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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

VERBATIM RECORD OF THE TWENTY-EIGHTH MEETING

Held at Headquarters, New York,
on Thursday, 29 October 1964, at 10.30 a.m.

Chairmen:

Mr. MATSCH

(Austria)

General debate (continued)

GENERAL DEBATE (continued)

Mr. EL-KONY (United Arab Republic): In this month of October 1964, the international community observes the seventh anniversary of the first successful effort by man to enter into outer space. The progress, indeed the significant strides of man in space, could only be measured by a comparison between the first sputnik of October 1957, and the multi-manned space ship launched and recovered in October 1964. This marked a new era in our national and international life. New potentialities, as well as new risks resulting from space exploration are constantly arising. Inasmuch as the space era has opened new hopes and dimensions, it has also created new responsibilities. The United Nations, being "a centre for harmonizing the actions of nations", had naturally to be concerned with the activities in outer space from the very beginning. It has not failed since 1958 to examine questions and matters related to the peaceful uses of outer space and, for that purpose, it adopted a series of resolutions on outer space and established the Committee on the Peaceful Uses of Outer Space.

The progress on the part of the United Nations could not, on the other hand, be compared to the spectacular progress of science in outer space. This is a fact which should urge all of us to mobilize further efforts to bring the role of this Organization into step with the progress in outer space. The rate of speed in exploring and promoting space should guide us when we are called upon to legislate on behalf of the international community in this new field.

The United Arab Republic has consistently declared its views with regard to the exploration of outer space, and it might be fitting today to put these views before the Committee as we feel that they remain valid and pertinent.

(Mr. EL-Kony, UAR)

First, it is our view that outer space should be used exclusively for peaceful purposes. We are aware of and gratified by the progress already achieved in this respect, namely, the agreement between the United States and the Soviet Union to the effect that nuclear weapons and other weapons of mass destruction shall not be orbited in outer space. This, however, meets only a part of the principle. Further agreement is certainly required for the banning of all other activities of a non-peaceful nature in outer space.

In this connexion, I should like to recall to the Committee that the Conference of Heads of State or Government of Non-Aligned Countries, held in Cairo this month, dealt with the problems of outer space and, in its programme for peace and international co-operation, stated the following:

"The Conference welcomes the agreement of the great Powers not to orbit in outer space nuclear or other weapons of mass destruction and expresses conviction that it is necessary to conclude an international treaty prohibiting the utilization of outer space for military purposes."

Secondly, international co-operation should serve as a basis for activities of States in space. If this principle has been recognized as desirable in other fields, it should be considered both essential and indispensable in relation to outer space. This is so for the very reason that outer space belongs to no single State, but rather to all mankind. Moreover, the financial and human resources required to explore space are far beyond the capacity of a single State, a fact which would make it more in the interest of all States to act together for the same objective.

In this connexion my delegation would like to refer to the importance of exchange and dissemination of information with a view to making exploration of outer space more universal and effective. My delegation will have the opportunity to elaborate on this point when the Committee examines the report of the Scientific and Technical Sub-Committee. I should like, however, to refer once again to the programme of peace and international co-operation issued by the Conference of the Non-Aligned Countries in Cairo, in which it was stated:

"The Conference urges full international co-operation in the peaceful uses of outer space. The Conference requests those States which have succeeded in exploring outer space to exchange and disseminate information

(Mr. El-Kony, UAR)

related to the research they have carried out in this field, so that scientific progress for the peaceful utilization of outer space be of common benefit to all. The Conference is of the view that for this purpose an international conference should be convened at an appropriate time."

In this connexion, I wish to refer to some views expressed in the Committee with regard to the advisability of holding in the future an international conference on the peaceful uses of outer space. It was suggested that such a conference would not serve a useful purpose, on the assumption that other international bodies are already engaged in such a work and that the convening of such an international conference would require considerable expense. We do not share this view since experience has proved the usefulness of the idea, particularly when it is related to new fields of science. The three conferences held under the auspices of the United Nations on the peaceful uses of atomic energy have certainly produced valuable results for all the participants. We therefore are of the opinion that this Committee would do well to revive the idea of holding an international conference on the peaceful uses of outer space. This should not mean, however, that we have a fixed position with regard to the timing of the conference. If the conference is to achieve maximum benefits for all concerned we should maintain a flexible attitude with regard to the timing, as well as to the patterns in substance and procedures to be followed.

My delegation believes that the United Nations Committee on the Peaceful Uses of Outer Space should give its utmost attention to the method of promoting an international system of education and training with a view to enabling the various countries to take an active interest in and contribute to the great adventure of space exploration. Scholarships, fellowships and exchange visits on a large scale constitute only a part of this system. Other means should also be considered. We are sure that UNESCO, WMO and COSPAR, as well as the Technical Assistance Programme of the United Nations, can offer a great deal of assistance to this Committee in the formulation of new patterns designed to achieve maximum international co-operation in this respect.

So much for the methods of international co-operation. I should now like to turn to the third point, and that is the role of the United Nations.

(Mr. El-Kony, UAR)

As I have already stated, there are two main objectives before us in outer space: first, to preserve it for peaceful activities; secondly, to promote and develop its resources on the basis of international co-operation. With these two objectives in mind the role of the United Nations becomes paramount, for this is the only institution which is empowered and indeed expected to perform such a role. It is true that there have already been considerable steps in this regard. It is pertinent to refer to the system of registration which has been instituted and in operation for several years. This is certainly a matter which could not conceivably have been performed by any national organization. On the other hand, the idea of establishing an international launching site is already materializing, and this would be another achievement for the United Nations. These are two areas that demonstrate the indispensable and singular role of this world Organization in outer space. It is our belief that this role must continually be strengthened.

Finally, I should like, on behalf of my delegation, to express our hope that the present session of this Committee will conclude with further concrete steps towards the achievement of more useful co-operation in the field of outer space.

Mr. CSATORDAY (Hungary): Among the latest records of achievements by States in space research and experiments my delegation would draw special attention to the outstanding space flight of the three Soviet cosmonauts who recently orbited the spacecraft Voskhod for a period of twenty-four hours. It has already been stated here, rightly, that this flight has proved the achievement of highly advanced space science and technology. It has been followed with admiration and enthusiasm all over the world as a historic event marking the beginning of a new significant phase in space exploration, namely, multi-manned space flights, which are recognized as being important and necessary in future research and activities in outer space, including the landing on other planets.

In joining my words of warm congratulation to those of other members of our Committee addressed to the Soviet delegation, we wish new successes for the Soviet Union in realizing its objectives in outer space exploration in harmony with the interests and expectations of all the peace-loving peoples of the world.

(Mr. Csatorday, Hungary)

The other space Power, the United States, should also be given credit and congratulated particularly for successfully photographing at close range the surface of the moon by means of an artificial satellite, the Ranger.

My delegation deeply appreciates the value of the work of the Scientific Sub-Committee. The recommendations unanimously adopted at its third session on exchange of information, encouragement of international programmes, education and training, international sounding rocket launching facilities, and potentially harmful effects of space experiments, commend themselves to this Committee for its unanimous approval also.

In making further comments on the second item on our agenda today, I should like to point to the gradually increasing role which is being played by the specialized agencies and other international bodies related to the United Nations in the field of outer space research.

(Mr. Csatorday, Hungary)

They provide a useful framework for international co-operation and prove to be capable of offering solutions to numerous problems in the relevant practical fields. It is the third time that progress reports have been submitted for the attention of our Committee on behalf of WMO and ITU, which are most qualified as well as interested in the research activities of the utilization of the potentialities of outer space.

It is especially gratifying to note the progress report of WMO concerning the establishment of a World Weather Watch, among other measures, in accordance with General Assembly resolution 1963 (XVIII).

The third progress report of ITU contains specific mention of one of the decisions of the Extraordinary Administrative Radio Conference held in Geneva in the fall of 1963, which deals with space vehicles in distress or emergency and the selection of a special frequency for the use of such vehicles. Presently, when the elaboration of an agreement on the rescue of astronauts and space ships in the event of accident or emergency landing is well under way such a measure will properly supplement the efforts of the international community to provide safety for astronauts as envoys of all mankind in outer space.

General Assembly resolution 1962 (XVIII) contains a provision to the effect that "The exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind". Accordingly, the common interest and the benefit of all should be primarily taken into account when the utilization of outer space as a media is to be carried on for communication, meteorological, navigational and other purposes. My delegation, being a proponent of the realization of the primary responsibilities of States, that is Governments, for outer space activities in every respect, pronounces itself strongly against any kind of so-called commercialization of space which is subjected to private profit-making operations in the use and exploration of outer space.

Now, during this session of our Committee, we are advised that a single global commercial communications satellite system is going to be established by about two dozen States participating through their designated entities in this undertaking, with the overwhelming power of business corporations of only one country.

(Mr. Csatorday, Hungary)

Since outer space should be a common source of benefit for every nation independently of the stage of economic development, it would be much preferable to have a communications satellite system based firmly on inter-State relations of sovereign and equal subjects of public international law instead of private entities, although properly authorized by their respective governments. Nevertheless, they unavoidably invoke the domestic law, and by this circumstance we have every reason to suppose that private international law will prevail in their mutual relations, and this in turn will cause a great many uncertainties.

Furthermore, a communications system on a sound basis should be truly international in character and not based upon monopolistic preponderance; it should leave the door open on an equal footing for those countries which are presently greatly in need of economic and technical assistance to develop their economies in order to have equivalent opportunities with the economically highly developed participant in every field of international co-operation, and not to be virtually excluded or down-graded by quotas, terms and provisions of any international association.

As noted in the report of the Scientific and Technical Sub-Committee, document A/AC.105/20, COSPAR made specific proposals concerning space experiments which might involve potentially harmful effects. The work done so far along this line by COSPAR is useful and encouraging at the same time. Now it is up to the United Nations and the individual States as well to comply with those recommendations in accordance with paragraph 6 of General Assembly resolution 1962 (VIII).

The Equatorial Rocket Launching Facility at Thumba, established upon the initiative of the Government of India, proved to be a great source of interest to scientists in the related fields. In joining the acknowledgement expressed by other delegations to the delegation of India, I should like to indicate my delegation's support for the proposed measures on continuing the operation of the Thumba International Equatorial Sounding Rocket Launching Facility. According to plans, Hungarian scientists also intend to conduct some experiments by sounding rocket with the help of this establishment in India.

(Mr. Csatorday, Hungary)

My delegation attaches special importance to the unanimous recommendation of the scientific and technical Sub-Committee concerning the convocation of a world conference on the peaceful uses of outer space under the auspices of the United Nations in 1967 commemorating the first decade of actual research in outer space. In observing today the steady enlargement of the number of States which are or will soon be involved in outer space activities, periodical conferences on these matters would greatly help the States themselves in orientation and development, and furthermore would be helpful to the work of our Committee. The conference will beneficially influence the cause of international co-operation, which is so needed in outer space activities.

The fact that the Cairo Conference of Heads of State of non-aligned countries pronounced itself in favour of a world conference on these matters eloquently indicates the interest of newly independent countries to participate constructively in the undertaking concerning the uses and exploration of outer space for the common benefit of all mankind. The world conference, if properly co-ordinated with the specialized agencies and other scientific bodies of an international character interested in outer space, would have great scientific importance as well as standard setting value. The expected financial burden would in this way also be made lighter for the United Nations budget.

Therefore, my delegation is inclined to be in favour of the preparatory measures for the conference to be taken by our Committee possibly at this session. From this point of view, the idea of a working group suggested yesterday by the representative of Italy seems to be worthy of careful study and proper consideration as one of the possible lines of future action.

The commendable achievements in the scientific and technical domain of outer space activities properly necessitated the realization of close interdependence between the two sides of related activities, namely the scientific-technical and the political-legal aspects of the exploration and use of outer space. The fourth paragraph of the preamble of General Assembly resolution 1962 (XVIII) is quite explicit in this respect, stating the desirability of "broad international co-operation in the scientific as well as in the legal aspects of exploration and use of outer space for peaceful purposes". Accordingly, resolution 1963 (XVIII) charged our Committee with three specific tasks.

(Mr. Csatorday, Hungary)

The first one concerns the legal principles governing the activities of States in the exploration and use of outer space with a specific stipulation to incorporate them in international agreement form in the future as appropriate. The second and third implications of that resolution pertain to the prompt preparation of draft international agreements on assistance to and return of astronauts and space vehicles in the event of accident or emergency landing and on liability for damage caused by objects launched into outer space.

(Mr. Csatorday, Hungary)

What must now be done is to evaluate the work of the Sub-Committees in the light of the mandate given us last year by the General Assembly and to establish the extent to which progress can be recorded on the implementation of resolution 1963 (XVIII).

The Legal Sub-Committee, at its earlier and recently resumed sessions, had a very useful exchange of opinions on the two specific subjects of assistance and liability. While attention has been focused primarily on those topics, it is regrettable that insufficient time has been devoted to the further elaboration of the legal principles.

The representative of Austria made a very wise point yesterday when he raised the problem of supplementing the Declaration of legal principles with new points and elements. My delegation fully agrees with what has been said on this subject, provided that concurrently the relevant provision of General Assembly resolution 1963 (XVIII) is complied with.

It is to be hoped that in the future proper consideration will be given to this highly important matter by our Committee, and also by the Legal Sub-Committee, so that further progress can be recorded on that aspect of our problems as well.

Despite the encouraging progress in the discussions on assistance and liability, the Legal Sub-Committee was unable to record an agreement on any of those draft conventions. Leaving aside now the question of the juridical complexity of the problem of liability, which undoubtedly needs further study and thorough consideration, I would say that concentrated efforts could have led to an agreement in the Legal Sub-Committee on the problems of assistance. It is regrettable indeed that a general consensus has not finally appeared, after agreement has been reached on most of the articles of the draft convention in question.

In the Legal Sub-Committee my delegation welcomed the efforts which had been made on behalf of the Soviet delegation in the presentation of a revised draft convention on assistance. This latest draft continues to serve as a sound basis for agreement in this field because its approach is both constructive and many-faceted, and it takes into account the various points raised by members of the Sub-Committee in the debates. In my delegation's view, one of the most commendable features of the revised Soviet draft on assistance is the fact that the principles of the

(Mr. Csotorday, Hungary)

Declaration -- General Assembly resolution 1962 (XVIII) -- are not only reflected but properly applied and made effectively workable in the specific field to be covered by the future convention in question. That is why the draft deserves our utmost attention and the favourable consideration of all interested parties members of our Committee.

Motivated by a sincere desire to contribute to and take an active part in the solution of the legal problems relating to the liability for damages caused by outer space activity, my delegation has submitted to the Legal Sub-Committee a draft convention on that subject. In presenting a draft proposal, my delegation fully realized the complicated nature of the problem, but maintained and continues to maintain that the difficulties could be overcome and a consensus obtained on the text of the future convention. The intention of our draft convention is to give a basis to that.

Now, after the thorough study and detailed consideration of our draft in the Sub-Committee, we are convinced and encouraged, among other things, by the support expressed by many delegations for our document. We greatly appreciate that attitude because it clearly demonstrates that our draft is sound and capable of providing a basis for agreement in the future. We strongly hope that the further clarification of views on this subject will pave the way for the reconciliation of such views. Although several points in the draft were debated during the discussion, none of the principal points was controverted. Nevertheless, my delegation will give careful study to all the points raised in the debates and will try to adapt the present text to the actual requirements so that, on the basis of existing similarities with other draft conventions, the differences may be eliminated and a fair agreement on liability eventually reached. We shall continue to exert our efforts to that end.

Concluding our remarks on those topics, my delegation would like to make one point abundantly clear. Whether it is a question of the convention on assistance or the convention on liability, the principle of universality should be maintained and incorporated in the texts of both conventions. That is provided for in the Soviet draft on assistance and return and in the Hungarian draft on liability. Because of the deep humanitarian implications of the matter in question, that provision should not be omitted.

(Mr. Csotorday, Hungary)

Leaving aside for the moment the general problem of the discriminatory exclusion of certain States from certain international agreements -- that is regrettably the case of the United States and Belgian draft resolutions -- I would say that, so long as one cannot guarantee that no assistance will be needed in the event of distress or emergency landing in the territory of such States or that no damage will be caused to them by space activities, there is no justification whatever for excluding them from the framework of international protection. Thus, if these envisaged conventions are intended to be applicable universally, they should be open to every State for accession.

Yesterday the representative of Italy noted with interest the proposal for a treaty of the nuclear test ban type, and said that he believed it to be in line with the trend developed during the constructive discussions of the Legal Sub-Committee. We, in turn, fully share that view and realize that its prevalence will be conducive to the conclusion of agreements concerning outer space activities, which should be truly international in character.

(Mr. GASTON J. HUNGARY)

Permit me, finally, to make one short concluding remark concerning page 34 of document A/AC.105/L.13 dealing with the review of national and co-operative international space activities. This document has been prepared with other papers for our present session by the Secretary-General making full use of the functions and resources of the Secretariat -- for which the acknowledgement expressed so far by many delegations is well deserved, and shared by my delegation too. However, in connexion with the above-mentioned page of the document referred to, I would express my delegation's regret that the compilation in question did not include the full and constitutional name of the State whose observatories are collaborating partners of several Hungarian Observatories in the framework of INTEROBS programme. The name of that State is the German Democratic Republic.

In our turn, we cannot ignore the existence of this kind of narrow-minded concept because it is contradictory to the realities in the world today. In the case of the German Democratic Republic, which is already participating in a way in the international co-operation in this field, the discriminatory status forced upon it has been outdated for a rather long time. The application of universality would do away with all such anachronistic symptoms and would open the way for all States to participate in outer space activities without discrimination.

In conclusion, my delegation would like to indicate that the activities of the year under review make imperative the concentration of our efforts on those problems which are ripe for solution on the scientific and technical side and on the legal side as well, in order to move forward gradually the whole subject of the peaceful uses and exploration of outer space, which is the concern of our Committee in particular.

May I reserve the right of my delegation to intervene again in our debates if the need arises.

The CHAIRMAN: Are there any other members prepared to speak at this meeting? I see that there are none.

The Committee can meet only tomorrow afternoon at 3 o'clock. There are inscribed for that meeting Poland, Japan, Argentina and Czechoslovakia. I hope all those who have not yet inscribed their names will do so as soon as possible because we may be able to finish the general debate on Monday afternoon.

The meeting rose at 11.25 a.m.