

United Nations  
**GENERAL  
ASSEMBLY**

EIGHTEENTH SESSION

Official Records



**FIRST COMMITTEE, 1346th  
MEETING**

Thursday, 5 December 1963,  
at 3.15 p.m.

**NEW YORK**

CONTENTS

	Page
Agenda item 28: <i>International co-operation in the peaceful uses of outer space (concluded):</i>	
(a) <i>Report of the Committee on the Peaceful Uses of Outer Space;</i>	
(b) <i>Report of the Economic and Social Council (chapter VII, section IV) . . . . .</i>	189
Agenda item 84: <i>Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems . . . . .</i>	191

Chairman: Mr. C.W.A. SCHURMANN  
(Netherlands).

AGENDA ITEM 28

International co-operation in the peaceful uses of  
outer space (concluded):

- (a) Report of the Committee on the Peaceful Uses  
of Outer Space (A/5482, A/5549 and Add.1, A/C.1/  
L.332);
- (b) Report of the Economic and Social Council (chapter  
VII, section IV) (A/5503, A/C.1/L.332)

1. Mr. TREMBLAY (Canada) said that his delegation was most satisfied with the arrangements intended to establish internationally agreed upon procedures for the exploration and use of outer space. He felt that the Committee on the Peaceful Uses of Outer Space had brought two years of vigorous discussion to a successful conclusion by approving the draft declaration of legal principles (A/5549/Add.1, para. 6). In his statement at the 1342nd meeting, the United Arab Republic representative had referred to "reservations" on the subject expressed by the Canadian delegation at the 24th meeting of the Committee on the Peaceful Uses of Outer Space; he (Mr. Tremblay) preferred to describe the remarks he had made at that time as simply the expression of a point of view. In fact, his delegation had said that the draft declaration of legal principles represented "the maximum area of agreement now possible",<sup>1/</sup> and in expressing its views it had merely wished to suggest how the existing principles might be elaborated when the time came. The draft declaration, as submitted to the First Committee, was the first chapter in the book of space law; the legal principles contained in it reflected international law as it was currently accepted by Member States. It was significant in that connexion that the two major space Powers had declared their intention, provided the draft declaration was approved by the General Assem-

bly, to conduct their activities in outer space in conformity with those principles. His Government also undertook to do so.

2. In view of the legal significance of the draft declaration, the principles should conform with the intentions of all potential space Powers. That point had to be borne in mind in considering the implications of including in the draft declaration the additional legal principle that outer space should be reserved for peaceful purposes only. It had been suggested that Member States should accept the same limitations on the use of outer space as they had with regard to Antarctica, which apparently meant that they should agree to exclude weapons from outer space even before weapons usable in outer space had been produced. The fact was, however, that at the time of the negotiation of the treaty making Antarctica an arms-free area no States had had weapons in that region or weapons systems which might have involved the use of Antarctica in case of war. However, intercontinental ballistic missiles, which today represented the great Powers' primary strategic weapon, would—if they were used—presumably pass through outer space on their way to a target. It was important to keep that fact in mind in order to form a realistic judgement of the nature of the problem. His Government was, of course, in favour of disarmament in outer space as on earth; it had, in fact, been the first to propose that States should undertake not to place in orbit weapons of mass destruction, and was gratified that General Assembly resolution 1884 (XVIII) had given effect to the proposal. That resolution and the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, signed at Moscow on August 1963, were important disarmament measures which had reduced the possible means of using outer space for military purposes. In so far as intercontinental ballistic missiles were concerned, the problem was not to prohibit their use in outer space but to negotiate an agreement reserving outer space for peaceful uses only.

3. His Government was satisfied with the progress being made in the establishment of a World Weather Watch and in the use of outer space for expanding telecommunications. It was also interested in the arrangements being worked out for the development of a single global telecommunications system. The results already achieved in the utilization of outer space on the basis of international co-operation represented one of the most constructive developments of the eighteenth session of the General Assembly. He hoped that the Assembly would unanimously approve the draft declaration of legal principles submitted by the Committee on the Peaceful Uses of Outer Space and the draft resolution regarding the future work of that Committee (A/C.1/L.332).

4. Mr. OKEKE (Nigeria) said that Nigeria, in spite of its limited resources, had already been able to

<sup>1/</sup> See the verbatim record of the 24th meeting of the Committee on the Peaceful Uses of Outer Space, annexed to document A/5549/Add.1.

participate in space activities, particularly in the preparations for the International Year of the Quiet Sun and in certain programmes undertaken by the space Powers. Since mankind could derive considerable benefits from the advances of space technology for peaceful purposes, especially in the field of satellite communications and space meteorology, his delegation wished to commend the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space and the specialized agencies concerned for what they had accomplished in that regard.

5. His delegation noted with satisfaction the recommendations of the Scientific and Technical Sub-Committee regarding, first of all, the World Weather Watch and the improvement of the world weather system and, secondly, the development of terrestrial communications systems so that all Member States, regardless of the level of their economic, scientific and technological development, could benefit from international space communications. Nigeria pledged its fullest co-operation in those undertakings. It believed, however, that the time had come for the Scientific and Technical Sub-Committee to submit more specific proposals, particularly with regard to the improvement of communications systems.

6. The recommendation of the Committee on the Peaceful Uses of Outer Space regarding education and training in space subjects was of particular interest to those countries whose technology was not very advanced. He hoped, therefore, that the problem of providing the developing countries with technical assistance in the field of outer space, especially in the training of their nationals, would be approached realistically. In that connexion, he welcomed the Scientific and Technical Sub-Committee's proposals aimed at the widest possible dissemination of relevant information.

7. His delegation was gratified that the Committee on the Peaceful Uses of Outer Space had achieved positive results with regard to the legal aspects of the problem. It was happy to note that the draft declaration, particularly the preamble and paragraphs 1, 2, 3 and 4, was guided by the general principles already laid down by the General Assembly in resolution 1721 (XVI). He expressed satisfaction that paragraph 6 of the draft declaration drew attention to the need to prevent interference with the peaceful uses of outer space. He regretted, however, that that paragraph did not impose a specific obligation on States to undertake consultations if any of their activities might radically modify the earth's environment or pose a threat to the human race. It was unfortunate that in spite of the progress made in the peaceful exploration of outer space and the persistent demands of mankind, it had thus far been impossible to formulate specific legal principles that would bar all military activities from outer space. A first step had been taken in that direction with the conclusion of the partial test ban treaty, and a second with the adoption of General Assembly resolution 1884 (XVIII). It was to be hoped that the declaration of intent contained in that resolution would be given more formal expression. In the meantime, his delegation insisted not only that outer space should be respected as res communis omnium but also that it should be used for peaceful purposes only.

8. Inasmuch as some delegations had expressed reservations concerning the responsibility of international organizations conducting space activities,

he wondered whether the views of some delegations might be met by making the last sentence of paragraph 5 of the draft declaration into a separate paragraph. With regard to paragraph 7, his delegation wished to make the same reservations that had been made by the Japanese representative in the Committee on the Peaceful Uses of Outer Space (see A/5549/Add.1, annex). It was hardly proper to require sovereign States to return objects falling in their territory without giving them the right to know what those objects were. He trusted that when the international agreement on that question was drafted, care would be taken to ensure that mutual obligations were assumed.

9. Since the exploration of outer space was still in its infancy, it might not be appropriate in all instances to draw up a comprehensive set of rules, but it was to be hoped that such rules would be worked out as advances were made in the exploration of space and, especially, that they would be translated into suitable legal instruments. In that connexion, the draft declaration was an encouraging first step. The space activities of States should be governed by principles laid down in an international treaty, in order to ensure the peaceful use of outer space and improve existing co-operation in that field.

10. Mr. CARVALHO SILOS (Brazil) noted the progress that had been achieved in the negotiations on the exploration and use of outer space. He still felt, however, that the draft declaration of legal principles suffered from certain shortcomings. His delegation considered that in view of the importance of the principle involved, especially for the developing countries, the idea expressed in the third preambular paragraph properly belonged in paragraph 1 of the declaration. Moreover, the principle that outer space would be used for exclusively peaceful purposes should have been proclaimed explicitly in the draft declaration; his delegation saw no reason why the task begun with General Assembly resolution 1884 (XVIII) should be left unfinished, especially since the Antarctic Treaty of 1 December 1959 banning the use of Antarctica for non-peaceful purposes could have served as an example. Furthermore, his delegation felt that the draft declaration should have provided for some form of international scrutiny of any communications system based on satellites, since otherwise the misuse of radio and television broadcasts by satellites might adversely affect international relations. That was not to say, however, that Brazil was opposed to the free flow of information throughout the world; on the contrary, its goal was to ensure a free and fair flow of information, and he accordingly supported the views expressed by the Committee on the Peaceful Uses of Outer Space in paragraph 14 (b) of its report (A/5549). The sixth principle enunciated in the draft declaration provided for a rather loose system of international consultations; his delegation felt that COSPAR could be given the task of determining whether or not a given experiment was detrimental to the activities of other States, and that ways should be devised of discouraging harmful experiments.

11. Finally, his delegation had some doubts as to the wisdom of the unqualified extension to outer space of the principles of the United Nations Charter and of international law. It should be borne in mind that the Charter had been drafted before the dawn of the atomic and space ages. Thus, international law and the Charter recognized the right of self-defence, which could be properly exercised on earth. That was only one example of the complex questions involved in the unqual-

ified application of international law to outer space. The Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space could perhaps determine which principles of international law could be conveniently extended to outer space. Despite its shortcomings, however, the draft declaration was a constructive step, and Brazil would vote for it.

12. Commenting on certain technical and scientific aspects of international co-operation in outer space, he pointed out that several Governments had considered the establishment of sounding rocket launching facilities; Brazil, which was in a favourable position geographically, had set up a Committee on Space Activities and instructed it to find a suitable location with a view to carrying out its programme of scientific research. In that connexion, his delegation wished to congratulate the Indian Government on its decision to invite a group of experts to visit the sounding rocket launching site at Thumba. The Committee on the Peaceful Uses of Outer Space had considered the expansion of international programmes in the field of meteorology; it was hardly necessary to stress the significance of such programmes for the developing countries in view of the impact which increased production of raw materials and farm produce would have on their economic development. His delegation had been particularly gratified to hear the United States representative refer to the co-ordinated action planned in that field by the United States and the Soviet Union and stress that the data obtained would be available to all countries.

13. The Scientific and Technical Sub-Committee had considered the question of providing assistance in the training of space technicians to countries which were not in a position to provide such training themselves. Assistance of that kind would be a logical outgrowth of the principle that the exploration and use of outer space should be carried on for the benefit of all States, irrespective of their degree of economic or scientific development. Such a programme could be administered by the United Nations, and his delegation felt that the time was ripe for the General Assembly to recommend that the space Powers should grant scholarships to specialists from countries interested in the development of space technology. By accepting that recommendation, the space Powers would demonstrate their sincere desire to transform the conquest of outer space into a common endeavour of all mankind.

14. In conclusion, his delegation wished to congratulate the Committee on the Peaceful Uses of Outer Space on the results so far achieved, which paved the way for an era of co-operation that could bring mankind closer to the ideals of social and economic justice and world peace.

15. The CHAIRMAN announced that the general debate had been concluded and invited the members of the Committee to vote on the draft resolutions.

16. Mr. MATSCH (Austria) recalled that at the previous meeting he had stated, with reference to draft resolution A/C.1/L.332, that the officers of the Committee on the Peaceful Uses of Outer Space wished to increase the membership of the Thumba mission to

six from the figure of five originally decided on. The purpose of the change was to include an expert from Argentina, a country in the southern hemisphere which already had sounding rocket launching facilities.

17. Mr. THACHER (United States of America) said that though he had reserved his position in that connexion at the previous meeting, he could now state that his delegation would agree to that change.

18. The CHAIRMAN said that if there was no objection, the word "five" in section II, paragraph 2 (e), of draft resolution A/C.1/L.332 would be replaced by the word "six".

*It was so decided.*<sup>2/</sup>

19. Mr. VELLODI (Secretary of the Committee) informed the Committee on behalf of the Secretary-General that the establishment of the group of scientists referred to in section II, paragraph 2 (e), of the draft resolution would call for an additional expenditure of the order of \$12,800 for the travel and incidental expenses of the members of the group. Provision had already been made in the 1964 budget estimates for the other activities of the Committee on the Peaceful Uses of Outer Space and its sub-committees.

20. The CHAIRMAN said that the Committee might wish to adopt by acclamation the draft declaration of legal principles governing the activities of States in the exploration and use of outer space, submitted by the Committee on the Peaceful Uses of Outer Space (A/5549/Add.1, para. 6).

*The draft declaration was adopted by acclamation.*

21. The CHAIRMAN proposed that the Committee should also adopt by acclamation the revised twenty-seven Power draft resolution (A/C.1/L.332/Rev. 1).

*The revised draft resolution was adopted by acclamation.*

#### AGENDA ITEM 84

Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems (A/5557)

22. The CHAIRMAN noted that the Committee would not have time to give proper consideration to agenda item 84 (Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems). With the agreement of the Romanian delegation, which had requested its inclusion in the agenda, he accordingly suggested that consideration of the item should be deferred until the nineteenth session of the General Assembly, and that at its next meeting the Committee should take up the last item on its agenda, the Korean question.

*It was so decided.*

The meeting rose at 4.10 p.m.

<sup>2/</sup> The text of the revised draft resolution incorporating this change was subsequently issued as document A/C.1/L.332/Rev.1.