

UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
LIMITED

A/AC.105/C.2/L.16  
6 September 1966

ORIGINAL: ENGLISH

COMMITTEE ON THE PEACEFUL USES  
OF OUTER SPACE  
Legal Sub-Committee

INTERIM REPORT BY THE CHAIRMAN

The Sub-Committee has held a total of fifteen meetings from 12 July to 4 August. During this period, it has established a Working Group which met from 27 July to 3 August. It has examined the draft treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, the Moon and Other Celestial Bodies, proposed by the Soviet Union, and the Draft Treaty Governing the Exploration of the Moon and Other Celestial Bodies, proposed by the United States, as well as all proposals presented by members with respect to particular articles. Agreement has been reached on a series of articles, the texts of which are contained in the enclosed Working Group papers L.1 to L.9 (Annex I).

However, no agreement has been reached on other draft articles and proposals. The issues involved in them will require further exchanges of views and discussion. The respective texts are contained in the Working Papers annexed to the summary records of today's meeting (Annex II).

Under the circumstances, the Sub-Committee has decided to suspend its fifth session and reconvene at a date to be fixed by the Chairman in consultation with members of the Sub-Committee, which will be a time prior to or in the course of the twenty-first session of the General Assembly.

ANNEX I

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Working Group/L.1 and Corr.1  
(Corrigendum in English only)

Text of article accepted by the Working Group  
at its first meeting on 27 July 1966

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 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 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, which shall, upon request, furnish identifying data prior to their return.

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Working Group/L.2

Text of article accepted by the Working Group  
at its second meeting on 28 July 1966

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 objects or its component parts on the Earth, in air space, or in outer space, including the moon and other celestial bodies.

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Working Group/L.3

Text of article I accepted by the Working Group  
at its third meeting on 29 July 1966

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.

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Working Group/L.4

Text of article accepted by the Working Group  
at its third meeting on 29 July 1966

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 [ ] and equipment\* for scientific research or for any other peaceful purposes shall not be prohibited.

\* The words in square brackets have not been agreed upon.

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Working Group/L.5 and Corr.1  
(Corrigendum in English only)

Text of article accepted by the Working Group  
at its fourth meeting on 1 August 1966

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.

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Working Group L.6

Text of article accepted by the Working Group  
at its fourth meeting on 1 August 1966

The 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 State concerned. 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.

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Working Group/L.7

Text of article accepted by the Working Group  
at its sixth meeting on 2 August 1966

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.

Working Group/L.8

Text of article accepted by the Working Group  
at its sixth meeting on 2 August 1966

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.

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Working Group/L.9

Text of article accepted by the Working Group  
at its sixth meeting on 2 August 1966

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 all 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 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.

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ANNEX II

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Working Paper No. 3  
21 July 1966

United States of America: Revision of United States article 6

All stations, installations, equipment, and space vehicles on the moon and other celestial bodies shall be open at all times to representatives of other States Parties to this Treaty conducting activities on celestial bodies.

Working Paper No. 4  
21 July 1966

USSR: It is proposed that the following provision should be added to the draft treaty:

"A State conducting activities on celestial bodies will, on a voluntary basis, inform the Secretary-General of the United Nations and also the public and the international scientific community of the nature, conduct and locations of such activities."



Working Paper No. 6/Rev.1  
1 August 1966

United States of America: Revision of Working Paper No. 6  
(Articles 8 and 9 of the United States draft treaty)

1. Substitute the following in place of the final sentence of Working Paper No. 6:

"The present Treaty does not prohibit the use of any types of personnel or equipment for scientific research or any other peaceful purpose."

2. The entire article should read as follows:

"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 destructions, 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. The establishment of military bases and fortifications, the testing of any type of weapons, and the conduct of military manoeuvres shall be forbidden. The present Treaty does not prohibit the use of any types of personnel or equipment for scientific research or any other peaceful purpose."

Working Paper No. 7/Corr.1  
27 July 1966

(Corrigendum in English, French and Russian only)

United Arab Republic: Proposal

Article (4) reads as follows:

"States conducting activities in outer space, and on celestial bodies, will, on a voluntary basis, inform the Secretary-General of the United Nations and also the public and the international scientific community of the nature, conduct and locations of such activities through the United Nations facilities.

"All information shall be promptly submitted, preferably in advance or at the carrying out of these activities or immediately after.

"The United Nations should be prepared to disseminate these information immediately and effectively after receiving the said information which has to be ample and in detail for the benefit of the general public and the international scientific community."

Working Paper No. 8  
22 July 1966

United Arab Republic: Proposal

Article I, paragraph (1) reads as follows:

"The Parties to this Treaty recognize outer space as the province of mankind.

"To this end, the exploration and the use of outer space shall be carried out for the benefit, betterment and in the interest of all nations, irrespective of the degree of their economic and scientific development. The Parties to the Treaty undertake to accord equal conditions to States engaged in the exploration of outer space.

"States engaged in the exploration of outer space undertake to accord facilities and to provide possibilities to the non-space Powers, to enable them to participate in and to draw benefit from the exploration and the use of outer space for the aim of deriving practical benefits related to their economic and social development."

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Working Paper No. 9/Corr.1  
26 July 1966

(Corrigendum in English only)

USSR: The following text is proposed for article 4 of the draft treaty:

"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 and not to station such weapons on celestial bodies or otherwise to station them in outer space. 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."

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Working Paper No. 17  
25 July 1966

United Kingdom: Additional article on international organizations

1. If an international organization which conducts activities in outer space including the moon and celestial bodies transmits to (... the depository authority...) a declaration that it accepts and undertakes to comply with the provisions of this Treaty, all the provisions except articles (... here insert a reference to the articles concerning signature, ratification and accession by States...), shall apply to the organization as they apply to a State which is a Party to this Treaty.
2. The States Parties to this Treaty undertake to use their best endeavours to ensure that any international organization which conducts such activities and of which they are constituent members is authorized to make and will make the declaration referred to in paragraph 1 of this article.
3. The States Parties to this Treaty shall take such steps as are open to them to ensure that any international organization which conducts such activities and of which they are constituent members acts, subject to reciprocity, in accordance with the principles set out in this Treaty until such time as a declaration is made pursuant to paragraph 1 of this article.

Working Paper No. 19  
26 July 1966

United Arab Republic: Proposal for a new article

The Parties to the Treaty, recognizing the enormous potentialities of space applications for communication purposes and more specifically for sound and television broadcasting, undertake to make use of such applications only in accordance with the resolutions of the General Assembly which condemn using the media of information for hostile propaganda and urge States to utilize them for promoting friendly relations among nations, based upon the purposes and principles of the Charter. In particular, they shall undertake to regulate at the world-wide level, direct broadcasting by artificial satellites, as regards both its technical and programme contents aspects. They undertake to refrain from using communication satellites for direct broadcasting until such regulations are set by the competent international organizations.

Working Paper No. 21  
28 July 1966

India: Amendments to article VII of the USSR draft

1. Substitute the word "absolutely" for the word "internaticnally".
2. Add at the end of the article the following sentence:  
"The principle embodied in this article is subject to detailed provisions dealing with the various aspects of this principle to be included in a separate agreement on liability in case of damage."

Working Paper No. 22  
28 July 1966

India: Amendment to article IX of the USSR draft

Add at the end of this article the following:

"This article is subject to the provisions of a separate agreement to be concluded dealing with assistance to and return of astronauts and space vehicles."

Working Paper No. 23/Corr.1  
29 July 1966  
(Corrigendum in English only)

USSR:

I. The following text is proposed for 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 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.

"All stations, installations, equipment and space vessels on celestial bodies shall be open to representatives of other States Parties to the Treaty engaged in activities on celestial bodies, on a basis of reciprocity and subject to agreement between the Parties with regard to the time of visits to such objects."

II. The following text is proposed for inclusion in the draft treaty:

"States Parties to the Treaty will accord other States Parties to the Treaty conducting activities relating to the exploration and use of outer space equal conditions for observing the flight of space objects launched by those States."

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Working Paper No. 25  
1 August 1966

Australia: Proposed new article

The provisions of this Treaty are adopted without prejudice to the negotiation of future specific agreements on the peaceful uses of outer space, including the moon and other celestial bodies.

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Working Paper No. 26  
3 August 1966

Italy: Proposal

All States engaged in activities in outer space, on the moon and other celestial bodies shall grant free immediate access to representatives of all Parties to the Treaty, their stations, installations, equipment and space vessels, on the understanding that the time of the visit should not imperil the life of the personnel and the functioning of the installations involved.

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Working Paper No. 27  
3 August 1966

Italy: Proposal

The States Parties which conduct space activities through international organizations undertake that those activities will fully comply with the provisions of the Treaty.

A declaration to this effect may be transmitted by such an organization to (the depository authority).

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Working Paper No. 28  
4 August 1966

Japan: Proposed amendment to the revised text of article 6 of  
United States draft (Working Paper No. 3)

All stations, installations, equipment, and space vehicles of any State Party to the Treaty on celestial bodies shall be open at all times to representatives of any other State Party to the Treaty conducting activities on celestial bodies. Such representatives shall take maximum precaution not to interfere with the normal operation of activities therein.

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UNITED NATIONS  
GENERAL  
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Distr.  
LIMITED

A/AC.105/C.2/L.16/Corr.1  
8 September 1966

ORIGINAL: ENGLISH

COMMITTEE ON THE PEACEFUL USES  
OF OUTER SPACE  
Legal Sub-Committee

INTERIM REPORT BY THE CHAIRMAN

Corrigendum

On page 1, below the title "INTERIM REPORT BY THE CHAIRMAN", insert the  
following:

"(approved at the seventy-first meeting on 4 August 1966)"

On page 1, in the 5th and 6th lines of the first paragraph, replace the  
word "Celectial" by "Celestial".

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