Chapter 5

UNISPACE [5]82 in Perspective

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UNISPACE '82 is unlikely to have a significant effect, either positive or negative, on the long-term space goals of the United States. The chief product of UNISPACE '82, the conference report, which has since been endorsed by the United Nations (U. N.) General Assembly, reflects a limited consensus among the industrialized and developing countries. Because the U.S. approach to UNISPACE '82 was neither a stunning success nor a dismal failure the conference may seem unimportant. * It is useful, however, to view such conferences, and U.S. participation in them, not as discrete phenomena focused on one set of technological issues, but rather as episodes in a continuing series of discussions involving the structure of international economics and politics. Attitudes and policies created at a conference such as UNISPACE '82 affect the debate on similar issues in other fora such as the International Telecommunication Union (ITU) or the U.N. Special Political Committee. The interplay of ideas among multilateral conferences can have a cumulative effect which could work to the net disadvantage of the United States. The direct broadcast satellite (DBS) resolution passed in the U.N. General Assembly in December 1982 (discussed in ch. 4) is one example of this problem.

In several respects UNISPACE '82 was typical of other conferences dealing primarily with developing country issues. In it, the Group of 77 *(G-77')* demonstrated their ability to overcome national differences and present a united face to the "North." Some G-77 countries criticized the United States (primarily for the militarization of space), denounced Israel (primarily for the invasion of Lebanon) and demanded new legal principles and strengthened international organizations. Nevertheless, UNISPACE '82 does offer an opportunity to review the development of international space policy, the role that the United States and its various agencies play in this process, and the potential effect of this process on public and private U.S. interests.

'One reviewer of OTA's efforts to evaluate UNISPACE '82 had this to say: "I believe that (UNISPACE'82) is not an important question. It seems to me that Congress hardly needs to be reminded that early involvement, selection of a statured and "permanent" leader and staff, etc., is necessary to perform at our best at such convocations. Moreover, I expect, if the facts were really known, the U. S. results were neither a raving success nor a dismal failure. . I seriously doubt that there was any permanent damage from what did or did not transpire at UN' I SPACE. Some of the countries' arguments are just not changeable; in other areas it is not all that important what other countries think and do. Moreover, there will be recurring forums where the U.S. position can be expanded. Some of those forums will undoubtedly be more important than UNISPACE-Vienna ' For a different viewpoint, see app. D.

INTERNATIONAL SPACE POLICY AND THE U.N.

The G-77 will continue their strategy of using global conferences of this sort to encourage changes in global resource allocation and technology transfer. The acquisition of space technology, because of the prestige it conveys and its potential to assist in development, will continue to be a valuable political target for the G-77. The United States, in order to protect its political and economic relationships with both the "South" and its OECD partners, as well as to ensure technical coordination of certain critical space systems (e. g., frequency allocation at ITU), will have little choice but to participate in such conferences. They present an opportunity not only to shape accommodations with developing country demands, but also to gain specific diplomatic and commercial advantages vis-a-vis our competitors. [1] Some of the typical complications inherent in effective participation in global conferences emerged at IJNISPACE '82.

U.S. international space policy depends directly on domestic space policy.—It would be advantageous if the U.S. delegates could attend global conferences with a set of clear policies regarding

[1] See generally, *A Handbook for U.S. Participation in Multilateral Diplomacy: The U. S. and U.N. Global Conferences;* prepared for the Department of State by The Futures Group (N. Graham, R. Kauffman, M. Oppenheimer), September 1981.

the entire range of space activities. Such clarity for all cases is impossible in a pluralist society where different administrations and different interest groups significantly affect both the allocation of resources for space technology and how this technology is applied (e.g., by the public or the private sector).

At several points during the conference preparation and at UNISPACE '82, issues arose that might have been resolved to benefit the United States had the delegation been able to present a clear statement of U.S. policy. For example, the first draft of the UNISPACE '82 report called on the United States to ensure the continuity of remote sensing data. Because the future of the Landsat system was (and continues to be) uncertain, at the March/April 1982 meeting of COPUOS this wording was removed at the request of the United States. Nations that have invested substantially in the use of Landsat data or the purchase of ground receiving and processing equipment regard this absence of promised continuity with deep concern. What the United States is willing to accept as the "institutionalized confusion" inherent in a democracy, others regard as yet another sign of U.S. unwillingness to state its international priorities clearly and precisely.

Whether or not a commitment to Landsat continuity would have been in the best interests of the United States is a subject that will be discussed in the full report.[2] In any case, the ability to make such a commitment might have been used **as a** bargaining chip when addressing developing world demands for a prior consent regime to govern remote sensing. It might have also prevented nations from looking too eagerly to the French SPOT system. Conferences such as UNISPACE '82 offer the United States the opportunity to explain its positions and to inform the world of the many complications of maintaining a broad multidisciplinary space program in a free society.

G-77 **solidarity is both a strength and a weakness for their causes.—The G-77 demonstrated convincingly at UNISPACE '82 that unity was their strongest weapon. From the beginning of the conference the G-77 met and developed positions** that stressed their agreement on the problems of the use of space technology rather than on their disagreements over what was to be done about such problems. However, as one author has pointed out, the costs of preserving this unity are considerable: [3]

> (Agreement is reached by finding grand issues over which there is consensus or by adding together each country's claims and concerns. While this "least common denominator" approach allows for agreement—and unity—it often prevents substantive negotiations with the North. Demagoguery tends to triumph rather than negotiable moderation. The G-77 is inflexible; simply stated, priorities cannot be decided upon, it is difficult to decide what demand to give up, and the negotiations can rarely be moved to the "who gets what and when" stage.

Evidence of the truth of this assertion was in abundance at UNISPACE '82. When developing a position on the use of geosynchronous orbit (GSO), the *G-77* included the demands of the equatorial nations, even though many *G-77'* nations oppose such demands. * Differences of opinion over the need for a U.N. Centre for Outer Space prevented either strong opposition or support for this proposal from the developing world: the proposal as it appears in the report is diluted and ineffective. The idea that the developed countries move their communication services out of the 6/4 GHz band, a radical proposal thought by some to have potentially great benefits for G-77 countries, vanished from the report with little debate. Indeed, most of the recommendations and proposals for studies that do appear in the conference report would, if instituted, give relatively little assistance to the developing countries.

The apparent unity of the G-77 on some issues may sometimes make it seem that the best the United States can hope for is to 'limit the damage" to U.S. interests in international conferences. For example, the United States knew well before UNISPACE '82 that G-77 countries were likely to present a nearly united front on the GSO, on DBS, and on remote sensing. It was also clear that these countries would raise the question of "militarization" of space.

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[2] *International Cooperation and Competition in Civilian Space Activities,* **OTA report, in preparation.**

[3] *Handbook for U. S. Participation in Multilateral Diplomacy,* op. cit., p.26.

*Discussed in ch. 2.

Because the G-77 consitute a relatively tenuous coalition, consensus on any given issue may be superficial and may allow more room for maneuver than is readily apparent. On the "militarization" issue, for example, the United States was not, as some expected, saddled with unilateral responsibility for the "arms race in space, " assailed for developing the space shuttle for use as a "weapen, " or condemned for all its military space activities. What did irritate many delegations, in and out of the G-77, was U.S. unwillingness—until the last possible moment—to acknowledge that UNISPACE '82 had any right to discuss the "militarization" issue. In retrospect, it appears that the United States might have maintained its basic position that the Committee on Disarmament in Geneva was the proper place for substantive treatment of the militarization of outer space and at the same time have acknowledged the importance of the issue to many UNISPACE '82 delegations. G-77 found an easy "rallying point" in what was widely regarded as U.S. "stonewalling" of the militarization issue. The initial hostility aroused on this point was then exploited by those opposed to the U.S. position on other issues. As a result, the fragile consensus of G-77 was hardened rather than fragmented.

How a U.S. delegation responds to the particular pressures and complications of a given global conference is a matter of tactics and will depend, to some degree, on the personality and experience af the delegation leadership. In the light of the experience with the G-77 on the militarization issue, the decision, made well before the conference, to attempt to "limit the damage" on it at UNISPACE '82 may have been ill-advised.

The future of consensus decision in internationd space affairs is in danger .—This method of decision involves patient and often frustrating negotiations intended to reach results (e. g., a plan of acion, a statement of principles, or specific treaty anguage) agreeable to all participants. COPUOS has used consensus successfully to reach agreenent on five international space treaties.[4] No rule if law binds COPUOS to the consensus method; ather, in 1961 the 28 member nations agreed to use consensus, unless agreement was impossible, in which case decisions would be taken by majority vote.[5] More recently, the expansion of COPUOS to 54 nations and the political stalemate between the "North" and "South" over the issues involved in remote sensing, DBS, and GSO, have strained the consensus process.

At UNISPACE '82 two issues nearly came to a vote. The first was the adoption of the rapporteur's summary of a debate on the Middle East; the second was the inclusion of two G-77 position papers in the report. * A vote on these issues was avoided by the last minute plea of the conference president, Willibald Pahr, that the contending parties attempt to reach a compromise. After informal discussion, they struck a compromise and the consensus procedure was saved (see ch. 4). The subjects of the disagreements are perhaps of less importance than the fact that many nations were prepared to abandon consensus decisionmaking in favor of voting. This fact was confirmed at the Special Political Committee meeting of November 1982, which was held, among other reasons, to adopt the 1982 COPUOS report and the UNISPACE '82 report in order to transmit them to the U.N. General Assembly for action.

The Special Political Committee, noting that COPUOS had been unable to reach an agreement on a set of principles to govern DBS and responding to a resolution introduced by a number of developing countries, decided to bring the DBS issue to a vote. [b] The resolution passed by a large majority. Over the protest of the United States, the U.N. General Assembly adopted a set of nonbinding principles governing the use of direct broadcast satellites—principles endorsing the right to "prior consent" of the nations receiving such broadcasts. * *

[4] See generally; E, Galloway, "Consensus Decisionmaking by the nited Nations Committee on the Peaceful Uses of Outer Space, " *urnal of Space Law,* spring, 1979.

[5] Ibid.

*For a summary of the debate on the G-77 position papers, see ch. 4.

[6] A/SPC/37/L.5/Rev.1; Nov. 19, 1982. Preparation of an International Convention on Principles Governing the Use by States of Artifical Earth Satellites for Direct Television Broadcasting (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Egypt, India, Indonesia, Iraq, Kenya, Mexico, Niger, Nigeria, Peru, Philippines, Romania, Uruguay, and Venezuela: revised draft resolution).

**The relevant section reads:

Consultations and agreements between States

A State which intends to establish or authorize the establishment of an international direct television broadcasting satellite service shall

(continued on p. 52)

Since these DBS principles are nonbinding, their precise wording is less important than the trend that they foster, viz., a willingness to bring political pressure to bear on the "North," even at the expense of the consensus process. It is now likely that majority voting will be used to resolve other difficult space issues. Consequently, the United States can expect to face demands, backed by the threat of a vote, to change its position on prior consent for remote sensing and equitable access to the GSO.

It is essential that the United States make the best use of its diplomatic and technical resources. Conferences such as UNISPACE '82 offer one means by which to accomplish this goal. Clearly articulated positions, well thought-out proposals, and creative diplomacy can do much to encourage the idea that, at least in space, other nations would do best to work with the United States rather than against it.

(cent'd)

without delay notify the proposed receiving State or States of such intention and shall promptly enter into consultation with any of those States which so requests.

An international direct television broadcasting satellite service shall only be established after the conditions set forth in paragraph 1 above have been met and on the basis of agreements and/or arrangements in conformity with the relevant instruments of the International Telecommunication Union and in accordance with these principles.

With respect to the unavoidable overspill of the radiation of the satellite signal, the relevant instruments of the International Telecommunication Union shall be exclusively applicable.

THE USE OF INITIATIVES AT UNISPACE '82

In order to reaffirm the U.S. commitment to international cooperation in space, the U.S. delegation proposed seven mulitlateral projects at UNISPACE '82:

- **Global Habitability. An international cooperative research effort to obtain data on changes of the environment that would affect the habitability of the Earth.**
- **Communication Satellite Technology Seminar.** A 2-week seminar for representatives from developing countries designed to promote the practical application of space communication technology.
- **Study on Development of International Emergency Disaster Assistance Communication System. A study to be undertaken by the Outer Space Affairs Division in consultation with interested international organizations.**
- **Conference on Disaster Monitoring and Early Warning. A 5-day conference given by the U.S. Agency for International Development (AID) on using space technology for early warning of disasters** such as flood, drought and famine.
- **Landsat Data Indexes. Compilation of a set of indexes and related maps designed to encourage the use of Landsat data collected over the years.**
- **Policy of Satellite Removal.** Recognizes value of policy of removing, when practical and feasible, satellites from GSO when their useful lifetimes are complete.
- **Annual Meeting of Space Technology Experts. An** annual 2-day meeting of representatives of government agencies responsible for space and space-related activities to be held just before the annual meeting of the Scientific and Technical Subcommittee of COPUOS.

Consistent with the leadership that the United States has always shown in international space affairs, the United States was the only country to present specific proposals for international cooperation at UNISPACE '82. However, because of the constrained preparation time and the lack of funds to implement long-term, expensive projects, it was difficult to reap the maximum politica' advantage from these proposals.

The proposals were presented by James Beggs, the head of the U.S. delegation, in his opening speech, and explicated at special "poster sessions' held during the conference. Because of the packec conference schedule and the fact that the room in which the poster sessions were held was a con siderable distance from the formal meeting halls attendance at the poster sessions was meager. Thi was partly because the U.S. delegation was un

able, because of time constraints, to make known its needs for meeting rooms well in advance of the conference. However, when the United States did make its request known, the UNISPACE '82 secretariat initially refused, and later only reluctantly agreed to assist the delegation.

Given the limitations of the facilities assigned by the Secretariat, the U.S. delegation might yet have used the poster sessions more effectively had the proposals been better integrated into the entire U.S. effort. It might have been politically desirable for the United States to seek joint sponsors for its proposals or at least to involve other countries in a debate on their merits during the course of the conference. This tactic would be less important for proposals, such as the Landsat Indexes or the Removal of Satellites from Orbit, which are unilateral in nature and made to demonstrate a cooperative spirit rather than to attract cooperation on a specific project. However, for projects such as the Global Habitability Study, which require international collaboration to be successful and for which the United States was not prepared to supply the funds, early and active participation by OECD and developing countries would seem essential.

FOREIGN POLICY AND THE NASA/STATE DEPARTMENT RELATIONSHIP

UNISPACE '82 provided an example of how the National Aeronautics and Space Administration (NASA) and the State Department coordinate their differing activities in the context of a global conference. Prior to UNISPACE '82, NASA and the State Department jointly developed conference positions and proposals. During the conference, although the Administrator of NASA was head of the U.S. delegation, the State Department was primarily responsible for articulating and defending U.S. positions. NASA, in addition to assisting the State Department in their efforts, also concerned itself with meeting other nations to plan for future international cooperative agreements. *

The ability to use space technology to accomplish diplomatic ends is a complex task. International space policy in the United States has evolved over the years, changing in response to both technology and the global political environment. The major actors in this process have been the President, NASA, the Congress, the State Department, the National Security Council, the domestic user community (including government agencies), and the private sector. Although all of these actors have contributed significantly, the great bulk of the task of putting international space policy into practice has fallen to NASA.

In 1958, President Eisenhower recognized that it would not be in the interest of the United States if all of NASA's international arrangements had to be in the form of treaties subject to the advice and consent of the Senate. Therefore, when signing the National Aeronautics and Space Act he cautioned that the act did not preclude "less formal arrangements for cooperation."7 It is through these "less formal arrangements" that NASA has conducted the majority of its international ventures.

The fact that NASA conducts its own international activities does complicate the use of space technology in the conduct of foreign policy. NASA'S role as a research and development or-

*After UNISPACE '82, NASA representatives stated that they conducted over 30 separate bilateral meetings during the conference.

*Section 205 of the NAS Act states: "The (NASA) Administration, under the foreign policy guidance of the President, may engage in a program of international cooperation in work done pursuant to this Act, and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate."

"White House Press Release, July 29, 1958. See also Statements by Presidents of the United States on International Cooperation in Space. Chronology: October 1957-August 1971, prepared by Eugene M. Emme, Director, NASA Historical Staff; Senate Committee on Aeronautical and Space Sciences, Senate Document No. 92-40, 92d Cong., 1st sess., Sept. 24, 1971, pp. 13-14.

ganization compels it to seek partners with which it can accomplish technological goals (see app. B). The State Department, the foreign policy organ of the American Government, pursues international relationships that accomplish political and diplomatic tasks. Because the State Department lacks the technical expertise to deal with space technology it has traditionally deferred to NASA's judgment on most international space activities.

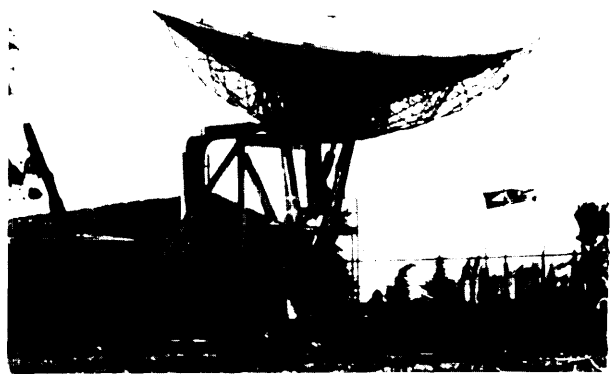
Examining the nature of the NASA/State Department relationship in light of its contribution to the implementation of U.S. foreign policy raises a number of questions. What degree of control should the State Department exercise over NASA'S international activities? Should access to NASA expertise and cooperation be used to attract support for U.S. positions on space affairs? Should the State Department be allowed to use space technology to bargain for international support on nonspace related issues? Would "politicizing" NASA work to the net advantage or disadvantage of the United States?

Examining these questions in full is beyond the scope of this report. They will be discussed in OTA'S, forthcoming assessment, International Cooperation and Competition in Civilian Space Activities.

ROLE OF THE PRIVATE SECTOR

Although most space activities have been previously sponsored or controlled by the Government, the U.S. private sector has played a major role in developing space technology and building space systems, especially for satellite communications. In addition to supplying the necessary satellite hardware, it pioneered creative management techniques to ensure efficient global communications. In the mid-1980's additional services will be available through direct broadcast satellites owned and operated by the private sector. Private corporations are now exploring the possibility of providing remote sensing, weather, and space transportation services. By the end of this century the private sector could be the major civilian actor in space.

In the United States, the government has consistently encouraged the involvement of private enterprise in its space programs. [8] In fact, the United States is nearly unique in the world in its separation of the Government and private sector. Because the role of private industry varies within each of the nations of the world, and because governments and not private industry enter into international space agreements, it is important that the U.S. Government work diligently to protect U.S. private interests in space. This is particularly important because the foreign customer: of space technology are likely to be governments



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UNISPACE '82 demonstrated that although co ordination between the Government and U.S. in dustry is difficult, the private sector can be an ex tremely valuable resource in U.S. participation at global conferences. U.S. industry contribute members and advisors to the delegation, and ex hibits of U.S. space technology.

The participants from the private sector wer able to assist the delegation by offering indc

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[8] *Civilian Space Policy and Applications (Washington,* D. C,: U.S. Congress, **Office** ot Technology Assessment, June 1982), OTA-STI-177.

Launching of S6S-3, the first commercial satellite to be placed in orbit during flight of STS-5

Photo credits National Aeronauts and Space Admln(strat/on

Space shuttle Columbia (STS-5) blasting off with Astronauts Allen, Lenoir, Overmyer, and Brand

pendent assessments of how events at the conference might affect U.S. commercial interests or domestic politics. Aside from their advisory role, these participants also engaged in informal discussions that allowed them to gather information from potential customers.

In addition to the formal conference activities, UNISPACE '82 sponsored an exhibit of national space programs. Uncertainty over whether the United States would attend UNISPACE '82 hindered U.S. preparations for the exhibit. Once the decision was made to attend the conference, Vice President George Bush met personally with several U.S. aerospace chief executives, urged them to attend UNISPACE '82, and assured them of Federal help. The Government financed the redesign of the exhibit hall in Vienna and provided transportation of the exhibits to Vienna. This close cooperation between the Government and the private sector resulted in an impressive and informative U.S. exhibit at UNISPACE '82.

Delays in the U.S. commitment to attend UNISPACE '82 and in naming the delegation caused some difficulty in making the most effective use of the private sector. Some private sector participants at UNISPACE '82 reported after the conference that they felt underused or that they were given little direction at the conference. This complaint was not unique to UNISPACE '82. A recent report prepared for the Department of State noted:[9]

> Precisely defining (the role of the private sector members of a delegation) is a problem area which has frequently plagued U.S. participation in multilateral diplomacy. Unfortunately, the resulting dissatisfaction among non-governmental members has tended to negate the potential benefits that were expected to accrue by naming them to the delegation in the first place. Their utility as advisors on various issues before the conference is minimized, and they are unlikely to be interested in playing a facilitating, public relations or lobbying role during the postconference implementation phase. Much potential good will and support is often lost.

[9] *"A Handbook for 11. S. Participation in Multilateral Diplomacy,* op. cit., pg. 119.

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Private sector advisors, with their valuable technical, organizational, and negotiating skills, can assist delegations at similiar conferences by working out innovative positions and by gathering international support for these positions. A more creative use of the private sector might also assist many delegates from the developing world to understand the critical role that the U.S. private sector has played in the growth of technology. This will be particularly important in future conferences on outer space as the U.S. private sector begins to move into the ownership and management of remote sensing, DBS, space-manufacturing, and space transportation systems.

The difficulty of integrating the private sector into the U.S. delegation demonstrates the necessity of spending enough time and effort preparin$_g$ private sector participants. For example, one private sector adviser at UNISPACE '82 was informed on his arrival in Vienna that he was

responsible for interacting with delegates from several African nations. The adviser received no directions regarding the purpose of his "interactions" or the issues that might be of special concern to the African delegates.

The role the private sector plays in the development of long-term U.S. space policy is also of crucial importance. On this subject a 1976 State Department report stated:'"

> Traditionally and factually, U.S. industry and U.S. Government have operated in a less-than-fully-cooperative manner. An atmosphere of suspicion as to motives on either side makes for arm's length relationships. . . . It is eminently appropriate that the Department of State recognize that, as the central repository for competence in dealing with U.S. relations with the rest of the nations of the world and with the principal responsibility for doing so, it must develop a productive relationship with the private sector which will permit and encourage the employment of appropriate technologies in support of U.S. diplomatic initiatives. And, indeed, it would be even more useful if the Department could involve appropriate representatives of the private sector in certain aspects of its own planning where industrial technology is to be involved.
>
> An alert and well staffed OES (Bureau of Oceans and International Environmental and Scientific Affairs) should be continuously active in developing an understanding of the interests, general and specific, of individual industrial companies and of specific segments of industry in overseas activities. In effect, a loose partnership of interests—governmental and industrial—should be fostered. This will require that OES recruit a small number of professionals with a strong desire to play a creative role in reestablishing and further extending the preeminence of the United States in most areas of technology. These should be persons with broad experience in industry or public policy deliberations.

As the number and type of private sector space activities increase it may be appropriate to form an industrial advisory group with expertise in specific space technologies. Such an advisory group could aid in conference participation, but, more important, it could be a useful means to conduct long-term policy formation and analysis.

[10] T K Glennan, "Technology and Foreign Affairs, a Report to Deputy Secretary of State Charles W. Robinson, " December 1976, p.33.