convinced that its system of government, permitting man's lot to be improved without sacrificing his rights, would win the competition with the Soviet system, which achieved its results at the expense of freedom.

12. The bases in question had always been established with the consent of the countries concerned and for their common defence. It was regrettable that the Soviet Union, with its system based on the principle of the domination of the strong over the weak, could not understand that relations between States might be founded on equality. Unlike the USSR, which had clearly shown its ideas in the matter by its behaviour in Hungary, the United States would not maintain any base in the territory of a State which withdrew its consent. No country had ever had to suffer through the presence of United States forces. No United States base had ever been used for aggression.

13. The Soviet Union sought the abolition of United States bases in order to destroy the capacity of the non-Soviet world to defend itself, more particularly the capacity of those States whose limited resources made it impossible for them to ensure their own defence. The example of the satellite countries showed what the non-Soviet world could expect if it lost its ability to defend itself.

14. Moreover, in attacking collective security arrangements, the USSR representative was attacking the Charter of the United Nations which specifically provided for them. He was also attacking the concept of national sovereignty, by virtue of which any nation had the right to remain neutral or to associate itself with whatever nation it wished in order to protect its independence. "Independence" did not mean "isolation".

15. The history of aggression since the Second World War showed that the presence of troops did not unleash war, but prevented it. That was illustrated by the case of Greece in 1946, of Korea in 1950, and, more recently, of Hungary and Lebanon. Warfare was more likely where the means of effective resistance were lacking.

16. It was true that military expenditure in the United States was heavy, but unlike the Soviet Union, where no one knew how much the Government was spending for the same purpose, the United States did not conceal what it was doing. The United States would like nothing better than to reduce its military spending, but it could not do so in the light of the proven aggressive nature of Soviet communist imperialism.

17. The United States was prepared to conclude an agreement to prohibit the use of outer space for military purposes. But there must be specific arrangements to ensure the application of such an agreement. Paper prohibitions were of no use whatever.

18. He agreed with the USSR representative that the disarmament aspects of outer space were important

and urgent, as indeed the United States had been the first to point out to the General Assembly on 14 January 1957 (A/C.1/783). In November 1957, the General Assembly had endorsed (resolution 1148 (XII)) the proposals submitted on that problem in August 1957 by the United Kingdom, France, Canada and the United States in the Sub-Committee of the Disarmament Commission (DC/113, annex 5). It was regrettable that the Soviet Union had never made a positive response.

19. Mr. ZORIN (Union of Soviet Socialist Republics) said that he saw in the United States representative's statement proof that the United States position contained a weak spot: its military bases on foreign territory. No pertinent argument had been put forward to justify their existence. The United States representative had vainly tried to stress the defensive nature of those bases, which were thousands of kilometres distant from the United States. Moreover, the American Press made it clear that the citizens of the United States were far from convinced themselves of the need to maintain those bases.

20. The United States representative had declared that United States troops were ready to leave a country as soon as it requested their withdrawal, but everyone knew that it was not easy for the countries concerned to make that request of the United States Government. Lebanon was a good example. The difficulty was still greater in the case of countries in which bases of the United States or of the North Atlantic Treaty Organization were already firmly established. In actual fact the United States only reduced its armed forces when it wanted to or when world public opinion forced it to.

21. Mr. LODGE (United States of America) pointed out that there were no longer any United States troops in Lebanon, whereas two years after the adoption of the General Assembly resolution on Hungary, Soviet troops were still stationed in that country. Moreover, the resolution on the question of Lebanon, which had been unanimously adopted, corresponded in every way to the draft resolution supported by the United States. On the other hand, when the Soviet Union had seen that it would not obtain sufficient votes for the draft resolution it had introduced condemning the action of the United States in Lebanon, it had hastened to withdraw its draft.

22. Mr. DE LEQUERICA (Spain) said that his country, freely exercising its rights, had concluded an agreement with the United States for the establishment of defensive bases on Spanish territory. The Spanish Government had taken all the precautions called for by the dignity and independence of Spain, and the United States Government had shown Spain all the consideration due to a free country, which could assuredly denounce the agreement without the least objection from the United States. But Spain had no intention of denouncing it, because in the present state of the world, it considered that by allowing the establishment of defensive bases on its territory it was contributing to the maintenance of peace in the face of the aggressive spirit of the USSR, which was now affecting a certain humanitarianism and was playing out a colossal farce about the prohibition of atomic weapons.

23. His country was not one which avoided taking sides or sat on the fence. It was on the side of the defence of civilization and liberty, and that defence,

in the age of rockets and guided missiles, could not be restricted to the frontiers of any one country.

24. Mr. PETER (Hungary) noted that the United States representative, having no further arguments, had once again brought up the so-called Hungarian question.

25. He wished to state that the Hungarian people did not need the protection of the United States delegation. The question was being raised again and again only because it was a cynical game of the "cold war". The only competent arbiter in the matter was the Hungarian people.

26. Mr. PINOCHET (Chile) pointed out that, on 4 October 1957, the day on which man had succeeded for the first time in launching an artificial earth satellite, the use of outer space had ceased to be a dream and had become a reality. The example of the Soviet Union had quickly been followed by the United States and at the present time there were plans to reach the moon and even other planets, and interplanetary travel was being discussed.

27. He described the tremendous possibilities indicated in the report submitted by the Science Advisory Committee to the President of the United States, Mr. Eisenhower, on 26 March 1958. There was no doubt that the ever more frequent excursions into outer space which man would make would be made first and foremost for scientific purposes, and that the information obtained would be extremely useful.

28. But life was a complex whole and certain problems were beginning to arise which could only be solved by jurists and statesmen. The first and the most important was to know to whom outer space belonged. The Paris Convention of 1919<sup>1/</sup> and the Chicago Convention of 1944<sup>2/</sup> had recognized the sovereignty of each State over the air space above its territory. It could be argued theoretically that that space was infinite, but no State could reasonably claim sovereignty over such air space.

29. Accordingly, national air space should be limited to a certain height, for example between 500 and 1,000 kilometres, and it should be recognized that the so-called outer space beyond that limit was a res extra commercium which could be used by all nations. That idea seemed to have been applied recently since neither the United States nor the USSR had asked for permission to launch its satellites, and no Government appeared to have protested.

30. The second problem was whether outer space could be used without restriction, in the same way as the high seas. He did not think so, since there was a very special character attaching to outer space, and its unrestricted use by interplanetary space-ships would endanger the security of mankind. The conclusion must therefore be that outer space must be used under international control and for peaceful purposes only. Some international law experts were inclined to think that the control of outer space should not extend to

<sup>1/</sup> Convention relating to the regulation of aerial navigation, signed at Paris on 13 October 1919. League of Nations, Treaty Series, vol. XI, 1922, No. 297.

<sup>2/</sup> Convention on international civil aviation, signed at Chicago on 7 December 1944. United Nations, Treaty Series, vol. 15 (1948), No. 102.

infinity but only over an intermediate zone beyond which interplanetary space would be completely free.

31. The third problem, which was not so far-fetched as some members of the First Committee might think, was whether the moon and the other planets in the solar system should be declared common property or considered res nullius, i.e. capable of appropriation by a State. Although the matter seemed theoretical at the present time, it must be solved before the problems of the first occupant and national supremacy arose.

32. The legal problems he had just mentioned were linked with political problems, particularly with regard to the control of outer space, and the two types of problems should be studied concurrently.

33. Logically, the control of outer space should be entrusted to a United Nations body. As a first step, the ad hoc committee on the peaceful uses of outer space which certain delegations proposed should be set up, could limit itself to gathering as much information as possible on all aspects of the problem. In addition, the International Law Commission might very usefully study the legal aspects of the question in co-operation with the International Civil Aviation Organization, the World Meteorological Organization, the International Telecommunication Union, the International Council of Scientific Unions and the International Astronautical Federation.

34. The international community had rarely had to deal with a matter of such interest and importance. The two great Powers whose efforts had carried man beyond the limits of the planet earth must realize that fact more than any others, since without their co-operation it would not be possible to arrive at agreement on that very complicated matter. Nor would any appreciable progress be possible if attempts were made to link that question with other outstanding problems.

35. But the repeated statements by President Eisenhower and the Prime Minister of the Soviet Union, Mr. Khrushchev, and the willingness shown by the scientists of the two countries on the subject gave grounds for hope that agreement would be possible.

36. Mr. AMBROSINI (Italy) believed there was an urgent need for the United Nations to study the problem of the use of cosmic space so as to ensure that it was not hindered or even diverted to dangerous ends. It was the duty of all States to co-operate spontaneously and closely in that matter, and he would state at the outset that Italy was prepared to do so.

37. The International Geophysical Year had inaugurated the era of the conquest of cosmic, or interplanetary, space and everyone must welcome the tacit and unanimous agreement which had permitted the launching and orbiting of rockets and artificial satellites, which flew over virtually all the territories of States, without a single protest having been made. The results of the experiments carried out by the USSR and the United States had already yielded fundamental information for the subsequent exploration of cosmic space and there was no doubt that astronautics would soon become a reality. There was, however, a danger that progress in that field might be retarded because of the huge financial burden which that new human activity imposed and which had hitherto prevented

technologically-advanced countries from launching artificial satellites. Those technical and economic difficulties could more easily be surmounted if there were close and spontaneous co-operation between all States, to the greater benefit of mankind.

38. Another problem, no less serious than the technical and financial problems, was that of determining the juridical nature of cosmic space and, consequently, the ways and means of using it and possible limits of such use. It was an oversimplification to maintain that the juridical rules already enforced for aviation could also serve, in large part, for astronautics, along with some accessory rules adapting them to the specific features of the latter for, in the first place, future developments in astronautics were an unknown factor, and in the second place, the primary and fundamental problem involved, that of State sovereignty, might be quite different in the case of astronautics from what it was in the case of conventional aviation. In that respect, it would not be in accordance with the letter of the Conventions of Paris (1919) and Chicago (1944) to maintain that a State had sovereignty over the space above it usque ad sidera, since, in view of the nature of the aircraft of the time, the authors of those Conventions could obviously only have had atmospheric space in mind.

39. At present there were no rules of international law defining the juridical nature of outer space and numerous theories had been proposed on the subject. John Cobb Cooper, Carlos Pasini and Arturo G. Crocco had taken into consideration the gravitational pull between the earth and the other planets. Their theories, however, had the grave shortcoming of including within the sovereignty of a State a "space" which was never fixed, but changed continuously owing to the effect of the earth's rotation and revolution; that would lead to a cosmographically and juridically absurd conclusion. Perhaps for that reason Cooper had abandoned his original theory and now maintained that State sovereignty should extend only to the point in the air space at which conventional aircraft now in use could maintain height and fly, adding to that zone of full sovereignty a further space which, by analogy with the sea, he called the "contiguous zone". However, that new theory had not found favour with jurists.

40. The theory accepted by the majority of jurists as the most rational limited sovereignty to air space. First of all, that theory accorded with the letter of the international conventions now in force. Moreover, it was logical that jurists should regard air space or atmospheric space as State territory and therefore subject to the sovereignty of the State, since the atmosphere was an integral and constituent part of the earth, accompanying it in all its movements of rotation and revolution, and was always of the same composition. As there was no justification for any form of terrestrial sovereignty over outer space, the only alternative solution was to regard that space as res communis omnium, as something belonging in its entirety to all the States of the earth and, conceivably, to all other communities of thinking and organized beings living on other planets. The Italian delegation considered it would be wrong to regard cosmic space as res nullius, since to do so would allow States to lay claim, on a permanent and sovereign basis, to portions of outer space with whatever satellites, such as the moon, they contained. On the other hand, it was

in favour of the free use of cosmic space under international regulation and control. Moreover, there was no doubt that if outer space was regarded as res communis—or, worse still, res nullius—States would be able to use it in time of war for military purposes, as was the case with the high seas. It was therefore essential to ban the use of cosmic space for military purposes and the General Assembly should make every effort to have such use declared illegal.

41. In the opinion of the Italian delegation, the Assembly should adopt the following measures to further the progress of outer-space research and experiments: (1) it should request all States to postpone the termination of the International Geophysical Year at least until the ad hoc committee proposed by the United States delegation in its memorandum (A/3902) had completed its work and submitted its recommendations to the General Assembly; (2) it should establish, as the delegation of the United States had proposed, an ad hoc committee to undertake the necessary studies and recommend special measures that the Assembly might adopt to ensure that outer space was used only for the benefit of all mankind, i.e. for

purely peaceful purposes; (3) it should instruct that committee to study specifically the juridical problems arising out of the exploration and use of cosmic space; (4) it should recommend the committee to work in close co-operation with other organs or specialized agencies directly concerned with the problem, in particular, with the International Civil Aviation Organization and the International Telecommunication Union. Together with several other delegations, the Italian delegation intended to submit a draft resolution based on those principles and proposals.

42. Italy was extremely interested in the idea of establishing an "international centre for outer-space research and experiments", which would not only gather information and co-ordinate the programmes of the various States in that field, but also train the experts needed for the preparation and implementation of those programmes. The Italian Government would be glad to have the proposed international centre in Rome, if it were created under the auspices of the United Nations.

The meeting rose at 12.55 p.m.