

became an artificial satellite of the Moon. With these scientific experiments a further significant advance was made in man's exploration and conquest of the Moon and of the other planets of the solar system. The flights of the Luna 9 and Luna 10 stations opened a new era in the exploration of space and convincingly demonstrated the real possibility of man's conquest of the Moon in the very near future—a feat which will undoubtedly be the outstanding event of our century.

It is still difficult at the present time to enumerate all the spheres of human knowledge which will be further developed through the exploration of the Moon and other celestial bodies. But there is no doubt that this exploration will enrich mankind with new data on the secret laws of nature.

The conquest of the Moon and other celestial bodies, however, raises not only technical and scientific problems but also the question in what direction and on what basis States will conduct their activities in this sphere. This is a question of exceptional importance for all States.

The Soviet programme for the exploration of the Moon and other celestial bodies is designed exclusively to serve science. The Soviet Government considers that the conquest of the Moon and other celestial bodies should be carried out in the interests of peace and progress exclusively, for the benefit of all mankind. No one State has the right to regard its achievements in this sphere as a basis for claims to dominion over the Moon and other celestial bodies or to use those achievements for activities directed against other States.

In the Soviet Government's view, it has now become essential to begin the formulation of rules of international law in accordance with which States would take practical measures for the conquest of the Moon and other celestial bodies, and above all to take steps to prohibit the use of the Moon and other celestial bodies for military purposes.

It is quite obvious that plans for the military use of the Moon and other celestial bodies cannot in any way be justified by reference to the national security interests of States and are intended merely to serve the purposes of aggression, the purposes of preparing for global war.

The Soviet Union, as is known, is consistently working for the conclusion of an agreement on general and complete disarmament, for the limitation of the armaments race and the relaxation of international tension. To prohibit the use of the Moon and other celestial bodies for military purposes would be a major step in that direction, and would be calculated to ensure peace on earth and the security of peoples. At the same time, the prohibition of any military use of the Moon and other celestial bodies and the establishment of a solid foundation of international law on which States would carry out practical measures for their conquest would help to promote broad international co-operation in various aspects of the exploration and use of the Moon and other celestial bodies, and thereby foster mutual understanding and strengthen friendly relations among States and peoples.

The conquest of the Moon will proceed the faster the more countries make their contribution to the necessary investigations and experiments. That means that equal opportunities should be opened to all States. In taking advantage of these opportunities, States should conduct their activities with due regard for the relevant interests of other States. Co-operation of this kind

has consistently been advocated by the Soviet Union which has always regarded and still regards its successes in space exploration as achievements not of the Soviet people alone but of all mankind as well.

As early as 1958 the Soviet Government proposed the conclusion of an international agreement providing for co-operation in the exploration and peaceful use of outer space, and referred the question to the United Nations for its consideration. In 1961, after the first manned space flight, the Soviet Union again took steps designed to establish and develop co-operation with other countries in the conquest of space.

On the basis of the USSR's proposals, the United Nations in 1963 adopted a declaration of legal principles governing the activities of States in the exploration and use of outer space [*General Assembly resolution 1962 (XVIII)*]. Thanks to the Soviet Union's efforts, a resolution was adopted calling on all States to refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or installing such weapons on celestial bodies [*resolution 1884 (XVIII)*].

The Government of the Soviet Union, desiring to place the achievements of science and technology in the conquest of the Moon and other celestial bodies at the service of peace and progress and to make it possible for all States to benefit by the practical results of research and make their own contributions to such research, proposes the conclusion of an international agreement, which could be based on the following principles governing the activities of States in the exploration and conquest of the Moon and other celestial bodies:

1. The Moon and other celestial bodies should be open for exploration and use by all States, without discrimination of any kind. All States enjoy freedom of scientific research in regard to the Moon and other celestial bodies on equal terms and in accordance with the fundamental principles of international law.

2. The Moon and other celestial bodies should be used by all States exclusively for peaceful purposes. No military bases or installations of any kind, including facilities for nuclear and other weapons of mass destruction of any type, should be established on the Moon or other celestial bodies.

3. The exploration and use of the Moon and other celestial bodies shall be carried on for the good and in the interest of all mankind; the Moon and other celestial bodies shall not be subject to appropriation or territorial claims of any kind.

4. In the exploration of the Moon and other celestial bodies, States shall be guided by the principles of co-operation and mutual aid and shall carry out their activities with due regard for the relevant interests of other States and with a view to the maintenance of international peace and security.

An agreement based on principles of that kind would ensure the necessary climate for the peaceful exploration and conquest of the Moon, would prevent the possibility of this sphere of human activity being made a source of international dissension, and would create favourable conditions for the future concretization of the international legal aspects of State activities relating to the conquest of other celestial bodies.

The Government of the Union of Soviet Socialist Republics counts on the General Assembly to give its attention at its twenty-first session to the question

of the "Conclusion of an international agreement on legal principles governing the activities of States in the exploration and conquest of the Moon and other celestial bodies".

I should be glad if you would regard this letter as an explanatory memorandum as provided in rule 20 of the

DOCUMENT A/6352/REV.1

Letter dated 4 October 1966 from the representative of the Union of Soviet Socialist Republics to the Secretary-General

[Original text: Russian]
[5 October 1966]

On the instructions of the Government of the Union of Soviet Socialist Republics, I have the honour to transmit herewith a revised draft treaty on principles governing the activities of States in the exploration and use of outer space, the Moon and other celestial bodies, for consideration at the current twenty-first session of the General Assembly under the relevant agenda item proposed by the Soviet Union.

I should be grateful if you would have the aforementioned draft treaty circulated to all delegations as an official United Nations document.

(Signed) N. FEDORENKO
Permanent Representative of the Union of Soviet Socialist Republics to the United Nations

REVISED DRAFT TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE, THE MOON AND OTHER CELESTIAL BODIES

The Governments . . . , hereinafter referred to as the Parties to the Treaty,

Inspired by the great prospects opening up before mankind as a result of man's entry 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 carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of 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 States and peoples,

Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space", which was adopted unanimously by the United Nations General Assembly on 13 December 1963,

Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on celestial bodies, which was

adopted by the General Assembly, and circulate it as an official United Nations document.

(Signed) A. GROMYKO
Minister for Foreign Affairs of the Union of Soviet Socialist Republics

adopted unanimously by the United Nations General Assembly on 17 October 1963,

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Convinced that a treaty on principles governing the activities of States in the exploration and use of outer space, including the Moon and other celestial bodies, will further the purposes and principles of the Charter of the United Nations,

Have agreed on the following:

Article I

The exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Outer space, including the Moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

There shall be freedom of scientific investigation in outer space, including the Moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

Article II

The Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.

The Moon and other celestial bodies shall be used exclusively for peaceful purposes by all Parties to the Treaty. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment necessary for peaceful exploration of the Moon and other celestial bodies shall also not be prohibited.

Article III

Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

Article IV

The Parties to the Treaty shall carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

Article V

States Parties to the Treaty shall regard astronauts as envoys of mankind in outer space, and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of another State Party or on the high seas. When astronauts make such a landing, they shall be safely and promptly returned to the State of registry of their space vehicle.

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall render all possible assistance to the astronauts of other States Parties.

States Parties to the Treaty shall immediately inform the other Parties to the Treaty or the Secretary-General of the United Nations of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

Article VI

States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the Moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the Moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the Moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.

Article VII

Each State Party to the Treaty that launches or procures the launching of an object into outer space, including the Moon and other celestial bodies, and each State Party from whose territory or facility an object is launched, is internationally liable for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air space, or in outer space, including the Moon and other celestial bodies.

Article VIII

A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain

jurisdiction and control over such object, and over any personnel thereof, while it is in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth. Such objects or component parts found beyond the limits of the State Party to the Treaty on whose registry they are carried shall be returned to that State Party, which shall, upon request, furnish identifying data prior to their return.

Article IX

In the exploration and use of outer space, including the Moon and other celestial bodies, States Parties to the Treaty shall be guided by the principle of co-operation and mutual assistance and shall conduct their activities in outer space, including the Moon and other celestial bodies, with due regard to the corresponding interests of all other States Parties to the Treaty. States Parties to the Treaty shall pursue studies of outer space, including the Moon and other celestial bodies, and conduct exploration of them so as to avoid their harmful contamination and also adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter and, where necessary, shall adopt appropriate measures for this purpose. If a State Party to the Treaty has reason to believe that an activity or experiment planned by it or its nationals in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities of other States Parties to the Treaty in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State Party to the Treaty which has reason to believe that an activity or experiment planned by another State Party in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, may request consultation concerning the activity or experiment.

Article X

In order to promote international co-operation in the exploration and use of outer space, including the Moon and other celestial bodies, in conformity with the purposes of this Treaty, the States Parties to the Treaty shall consider on a basis of equality any request by other States Parties to the Treaty to be afforded an opportunity to observe the flight of space objects launched by those States.

The nature of the said opportunity for observation and the conditions under which it is to be afforded, including the question of the reimbursement of expenses incurred by the State affording such opportunity, shall be determined by agreement between the States concerned.

Article XI

In order to promote international co-operation in the peaceful exploration and use of outer space, States Parties to the Treaty conducting activities in outer space, including the Moon and other celestial bodies, shall agree to inform the Secretary-General of the United Nations as well as the public and the international

scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations and results of such activities. On receiving the said information, the Secretary-General of the United Nations should be prepared to disseminate it immediately and effectively.

Article XII

All stations, installations, equipment and space vehicles on the Moon and other celestial bodies shall be open to representatives of other States Parties to this Treaty on a basis of reciprocity. Such representatives shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited.

Article XIII

The provisions of this Treaty shall apply to the activities of States Parties to the Treaty in the exploration and use of outer space, including the Moon and other celestial bodies, whether such activities are carried on by a single State Party to the Treaty or jointly with other States, including cases where they are carried on within the framework of international inter-governmental organizations.

Any practical questions arising in connexion with activities carried on by international intergovernmental organizations in the exploration and use of outer space, including the Moon and other celestial bodies, shall be resolved by the States Parties to the Treaty either with an appropriate international organization or with one or more States members of that international organization which are Parties to this Treaty.

Article XIV

This Treaty shall not be construed as affecting the right of States Parties to the Treaty to conclude any international agreements relating to the activities of States in the peaceful exploration and use of outer space, provided that such agreements do not conflict with the provisions of this Treaty.

Article XV

1. If any dispute arises between two or more States Parties to the Treaty with regard to the interpretation or application of this Treaty, those States Parties to the Treaty shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.

2. Any dispute of this nature not so resolved shall, with the consent, in each case, of all parties to the

dispute, be referred to the International Court of Justice for settlement, but failure to reach agreement on reference to the International Court shall not relieve the parties to the dispute of responsibility for continuing to endeavour to resolve it by one of the various peaceful means referred to in paragraph 1 of this article.

Article XVI

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of ... which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force, and other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XVII

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty.

Article XVIII

This Treaty, of which the Chinese, French, Russian, English and Spanish texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in ... at the city of ..., the ... day of ... one thousand nine hundred and ...

DOCUMENT A/6392

United States of America: request for the inclusion of an additional item in the agenda of the twenty-first session

[Original text: English]
[19 September 1966]

LETTER DATED 17 SEPTEMBER 1966 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SECRETARY-GENERAL

I have the honour to request on behalf of the Government of the United States of America the inclusion

in the agenda of the twenty-first session of the General Assembly of an item entitled "Treaty governing the exploration and use of outer space, including the Moon and other celestial bodies". We are proposing this agenda item, taking into account the fact that agreement has not yet been reached in the Committee on