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ITEM 27: INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF
OUTER SPACE: REPORTS OF THE COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE, THE WORLD METEOROLOGICAL ORGANIZATION AND THE
INTERNATIONAL TELECOMMUNICATION UNION

Statement by H.E. Mr. Paul Tremblay
Vice-Chairman of the Canadian Delegation
in First Committee on December 4, 1962.

Mr. Chairman,

My delegation attaches particular importance to our debate this year on the report of the Committee on the Peaceful Uses of Outer Space. This is the first opportunity for the general Assembly to review the work of that Committee, whose functioning was made possible by agreement at the 16th session to enlarge the Committee's membership. Last year's debate was important because it preceded the first year of the Committee's activity and members had an opportunity to suggest what the Committee should try to do. This year, however, our Committee has the more difficult task of assessing the results of the Committee's first year of work.

I assume that there is a natural tendency for delegations, particularly delegations of countries which are members of the Committee on Outer Space, to be more concerned with the shortcomings than with the successes of the Committee. This reaction is to be expected particularly after the first year of the Committee's activity. Members of the Outer Space Committee had not previously had an opportunity to test the acceptability of their views to other members of the Committee. The Outer Space Committee works by consensus, and my delegation

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considers it important that every effort should be made to maintain this procedure. This means, however, that governments must recognize that the Committee's activities and decisions are limited to those which are acceptable to all members of the Committee and in particular to the major space powers. Naturally not all proposals made to the Committee were acceptable and this may have caused certain delegations to be dissatisfied with the Committee's accomplishments. My delegation assumes, however, that once these limits of common agreement have been defined through discussion, there may be less dissatisfaction with what the Committee has not achieved and more effort concentrated on expanding cooperation in areas of activity on which agreement has been reached.

Since the General Assembly proceeds by vote rather than by consensus, it is possible for the General Assembly to make recommendations in the field of outer space for which there may not be unanimous support. This debate in the First Committee therefore provides members of the Outer Space Committee with a chance to put forward their views, including if they wish those which have not been generally acceptable in the Outer Space Committee and to test the response of all members of the United Nations including those who are and those who are not members of the Outer Space Committee. The Outer Space Committee looks, therefore, to the General Assembly for guidance, both because many members of the United Nations are not members of the Committee, and also because of the difference in procedure between the General Assembly and the Outer Space Committee.

I think that the best proof of the success of the Outer Space Committee in the technical and scientific field is the lack of controversy over the recommendations in the

The first part of the report deals with the general situation in the country. It is noted that the economy is still in a state of stagnation and that the government has failed to implement the necessary reforms. The report also mentions that the population is suffering from high unemployment and that the social services are inadequate.

In the second part, the report discusses the political situation. It is stated that the government is weak and that there is a lack of political stability. The report also mentions that there are several opposition groups and that the government is facing a crisis of confidence.

The third part of the report deals with the social situation. It is noted that there is a high level of poverty and that the social services are inadequate. The report also mentions that there is a high level of crime and that the justice system is inefficient.

In the fourth part, the report discusses the economic situation. It is stated that the economy is still in a state of stagnation and that the government has failed to implement the necessary reforms. The report also mentions that there is a high level of inflation and that the foreign exchange reserves are low.

The fifth part of the report deals with the international situation. It is noted that the country is facing a difficult international environment and that there is a need for international assistance. The report also mentions that the country is a member of several international organizations and that it is participating in several international conferences.

In the sixth part, the report discusses the future prospects. It is stated that the country has a long way to go and that there is a need for comprehensive reforms. The report also mentions that there is a need for international assistance and that the government should focus on implementing the necessary reforms.

The report concludes by stating that the country is facing a difficult situation and that there is a need for comprehensive reforms. It also mentions that there is a need for international assistance and that the government should focus on implementing the necessary reforms.

Committee's report. We have the impression that all good ideas put forward at the meeting of the Technical and Scientific Sub-Committee in Geneva were accepted by the Committee on the Peaceful Uses of Outer Space and included in the report which we are considering and which the Committee has asked us to approve.

Draft Resolution A/C.1/L.320 which has already been tabled and of which my delegation is a co-sponsor rightly emphasizes in its section (A) those elements of the Outer Space Committee's report which deserve special support. Although cooperation in the exchange of information is not a dramatic development, it is obvious, I think, that organized exchange of information is the foundation of any successful effort to expand cooperation in this new and rapidly developing field of outer space.

Canada particularly favours the idea of establishing sounding rocket ranges in the equatorial regions. The Outer Space Committee has done useful work in drafting the principles to serve as guide lines for the establishment of sounding rocket ranges, the setting up of which would become the first concrete example of cooperation achieved through the Outer Space Committee. My delegation believes that the concept of sponsorship of such a range by the Outer Space Committee is an important factor in making possible cooperation between the two major space powers in countries other than their own. I do not mean to deprecate the important possibilities that already exist for bilateral cooperation in the exploitation of outer space. For example, we welcome the agreement reached by the United States and the USSR for cooperation in the use of satellites for mapping the world's magnetic field and for expanding meteorological observations. Canada also has special

reason to know that there can be fruitful cooperation on a bilateral basis. The satellite known as "Alouette" which was entirely made in Canada and which is conducting experiments in outer space of particular interest to Canadian scientists was launched by an American rocket. I might mention in parenthesis that all scientific information which Canada obtains through "Alouette" will be made available to the world scientific community. At an earlier date the United States and the United Kingdom cooperated in launching a satellite. These kinds of bilateral cooperation can and should continue. But the new element in the concept of sponsorship by the Outer Space Committee is that it encourages cooperation between the two major space powers in third countries, a development which in our view is most promising.

My delegation would like to thank the World Meteorological Organization and the International Telecommunication Union for their prompt and well-conceived responses to the requests made in Resolution 1721 for the elaboration by them of programmes for taking advantage of developments in outer space technology for the expansion of activities in these areas. We welcome the participation of the representatives of these two specialized agencies and of the other specialized agencies who are attending this meeting - the World Health Organization, IAEA and UNESCO. We hope that WMO and ITU, assisted by member governments, will continue to explore possibilities, particularly along the lines suggested in Sections B and C of Draft Resolution A/C.1/L.320, for the expanded application of outer space technology to their respective fields of activity.

I should like to take this opportunity to make one specific comment concerning the use of artificial satellites for telecommunications. Operative paragraph 3 of Section (C)

of Draft Resolution A/C.1/L.320 emphasizes the importance of achieving "effective satellite communications". We wish to express the hope that, in the interests of economy and efficiency, it may prove possible to design and establish a single system of telecommunications through outer space. This need not mean that the system will be controlled by one country or use only satellites designed and made in one country. What is important is that the communications network should be based on one conception and on international cooperation directed towards a system having wide coverage and a flexible design.

The field of space communications, Mr. Chairman, is one in which the International Telecommunication Union will have an important function to perform especially in assigning frequencies to support this system and in other technical matters. The Outer Space Committee will wish to review developments from time to time as a reflection of our common interest in developing a satellite communications system.

Members of the Committee will be aware that there was less agreement in the Outer Space Committee on legal aspects of its work. Although there was some recognition that there was important work to be done in elaborating agreements to provide for the return of satellites and for ascribing liability for injury, loss or damage resulting from space vehicle accidents, there was no agreement on the instruments by which these obligations and responsibilities should be recorded. We consider that these are important and necessary areas for international agreement. To illustrate the type of problem, I might refer to Canada's own satellite "Alouette". As I mentioned earlier, this satellite was made in Canada but launched by an American rocket. Without wishing to suggest that there is any danger of accident, it is a fact that pieces

of other satellites have fallen on earth. What if this were to happen with "Alouette"? Assuming the concept of liability were to be accepted, would the liability lie with Canada or with the United States? What if the booster rocket which put "Alouette" into outer space were to cause damage? Which country would be liable for that damage? And if someone wished to claim damages, how would he go about doing so? I mention these problems because I think they illustrate the need for a decision. The situation with regard to the Anglo-American satellite is even more complex. My delegation believes, therefore, that the United Nations General Assembly should request the Outer Space Committee to seek to resolve the remaining differences and achieve agreement on the matter of responsibility for the return of space vehicles and on liability for injury, loss or damage from space vehicle accidents.

As our debate has already revealed, the Outer Space Committee was not in agreement over the desirability and feasibility during its first year of activities of drafting further principles to guide the exploration and use of outer space. At the meeting in Geneva of the Legal Sub-Committee, the Soviet delegation introduced a draft resolution setting out principles to which it attached importance - many of which were in the view of my delegation contentious. In the circumstances of the Geneva meeting, this proposal was not really considered. At the meeting of the Committee on the Peaceful Uses of Outer Space in September at United Nations Headquarters, this draft resolution was reintroduced. The United Arab Republic delegation also introduced a proposal entitled "Code for International Cooperation in the Peaceful Uses of Outer Space". There was no time at that meeting to consider these two proposals but my delegation sensed that the Committee was in agreement that at the next

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meeting of the Outer Space Legal Sub-Committee principles to guide the exploration and use of outer space should be discussed. In this connection, we attach special importance to the statement of the United States representative during the meeting of the Outer Space Committee in September that the Legal Sub-Committee "could also appropriately consider the formulation of general principles".

If the Legal Sub-Committee failed to make the progress which had been hoped for in the drafting of the principles on the return and recovery of space vehicles and astronauts and on the responsibility of launching states, this was largely because some delegations to the Geneva meeting introduced proposals which clearly did not fall within the terms of reference of the Outer Space Committee. The proposals I have in mind were those involving military matters, questions which are most important but which belong in the context of disarmament negotiations in Geneva. An example of such an important problem concerning outer space which should be studied and resolved by the Disarmament Committee is the question of prohibiting the placing in space of weapons of mass destruction. Such a proposal was put forward by Canada in the Disarmament Conference in Geneva and my government expects it to be pursued at some stage in those negotiations. I refer to this to illustrate what my delegation firmly believes should be the approach to be followed if the Outer Space Committee is to be allowed to make progress in formulating legal rules and principles on questions concerning peaceful uses which clearly fall within its jurisdiction.

As early as 1957, the Prime Minister of Canada, Mr. Diefenbaker, spoke of the need for drafting law to govern the exploration and use of outer space. Although aware of the

problem of drafting law in an area in which man is still largely ignorant of the scientific, technological and geographic problems, the Canadian delegation considers that the subject is of such potential importance that the Outer Space Committee has a responsibility to discuss it. Moreover, through discussion in the Outer Space Committee, we would expect to gain greater knowledge of the scope of the problem. When there is agreement in the Outer Space Committee on a specific principle, the Committee should record that agreement and recommend it to the General Assembly for approval. These new principles would be added to the two basic principles which the General Assembly has already approved in its Resolution 1721 and which I now quote:

1. "International law, including the Charter of the United Nations, applies to outer space and celestial bodies" and
2. "Outer space and celestial bodies are free for exploration and use by all states in conformity with international law and are not subject to national appropriation".

With this approach in mind, my delegation considers it important that all suggested principles should be carefully considered by the Legal Sub-Committee of the Outer Space Committee - the members of which are specialists in outer space law - and subsequently by the Outer Space Committee before being submitted to the General Assembly for approval. This is a necessary precaution. In addition to the need for precise language which is essential wherever the law is concerned, there is the problem I have already referred to of uncertainty on the technical and scientific side.

My delegation nevertheless considers it necessary that our Committee should debate the merits of suggested principles such as those contained in Draft Resolutions A/AC.105/L.2 and L.6 which were tabled in the Outer Space Committee. This is the only means by which members of the Outer Space Committee can learn the opinions of members of the United Nations not members of the Committee concerning the various principles which have been suggested. All proposals and the records of the First Committee debate should then be transmitted to the Committee on the Peaceful Uses of Outer Space with the request that they formulate such principles as seem appropriate to the Committee and keep the problem under review. In this way, as our scientific and technical knowledge grow, we can look forward to the gradual development of a set of principles which could guide the exploration and use of outer space.

At the same time, where the nature of the problem is known in sufficient detail, the Outer Space Committee could also draft treaties, conventions, or declarations as appropriate to record in more formal and precise terms obligations and rights which could form the basis of the law of outer space proper. We believe that this approach to the development of the law of outer space will ensure that the problem is kept under constant review and that we are able to make as much progress in the formulation of outer space law as technical and scientific knowledge permits.

Mr. Chairman, I think it will already be apparent from my remarks that the Canadian delegation believes that the Committee on the Peaceful Uses of Outer Space has got off to a good start. We approve the Committee's decision to proceed by

consensus and consider that, accompanied by annual reviews of its work by the General Assembly, this procedure permits the maximum progress towards cooperation in the peaceful uses of outer space. On the technical and scientific side an effective if unspectacular groundwork has been laid for future cooperation. On the legal side, we discern encouraging possibilities for general acceptance of an approach which should permit an orderly and responsible development toward the formulation of law of outer space. In the view of the Canadian delegation, the Committee on the Peaceful Uses of Outer Space did good work during its first year and the prospects are for further and more rapid progress during its second year of activity.

