

No. 63/9 Statement of Canadian Permanent Representative
H.E. Paul Tremblay in the First Committee of
the General Assembly, December 5, 1963

...Canada is most satisfied with the arrangements in the preparation of which the United Nations has played a central role, intended to establish internationally agreed upon procedures for the exploration and use of outer space. Outer space, so recently opened for discovery, could, if we are not careful, become a cause for conflict between nations. We can all remember how in recent centuries nations competed and even fought over who was to control newly-explored territories. Hopefully, through the United Nations, we can arrange for co-operative exploration and use of outer space, so that from the first this co-operation will become a factor binding men and nations together rather than dividing them one from the other.

Our debate this year on the peaceful uses of outer space takes place just after one of the most auspicious developments - perhaps the most auspicious development - in the process of bringing international order in outer space. The Committee on the Peaceful Uses of Outer Space, meeting less than a fortnight ago, gave its approval to a draft declaration of legal principles governing the exploration and use of outer space which represents the first significant step in drafting space law. This achievement brought to a successful conclusion two years of vigorous discussion in the Outer Space Committee and its Legal Sub-Committee. In the course of this discussion agreement was first reached on the need for drafting a set of principles and subsequently a consensus emerged as to the principles which were ripe for immediate inclusion in a draft declaration. The Canadian Delegation considers it most fitting that the Outer Space Committee should have met on November 22 to complete this important work.

Reference has been made in the statement of the Representative of the U.A.R. on December 2 to "reservations" of the Canadian Delegation expressed in the Outer Space Committee on November 22. I should prefer to describe the comments made by the Canadian representative as the expression of a "viewpoint" - to adopt the alternative formula used in the Committee's report. The Canadian Delegation regards the draft declaration of principles, as is noted in the Additional Report of the Outer Space Committee (A/5541 Add. 1), as "the maximum area of agreement possible at this time". What the Canadian Delegation wished to do in expressing its point of view on the draft declaration was to suggest how the existing principles might be elaborated when the time comes for doing so. That statement is on record, attached to the Report, and there is no need for me to recapitulate it.

...The draft declaration which is before this Committee for its approval is, as the distinguished Chairman of the Legal Sub-Committee, Professor Lachs of Poland, has described it, the first chapter in the book of space law. What the Committee has done has been to approve a number of general legal principles. These legal principles are not merely goals; they are not simply expressions of hope. In the opinion of the Canadian Delegation, they reflect international law as it is accepted by member states. We consider it most important and significant that the two major space powers, the Soviet Union and the United States of America, should both have declared their intent, provided the declaration is approved by the General Assembly, to conduct their activities in outer space in conformity with these principles. For its part, the Government of Canada also wished to state its willingness, if the draft declaration is adopted by the General Assembly, to conduct any activities in outer space in which it may be involved in conformity with these principles.

It follows from this view of the legal significance of the draft declaration that the principles should conform with the known intentions of all potential space powers. This point has to be borne in mind in considering the implications of including in the draft declaration an additional legal principle that outer space should be reserved for peaceful purposes only. There have been some suggestions that member states should accept the same limitations on the use of outer space as they have previously done with regard to Antarctica. I take it that this analogy is intended to suggest that member states should agree to exclude weapons from outer space before weapons are devised which involve the use of outer space. I believe, however, that the situation in outer space differs from that which existed at the time that the treaty was negotiated making Antarctica an arms free area. To my knowledge, no states had weapons in Antarctica or had weapons systems which could involve the use of Antarctica if war were to break out. With regard to outer space, it is my understanding that intercontinental ballistic missiles, which represent the prime modern strategic weapon of the great powers (if they were to be used), would pass through outer space on their way to a target.

I think it is important to keep this fact in mind, so as to enable us to form a realistic judgment of the nature of the problem. I do not need to state in this Assembly that the Canadian Government favours disarmament in outer space as well as on earth. Many will be aware that the Canadian Minister of External Affairs was the first to raise, in the Eighteen-Nation Disarmament Conference on March 27, 1962, just two weeks after the opening of the conference, the possibility of states undertaking not to orbit weapons of mass destruction in outer space. The Canadian Government takes satisfaction from the unanimous passage at this very session of Resolution 1884, which has finally given effect to this proposal. Moreover, we all favour the treaty signed in Moscow on August 5, 1963, which, among other things, banned the testing of nuclear weapons in outer space. These are important disarmament measures, which have significantly reduced the possible means for using outer space for military purposes. More still remains to be done. But, in the view of my Delegation, it is important to recognize that, in so far as intercontinental ballistic missiles are concerned, it is not a question of keeping outer space free from such weapons. The problem we face is to negotiate in the appropriate forum a disarmament agreement which could have the result of limiting outer space to peaceful uses only.

If I do not mention other arrangements for achieving co-operation in outer space through the United Nations, it is because I believe that they have been adequately treated in statements already made in this Committee. I wish to mention in passing that the Canadian Government is satisfied with progress being made, particularly in the establishment of a world weather system and in the use of outer space for expanding telecommunications. The arrangements made at the Space Radiocommunications Conference convened recently in Geneva by the International Telecommunication Union represent an important development. My Government is also most interested in and following closely the arrangements which are being worked out for the development of a single global telecommunications system.

It is a strange commentary on the conduct of work in the General Assembly that controversy attracts more attention and stimulates more interest than effective co-operation. We are this year about to take the first significant step in the development of space law. We have also noted other arrangements through the United Nations family of organizations for developing the co-operative use of outer space. The progress we have recorded in this whole field is one of the most constructive developments of the eighteenth session. To confirm these developments, may I express the hope that the Assembly will give its unanimous approval to the draft declaration of legal principles submitted by the Outer Space Committee and to the draft declaration regarding the future work of the Outer Space Committee submitted by the members of the Committee.

