



Eighteenth session  
Agenda item 28

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

Report of the Committee on the Peaceful Uses of Outer Space

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REPORT OF THE COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

I. INTRODUCTION

1. The third and fourth sessions of the Committee on the Peaceful Uses of Outer Space were held at United Nations Headquarters, New York, from 25 February to 18 March 1963 and from 9 to 13 September 1963, respectively, under the chairmanship of Dr. Franz Matsch (Austria). Professor Mihail Haseganu (Romania) served as Vice-Chairman and Mr. Geraldo de Carvalho Silos (Brazil) as Rapporteur.
2. At its third session, the Committee held three meetings, the records of which were circulated as documents A/AC.105/PV.17, 18 and 19. An interim report on the work of the session was circulated as document A/AC.105/9. Extracts from this report are reproduced in annex I below.
3. The second session of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space was held at United Nations Headquarters, New York, between 16 April and 3 May 1963 under the chairmanship of Mr. Manfred Lachs (Poland). The second session of the Scientific and Technical Sub-Committee was held at the European Office of the United Nations, Geneva, between 14 and 29 May 1963 under the chairmanship of Dr. D.F. Martyn (Australia). The reports of the Sub-Committees on the work of their second sessions were circulated as documents A/AC.105/12 and 14.
4. At its fourth session, the Committee held four meetings, the records of which were circulated as documents A/AC.105/PV.20 to 23.
5. At the first meeting of the session the Committee adopted the following agenda:<sup>1/</sup>
  - (1) Opening statement by the Chairman.<sup>2/</sup>
  - (2) General debate.

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<sup>1/</sup> The provisional agenda was circulated as document A/AC.105/L.8.

<sup>2/</sup> See annex II.

- (3) Report of the Scientific and Technical Sub-Committee (A/AC.105/14) on the work of its second session and the reports prepared by the World Meteorological Organization (E/3794) and the International Telecommunication Union (E/3770).
- (4) Report of the Legal Sub-Committee (A/AC.105/12) on the work of its second session.
- (5) Report of the Committee to the General Assembly.

6. In the course of the general debate, statements were made by the representatives of Australia, Austria, Czechoslovakia, France, Hungary, India, Italy, Poland, Romania, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom and the United States of America. The statements, which contain a number of concrete suggestions concerning international co-operation in the peaceful uses of outer space, are reproduced in the records of the twentieth, twenty-first and twenty-second meetings. The Committee also heard statements by the Secretary-General of the International Telecommunication Union (ITU), by the representatives of the World Health Organization (WHO) and of the World Meteorological Organization (WMO), and by the representative of the Committee on Space Research (COSPAR) of the International Council of Scientific Unions, who attended the session as observers.

7. In considering the third and fourth items of its agenda, the Committee had before it in addition to the reports of the two Sub-Committees and the reports of WMO and ITU, an informal working paper prepared by its officers to facilitate the discussion.

## II. RECOMMENDATIONS BASED ON THE REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE AND THE REPORTS PREPARED BY ITU AND WMO

8. At its twenty-second meeting on 13 September, the Committee approved the recommendations set out below and presents them for consideration by the General Assembly.

### Exchange of information

9. The Committee, in view of the mutual benefits to be derived from keeping each other informed about national space activities,

(a) Calls the attention of all Member States to the requests in resolutions 1721 (XVI) and 1802 (XVII) for voluntary submission of information on national space programmes;

(b) Invites those Member States that have not yet done so to provide the Committee with information on their national activities in the peaceful exploration and uses of outer space, for circulation to all Member States.

10. The Committee notes:

(a) That at the present stage of space exploration and its peaceful uses, various reports submitted to COSPAR and the World Data Centres for Rockets and Satellites constitute another useful channel for the exchange of information about national space research programmes and the scientific results of space exploration;

(b) The importance of promoting, where appropriate, the exchange of scientific and technical information through those channels.

11. Because of the growing interest in benefits to be derived from international co-operation in the exploration and use of outer space, the Committee in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will prepare a working paper on the activities and resources of the United Nations, of its specialized agencies, and of other competent international bodies relating to the peaceful uses of outer space.

12. The Committee,

Having considered the feasibility of preparing a summary of national and of co-operative international space activities on the basis of these reports and information available from other reliable sources,

Will prepare this summary for circulation to Member States after due approval and in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat.

13. In view of the value to Member States of being able to make rapid searches of the space literature so as to be able to locate quickly all available information in a specific area of interest, the Committee, in co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will prepare for circulation to Member States a list of the sources of available bibliographies and abstracting services covering the scientific and technical results and publications in space and space-related areas.

Encouragement of international programmes

Programme for international co-operation in the field of space communications

14. The Committee,

Noting with interest the second report of ITU (E/3770) on studies which it has conducted on telecommunications in the peaceful uses of outer space in the period from May 1962 to April 1963 in response to General Assembly resolutions 1721 (XVI) and 1802 (XVII).

- (a) Draws the attention of Member States and specialized agencies to:
  - (i) The successful achievements of ITU in the field of space communications; and
  - (ii) The necessity for a careful study of the various programmes and suggestions put forward in the second report of ITU;
- (b) Reiterates that international space communications should be available for the use of all countries on a global non-discriminatory basis;
- (c) Urges that due consideration should be given to the technical recommendations of ITU in the development of space communications;
- (d) Recommends that all Member States, in accordance with the recommendations contained in the report of the Committee on the Peaceful Uses of Outer Space to the General Assembly at its seventeenth session (A/5181), take further appropriate steps, using to the fullest extent the possibilities offered by the technical co-operation programmes, to develop and extend terrestrial communication systems in various parts of the world so that all Member States, regardless of the level of their economic, scientific and technological development, will be able to benefit from international space communications;
- (e) Invites the specialized agencies and other competent international organizations to assist in the development and extension of such terrestrial systems.

Programme of international co-operation in satellite meteorology

15. The Committee:

- (a) Takes note of the arrangements made by the Fourth Congress of WMO for the preparation of detailed programmes on the research aspects of

meteorological satellites, providing for research on a very wide range of subjects (E/3794);

(b) Notes that in the programme on the research aspects of meteorological satellites, particular emphasis is placed on the need to establish a World Weather Watch, to develop meteorological observations from ground stations and to undertake research using information from meteorological satellites and conventional meteorological observations simultaneously;

(c) Recognizes that all countries of the world are interested in the establishment of the World Weather Watch, using information from meteorological satellites as well as conventional meteorological observations of all kinds;

(d) Urges Member States to facilitate the development of extensive international co-operation in the establishment of the World Weather Watch, with particular emphasis on comprehensive studies on improving the World Weather Watch system and on the need for improved facilities for the exchange of data from meteorological satellites and conventional meteorological observations.

#### International sounding rocket launching facilities

##### 16. The Committee,

In reviewing action undertaken in connexion with this item:

(a) Approves the establishment, at the request of the Government of India, of a group of five scientists, drawn from States members of the Committee and familiar with space research activities and facilities, to visit the sounding rocket launching site at Thumba in November or the latter half of December 1963 and to advise the Committee on the acceptance of United Nations sponsorship in accordance with the basic principles approved by the Committee in 1962, the scientists to be named after consultation with the Scientific and Technical Sub-Committee and with COSPAR by the Bureau in agreement with the Committee members;

(b) Invites COSPAR to review the geographic distribution of sounding rocket launching facilities and their capabilities from information about them given on a voluntary basis, and advise the Scientific and Technical Sub-Committee from time to time on desirable locations and important topics of research, taking into account the need to avoid duplication of effort;

(c) Urges that, where there is shown to be a need, Member States in appropriate locations, either singly or in co-operative groups, consider the establishment of such a launching facility following the basic principles approved by the Committee.

#### Education and training

17. The Committee,

Noting the value of international co-operation in the field of education, training and assistance in space activities,

Recognizing the many successful international and bilateral co-operative activities already in being and taking into account resolution 1721 (XVI), which stated that the exploration and use of outer space should be for the benefit of States, irrespective of the stage of their economic and scientific development,

Believing in the fundamental importance of education and training in achieving this objective,

Recalling the important role played by the Technical Assistance Board and the specialized agencies of the United Nations in this field,

In co-operation with the Secretary-General and making full use of the functions and resources of the Secretariat, will compile and organize in co-operation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), for circulation to Member States, reviews of information on facilities for education and training in basic subjects related to the peaceful uses of outer space in universities and other places of learning,

(a) Invites attention to the importance of scholarships, fellowships and other means of technical assistance in appropriate fields related to the exploration and the various peaceful uses of outer space, and to the value of encouraging initiatives in this respect;

(b) Invites Member States to give favourable consideration to requests of countries desirous of participating in the peaceful exploration of outer space, for appropriate training and technical assistance, on a bilateral basis or on any other basis they see fit;

(c) Invites Member States to consider the possibility of using such international sounding rocket facilities as may be set up in the future,

sponsored by the United Nations, for training in appropriate fields of peaceful exploration of outer space, at the discretion of the host country.

Potentially harmful effects of space experiments

18. The Committee,

Considering that certain experiments conducted in space may affect present or future scientific activities in this or other fields,

Considering that mankind, being concerned about potentially harmful effects of such experiments, seeks to be scientifically assured that such experiments will not adversely change the space environment or adversely affect other experiments in space,

Considering that international understanding and co-operation are important in the carrying out of such experiments,

Recognizing the need for careful preparation for, and conduct of, activities in the exploration and use of outer space in order to avoid potentially harmful interference with other such activities, and recognizing the scientific difficulty and the competence required to assess properly the nature and possibilities of such interference,

Noting that the COSPAR Consultative Group on the Potentially Harmful Effects of Space Experiments is composed of authoritative scientists and specialists on an international basis, and that their assistance is available to the members of COSPAR, the international scientific unions and bodies of the United Nations,

Encouraged by the successful conclusion in Moscow of the treaty banning nuclear weapons tests in the atmosphere, in outer space and under water,

Recognizes the importance of the problem of preventing potentially harmful interference with peaceful uses of outer space.

III. REPORT OF THE LEGAL SUB-COMMITTEE

19. The Committee noted that at the second session of the Legal Sub-Committee<sup>3/</sup> a very useful and constructive exchange of views had taken place. The results can be summarized as follows:

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<sup>3/</sup> Annex III contains the texts of the proposals submitted to the Legal Sub-Committee at its second session.



1. On the question of general principles governing the activities of States relating to the exploration and use of outer space, agreement was reached that they should take the shape of a declaration. However, no agreement has been reached as to the character of the document in which these principles are to be embodied, some delegations favouring a treaty-type document, others a General Assembly resolution.

2. As to the particular principles proposed for inclusion in the suggested declaration and the manner of their formulation, they may be divided into three groups:

- (a) Those on which there were no differences of view;
- (b) Those on which there has been a certain rapprochement of points of view;
- (c) Those on which differences of view remain.

With regard to two specific issues, namely:

- (a) Rescue of astronauts and space vehicles making emergency landings, and
- (b) Liability for space vehicle accidents,

a certain rapprochement and clarification of ideas was recorded and agreement was reached that the relevant instruments should take the shape of international agreements.

20. The Committee notes with gratification that as a result of the work of its Legal Sub-Committee and subsequent exchanges of views, there has been a narrowing of differences, which has been reflected in the Committee, and expresses the hope that a wider consensus may be achieved by the time this report is considered by the General Assembly during its eighteenth regular session. The Committee recommends that contacts and exchanges of views, which have been initiated, should continue for the purpose of reaching agreement on questions which have not yet been settled.

REGISTRATION

21. In conformity with the provisions of paragraphs 1 and 2 of General Assembly resolution 1721 B (XVI), the Committee has continued to receive information from the USSR and from the United States concerning objects launched into outer space. The information has been placed in the public registry maintained by the Secretary-General in accordance with resolution 1721 B (XVI) and has been circulated in documents A/AC.105/INF.17-44.

ANNEX I

Extracts from the interim report of the Committee on Peaceful Uses  
of Outer Space, circulated on 28 March 1963

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3. At its meeting on 25 February, the Committee approved the following agenda:
  1. Organization of the work of the Committee in 1963;
  2. Question of the establishment of an international equatorial sounding rocket facility (A/AC.105/8).
4. With regard to the first item on its agenda, the Committee agreed to instruct its Legal Sub-Committee to continue its consideration of legal questions connected with the peaceful uses of outer space, in the light of part I of resolution 1802 (XVII) adopted by the General Assembly on 14 December 1962. The Committee agreed also that its Scientific and Technical Sub-Committee should continue its study of scientific and technical aspects of international co-operation in the peaceful uses of outer space, in conformity with the resolutions of the General Assembly and the recommendations of the Committee at its first and second sessions.
5. The Committee agreed that its Legal Sub-Committee would meet at United Nations Headquarters from 16 April to 3 May and that its Scientific Sub-Committee would meet at the European Office of the United Nations from 14 to 31 May. Having in mind General Assembly resolution 1851 (XVII), the Committee further agreed that the Sub-Committees would meet away from United Nations Headquarters during 1964.
6. The delegation of the Union of Soviet Socialist Republics stated that it did not object to the convening of the Legal Sub-Committee in New York in 1963 as an exception, and that this should not constitute a precedent for the future.
7. The representative of the United Arab Republic suggested that the Scientific and Technical Sub-Committee should undertake a study of the question of providing the developing countries with technical assistance in the field of the peaceful uses of outer space with particular emphasis on the training of nationals of the countries concerned. Statements on this point were made by the representatives of the United States, India, the Union of Soviet Socialist Republics and Australia. The Committee agreed to the suggestion of the Chairman

that the records of the session be transmitted to the Scientific Sub-Committee so that the members of the Sub-Committee would be informed of the views expressed on the question of training facilities.

8. With regard to the second item on the Committee's agenda, the representative of India made a statement concerning the steps taken by his Government with a view to the establishment in India of an international equatorial sounding rocket facility. Statements were also made by the representatives of the United States of America and the Union of Soviet Socialist Republics.

9. The Committee welcomed the initiative taken by the Government of India in offering to be the host Government for an international equatorial sounding rocket facility under United Nations sponsorship and took note of the memorandum of the Government of India (A/AC.105/8) concerning the establishment of such a facility. The Committee further agreed to endorse the procedure outlined in paragraph 5 of the memorandum, in which the Government of India states that it will take appropriate steps to request the United Nations Committee on the Peaceful Uses of Outer Space to review the arrangements made by the Government of India and assure itself of compliance with the principles set out by it, with a view to recommending to the General Assembly that the facility in question be given United Nations sponsorship. The facility would be available for use by other countries as appropriate, and complete information about it and experiments at the site would be available to scientists and technicians of all Member States.

10. In connexion with this item the Committee also noted the statement made by the representative of Italy at its meeting on 25 February regarding the development of the San Marco project, a preliminary description of which was circulated to the Committee in document A/AC.105/4 dated 23 May 1962. The facilities and the results of experiments conducted would be made available to the international scientific community.

ANNEX II

Opening statement by the Chairman, made at the 20th meeting  
of the Committee, on 9 September 1963

Since its March session the Committee has received, besides information from the USSR and the United States containing registration data concerning objects launched into outer space, four reports: the second report of the Scientific and Technical Sub-Committee (A/AC.105/14), the second report of the Legal Sub-Committee (A/AC.105/12), a second report by ITU (E/3770) and a second report by WMO (E/3794).

The Scientific and Technical Sub-Committee under the chairmanship of Dr. Martyn (Australia) has presented to our Committee a unanimously agreed report containing a number of substantial recommendations to lay the groundwork for increased international co-operation in outer space. These recommendations fall under the following five topics:

(a) Exchange of information. In view of the mutual benefits to be derived from keeping each other voluntarily informed about national space activities, the Sub-Committee recommends ways and means for the exchange of information about national and co-operative international space research programmes and about the scientific results of space exploration. Thus greater co-ordination between programmes of international co-operation would be facilitated.

(b) Encouragement of international programmes. Having considered the second ITU report on studies conducted in the last year on telecommunications in the peaceful uses of outer space, in particular telecommunication satellites, and on the steps taken by ITU in compliance with General Assembly resolutions 1721 (XVI) and 1802 (XVII), the Sub-Committee recommends that the attention of all Member States be called to these ITU actions and especially that all Member States be urged to participate in the Extraordinary Administration Radio Conference to allocate frequency bands for outer space radio communication purposes convened for 7 October 1963 at Geneva. The Economic and Social Council has endorsed these recommendations and commended the ITU report in Section I of resolution 980 C (XXXVI) of 1 August 1963. The Sub-Committee recommends also

that all Member States take further steps to develop and extend communications systems in various parts of the world so that all Member States, regardless of the level of their development, will be able to benefit from international space communications.

The Sub-Committee, after having been informed by a representative of WMO of the progressive steps taken by this agency in pursuance of General Assembly resolution 1802 (XVII) - these progress details were later published in the second WMO report - recommends that our Committee take note of the arrangements made by the Fourth WMO Congress for the preparation of programmes on the research aspects of meteorological satellites and urges Member States to co-operate in establishing the world weather watch system outlined in the first WMO report.

(c) International sounding rocket launching facilities. At its spring session the Committee welcomed the offer of the Indian Government to be host Government for an international equatorial sounding rocket facility under United Nations sponsorship. The Indian Government submitted two informative memoranda concerning this space facility. The Committee is invited by the Sub-Committee to establish a group of space scientists to be named by the Scientific Sub-Committee to visit the Indian station and advise our Committee on the acceptance of United Nations sponsorship.

(d) Training. The Sub-Committee recommends that our Committee, in co-operation with the Secretary-General and, making full use of the Secretariat, compile and organize in co-operation with UNESCO, for circulation to Member States, reviews of information on facilities for education and training in basic subjects related to the peaceful uses of outer space in universities and other places of learning.

In addition, initiatives in establishing relevant scholarships, fellowships and other means of technical assistance are recommended. The Sub-Committee recalls that requests of countries for participating in space exploration, for training and for technical assistance could be met on a bilateral basis also; in the future international sounding rocket facilities sponsored by the United Nations would be made available for training of space scientists at the discretion of the host country.

(e) Potentially harmful effects of space experiments. The Sub-Committee recognized the need for careful preparation for, and conduct of, activities in the exploration and use of outer space in order to avoid potentially harmful interference with other such activities and recognized the scientific difficulty and the competence required to assess properly the nature and possibilities of such interference. The Sub-Committee noted that the assistance of a special co-operative consultative group of authoritative scientists is available to the members of COSPAR, the international scientific unions and bodies of the United Nations. Therefore, the Sub-Committee invited the attention of our Committee to the urgency and the importance of the problem of preventing potentially harmful interference with peaceful uses of outer space.

Since the Sub-Committee met in May one important aspect of harmful space interference, namely by nuclear weapons tests in outer space was brought closer to a solution when the USSR, the United Kingdom and the United States agreed on a treaty to ban such test explosions in outer space.

In order to facilitate the work of this Committee with regard to these unanimously agreed recommendations of the Scientific Sub-Committee, the Bureau has submitted a working paper containing these recommendations to the Committee for discussion when item 3 is taken up.

With regard to the second session of the Legal Sub-Committee, the Sub-Committee Chairman, Dr. Lachs stated in his resumé that the Legal Sub-Committee deliberations had been useful and constructive. As to general principles governing the outer space activities of States, agreement was reached that they should take the shape of a declaration. However, it was not agreed whether to embody these principles in a treaty or in a General Assembly resolution.

As to the particular principles proposed, Dr. Lachs stated that there were principles with no differences of view, those as to which a certain rapprochement emerged and those as to which differences remained.

The fact that some of the legal issues under discussion also contain military aspects makes it more difficult to reach agreement on such principles. Nevertheless, the Committee should continue its efforts to find solutions in the legal field in order to match the continuous scientific and technological progress in outer space.

In two specific issues discussed by the Sub-Committee, namely the question of rescue of astronauts and space vehicles making emergency landings and the question of liability for space vehicle accidents, a certain clarification of ideas was recorded and agreement reached that the relevant instruments should take the shape of international agreements.

The second ITU report submitted to our Committee in response to General Assembly resolution 1802 (XVII) is a progress report on the activities undertaken by ITU in the field of outer space. I have already referred to this report in so far as the Scientific and Technical Sub-Committee has submitted certain relevant recommendations. The ITU Administrative Council at its spring session completed the agenda for the Extraordinary Radio Conference and substantial progress emerged in preparing technical bases on which tentative plans for frequency allocations may be established. The second ITU report mentions a new branch of astronomy, namely radio-astronomy, which has already broadened our knowledge of the universe and which shares many problems of communication satellites systems in that the receiving stations on earth are called upon to receive extremely weak signals coming from points far out in space, such as space probes or even from the sun itself. Thirty-eight recommendations on this subject will be submitted to the Extraordinary Administrative Radio Conference in October 1963. A list of these texts is contained in annex 2 of the ITU report.

This list shows that there were many important problems connected with space communication systems which have to be investigated and solved before a world-wide space telecommunication system as envisaged by General Assembly resolution 1721 (XVI) could be established.

In general, it can be seen with satisfaction from the report that ITU is tackling all technical aspects of space communications until step by step over a period of years space telecommunications will be fully developed.

According to the second WMO report the Fourth World Meteorological Congress (April 1963) has established the general policy of the organization in satellite meteorology for the next four years. The concept of an over-all world weather service involving the use of conventional and satellite data and the establishment of national, regional and world centres has been endorsed. Advanced satellite



technology now makes it possible for any country to receive certain meteorological data directly from satellites.

The WMO report refers also to the considerable progress made by continued bilateral discussions between the United States and the USSR this year in the co-ordination of meteorological satellite programmes and exchange of data obtained therefrom, and to the fact that interested countries may obtain the data from a special telex link for meteorological purposes between Moscow and Washington.

The WMO report demonstrates that the agency has taken appropriate organizational and financial steps to meet the responsibilities assigned to WMO under General Assembly resolutions 1721 (XVI) and 1802 (XVII). The Economic and Social Council has already expressed its appreciation of WMO's activities in section II of resolution 980 C (XXXVI) of 1 August 1963. Since the WMO report was distributed, the United States of America and the Soviet Union have circulated the text of this year's bilateral agreement (A/5482) on the implementation of the co-ordinated meteorological satellite programme, on the world magnetic survey using satellites, on a passive communication satellite experiment and on future bilateral discussions by scientists of both countries of scientific results obtained from deep space probes towards Mars and Venus.

This resumé would not be complete without mentioning the fact that since the Committee's last session in March, great progress has been achieved in the penetration of outer space and in the exploration of its mysteries. Among other achievements, the orbits of Major Cooper, the team space flight of Miss Tereshkova and Colonel Bikovsky the launching of Luna IV and Syncom II are undoubtedly outstanding results.

The Committee welcomes the presence of the Secretary-General. I should also like to welcome and introduce to the Committee the new Under-Secretary for Political Affairs, Mr. Vladimir Suslov, who is in charge of outer space matters in the Secretariat.

ANNEX III

Proposals submitted to the Legal Sub-Committee  
at its second session

A

UNION OF SOVIET SOCIALIST REPUBLICS: DRAFT DECLARATION OF  
THE BASIC PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN  
THE EXPLORATION AND USE OF OUTER SPACE

The Governments of the States whose representatives have signed this

Declaration,

Inspired by the great prospects opening up before mankind as a result of penetration into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development.

Desiring to promote broad international co-operation in the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples.

Taking into consideration General Assembly resolutions 1721 (XVI) and 1802 (XVII), approved unanimously by all the States Members of the United Nations,

Noting the interrelationship of the technical and legal aspects of the activities of States in outer space,

Solemnly declare that in the exploration and use of outer space they will be guided by the following principles:

1. The exploration and use of outer space shall be carried out for the benefit and in the interest of the whole of mankind.
2. Outer space and celestial bodies are free for exploration and use by all States; sovereignty over outer space or celestial bodies cannot be acquired by use or occupation or in any other way.

3. All States have equal rights to explore and use outer space.

4. The activities of States pertaining to the conquest of outer space shall be carried out in accordance with the principles of the United Nations Charter and with other generally recognized principles of international law in the interests of developing friendly relations among nations and of maintaining international peace and security.

5. The use of outer space for propagating war, national or racial hatred or enmity between nations is inadmissible.

6. Co-operation and mutual assistance in the conquest of outer space shall be a duty incumbent upon all States; any measures that might in any way hinder the exploration or use of outer space for peaceful purposes by other countries may be implemented only after prior discussion of and agreement upon such measures between the countries concerned.

7. All activities of any kind pertaining to the exploration and use of outer space shall be carried out solely by States. If States undertake activities in outer space collectively, either through international organizations or otherwise, each State participating in such activities has a responsibility to comply with the principles set forth in this Declaration.

8. States shall retain their sovereign rights over objects they launch into outer space. Rights of ownership in respect of objects launched into outer space and their components remain unaffected while they are in outer space and upon their return to the earth.

9. The use of artificial satellites for the collection of intelligence information in the territory of a foreign State is incompatible with the objectives of mankind in its conquest of outer space.

10. States shall regard cosmonauts as envoys of mankind in outer space and shall render all possible assistance to spaceships and their crews which may make an emergency landing on the territory of a foreign State or on the high seas; spaceships, satellites or capsules found beyond the limits of the launching State shall be returned to that State.

11. A State undertaking activities in outer space bears international responsibility for damage done to a foreign State or to its physical or juridical persons as a result of such activities.

The Governments of the States signatories to this Declaration call upon all the States of the world to accede to it.

B

UNION OF SOVIET SOCIALIST REPUBLICS: DRAFT INTERNATIONAL  
AGREEMENT ON THE RESCUE OF ASTRONAUTS AND SPACESHIPS  
MAKING EMERGENCY LANDINGS

The Governments of ...,

Recognizing the common interest of mankind in furthering the peaceful uses of outer space,

Wishing to do their outmost to assist the crews of spaceships which may meet with an accident,

Have decided to conclude this Agreement and for this purpose have appointed their representatives who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

Article 1

Each Contracting State shall render assistance to the crews of spaceships which have met with an accident and shall take steps to rescue astronauts making an emergency landing; to this end it shall employ every means at its disposal, including electronic and optical equipment, means of communication, and rescue facilities of different kinds.

Article 2

A Contracting State which discovers that the crew of a spaceship of another Contracting State has met with an accident shall do its utmost to notify the launching State without delay.

Article 3

In the event of astronauts of a Contracting State making an emergency landing on the territory of another Contracting State, the latter shall immediately inform

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the launching State of the occurrence and shall take all possible steps to rescue the astronauts making the emergency landing and to render them the necessary assistance.

#### Article 4

If the astronauts are presumed to have made an emergency descent on the high seas, a joint search for them shall be made, if necessary, by those Contracting States to which the launching State may make application.

#### Article 5

The assistance to be furnished when necessary by one Contracting State to another Contracting State shall in no way differ from the assistance which could be furnished to its own astronauts.

#### Article 6

Each Contracting State shall do its utmost to facilitate the early return to their own country of any astronauts of another Contracting State who may make an emergency landing on its territory or who may be rescued on the high seas.

#### Article 7

Foreign spaceships, satellites and capsules found by a Contracting State on its territory or salvaged on the high seas shall be returned without delay to the launching State if they have identification marks showing their national origin and if the launching State has officially announced the launching of the devices found.

Space vehicles aboard which devices have been discovered for the collection of intelligence information in the territory of another State shall not be returned.

#### Article 8

The expenses incurred by a State in fulfilling the obligations provided for in articles 6 and 7 of this Agreement shall be reimbursed by the launching State.

Article 9

This Agreement shall be open for accession to all the States of the world.

C

UNITED STATES OF AMERICA: DRAFT PROPOSAL ON ASSISTANCE  
TO AND RETURN OF SPACE VEHICLES AND PERSONNEL

The General Assembly,

Recognizing that the personnel of space vehicles may from time to time be the subject of accident or experience conditions of distress,

Recognizing that there may occur landings of space vehicles, and their personnel in the case of manned vehicles, by reason of accident, distress or mistake, or otherwise than as planned,

Believing that in such circumstances the action of States should be governed by humanitarian concern and with a due regard for scientific needs,

Commends to States for their guidance the following principles:

1. All possible assistance shall be rendered to the personnel of space vehicles who may be the subject of accident or experience conditions of distress or who may land by reason of accident, distress or mistake, or otherwise than as planned;
2. Space vehicles, and their personnel in the case of manned vehicles, that land by reason of accident, distress or mistake, or otherwise than as planned, shall be safely and promptly returned to the State or States or international organization responsible for launching;
3. Any expense incurred in providing assistance to or return of space vehicles and their personnel shall be borne by the State or States or international organization responsible for launching.

D

UNITED STATES OF AMERICA: DRAFT PROPOSAL ON LIABILITY  
FOR SPACE VEHICLE ACCIDENTS

The Committee on the Peaceful Uses of Outer Space,

Recognizing that there may occur personal injury, loss of life or property damage as a result of space vehicle accidents,

Recognizing that States and international organizations responsible for the launching of space vehicles should be liable internationally for such injury, loss or damage,

Believing that there should be agreed rules and procedures applicable to such cases,

1. Requests the Secretary-General to constitute a small advisory panel of legal experts drawn from various geographic areas;

2. Requests the advisory panel thus constituted to prepare a draft of an international agreement dealing with the liability of States and international organizations for injury, loss or damage caused by space vehicles;

3. Commends to the advisory panel for its guidance the following principles:

(a) States or international organizations responsible for the launching of space vehicles should be liable internationally for personal injury, loss of life or property damage caused thereby, whether such injury, loss or damage occurs on land, on the sea or in the air;

(b) A claim based on personal injury, loss of life or property damage caused by a space vehicle should not require proof of fault on the part of the State or States or international organization responsible for launching the space vehicle in question, although the degree of care which ought reasonably to have been exercised by the person or entity on whose behalf claim is made might properly be taken into account;

(c) A claim may be presented internationally to the State or States or international organization responsible for the launching of a space vehicle causing injury, loss or damage without regard to the prior exhaustion of any local remedies that may be available;

(d) The presentation of a claim should be made within a reasonable time after the occurrence of injury, loss or damage;

(e) The International Court of Justice should have jurisdiction to adjudicate any dispute relating to the interpretation or application of the international agreement on liability in the absence of agreement between the States concerned upon another means of settlement;

4. Requests the advisory panel to transmit the draft international agreement to the Legal Sub-Committee at an early date.

E

UNITED ARAB REPUBLIC: DRAFT CODE FOR INTERNATIONAL  
CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

The Committee on the Peaceful Uses of Outer Space,

Having in mind that the Members of the United Nations, according to the Charter, are determined to save succeeding generations from the scourge of war,

Recognizing that it is imperative in the interest of mankind that activities in outer space should be exclusively devoted to the peaceful uses of outer space,

Recognizing further that the General Assembly, in its resolution 1721 (XVI), has urged that the United Nations should be a focal point for international co-operation in the peaceful exploration and uses of outer space,

Noting the interrelationship of the technical and legal aspects of any activity in outer space,

Conscious of the impact of consolidating the efforts of Member States in promoting international co-operation in the peaceful uses of outer space,

Believing that, to reach this end, it is necessary to have as guidance a framework which defines the future of its activities,

I

Decides that the Committee should be guided in its work by the following principles:

1. The activities of Member States in outer space should be confined solely to the peaceful uses;



2. In their policies toward outer space Member States should promote international and peaceful co-operation;
3. Member States bear special responsibility emanating from their obligations to secure the safety of space for astronauts in outer space;
4. Member States agree to provide every possible assistance to personnel of space vehicles who may be the subject of accident or experience conditions of distress or who may land by reason of accident, distress or mistake;
5. Member States shall undertake to return to the State or international organization responsible for launching space vehicles these space vehicles and their personnel;
6. One of the main objectives in international peaceful co-operation in outer space is to develop special programmes in which the developing countries can participate with a view to promoting world-wide interest in outer space;
7. Member States agree to make full use of the facilities and experience of all international organizations, specialized agencies and non-governmental organizations which have activities in outer space;
8. Member States will exert every possible effort to provide the Secretary-General, on a voluntary basis, with all information necessary for the promoting of international co-operation in the peaceful uses of outer space;
9. Member States shall undertake to give all possible assistance to the United Nations and its affiliated organizations to undertake joint programmes of training and research to promote science and technology in outer space;

## II

Decides to establish a sub-committee to examine the best practical procedure in order to put into practice the aforementioned principles.

F

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:  
DRAFT DECLARATION OF BASIC PRINCIPLES GOVERNING THE  
ACTIVITIES OF STATES PERTAINING TO THE EXPLORATION  
AND USE OF OUTER SPACE

1. Outer space and celestial bodies are free for exploration and use by all States in conformity with international law. This freedom shall include free navigation by means of space vehicles, the establishment of space stations and other like devices, the conduct of scientific research, and the landing on and exploration of celestial bodies, and shall be exercised by all States with due regard to the interests of other States in the exploration and use of outer space, and to the need for consultation and co-operation between States in relation to such exploration and use.

2. Outer space and celestial bodies are not capable of appropriation or exclusive use by any State. Accordingly, no State may claim sovereignty over outer space or over any celestial body, nor can such sovereignty be acquired by means of use or occupation or in any other way.

3. In the exploration and use of outer space and celestial bodies States are bound by international law and by the provisions of the United Nations Charter and other international agreements which may be applicable.

4. All States shall, for themselves and for their nationals, have equal rights in the exploration and use of outer space. These rights shall be exercised in accordance with international law and with the principles affirmed in this Declaration.

G

UNITED STATES OF AMERICA: DRAFT DECLARATION OF  
PRINCIPLES RELATING TO THE EXPLORATION AND USE  
OF OUTER SPACE

The General Assembly,

Recalling its resolution 1721 (XVI) of 20 December 1961,

Recognizing the common interest of all mankind in furthering the peaceful exploration and use of outer space,

Believing that the exploration and use of outer space should be for the betterment of mankind and to the benefit of States irrespective of the stage of their economic or scientific development,

Considering the great importance of international co-operation in this field of human activity,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations among nations and peoples,

Commends to States for their guidance in the exploration and use of outer space the following declaration of principles:

1. Outer space and celestial bodies are free for exploration and use by all States, on the basis of equal rights, in conformity with international law;
2. In the exploration and use of outer space and celestial bodies, States are bound by the relevant rules of international law and the relevant provisions of international treaties and agreements including the Charter of the United Nations;
3. Outer space and celestial bodies are not subject to national appropriation;
4. States shall render all possible assistance to the personnel of space vehicles who may be the subject of accident or experience conditions of distress, or who may land by reason of accident, distress or mistake. Space vehicle personnel who make such a landing shall be safely and promptly returned to the launching authority;
5. States shall return to the launching authority any space vehicle or part that has landed by reason of accident, distress or mistake. Upon request, the launching authority shall furnish identifying data prior to return;
6. A State or international organization from whose territory or with whose assistance or permission a space vehicle is launched bears international responsibility for the launching, and is internationally liable for personal injury, loss of life or property damage caused by such vehicle on the earth or in air space;

7. Jurisdiction over a space vehicle while it is in outer space shall be retained by the State or international organization which had jurisdiction at the time of launching. Ownership and property rights in a space vehicle and its components remain unaffected in outer space or upon return to the earth.

H

WORKING PAPER SUBMITTED BY THE BELGIAN DELEGATION ON THE  
UNIFICATION OF CERTAIN RULES GOVERNING LIABILITY FOR  
DAMAGE CAUSED BY SPACE VEHICLES

Field of application

Article 1

(a) The following provisions shall apply to compensation for damage caused to persons or property by one or more space devices except where such damage is caused on the territory of the State where the launching of the device or devices takes place, the State whose flag the device or devices fly or the State or States claiming ownership or co-ownership of the device or devices.

(b) By "damage" shall be understood any loss for which compensation may be claimed under the national law of the injured person, including judicial and legal costs and interest;

By "person" shall be understood any natural or legal person in public or private law.

By "property" shall be understood any movable or immovable property.

By "territory of a State" shall be understood its land areas, its territorial and adjacent waters, ships flying its flag and aircraft registered by it.

By "space device" shall be understood any device which is intended to move in space, remaining there by means other than the reaction of the air.

States which are liable

Article 2

The following shall be held liable for damage within the meaning of article 1 at the choice of the plaintiff, there being no joint liability

or solidarity:

The State on whose territory the space device was launched;

The State whose flag the space device flies; or

The State or States claiming ownership or co-ownership of the space device.

By "plaintiff" shall be understood the State which has been injured or whose nationals or residents have been injured.

### Nature of the liability

#### Article 3

The occurrence of the event causing the damage shall entail an obligation to give compensation once proof has been given that there is a relationship of cause and effect between the damage, on the one hand, and the launching, motion or descent of all or part of the space device, on the other hand. The presence or absence of a relationship of cause and effect shall be determined in accordance with the national law of the person injured.

### Extent of liability

#### Article 4

The extent of the obligation to give compensation shall be determined in accordance with the provisions of the ordinary law of the country of the person injured.

### Procedure for bringing action for liability

#### Article 5

(a) Within twelve months of the occurrence of the damage, the plaintiff State shall submit, through the diplomatic channel, to the State considered liable under article 1 all claims for compensation relating to the State itself or to its nationals or residents.

If the State which is liable does not take a decision considered satisfactory by the plaintiff State within six months, the latter shall be entitled to take the claims for compensation before the International Court of Justice. The

plaintiff State must act within six months of being notified of the decision in question.

The States ratifying or acceding to these articles undertake to comply with the judgement given by the International Court of Justice within three months of being notified thereof.

(b) There may be no interruption or suspension of the periods specified in paragraph (a) above.

(c) There shall be joinder of actions when there is more than one plaintiff in respect of damage due to one and the same event or when more than one State is liable if more than one space device was responsible for the damage.

#### Article 6

These articles shall enter into force between the Contracting States on the date of the deposit of the instruments of ratification or accession at United Nations Headquarters, irrespective of the number of States which have ratified them or acceded to them.

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