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COMMITTEE ON THE PEACEFUL
USES OF OUTER SPACE

Legal Sub-Committee

Assistance to and Return of Astronauts and Space Objects
Revised Australian - Canadian proposal submitted as a Working Paper

The Contracting Parties,

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

Desiring to promote the further development of international co-operation in the exploration and use of outer space,

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 19 December 1963.

Noting the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and other Celestial Bodies signed on 27th January 1967 and in particular Articles V and VIII of that Treaty,

Prompted by sentiments of humanity and having regard for the needs of science,

Agree as follows:

[Definition Article

For the purposes of this Agreement:

- (a) "Launching State"
- (b) "Space Object" means an object or any of its component parts which a Launching State has launched or attempted to launch into outer space.]

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Article 1

(1) Each Contracting Party shall, in accordance with the provisions of the present Agreement and using every appropriate means at its disposal, assist the personnel of spacecraft in the event of accident, distress or emergency landing and safely and promptly return them to the Launching State.

(2) With a view to ensuring the return to the Launching State of a space object discovered beyond the limits of the territory under the sovereignty jurisdiction or control of that State, each Contracting Party shall, in co-operation where appropriate with other States, carry out the duties provided for in the present Agreement.

Article 2

A Contracting Party which receives information or discovers that personnel of a spacecraft have suffered accident or are experiencing conditions of distress or have made an emergency landing:

- (a) shall do its utmost immediately to ascertain and notify the Launching State;
- (b) if it cannot readily ascertain the Launching State, shall forthwith notify the State it presumes to be the Launching State;
- (c) shall immediately notify the Secretary-General of the United Nations.

Article 3

(1) If, as a result of accident, distress or emergency landing, personnel of a spacecraft are in territory under the sovereignty, jurisdiction or control of a Contracting Party, such Contracting Party shall promptly take all steps that it finds practicable to locate, rescue and assist the personnel. It shall keep the Launching State, and the Secretary-General of the United Nations, informed of the steps so taken and of their result.

(2) If the Contracting Party considers that assistance from the Launching State would contribute substantially to the effectiveness of search and rescue operations, it shall request the Launching State to co-operate with it in such operations, under the direction and control of the Contracting Party.

Article 4

If information is received or it is discovered that personnel of a spacecraft have suffered accident, are in distress or have made an emergency landing, on the high seas or in any other place not under the sovereignty, jurisdiction or control of any State, and the Launching State is not in a position immediately to undertake effective search and rescue operations, such operations shall be conducted, in close and continuing co-operation with the Launching State, by those Contracting Parties which are in a position to do so.

Article 5

A Contracting Party shall safely and promptly return to the Launching State, the personnel of a spacecraft who as a result of accident, distress or emergency have landed in territory under the sovereignty, jurisdiction or control of that Contracting Party, or whom it has rescued elsewhere.

Article 6

(1) A Contracting Party which receives information or discovers that a space object has returned to Earth:

- (a) shall do its utmost immediately to ascertain and notify the Launching State;
- (b) if it cannot readily ascertain the Launching State, shall forthwith notify the State it presumes to be the Launching State;
- (c) shall immediately notify the Secretary-General of the United Nations.

(2) A Contracting Party having sovereignty, jurisdiction or control over the territory on which a space object has been discovered shall upon the request of the Launching State take all steps that it finds practicable to recover the object.

(3) A Contracting Party which has recovered a space object shall upon the request of the Launching State return the object to that State.

(4) Notwithstanding the provisions of paragraphs (2) and (3) of this Article, a Contracting Party which finds that a space object discovered in territory under its sovereignty, jurisdiction or control or recovered by it elsewhere is of a hazardous or deleterious nature may so notify the Launching State, which shall thereupon take prompt and effective steps, under the direction and control of the Contracting Party, to recover the object and to remove it from territory under the sovereignty, jurisdiction or control of the Contracting Party or otherwise to eliminate danger of harm.

(5) If in fulfilling its obligations under paragraph (2) or (3) of this Article a Contracting Party considers that assistance from the Launching State would facilitate substantially the recovery or return of a space object, the Contracting Party shall request the Launching State to co-operate with it in recovery or return operations under the direction and control of the Contracting Party.

(6) A State which requests the return of a space object shall, if requested by the Contracting Party which has discovered the object in territory under its sovereignty, jurisdiction or control or has recovered it elsewhere, furnish to the Contracting Party identifying data prior to the return of the object.

(7) The expenses incurred by the Contracting Party in fulfilling its obligations under the present Agreement in respect of the recovery or the return of a space object shall be reimbursed by the State to which the object is returned.

Article 7

(1) If an intergovernmental organization which conducts or is preparing to conduct activities in outer space deposits with the Secretary-General of the United Nations a declaration that it accepts and undertakes to comply with the provisions of the present Agreement, those provisions shall apply to that organization in like manner as they apply to a State, and references to a State, or to a Launching State, shall be read and construed accordingly.

(2) Each Contracting Party to the present Agreement undertakes to use its best endeavours to ensure that any intergovernmental organization which conducts space activities, and of which it is a constituent member, is authorized to make, and will make, the declaration referred to in the preceding paragraph.

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