

as well as in keeping with the relevant recommendations contained in the report submitted by your Committee to the Eighteenth General Assembly (document A/5549). Equally I wish to assure you of the intention of my Government to make available in due course to all Member States through this Committee, as well as through COSPAR, all data and information which will accrue from these exclusively scientific experiments which are to be carried out within the framework of the objectives set forth by the programmes of the International Year of the Quiet Sun and of the International Indian Ocean Expedition.

I should appreciate it, if you could arrange for this letter to be circulated as a document of the Committee on the Peaceful Uses of Outer Space.

Accept, Mr. Chairman, the assurances of my highest consideration.

(Signed) Piero VINCI  
Ambassador, Permanent Representative  
of Italy to the United Nations

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UNITED NATIONS

GENERAL  
ASSEMBLY



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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

REPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF  
ITS THIRD SESSION (9 - 26 March 1964) TO THE  
COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

1. The Legal Sub-Committee opened its third session at the European Office of the United Nations in Geneva on 9 March and concluded its work on 26 March 1964.
2. A list of the representatives of States members of the Sub-Committee attending the session, of the observers for specialized agencies and of the Secretariat of the Sub-Committee is appended to the present report as Annex III.
3. In his opening statement the Chairman, Mr. Manfred Lachs (Poland), referred to the Declaration of Legal Principles governing the activities of States in the exploration and use of outer space, adopted by the General Assembly in its resolution 1962 (XVIII) of 13 December 1963, as a noteworthy document which would be of great importance for the future work of the Sub-Committee. He also stressed the part played by the Sub-Committee in the elaboration of the principles concerned at its two previous sessions.
4. Beginning 20 March, because Mr. Lachs had to leave Geneva, Mr. Jerzy Csiecki (Poland) took over the chairmanship by general consensus of the Sub-Committee.

Terms of reference

5. The Sub-Committee's terms of reference were set forth in resolution 1963 (XVIII) adopted by the General Assembly, as follows:

[The General Assembly]

1. Recommends that consideration should be given to incorporating in international agreement form, in the future as appropriate, legal principles governing the activities of States in the exploration and use of outer space;
2. Requests the Committee on the Peaceful Uses of Outer Space to continue to study and report on legal problems which may arise in the exploration and use of outer space, and in particular to arrange for the prompt preparation of draft international agreements on liability for damage caused by objects launched into outer space and on assistance to and return of astronauts and space vehicles;

3. Further requests the Committee on the Peaceful Uses of Outer Space to report to the General Assembly at its nineteenth session on the results achieved in preparing these two agreements;"

Organization of work

6. At its first meeting held on 9 March, the Sub-Committee agreed to the following procedure for the organization of work of its present session:

(1) The Sub-Committee's agenda would consist of three items, namely, general debate, draft international agreement on assistance to and return of astronauts and space vehicles and draft international agreement on liability for damage caused by objects launched into outer space.

(2) During the next two days (10 and 11 March) priority should be given to general debate; at the meetings held on those days, any time left over from general debate would be available to speakers wishing to introduce drafts or to make preliminary statements on the other two items.

(3) On the following two days (12 and 13 March), the position would be reversed: priority would be given to the draft international agreements on assistance and liability but any time not absorbed by them would be made available to members who had been unable to speak in the general debate on the first two days.

7. At its thirty-fourth meeting held on 13 March, the Sub-Committee agreed to the suggestion by its Chairman that there should be two Working Groups, consisting of the whole membership of the Sub-Committee. Working Group I would deal with drafts and amendments on assistance and return and Working Group II would deal with drafts and amendments on liability. The two Groups would meet alternately in the mornings and afternoons each day. In accordance with usual practice, no records would be kept of the proceedings of the Working Groups.

General debate

8. During the general debate, which was held from 10 to 13 March, there was an exchange of views on the questions on the agenda of the Sub-Committee. These views are summarized in document A/AC.105/C.2/SR.29-35.

Assistance to and return of astronauts  
and space vehicles

9. The Sub-Committee had before it two draft agreements on assistance to and return of astronauts and space vehicles: a revised draft agreement on the rescue of astronauts and space ships in the event of accident or emergency landing, submitted by the USSR (A/AC.105/C.2/L.2/Rev.1) and a United States proposal for an international agreement on assistance to and return of astronauts and objects launched into outer space (A/AC.105/C.2/L.9). The two texts were referred to Working Group I, which discussed them at seven meetings held between 16 and 25 March. At the request of the Chairman a comparative table (A/AC.105/C.2/W.1) of provisions contained in the two proposals was prepared by the Secretariat to facilitate the Working Group's discussion of the texts before it.

10. In the course of the Working Group's first reading of the texts submitted by the USSR and the United States, amendments to Article 1 of the USSR draft was presented by Australia (WG.I/3), Lebanon (WG.I/7) and Canada (WG.I/8). Amendments to Article 2; para. 1 of the United States text were submitted by Australia (WG.I/1), by the United Kingdom (WG.I/2) and Japan (WG.I/4); to Article 2, para. 2 by Lebanon (WG.I/5) and Austria (WG.I/6); to Article 3 by Japan (WG.I/9); and to Article 4 by the USSR (WG.I/12) and the United Kingdom (WG.I/13). Proposals concerning the notification of distress and landing; the return of space objects and furnishing of identifying data; and disputes in respect of identification were presented by Italy (WG.I/10), Australia (WG.I/11) and Japan (WG.I/14)\* respectively. At the request of the Chairman, a paper setting out the proposals and amendments before the Working Group was prepared by the Secretariat and circulated as document WG.I/15.

11. On 24 March Australia and Canada submitted a proposal (WG.I/17) based on discussion in the Working Group of the draft agreements submitted by the USSR and the United States. Amendments to the draft articles proposed were submitted by Italy (WG.I/18 and 19), Sweden (WG.I/20), France (WG.I/21 and 22) and Japan (WG.I/23). A revised text of their proposal (WG.I/17/Rev.1) was submitted by Australia and Canada on the final day of the first part of the session. The sponsors reported that their revision took account of views expressed in subsequent consultations, both formal and informal. The sponsors also stated that, apart from lacking the necessary final clauses, their draft did not imply rejection of amendments not incorporated in it.

\* WG.I/14/Rev.1 was withdrawn by Japan

12. The text of the draft agreements submitted by the USSR and the United States, of the revised proposal submitted by Australia and Canada, and of the amendments received by the Working Group are reproduced in Annex I.

Liability for damage caused by objects  
launched into outer space

13. The Sub-Committee had before it two drafts concerning liability for damage caused by the launching of objects into outer space: a draft Convention proposed by the delegation of the United States (A/AC.105/C.2/L.8) and a draft agreement proposed by the delegation of Hungary (A/AC.105/C.2/L.10). Also before the Sub-Committee was a Working Paper on the unification of certain rules governing liability for damage caused by space vehicles which had been submitted by the delegation of Belgium (A/AC.105/C.2/L.7) to the Sub-Committee at its second session. The three texts were referred by the Sub-Committee to its Working Group II which discussed them at six meetings held between 17 and 25 March. At the request of the Chairman, a comparative table (A/AC.105/C.2/W.2) of provisions contained in the three proposals was prepared by the Secretariat.

14. In the course of the Working Group's discussions of the texts submitted by the United States, Hungary and Belgium, a number of amendments were submitted. An amendment to Article I, paragraph (e) (ii) of the United States draft was presented by Japan (WG.II/7). Draft articles for inclusion after Article I, and concerning the subject of the liability of international organizations, were submitted by Australia (WG.II/6). An amendment to the draft articles proposed by Australia was presented by Italy (WG.II/12). An amendment, also concerning the subject of the liability of international organizations, was proposed by Sweden (WG.II/13). A proposal of a new article for inclusion possibly after Article I was made by the United Kingdom (WG.II/8). To Article II of the United States draft, amendments were submitted by Canada (WG.II/3) and the United Kingdom (WG.II/1); to Article IV, an amendment by Japan (WG.II/17). An amendment to Article V was submitted by Italy (WG.II/5); to Article VI, paragraph 2, by the United Kingdom (WG.II/5); to Article VII, paragraph 2, by Japan (WG.II/16); and to Article VIII by the United Kingdom (WG.II/14). The following proposals which were not in amendment of any particular one of the three texts were also made: proposals by Italy concerning the field of application of the Convention (WG.II/2); and the nature of liability (WG.II/9) and a proposal by Japan concerning use of precautionary measures against damage (WG.II/4).

15. At the request of several representatives for information, a background document was prepared by the Secretariat containing an analytical summary of certain conventions and draft conventions relating to liability for damage (A/AC.105/C.2/5). The Secretariat also prepared a document setting out the proposals and amendments before the Working Group (WG.II/10 and Add.1 and 2) as well as a note on the points that had been raised in discussions of the Working Group (WG.II/11 and Add. 1-3).

16. The texts of the draft Convention submitted by the United States, the draft agreement submitted by Hungary and the working paper submitted by Belgium, together with the amendments and proposals received by the Working Group are reproduced in Annex II.\*\*

Future work of the Sub-Committee

17. The Sub-Committee noted that although substantial progress had been made there had been insufficient time to draft the international agreements. It accordingly proposed that the present session be resumed so that the Sub-Committee could proceed with its work and report on it to the nineteenth session of the General Assembly as requested by Assembly resolution 1963 (XVIII). At its thirty-seventh meeting on 26 March the Sub-Committee agreed that the second part of its present session should be held at United Nations Headquarters in New York approximately three weeks before the forthcoming meeting of its parent Committee. In this connexion some delegates urged that consideration should be given to avoiding overlapping with the meeting of the Special Committee on the principles of international law concerning friendly relations among States.

\*\* The Secretariat Note on points raised (WG.II/11 and Add.1-3), referred to in the preceding paragraph, is not reproduced in Annex II.

ANNEX I

Proposals and amendments relating to  
assistance to and return of astronauts  
and space vehicles

USSR: REVISED DRAFT AGREEMENT  
(A/AC.105/C.2/L.2/Rev.1)

Agreement  
on the rescue of astronauts and spaceships  
in the event of accident or emergency landing

The Governments of .....

Considering that all mankind is interested in furthering the peaceful uses of outer space,

Recognizing that it is the duty of all States to assist astronauts and spaceships in the event of accident or emergency landing,

Desiring to develop international co-operation in the conquest of outer space, and

Prompted by sentiments of humanity,

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 of the Contracting States shall render all possible assistance to the crews of spaceships and shall take steps to rescue astronauts and spaceships in the event of accident, distress or 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 various kinds.

Article 2

The authorities of a Contracting State which discover or in some way receive information that the crew of a spaceship of another State are in distress shall do their utmost to notify the launching State without delay.

Article 3

In the event that astronauts make an emergency landing, owing to accident or distress, in the territory of a Contracting State, that State shall immediately inform the launching State of the occurrence and shall take all possible steps to rescue the astronauts and to render them the necessary assistance.

The launching State shall be immediately informed of the successful outcome of the rescue operations or of the failure of attempts to carry out rescue operations.

If the Contracting State in whose territory the astronauts have landed is unable to carry out the necessary rescue operations unaided, it shall request assistance from the launching State.

Article 4

If the astronauts are presumed to have alighted, owing to accident or distress, on the high seas, a search for them shall be made, if necessary, jointly with those Contracting States to which the launching State may make application.

Rescue operations on the high seas shall be directed by the launching State or by such State as the launching State may request to take charge thereof.

Article 5

The launching State may reserve the exclusive right to carry out, by its own means and with its own personnel, operations for the finding and rescue of astronauts and spaceships in a zone of the high seas designated by itself.

Article 6

Where a spaceship is in distress and the lives of astronauts are in danger, assistance shall first be rendered to the astronauts.

Article 7

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

Article 8

Each Contracting State shall do its utmost to facilitate the earliest possible return to their own country of envoys of mankind in outer space - astronauts of another State - who meet with an accident, are in distress or make an emergency landing in its territory or who are rescued on the high seas.

Article 9

Foreign spaceships, satellites and capsules found by a Contracting State in its territory or salvaged on the high seas shall be returned without delay, together with the equipment they contain, to the State which launched them for purposes of peaceful exploration and use of outer space, if the launching State has officially announced the launch of these objects and the purposes of launching.

The State which launched the objects into outer space shall, for the purpose of the return of these objects, furnish identifying particulars thereof at the request of the State which has found such objects in its territory or has salvaged them on the high seas.

Article 10

The expenses incurred by a State in fulfilling the obligations prescribed in articles 8 and 9 of this Agreement shall be reimbursed by the launching State.

Article 11

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

This Agreement shall be subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 12

This Agreement shall be open for accession to all the States of the world. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 13

1. This Agreement shall enter into force on the thirtieth day after the deposit with the Secretary-General of the United Nations of the fifteenth instrument of ratification or accession including the instruments of ratification or accession of the States which launch objects into outer space.

2. With respect to each State which ratifies the Agreement or accedes thereto after the deposit of the fifteenth instrument of ratification or accession, the Agreement shall enter into force on the thirtieth day after the deposit by that State of its instrument of ratification or accession.

Article 14

The Secretary-General of the United Nations shall notify all the States of the world concerning:

(a) the signature of this Agreement and the deposit of instruments of ratification or accession in accordance with articles 11 and 12,

(b) the date of entry into force of this Agreement in accordance with article 13.

Article 15

The original of this Agreement, of which the texts in Chinese, English, French, Russian and Spanish languages are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall transmit certified copies thereof to all the States of the world.

UNITED STATES: PROPOSAL  
(A/AC.105/C.2/L.9)

International Agreement  
on  
assistance to and return of astronauts  
and  
objects launched into outer space

The Contracting Parties,

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

Recalling the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, adopted by the General Assembly on December 13, 1963, as resolution 1962 (XVIII),

Considering that the personnel of spacecraft may from time to time be the subject of accident or experience conditions of distress,

Considering that there may occur landings of objects launched into outer space, and their personnel in the case of manned spacecraft, by reason of accident, distress or mistake,

Wishing to do their utmost to assist the personnel of spacecraft in such cases and to provide for the return of objects launched into outer space, and

Believing that in such circumstances the action of States should be governed by common humanitarian concern and with due regard for scientific needs, Agree as follows:

Article 1

1. A Contracting Party which discovers that the personnel of a spacecraft have met with accident or are experiencing conditions of distress, or have made an emergency landing, shall notify without delay the State of registry or international organization responsible for launching, or the Secretary-General of the United Nations.

2. A Contracting Party which discovers that an object launched into outer space or parts thereof have returned to Earth shall notify without delay the State of registry or international organization responsible for launching, or the Secretary-General of the United Nations.

Article 2

1. Unless otherwise requested by the State of registry or international organization responsible for launching, each Contracting Party shall take all possible steps to assist or rescue promptly the personnel of spacecraft who are the subject of accident or experience conditions of distress or who may make emergency landings by reason of accident, distress, or mistake. Such steps shall include a joint search by those Contracting Parties which may be in a position to conduct search and rescue operations in the event personnel of a spacecraft are presumed to have made an emergency landing on the high seas or Antarctica.

2. Each Contracting Party shall permit, subject to control by its own authorities, the authorities of the State of registry or international organization responsible for launching to provide measures of assistance as may be necessitated by the circumstances.

Article 3

1. A Contracting Party shall return the personnel of a spacecraft who have made an emergency landing by reason of accident, distress or mistake promptly and safely to the State of registry or international organization responsible for launching.

2. Upon request by the State of registry or international organization responsible for launching, a Contracting Party shall return to that State or international organization an object launched into outer space or parts thereof that have returned to Earth. Such State or international organization shall, upon request, furnish identifying data.

Article 4

Any dispute arising from the interpretation or application of this Agreement may be referred by any Contracting Party thereto to the International Court of Justice for decision.

Article 5

A Contracting Party may propose amendments to this Agreement. Amendments shall come into force for each Contracting Party accepting the amendments on acceptance by a majority of the Contracting Parties and thereafter for each remaining Contracting Party on acceptance by it

Article 6

Any Contracting Party may give notice of its withdrawal from this Agreement two years after its entry into force by written notification to the Secretary-General of the United Nations. Such withdrawal shall take effect one year from the date of receipt by the Secretary-General of the notification.

Article 7

This Agreement shall be open for signature by States Members of the United Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a party. Any such State which does not sign this Agreement may accede to it at any time.

Article 8

This Agreement shall be subject to ratification or approval by signatory States. Instruments of ratification or approval and instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 9

This Agreement shall enter into force upon the deposit of the second instrument of ratification, approval, or accession. It shall enter into force as to a State ratifying, approving, or acceding thereafter upon deposit of its instrument of ratification, approval, or accession.

Article 10

The Secretary-General of the United Nations shall inform all States referred to in Article 7 of signatures, deposits of instruments of ratification, approval, or accession, the date of entry into force of this Agreement, proposals for amendment, notifications of acceptances of amendments, and notices of withdrawal.

Article 11

The original of this Agreement, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in Article 7.

In witness whereof the undersigned, being duly authorized, have signed this Agreement.

Done at \_\_\_\_\_ this \_\_\_\_\_  
day of \_\_\_\_\_, 196 \_\_\_\_



AUSTRALIA and CANADA: PROPOSAL  
(WG.I/17/Rev.1)

Preamble

The Contracting Parties,

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

Desiring further to promote international co-operation in the conquest of outer space,

Recalling resolution 1962 (XVIII) of the General Assembly entitled "Declaration of Legal Principles Governing the activities of States in the Exploration and Use of Outer Space", which includes the principle that "States 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 a foreign State or on the high seas. Astronauts who make such a landing shall be safely and promptly returned to the State of Registry of their space vehicle",

Considering also the principle included in that Declaration that objects launched into outer space and that component parts, if "found beyond the limits of the State of Registry shall be returned to that State",

Prompted by sentiments of humanity and having regard for the needs of science, Agree as follows:

Article 1

General Duty Each Contracting Party shall, in accordance with the provisions of the present Agreement render all possible assistance to the personnel of spacecraft in the event of accident, distress or emergency landing.

Article 2

Notification of accident A Contracting Party which discovers or receives information that the personnel of a spacecraft have suffered accident or are experiencing conditions of distress or have made an emergency landing shall do its utmost to notify without delay the State of registry or international organization responsible for the launching and shall, in any event, immediately notify the Secretary-General of the United Nations.

Article 3

Assistance in Territory of Contracting Party

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

(2) In the event that a Contracting Party is unable to carry out in its own territory the necessary rescue operations, it shall request the State of registry or international organization responsible for the launching to co-operate with it by rendering in its territory assistance to the personnel of the spacecraft.

Article 4

Assistance outside Territory of Contracting Party

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 jurisdiction or control of any State, search and rescue operations shall be conducted by such Contracting Parties as are in a position to carry out these operations. These operations shall be subject to the direction of the State of registry or international organization responsible for the launching.

Article 5

Duty to Return Personnel

A Contracting Party shall promptly and safely return, to the State of registry or international organization responsible for the launching, the personnel of a spacecraft who have landed in territory under its jurisdiction and control or whom it has rescued elsewhere.

Article 6

Return of space objects

(1) A Contracting Party which discovers or receives information that an object launched into outer space or parts thereof have returned to earth shall do its utmost to notify without delay the State of registry or international organization responsible for the

launching, and shall, in any event, immediately notify the Secretary-General of United Nations.

(2) A Contracting Party shall upon request return, to the State of registry or international organization responsible for the launching, an object launched into outer space, or parts of any such object, found by that Party in territory under its jurisdiction or control or recovered by it elsewhere.

(3) A request for the return of such an object shall be supported if required by identifying data.

(4) The expenses incurred by a Contracting Party in pursuance of paragraph (2) of this Article shall be reimbursed by the State of registry or international organization responsible for the launching.

AUSTRALIA: Proposed text to amend Article 2, paragraph 1 of USA draft (WG.I/1)

- (a) omit the words "unless otherwise requested by the State of registry or international organization responsible for launching".
- (b) after "each Contracting Party" omit the words "shall take all possible steps" and insert instead the words: "undertakes to take such steps as it may find practicable".
- (c) after "who" where first appearing insert the words: "in its territory".
- (d) omit "who" where second appearing.

Text would then read as follows:

1. Each Contracting Party undertakes to take such steps as it may find practicable to assist or rescue promptly the personnel of spacecraft who in its territory are the subject of accident or experience conditions of distress or may make emergency landings by reason of accident, distress or mistake.

UNITED KINGDOM: Amendment to Article 2, paragraph 1 of USA draft (WG.I/2)

Delete present wording and

Substitute the following:

"Each Contracting Party undertakes to take such steps as it may find practicable within its territory to assist or rescue promptly the personnel of spacecraft who are the subject of accident or experience conditions of distress, or who may make emergency landings in that territory by reason of accident or mistake.

If personnel of a spacecraft are presumed to have made an emergency landing on the high seas, and the State of registry or international organization responsible for launching does not request otherwise, a joint search shall be carried out by those Contracting Parties which are in a position to conduct search and rescue operations in the area of the high seas concerned".

AUSTRIA: Amendment to Article 1 of USSR draft (WG.I/3)

Replace Article 1 by the following text:

Each of the Contracting States shall render all possible assistance to the crews of space ships and shall take all possible steps to rescue astronauts and space ships in the event of accident, distress or emergency landing.

JAPAN: Amendment to Article 2, paragraph 1, second sentence of USA draft (WG.I/4)

Add the following sentence at the end:

Any search or rescue operations conducted in Antarctica should not be construed as prejudicing the positions of states concerned with respect to Antarctica.

LEBANON: Amendment to Article 2, paragraph 2 of USA draft (WG.I/5)

Replace this paragraph by the following:

A Contracting State may request the co-operation of the authorities of the State of registry or international organization responsible for the launching in order to carry out effectively rescue and assistance operations on its territory.

AUSTRIA: Amendment to Article 2, paragraph 2 of USA draft (WG.I/6)

1. Add the word "full" between "subject to" and "control".
2. Add the following paragraph:

"Each Contracting Party may reserve to its own authorities the sole right to search in certain areas of its territory".

LEBANON: Amendment to Article 1 of USSR draft (WG.I/7)

Replace Article 1 by the following text:

All Contracting States shall render assistance, each within the limits of the means at its disposal, to the crews of spaceships and shall take steps to rescue astronauts and spaceships in the event of accident, distress or emergency landing.

CANADA: Amendment to Article 1 of USSR draft  
(WG.I/8)

Add the words "using every means at its disposal" after "Each of the Contracting States" at the beginning of the Article and delete all the words after semicolon (;).

JAPAN: Amendment to Article 3 of USA draft  
(WG.I/9)

(Add the following new paragraph after paragraph 2 of Article 3 of the United States draft agreement on assistance and return)

3. Each launching of an object into outer space shall be officially announced and registered with the Secretary-General of the United Nations by the State of Registry or international organization responsible for launching. Such official announcement shall be made prior to or immediately after the launching, and such registration shall be made immediately after the object is put on orbit.

In case of an object remaining on orbit for a considerable length of time, such registration shall be made at a regular interval. In any case, the registration of an object launched into outer space to the Secretary-General of the United Nations shall include the specific purpose of the launching as well as other characteristics of the object launched which may be necessary for its identification.

ITALY: Proposal  
(WG.I/10)

Each Contracting State which discovers that a space vehicle is in distress or has landed or has alighted on the high seas shall give such information to the Secretary-General of the United Nations and, if possible, the State of registry of the space vehicle.

AUSTRALIA: Text suggested for consideration  
(WG.I/11)

The obligation of a Contracting Party to return an object that has caused damage to it or to its nationals does not become effective until satisfactory arrangements have been made for compensation in respect of the damage.

USSR: Amendment to Article 4 of the USA draft  
(WG.I/12)

Insert between the words "may" and "be" the words: "with the consent of all the parties to the dispute".

UNITED KINGDOM: Amendment to Article 4 of the USA draft  
(WG.I/13)

Delete present text

Substitute the following:

"A dispute between Contracting Parties concerning the application or interpretation of this Agreement which is not previously settled by other peaceful means of their own choice may be referred to the International Court of Justice at the request of either party to the dispute".

JAPAN: Proposal relating to dispute in regard to identification  
(WG.I/14)

In case of a difference between Contracting States as to the identification of an object which has returned to earth after having been launched into outer space, any State concerned may request the Secretary-General of the United Nations to designate an expert or a group of experts to render an advisory opinion on the identification of the object in question with a view to facilitating the peaceful settlement of the difference.

Assistance to and return of astronauts and space vehicles

Proposals and amendments before Working Group

(WG.I/15)

Article on duty to rescue and render assistance

General obligation

USSR - Article 1

Each of the Contracting States shall render all possible assistance to the crews of spaceships and shall take steps to rescue astronauts and spaceships in the event of accident, distress or 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 various kinds.

(A/AC.105/C.2/L.2/Rev.1)

USA - Article 2 (1)

1. Unless otherwise requested by the State of registry or international organization responsible for launching, each Contracting Party shall take all possible steps to assist or rescue promptly the personnel of spacecraft who are the subject of accident or experience conditions of distress or who may make emergency landings by reason of accident, distress or mistake. (A/AC.105/C.2/L.9)

AUSTRIA

Each of the Contracting States shall render all possible assistance to the crews of spaceships and shall take all possible steps to rescue astronauts and spaceships in the event of accident, distress or emergency landing (WG.I/3)

LEBANON

All Contracting States shall render assistance, each within the limits of the means at its disposal, to the crews of spaceships and shall take steps to rescue astronauts and spaceships in the event of accident, distress or emergency landing. (WG.I/7)

Rescue of astronauts in Territory of Contracting States

USSR - Article 3

In the event that astronauts make an emergency landing, owing to accident or distress, in the territory of a Contracting State, that State shall

immediately inform the launching State of the occurrence and shall take all possible steps to rescue the astronauts and to render them the necessary assistance.

The launching State shall be immediately informed of the successful outcome of the rescue operations or of the failure of attempts to carry out rescue operations.

If the Contracting State in whose territory the astronauts have landed is unable to carry out the necessary rescue operations unaided, it shall request assistance from the launching State. (A/AC.105/C.2/L.2/Rev.1)

USA - Article 2

2. Each Contracting Party shall permit, subject to control by its own authorities, the authorities of the State of registry or international organization responsible for launching to provide measures of assistance as may be necessitated by the circumstances. (A/AC.105/C.2/L.9)

AUSTRALIA and UNITED KINGDOM - Amendments to Article 2, paragraph 1 of USA draft

1. Each Contracting Party undertakes to take such steps as it may find practicable to assist or rescue promptly the personnel of spacecraft who in its territory are the subject of accident or experience conditions of distress or may make emergency landings by reason of accident, distress or mistake.

(WG.I/1 and WG.I/2)

LEBANON - Amendment to Article 2, paragraph 2 of the USA draft

Replace this paragraph by the following:

A Contracting State may request the co-operation of the authorities of the State of registry or international organization responsible for the launching in order to carry out effectively rescue and assistance operations on its territory. (WG.I/5)

AUSTRIA - Amendment to Article 2, paragraph 2 of USA draft

1. Add the word "full" between "subject to" and "control".
2. Add the following paragraph:

"Each Contracting Party may reserve to its own authorities the sole right to search in certain areas of its territory. (WG.I/6)

Search and Rescue on the High Seas

USSR - Article 4

If the astronauts are presumed to have alighted, owing to accident or distress, on the high seas, a search for them shall be made, if necessary, jointly with those Contracting States to which the launching State may make application.

Rescue operations on the high seas shall be directed by the launching State or by such State as the launching State may request to take charge thereof. (A/AC.105/C.2/L.2/Rev.1)

USA - Article 2 (1)

1. ... Such steps [to assist or rescue promptly the personnel of spacecraft] shall include a joint search by those Contracting Parties which may be in a position to conduct search and rescue operations in the event personnel of a spacecraft are presumed to have made an emergency landing on the high seas or Antarctica. (A/AC.105/C.2/L.9)

UNITED KINGDOM

If personnel of a space craft are presumed to have made an emergency landing on the high seas, and the State of registry or international organization responsible for launching does not request otherwise, a joint search shall be carried out by those Contracting Parties which are in a position to conduct search and rescue operations in the area of the high seas concerned. (WG.I/2)

AUSTRALIA - Oral

Oral proposal to paragraph 1 of Article 2 of the USA proposal:

omit the words "on the high seas or Antarctica" and insert instead the words "outside the territory of the launching State".

USSR - Article 5

The launching State may reserve the exclusive right to carry out, by its own means and with its own personnel, operations for the finding and rescue of astronauts and spaceships in a zone of the high seas designated by itself. (A/AC.105/C.2/L.2/Rev.1)

ANTARCTICA

1. Several delegations requested deletion of the word "Antarctica" in Article 2 of the USA proposal.

2. JAPAN

Add at end of Article 2, paragraph 1, USA draft

Any search or rescue operations conducted in Antarctica should not be construed as prejudicing the positions of states concerned with respect to Antarctica. (WG/I/4)

Notification of distress or landing

USA - Article 1

1. A Contracting Party which discovers that the personnel of a spacecraft have met with accident or are experiencing conditions of distress, or have made an emergency landing, shall notify without delay the State of registry or international organization responsible for launching, or the Secretary-General of the United Nations.

2. A Contracting Party which discovers that an object launched into outer space or parts thereof have returned to Earth shall notify without delay the State of registry or international organization responsible for launching, or the Secretary-General of the United Nations. (A/AC.105/C.2/L.9)

USSR - Article 2

The authorities of a Contracting State which discover or in some way receive information that the crew of a spaceship of another State are in distress shall do their utmost to notify the launching State without delay. (A/AC.105/C.2/L.2/Rev.1)

USSR - Article 3

In the event that astronauts make an emergency landing, owing to accident or distress, in the territory of a Contracting State, that State shall immediately inform the launching State of the occurrence ... (A/AC.105/C.2/L.2/Rev.1)

ITALY - Proposal

Each Contracting State which discovers that a space vehicle is in distress or has landed or has alighted on the high seas shall give such information to the Secretary-General of the United Nations and, if possible, the State of registry of the space vehicle. (WG.I/10)

Registration of advance notification

JAPAN - addition to Article 3 of USA draft

3. Each launching of an object into outer space shall be officially announced and registered with the Secretary-General of the United Nations by the State of registry or international organization responsible for launching. Such official announcement shall be made prior to or immediately after the launching, and such registration shall be made immediately after the object is put on orbit.

In case of an object remaining on orbit for a considerable length of time, such registration shall be made at a regular interval. In any case, the registration of an object launched into outer space to the Secretary-General of the United Nations shall include the specific purposes of the launching as well as other characteristics of the object launched which may be necessary for its identification. (WG/I/9)

LEBANON - proposal (oral)

Require notification in advance of launching.

Priority of rescuing astronauts

USSR - Article 6

Where a spaceship is in distress and the lives of astronauts are in danger, assistance shall first be rendered to the astronauts.

(A/AC.105/C.2/L.2/Rev.1)

FRANCE - oral suggestion

Provision that assistance shall first be rendered to any lives in danger.

Standard of assistance

USSR - Article 7

The assistance to be furnished when necessary by one Contracting State to astronauts of another State shall in no way differ from the assistance which could be furnished to its own astronauts. (A/AC.105/C.2/L.2/Rev.1)

Return of Astronauts

USSR - Article 8

Each Contracting State shall do its utmost to facilitate the earliest possible return to their own country of envoys of mankind in outer space - astronauts of another State - who meet with an accident, are in distress or make an emergency landing in its territory or who are rescued on the high seas. (A/AC.105/C.2/L.2/Rev.1)

USA - Article 3

1. Each Contracting Party shall return the personnel of a spacecraft who have made an emergency landing by reason of accident, distress or mistake promptly and safely to the State of registry or international organization responsible for launching. (A/AC.105/C.2/L.9)

FRANCE - oral suggestion

Provision for cases where astronauts have committed offence.

Return of space objects and furnishing  
of identifying data

USSR - Article 9 of USA draft

Foreign spaceships, satellites and capsules found by a Contracting State in its territory or salvaged on the high seas shall be returned without delay, together with the equipment they contain, to the State which launched them for purposes of peaceful exploration and use of outer space, if the launching State has officially announced the launch of these objects and the purposes of launching.

The State which launched the objects into outer space shall, for the purpose of the return of these objects, furnish identifying particulars thereof at the request of the State which has found such objects in its territory or has salvaged them on the high seas. (A/AC.105/C.2/L.2/Rev.1)

USA - Article 3

2. Upon request by the State of registry or international organization responsible for launching, a Contracting Party shall return to that State or

international organization an object launched into outer space or parts thereof that have returned to Earth. Such State or international organization shall, upon request, furnish identifying data. (A/AC.105/C.2/L.9)

AUSTRALIA - Text suggested for consideration

The obligation of a Contracting Party to return an object that has caused damage to it or to its nationals does not become effective until satisfactory arrangements have been made for compensation in respect of the damage. (WG.I/11)

LEBANON - oral

Clarification of the meaning of the word "return" - whether an obligation of transportation is involved.

Reimbursement of expenses

USSR - Article 10

The expenses incurred by a State in fulfilling the obligations prescribed in articles 8 and 9 of this Agreement shall be reimbursed by the launching State. (A/AC.105/C.2/L.2/Rev.1)

ITALY - oral proposal

- (a) No compensation for expenses incurred in rescuing astronauts.
- (b) In case of salvage of objects, there should be remuneration in addition to reimbursement.

Settlement of disputes

USA - Article 4

Any dispute arising from the interpretation or application of this Agreement may be referred by any Contracting Party thereto to the International Court of Justice for decision (A/AC.105/C.2/L.9)

USSR

Insert between the words "may" and "be" the words: "with the consent of all the parties to the dispute". (WG.I/12)

UNITED KINGDOM

A dispute between Contracting Parties concerning the application or interpretation of this Agreement which is not previously settled by other peaceful

means of their own choice may be referred to the International Court of Justice at the request of either party to the dispute. (WG.I/13)

Disputes in respect of identification

JAPAN - proposal relating to dispute in regard to identification

In case of a difference between Contracting States as to the identification of an object which has returned to earth after having been launched into outer space, any State concerned may request the Secretary-General of the United Nations to designate an expert or a group of experts to render an advisory opinion on the identification of the object in question with a view to facilitating the peaceful settlement of the difference. (WG.I/14)

ITALY - Amendment to Article 1 of the proposal of Australia and Canada  
(WG.I/17) (WG.I/18)

Delete the words: "by reason of accident, distress or mistake".

ITALY - Amendment to Article 2 of the proposal of Australia and Canada  
(WG.I/17) (WG.I/19)

Delete the words "of registry" after the word "State".

SWEDEN - Amendments to Article 3 of the proposal of Australia and Canada  
(WG.I/17) (WG.I/20)

1. Add at the end of the first sentence in paragraph 1 the following words: "to protect and safeguard the craft".
2. Add at the end of paragraph 2 the following: "and to examine an object launched into outer space or parts of any such object found by a Contracting Party in its territory or recovered by it elsewhere".
3. Replace paragraph 3 by the following text:  
"Upon the request of a Contracting Party in the territory of which the personnel of a spacecraft are located, the State of registry or international organization responsible for the launching shall co-operate with that Party by rendering in its territory assistance to the personnel of the spacecraft".
4. Add the following new paragraph after paragraph 3:  
"Upon the request of a Contracting Party, in the territory of which an object launched into space or parts of any such objects are found, the State of registry or international organization responsible for the launching shall

co-operate with that Party by rendering assistance with a view to the recovery and return of the object or parts of it.

FRANCE - Amendment to Article 5 of the proposal by Australia and Canada  
(WG.I/17) (WG.I/21)

Replace Article 5 by the following text:

"A Contracting Party shall not oppose the departure from its territory of persons on board a spacecraft which has made an emergency landing and shall do its utmost to assist them in making travel arrangements.

The present article shall not be construed as preventing juridical or administrative proceedings, or the enforcement of measures resulting from such proceedings, instituted by reason of the deeds or words of such persons after the completion of operations relating to the emergency landing.

FRANCE - Amendment to Article 6 of the proposal by Australia and Canada  
(WG.I/17) (WG.I/22)

In paragraph (2), after the words "return to", insert the words "or retain at the disposal of,"

JAPAN - Amendment to Article 6 of the proposal of Australia and Canada  
(WG.I/17) (WG.I/23)

Add the following new paragraph after paragraph 4:

"The obligation of a Contracting Party under this Agreement to return an object that has caused damage to it or to its nationals shall not become effective in relation to a State of registry or an international organization responsible for the launching which has not accepted the obligation specified in the Convention on liability for damage caused by objects launched into outer space."

ANNEX II

Proposals and amendments relating to  
liability for damage caused by objects  
launched into outer space



UNITED STATES: PROPOSAL  
(A/AC.105/C.2/L.8)

Convention concerning liability for damage caused  
by the  
launching of objects into outer space

The Contracting Parties,

Recognizing that activities in the peaceful exploration and use of outer space may from time to time result in damage,

Recalling the Declaration of Legal Principles Governing Activities of States in the Exploration and Use of Outer Space, adopted by the General Assembly on December 13, 1963, as resolution 1962 (XVIII),

Seeking to establish a simple and expeditious procedure to provide financial protection against damage,

Believing that the establishment of such a procedure will contribute to the growth of friendly relations and cooperation among nations,

Agree as follows:

Article I

For the purposes of this Convention:

- a. "Damage" means loss of life or personal injury and destruction or loss of, or damage to, property.
- b. The words "launching", "launches", "launch", etc., shall include attempted launchings.
- c. "Presenting State" means a State which is a Contracting Party to this Convention, or an international organization of which at least one member is a Contracting Party, and which presents a claim for compensation to a receiving State.
- d. "Receiving State" means a State of registry from which compensation is sought by a presenting State.
- e. "State of registry" means:
  - (i) a Contracting Party which, in accordance with procedures determined by it, has registered an object for launching into outer space; or

- (ii) a Contracting Party which launches or participates in launching, or whose natural or juridical persons launch or participate in launching, or whose facility or territory is used for launching into outer space an object that is not registered with another Contracting Party.

Article II

Subject to the provisions of Article III, the State of registry shall be liable and undertakes to pay compensation for damage on the earth, in air space, or in outer space caused by the launching of an object into outer space, including any damage caused by apparatus or equipment used in such launching.

Article III

1. The liability referred to in Article II shall be absolute; however, gross negligence on the part of the presenting State or persons whom it represents shall, as appropriate, diminish or expunge any obligation to pay compensation.
2. If objects launched into outer space collide, there shall be no liability as between States of registry or international organizations involved in the launching of such objects.

Article IV

1. A Contracting Party, or an international organization of which at least one Contracting Party is a member, which suffers damage as the result of the launching of an object into outer space, or whose natural or juridical persons suffer such damage, may present a claim for compensation to the receiving State. A Contracting Party may also present the claims of dual nationals or stateless persons permanently residing in its territory. However, a claim of any individual claimant may not be presented by more than one Contracting Party.
2. The claim shall be presented through the diplomatic channel. A State may request a third State to present its claim and otherwise to represent its interests in the event that it does not maintain diplomatic relations with the receiving State.
3. A claim must be presented within one year of the date on which the accident occurred.

Article V

A State shall not be liable under this Convention for damage suffered by its own nationals.

Article VI

1. The presentation of a claim shall not require exhaustion of any remedies in the receiving State which may otherwise exist.

2. Any claim presented in conformity with the provisions of this Convention shall exclude pursuit by the presenting State or any natural or juridical persons whom it represents of any remedies which might otherwise be available in the receiving State or under the terms of any other international agreement.

Article VII

1. If a claim is not settled within one year from the date of presentation, the presenting State may request the establishment of a commission to decide the claim. In such event the receiving State shall promptly appoint one person to serve on the commission, the presenting State shall do likewise, and a third member shall be appointed by the President of the International Court of Justice. If the receiving State fails to appoint its member within three months, the individual appointed by the President of the International Court of Justice shall constitute the sole member of the commission.

2. The commission shall determine its own procedure.

3. The commission shall arrive at its decisions by majority vote.

4. The decision of the commission shall be rendered expeditiously and shall be binding upon the parties.

Article VIII

Payment of compensation shall be made in a currency convertible readily and without loss of value into the currency of the presenting State or commonly used by the presenting international organization.

Article IX

The liability of the State of registry shall not exceed \$ \_\_\_\_\_ with respect to each launching.

Article X

Any dispute arising from the interpretation or application of this Convention may be referred by any Contracting Party thereto to the International Court of Justice for decision.

Article XI

A Contracting Party may propose amendments to this Convention. Amendments shall come into force for each Contracting Party accepting the amendments on acceptance by a majority of the Contracting Parties and thereafter for each remaining Contracting Party on acceptance by it.

Article XII

A Contracting Party may give notice of withdrawal from this Convention five years after its entry into force by written notification to the Secretary-General of the United Nations. Such withdrawal shall take effect one year from the date of receipt by the Secretary-General of the notification. It is understood that such withdrawal shall not relieve a State of any obligation or liability arising from damage occurring before withdrawal.

Article XIII

This Convention shall be open for signature by States Members of the United Nations or of any of the specialized agencies or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a party. Any such State which does not sign this Convention may accede to it at any time.

Article XIV

This Convention shall be subject to ratification or approval by signatory States. Instruments of ratification or approval and instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article XV

This Convention shall enter into force upon the deposit of the seventh instrument of ratification, approval or accession. It shall enter into force as to a State ratifying, approving, or acceding thereafter upon deposit of its instrument of ratification, approval, or accession.

Article XVI

The Secretary-General of the United Nations shall inform all States referred to in Article XIII of signatures, deposits of instruments of ratification, approval, or accession, the entry into force of this Convention, proposals for amendments, notifications of acceptances of amendments, and notices of withdrawal.

Article XVII

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations who shall send certified copies to any of the States mentioned in Article XIII.

In witness whereof the undersigned, being duly authorized have signed this Convention.

Done at \_\_\_\_\_, this \_\_\_\_\_  
day of \_\_\_\_\_, 196\_\_ .

HUNGARY: PROPOSED DRAFT AGREEMENT  
(A/AC.105/C.2/L.10)

Agreement  
concerning liability for damage caused  
by the launching of objects into outer space

The Contracting States,

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

Recalling the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, adopted by the General Assembly on December 13, 1963, as resolution 1962 (XVIII),

Considering that the States and international organizations involved in the launching of objects into outer space should be internationally liable for damage caused by these objects,

Recognizing the need for establishing international rules and procedures concerning such liability to insure protection against damage caused by objects launched into outer space,

Believing that the establishment of such rules and procedures would facilitate the taking of the greatest possible precautionary measures by States and international organizations involved in the launching of objects into outer space to protect against damage inflicted by objects launched into outer space,

Have decided to conclude the present Agreement:

Article 1

1. The provisions of this Agreement shall apply to compensation for loss of life, personal injury and damage to property (hereinafter called "damage"):

- (a) caused by an object launched into outer space, or
- (b) caused in outer space, in the atmosphere or on the ground by any manned or unmanned space vehicle or any object after being launched, or conveyed into outer space in any other way.

2. Liability is also incurred even if, for any reason, the space vehicle or other object has not reached outer space.

3. For the purposes of this Agreement "Space Object" means space ships, satellites, orbital laboratories, containers and any other devices designed for movement in outer space and sustained there otherwise than by the reaction of air, as well as the means of delivery of such subjects.

Article II

1. Liability of the State shall not exceed .....

2. A claim for damage may be advanced on the ground of loss of profits and moral damage whenever compensation for such damage is provided for by the law of the State liable for such damage.

Article III

Whenever damage is done to a space vehicle or object or its crew in outer space, the launching State will have no claim except in cases provided for in Articles IV and V below.

Article IV

The State shall assume full liability for damage caused directly or indirectly on the ground, in the atmosphere or in outer space, if the State is exercising an unlawful activity in outer space or the space vehicle or object has been launched for unlawful purposes.

Article V

If the damaged State produces evidence that damage has been caused in outer space because of the fault of another State, the latter shall be liable for this damage.

Article VI

If the damage has occurred on the ground or in the atmosphere, exemption from liability may be granted only insofar as the State liable produces evidence that the damage has resulted from the natural disaster or from a natural act or from gross negligence of the State suffering the damage.

Article VII

1. Liability for damage shall rest with the State or international organization which has launched or attempted to launch the space vehicle or object, or in the case of a common undertaking, with all the States participating in the undertaking, or with the State from whose territory or from whose facilities the launching was made, or with the State which owns or possesses the space vehicle or object causing the damage.

2. In case of joint launching or joint possession or ownership or co-operation, liability may be laid upon more than one State or international organization; their liability towards the damaged State shall be joint.

Article VIII

If liability for damage rests with an international organization, the financial obligations towards States suffering damage shall be met by the international organization and by its member States.

Article IX

1. A claim for damage may be made by a State in whose territory damage has occurred or in respect of damage suffered by its citizens or legal entities whether in the territory of that State or abroad.

2. No claim shall be presented by virtue of this Agreement by any State not covered by the provisions of paragraph 1 of this Article.

3. The provisions of this Agreement shall not apply to damage caused on the territory of the State liable or in respect of damage suffered by its citizens or legal entities whether in the territory of that State or abroad.

Article X

A claim must be presented within one year of the date of occurrence of the damage.

Article XI

The claim shall be presented through diplomatic channels. The damaged State may request a third State to represent its interests in the event it has no diplomatic relations with the State liable.

Article XII

1. In case the State liable does not satisfy the claim of the damaged State, the claim for compensation shall be presented to a committee of arbitration set up by the two States on a basis of parity. This committee will determine its own procedure.

2. Should the committee mentioned in paragraph 1 not arrive at a decision, the States may agree upon an international arbitration procedure or any other method of settlement acceptable to both States.

Article XIII

This Agreement shall be open for signature to all States. It shall be subject to ratification. Instruments of ratification shall be deposited with the Secretary General of the United Nations.

Article XIV

After the Agreement enters into force it shall be open for accession to all States. Instruments of accession shall be deposited with the Secretary General of the United Nations.

Article XV

1. This Agreement shall enter into force thirty days after the date of deposit with the Secretary General of the United Nations of the twenty-second instrument of ratification or accession.

2. With respect to each State which ratifies the Agreement or accedes thereto after the deposit of the twenty-second instrument of ratification or accession, the Agreement shall enter into force thirty days after the date of deposit by that State of its instrument of ratification or accession.

Article XVI

Any Contracting State may denounce this Agreement by notification to the Secretary General of the United Nations. The denunciation shall take effect one year after the date on which the notification has been received by the Secretary General of the United Nations.

Article XVII

The Secretary General of the United Nations shall notify all States concerning:-

- (a) the signature of this Agreement and the deposit of instruments of ratification or accession in accordance with Articles XIV and XV;
- (b) the date of entry into force of this Agreement in accordance with Article XV;
- (c) denunciations received in accordance with Article XVI.

Article XVIII

The original of this Agreement, of which the texts in Chinese, English, French, Russian and Spanish languages are equally authentic, shall be deposited with the Secretary General of the United Nations, who shall transmit certified copies thereof to all States.

Working paper submitted by the Belgian Delegation on the  
unification of certain rules governing liability for  
damage caused by space devices  
(A/AC.105/C.2/L.7)

Field of application

Art.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

Art. 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, or

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

Art. 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

Art. 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

Art. 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.

Art. 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.

UNITED KINGDOM: Amendment to Article II of USA draft (A/AC.105/C.2/L.8)  
(WG.II/1)

Delete present text and

Substitute the following:

"The State of registry shall be liable and undertakes to pay full compensation, in accordance with this Convention, for damage on the earth, in air space, or in outer space which is caused by the launching of an object into outer space, including any damage caused by apparatus or equipment used in such launching, or which is caused by any object which has been launched into outer space."

ITALY: Amendment to Article concerning field of application of Convention  
(WG.II/2)

The provisions of this Convention shall apply to any damage caused on the earth, in the atmosphere or in outer space by a cosmic (space) vehicle (device) or by component parts of such vehicle or by objects detached from or launched from such vehicle.

CANADA: Amendment to Article II of the USA draft (A/AC.105/C.2/L.8)  
(WG.II/3)

Insert in the third line the word "ail" before the word "damage".

JAPAN: Proposal for new Article  
(WG.II/4)

In order to minimize damage on land or sea, the State of registry or international organization responsible for launching should make every effort to ensure

(a) that the objects launched, other than manned space vehicles, be equipped with such devices as to enable those objects to make a soft landing, or

(b) that those objects be made of such materials as those which could be burnt up completely before their landing on earth or water.

ITALY: Amendment to article V of USA draft (A/AC 105/C.2/L.8)  
(WG.II/5)

(1)

The present Convention does not apply to damages caused on the territory of the State which has launched an outer space device or by the installations for the launching of such device. (In this case, the legislation of the said State is applicable).

(2)

The present Convention is applicable when damage has been caused on the territory of a State other than the State which has launched the outer space device.

AUSTRALIA: Draft new articles to be inserted after  
Article I of USA text (A/AC.105/C.2/L.8)  
(WG.II/6)

1A. If an international organization which conducts space activities and of which one or more of the contracting parties to the present Convention are constituent members, deposits with the Secretary-General of the United Nations a declaration that it accepts and undertakes to comply with the provisions of the present Convention, those provisions shall apply to that organization in all respects in like manner as they apply to a State, and a reference to a State shall be read and construed accordingly.

1B. The contracting parties to the present Convention undertake to use their best endeavours to ensure that any international organization which conducts space activities and of which they are constituent members is authorized to make and will make the declaration referred to in Article 1A.

1C. Where an international organization has made the declaration referred to in Article 1A, each contracting party to the present convention which is a constituent member of that organization undertakes the same liability as attaches under the present convention to that international organization in respect of any damage for which the organization is itself liable.

JAPAN: Amendment to Article Ie.(ii) of USA draft (A/AC.105/C.2/L.8)  
(WG.II/7)

Insert the following between the word "launching" and the words "or whose facility or territory" -

"with the permission of the State to which they belong".

UNITED KINGDOM: New Article  
(WG.II/8)

In the event that a claim is presented, in accordance with Article Ie(ii) of this Convention, to more than one receiving State, the amount of compensation recovered by the presenting State shall not in the aggregate exceed the amount recoverable in respect of the same damage from any one of the receiving States.

ITALY: Proposal  
(WG.II/9)

1. In the case of damage caused on the surface of the planet Earth, the principle of absolute liability shall apply, even in the case of force majeure; (because of the unequal positions of the victims of the damage, who have no possibility of protecting themselves against risks resulting from space activities, and of those launching space devices);

2. In the case of damage occurring in the air (atmosphere of the planet Earth) the principle of ordinary law shall apply that there is no liability without fault; there shall however be a rebuttable presumption of fault (because of the greater risk involved in space activities as compared with conventional aviation);
3. The same principle of fault should apply to damage caused by one space object to another - in particular by collision. There should however be a rebuttable presumption of common fault, (because of the difficulty of proving which party is at fault).

Proposals and amendments before Working Group  
(WG.II/10)

Article on field of application

BELGIUM: Article 1(a)

The following provisions shall apply to compensation for damage caused to persons or property by one or more space devices .....

(A/AC.105/C.2/L.7)

USA: Article II

Subject to the provisions of Article III, the State of registry shall be liable and undertakes to pay compensation for damage on the earth, in air space, or in outer space caused by the launching of an object into outer space, including any damage caused by apparatus or equipment used in such launching.

(A/AC.105/C.2/L.8)

HUNGARY: Article I

1. The provisions of this Agreement shall apply to compensation for loss of life, personal injury and damage to property ...

(a) caused by an object launched into outer space, or

(b) caused in outer space, in the atmosphere or on the ground by any manned or unmanned space vehicle or any object after being launched, or conveyed into outer space in any other way.

2. Liability is also incurred even if, for any reason, the space vehicle or other object has not reached outer space.

(A/AC.105/C.2/L.10)

UNITED KINGDOM: Amendment to Article 2 of USA draft

Delete present text and

Substitute the following:

"The State of registry shall be liable and undertakes to pay full compensation, in accordance with this Convention, for damage on the earth, in air space, or in outer space which is caused by the launching of an object into outer space, including any damage caused by apparatus or equipment used in such launching, or which is caused by any object which has been launched into outer space".

(WG.II/1)

ITALY:

The provisions of this Convention shall apply to any damage caused on the earth, in the atmosphere or in outer space by a cosmic (space) vehicle (device) or by component parts of such vehicle or by objects detached from or launched from such vehicle.

(WG.II/2)

CANADA: Amendment to Article 2 of the USA draft

Insert in the third line the word "all" before the word "damage".

(WG.II/3)

INDIA: oral

The application of the Convention to the entire surface of the earth, including the oceans, should be clarified.

LEBANON: oral

1. The application of the Convention to damage which might not be caused directly by the space-craft itself. In other words, "indirect damage", for example through radioactive contamination of the air by nuclear propelled space-craft, should be clarified.
2. The provisions similar to those in Article III of the draft of Belgium should be included so that where there is a link of causation between such damage and "the launching motion or descent of all or part of the space device" the Convention would apply.
3. The presence or absence of a relationship of cause and effect shall be determined in accordance with the national law of the person injured.

Article on exemptions from provisions of agreement

BELGIUM - Article 1(a)

...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.

(A/AC.105/C.2/L.7)

USA - Article V

A State shall not be liable under this Convention for damage suffered by its own nationals.

(A/AC.105/C.2/L.8)

HUNGARY - Article IX

3. Provisions of this Agreement shall not apply to damage caused on the territory of the State liable or in respect of damage suffered by its citizens or legal entities whether in the territory of that State or abroad.

(A/AC.105/C.2/L.10)

ITALY - Amendment to Article V of USA draft

1. The present Convention does not apply to damages caused on the territory of the State which has launched an outer space device or by the installations for the launching of such device. (In this case, the legislation of the said State is applicable).
  2. The present Convention is applicable when damage has been caused on the territory of a State other than the State which has launched the outer space device.
- (WG.II/5)

ARGENTINA, AUSTRIA and CANADA - oral

Where damage is caused in a launching State to foreign nationals it should not be a condition that local remedies should be exhausted before a claim might be presented under the Convention.

SWEDEN - oral

The Convention should not deal with the presentation of claims on behalf of dual nationals.



Article on Parties liable

BELGIUM - Article II

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, or
- the State whose flag the space device flies, or
- the State or States claiming ownership or co-ownership of the space device.

(A/AC.105/C.2/L.7)

USA - Article II

Subject to the provisions of Article III, the State of registry shall be liable ...

Article I

e. "State of registry" means:

- (i) a Contracting Party which, in accordance with procedures determined by it, has registered an object for launching into outer space; or
- (ii) a Contracting Party which launches or participates in launching, or whose natural or juridical persons launch or participate in launching, or whose facility or territory is used for launching into outer space an object that is not registered with another Contracting Party.

(A/AC.105/C.2/L.8)

HUNGARY - Article VII

1. Liability for damage shall rest with the State or international organization which has launched or attempted to launch the space vehicle or object, or in the case of a common undertaking, with all the States participating in the undertaking, or with the State from whose territory or from whose facilities the launching was made, or with the State which owns or possesses the space vehicle or object causing the damage.

2. In case of joint launching or joint possession or ownership of co-operation, liability may be laid upon more than one State or international organization; their liability towards the damaged State shall be joint. (A/AC.105/C.2/L.10)

UNITED KINGDOM - Amendment to Article 2 of USA draft

Delete present text and substitute the following -

"The State of registry shall be liable and undertakes to pay full compensation, in accordance with this Convention, for damage on the earth, in air space, or in outer space which is caused by the launching of an object into outer space, including any damage caused by apparatus or equipment used in such launching, or which is caused by any object which has been launched into outer space." (WG.II/1)

AUSTRALIA - Draft new articles to be inserted after Article 1 of USA text

1A. If an international organization which conducts space activities and of which one or more of the contracting parties to the present Convention are constituent members, deposits with the Secretary-General of the United Nations a declaration that it accepts and undertakes to comply with the provisions of the present Convention, those provisions shall apply to that organization in all respects in like manner as they apply to a State, and a reference to a State shall be read and construed accordingly.

1B. The contracting parties to the present Convention undertake to use their best endeavours to ensure that any international organization which conducts space activities and of which they are constituent members is authorized to make and will make the declaration referred to in Article 1A.

1C. Where an international organization has made the declaration referred to in Article 1A, each contracting party to the present convention which is a constituent member of that organization undertakes the same liability as attaches under the present convention to that international organization in respect of any damage for which the organization is itself liable. (WG.II/6)

JAPAN - Amendment to Article 1e.(ii) of USA draft

Insert the following between the word "launching" and the words "or whose facility or territory" --- "with the permission of the State to which they belong". (WG.II/7)

UNITED KINGDOM - addition of new article to USA draft

In the event that a claim is presented, in accordance with Article 1e(ii) of this Convention, to more than one receiving State, the amount of compensation recovered by the presenting State shall not in the aggregate exceed the amount recoverable in respect of the same damage from any one of the receiving States. (WG.II/8)

CANADA - oral

1. The Convention should reflect the principle that, if one State in a common undertaking, resulting in damage, is proceeded against and has to pay compensation, such State should have a right to seek contribution from the other States involved in the common undertaking.

2. Where one such State is proceeded against, the other States in the common undertaking should be entitled to join in the proceedings.

Article on liability where more than one party is involved

BELGIUM - Article II

The following shall be held liable for damage within the meaning of Article I at the choice of the plaintiff, there being no joint liability or solidarity: ...  
(A/AC.105/C.2/L.7)

USA - Article II

Subject to the provisions of Article III, the State of registry shall be liable ... for the definition of "the State of registry", see para. "e" of Article I

Article IV

1. A Contracting Party, or an international organization of which at least one Contracting Party is a member, which suffers damage as the result of the launching of an object into outer space, or whose natural or juridical persons suffer such damage, may present a claim for compensation to the receiving State. ...

Article I

d. "Receiving State" means a State of registry from which compensation is sought by a presenting State. (A/AC.105/C.2/L.8)

HUNGARY - Article VII

1. Liability for damage shall rest with the State or international organization which has launched or attempted to launch the space vehicle or object, or in the case of a common undertaking, with all the States participating in the undertaking, or with the State from whose territory or from whose facilities the launching was made, or with the State which owns or possesses the space vehicle or object causing the damage.

2. In case of joint launching or joint possession or ownership or co-operation, liability may be laid upon more than one State or international organization; their liability towards the damaged State shall be joint. (A/AC.105/C.2/L.10)

Proposed new article on precautionary measures

JAPAN

In order to minimize damage on land or sea, the State of registry or international organization responsible for launching should make every effort to ensure -

- (a) that the objects launched, other than manned space vehicles, be equipped with such devices as to enable those objects to make a soft landing, or
- (b) that those objects be made of such materials as those which could be burnt up completely before their landing on earth or water.

(WG.II/4)

Article on system of liability and  
exoneration from liability  
(WG.II/10/Add.1)

USA - Article III (1) and (2)

1. The liability referred to in Article II shall be absolute; however, gross negligence on the part of the presenting State or persons whom it represents shall, as appropriate, diminish or expunge any obligation to pay compensation.
2. If objects launched into outer space collide, there shall be no liability as between States of registry or international organizations involved in the launching of such objects. (A/AC.105/C.2/L.8)

HUNGARY - Article III

Whenever damage is done to a space vehicle or object or its crew in outer space, the launching State will have no claim except in cases provided for in Articles IV and V below.

Article IV

The State shall assume full liability for damage caused directly or indirectly on the ground, in the atmosphere or in outer space, if the State is exercising an unlawful activity in outer space or the space vehicle or object has been launched for unlawful purposes.

Article V

If the damaged State produces evidence that damage has been caused in outer space because of the fault of another State, the latter shall be liable for this damage.

Article VI

If the damage has occurred on the ground or in the atmosphere, exemption from liability may be granted only insofar as the State liable produces evidence that the damage has resulted from the natural disaster or from a wilful act or from gross negligence of the State suffering the damage.

(A/AC.105/C.2/L.10)

ITALY

1. In the case of damage caused on the surface of the planet Earth, the principle of absolute liability shall apply, even in the case of force majeure; (because of the unequal positions of the victims of the damage, who have no possibility of protecting themselves against risks resulting from space activities, and of those launching space devices);

2. In the case of damage occurring in the air (atmosphere of the planet Earth) the principle of ordinary law shall apply that there is no liability without fault; there shall however be a rebuttable presumption of fault (because of the greater risk involved in space activities as compared with conventional aviation);

3. The same principle of fault should apply to damage caused by one space object to another - in particular by collision. There should however be a rebuttable presumption of common fault, (because of the difficulty of proving which party is at fault). (WG.II/9)

CANADA - oral

1. The Convention should provide for exoneration from liability only where an injured party had wilfully and recklessly exposed himself to dangers of which he was warned and which he could have avoided.

2. As regards collisions between space objects, wherever such a collision might occur, there should be no liability as between the launching states. This rule should however only apply where there is an absence of reckless or wilful conduct on the part of the launching states involved.

3. The Convention should provide that where a launching State seeks to rely on an exoneration from liability, then the burden of proof in that regard should rest upon the launching State.

INDIA and UAR - oral

There should be no exceptions to the principle of absolute liability for damage caused by space objects.

Article on law to determine the relationship  
of cause and effect between damage and outer space activities

BELGIUM - Article III

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.

(A/AC.105/C.2/L.7)

ARGENTINA and FRANCE - oral

The law which should govern the question should be the law of the place where the accident occurred.

Article on limitation of liability  
in amount

BELGIUM - Article IV

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.

(A/AC.105/C.2/L.7)

UNITED STATES - Article IX

The liability of the State of registry shall not exceed ~~7~~ -----  
with respect to each launching.

(A/AC.105/C.2/L.8)

HUNGARY - Article II (1)

1. Liability of the State shall not exceed .....

(A/AC.105/C.2/L.10)

Article on payment of compensation  
in convertible currency

UNITED STATES - Article VIII

Payment of compensation shall be made in a currency convertible readily  
and without loss of value into the currency of the presenting State or commonly  
used by the presenting international organization.

(A/AC.105/C.2/L.8)

UNITED KINGDOM: Amendment to Article VIII USA draft Convention

(A/AC.105/C.2/L.8)

Delete the present text and

Substitute the following:

"Payment of compensation shall be made in the currency of the Presenting  
State or in a currency acceptable to the presenting international organization".

Article on presentation of claims by States  
or international organizations and on  
behalf of natural or juridical  
persons

UNITED STATES - Article IV (1)

1. A Contracting Party, or an international organization of which at  
least one Contracting Party is a member, which suffers damage as the  
result of the launching of an object into outer space, or whose natural  
or juridical persons suffer damage, may present a claim for compensation  
to the Receiving State. A Contracting Party may also present the claims  
of dual nationals or stateless persons permanently residing in its  
territory. However, a claim of any individual claimant may not be pre-  
sented by more than one Contracting Party.

(A/AC.105/C.2/L.8)

HUNGARY - Article IX

1. A claim for damage may be made by a State in whose territory damage  
has occurred or in respect of damage suffered by its citizens or legal  
entities whether in the territory of that State or abroad.  
2. No claim shall be presented by virtue of this Agreement by any State  
not covered by the provisions of paragraph 1 of this Article.

(A/AC.105/C.2/L.10)

SWEDEN: oral

Amendment to United States Draft - Article IV (1)

There was a Swedish proposal: (i) to delete the words "of which at least  
one Contracting Party is a member" and to substitute therefor the words "to  
which the Convention is applicable"; (ii) to include in the case of an inter-  
national organization, a reference to its employees, and (iii) to delete the  
reference to "dual nationals".

Article on joinder of actions

BELGIUM - Article V (1)

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.

(A/AC.105/C.2/L.7)

Article on presentation of claims for compensation through  
the diplomatic channel

BELGIUM - Article V

(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.

(A/AC.105/C.2/L.7)

UNITED STATES - Article IV

2. The claim shall be presented through the diplomatic channel. A State may request a third State to present its claim and otherwise to represent its interests in the event that it does not maintain diplomatic relations with the receiving State.

(A/AC.105/C.2/L.8)

HUNGARY - Article XI

The claim shall be presented through diplomatic channels. The damaged State may request a third State to represent its interests in the event it has no diplomatic relations with the State liable.

(A/AC.105/C.2/L.10)

Article on time-limits for presentation  
of claims

BELGIUM - Article V

(a) Within twelve months of the occurrence of the damage, the plaintiff State shall submit ... all claims for compensation...

(A/AC.105/C.2/L.7)

UNITED STATES - Article IV

3. A claim must be presented within one year of the date on which the accident occurred.

(A/AC.105/C.2/L.8)

HUNGARY - Article X

A claim must be presented within one year of the date of occurrence of the damage.

(A/AC.105/C.2/L.10)

JAPAN: WG.II/17

Replace para. 3, Article IV of the USA draft by the following:

"3. A claim must be presented within .... year (years) of the date on which the State of registry or the international organization responsible for the launching has been identified and the State which suffers damage or juridical persons suffer damage has knowledge or ought reasonably to have knowledge of such damage."

Article on pursuit of remedies available  
in State liable or under other  
international agreements

UNITED STATES - Article VI

1. The presentation of a claim shall not require exhaustion of any remedies in the receiving State which may otherwise exist.

2. Any claim presented in conformity with the provisions of this Convention shall exclude pursuit by the presenting State or any natural or juridical persons whom it represents of any remedies which might otherwise be available in the receiving State or under the terms of any other international agreement.

(A/AC.105/C.2/L.8)

UNITED KINGDOM: Amendment to Article VI, para. 2, of USA Draft

(A/AC.105/C.2/L.8)

Delete present text and

Substitute the following

"If, however, the presenting State, or any natural or juridical person whom it represents, elects to pursue a claim in the administrative agencies or the Courts of the receiving State, it shall not at the same time present under this Convention a claim arising out of the same damage."

ITALY: Amendment to Australian proposal (WG.II/6)  
(WG.II/12)

Replace the text of LA by the following text:

1A. If an international organization which conducts space activities deposits with the Secretary-General of the United Nations a declaration that it accepts and undertakes to comply with the obligations of the present Convention, the provisions relating to those obligations shall apply to that organization in all respects in like manner as they apply to a State.

SWEDEN: Working draft on the liability of international organizations to be ritted into the USA text.  
(WG.II/13)

1. If an international organization transmits to the Secretary-General of the United Nations a declaration that it accepts the provisions of the present Convention, all the provisions, except Articles X, XIII, XIV and XV shall apply to the organization as they apply to a Contracting Party.

Article V shall be taken to mean that an international organization shall not be liable under this Convention for damage suffered by its own employees. Disputes arising from the interpretation or application of this Convention, and in which an international organization is involved, shall be settled, at the request of any party to the dispute, by the procedure prescribed in Article VII. The application of the Convention to an international organization is conditional upon the entry into force of the Convention in accordance with Article XV.

2. The Contracting Parties to the present Convention undertake to use their best endeavours to ensure that any international organization which conducts space activities and of which they are constituent members is authorized to make and will make the declaration referred to in Article I. If provision for subsidiary liability of members of international organizations is deemed indispensable with regard to space activities, a clause along the following lines is submitted:

3. The declaration referred to in Article I shall contain a statement that the constituent members of the international organization have undertaken to be jointly responsible for the payment of any compensation due from the organization under the present Convention, should the organization itself have failed to pay that compensation within X months from the date on which the amount of such compensation was agreed upon or otherwise established. The declaration shall also indicate in which proportion the liability thus undertaken by each of the constituent members of the organization will be borne by them.

UNITED KINGDOM: Amendment to Article VIII USA draft Convention (A/AC.105/C.2/L.8)  
(WG.II/14)

Delete present text and

Substitute the following:

"Payment of compensation shall be made in the currency of the Presenting State or in a currency acceptable to the presenting international organization."

UNITED KINGDOM: Amendment to Article VI, paragraph 2, of USA draft (A/AC.105/C.2/L.8)  
(WG.II/15)

Delete present text and

Substitute the following

"If, however, the presenting State, or any natural or juridical person whom it represents, elects to pursue a claim in the administrative agencies or the Courts of the receiving State, it shall not at the same time present under this Convention a claim arising out of the same damage."

JAPAN: Proposal  
(WG.II/16)

Add the following after paragraph 2, Article VII of USA draft (A/AC.105/C.2/L.8)

"It shall also determine how the costs and expenses shall be divided between the parties to the dispute, failing agreement by the parties on this matter."

JAPAN: Amendment to paragraph 3 of Article IV of USA draft (A/AC.105/C.2/L.8)  
(WG.II/17)

Replace paragraph 3 of Article IV by the following:

"3. A claim must be presented within ..... year (years) of the date on which the State of registry or the international organization responsible for the launching has been identified and the State which suffers damage or juridical persons suffer damage has knowledge or ought reasonably to have knowledge of such damage."

ANNEX III

LIST OF DELEGATES AND OBSERVERS

ARGENTINA

Representative

Dr. Mario A. CAMPORA  
Secretario de Embajada,  
Misión Permanente de la República  
Argentina ante los Organismos  
Internacionales en Ginebra

AUSTRALIA

Representative

Sir Kenneth BAILEY, C.B.E.  
Solicitor-General of the  
Commonwealth of Australia

Adviser

Mr. Raymond J. GREET  
Second Secretary,  
Australian Permanent Mission to the  
European Office of the United Nations

AUSTRIA

Representative

Mr. Robert MARSCHIK  
Secretary of Legation,  
Federal Ministry for Foreign Affairs

BELGIUM

Representative

Mr. Max LITVINE  
Professeur à l'Université Libre  
de Bruxelles

BRAZIL

Representative

M. Geraldo de Carvalho SILOS  
Représentant suppléant du Brésil  
à l'ONU

Adviser

M. Heitor SOARES DE MOURA  
Consul Adjoint du Brésil  
à Düsseldorf

BULGARIA

Representative

M. Yordan GOLEMANOV  
Conseiller de Légation,  
Chef du département pour l'ONU et  
le désarmement auprès du Ministère  
des Affaires Etrangères

Alternate

M. Vesselin IZMIRLIEV  
Deuxième Secrétaire,  
Représentation Permanente de la  
République Populaire de Bulgarie auprès  
de l'Office européen des Nations Unies

CANADA

Representative

H.E. S.F. RAE  
Permanent Representative of Canada  
to the European Office of the United Nations

Advisers

Mr. Peter C. DOBELL  
Permanent Mission of Canada to the  
United Nations, New York

Mr. H. Courtney KINGSTONE  
Department of External Affairs,  
Ottawa

CZECHOSLOVAKIA

Representative

Dr. Vladimír ZAK  
Counsellor of Embassy  
Ministry of Foreign Affairs

Alternate

Dr. Vladimír GOTMANOV  
Second Secretary of Embassy  
Ministry of Foreign Affairs

FRANCE

Representative

M. Olivier DELEAU  
Conseiller d'Ambassade,  
Ministère des Affaires Etrangères

Alternate

Mr. Robert LEMAITRE  
Conseiller juridique,  
Ministère des Affaires Etrangères

HUNGARY

Representative

Dr. József BENYI  
Deputy Permanent Representative,  
Permanent Mission of Hungary to the  
European Office of the United Nations

Alternate

Dr. Imre PARTLI  
Attaché,  
Ministry for Foreign Affairs

INDIA

Representative

Dr. K. Krishna RAO  
Legal Adviser and Director,  
Legal and Treaties Division,  
Ministry of External Affairs

IRAN

Representative

M. Shamsedin GOLESTANEH  
Premier Secrétaire,  
Délégation Permanente de l'Iran auprès  
de l'Office européen des Nations Unies

ITALY

Representative

Professor Antonio AMBROSINI

Secretary

Mlle Giovanni AMBROSINI

JAPAN

Representative

Mr. Motoo OGISO  
Counsellor,  
Japanese Embassy  
in Austria, Vienna

Alternate

Mr. Yoshiya KATO  
Third Secretary,  
Permanent Mission of Japan to the  
United Nations, New York

Advisers

Mr. Katsuyoshi YAMANO  
Scientific Section,  
United Nations Bureau,  
Ministry of Foreign Affairs

Mr. Tadayoshi MURAO  
Aeronautics and Space Section,  
Research Co-ordination Bureau,  
Science and Technology Agency, Tokyo

LEBANON

Representative

Ambassador Georges HAKIM  
Permanent Representative of Lebanon  
to the United Nations, New York

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Representative

Señor Emilio CALDERON PUIG  
Embajador Extraordinario y Plenipotenciario,  
Delegado Permanente en Ginebra

Alternate

Señor Licenciado Jorge P. TREVINO  
Vocal Director de la Comisión Nacional  
del Espacio Exterior

Advisers

Srita. Elisa AGUIRRE

Señor Antonio de ICAZA



MONGOLIA

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Counsellor, Permanent Mission of Mongolia  
to the United Nations, New York

Mr. Ish OCHIRBAL  
Third Secretary,  
Permanent Mission of Mongolia, New York

MOROCCO

Representative

M. Ghali BENHIMA  
Premier Secrétaire de l'Ambassade du  
Royaume du Maroc en Suisse et en Autriche

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H.E. Professor Dr. Manfred LACHS  
Ambassador, Adviser of the Minister  
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Legal Affairs

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Ministère des Affaires Etrangères

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Ministry of Foreign Affairs

Alternate

Mr. Petre MATEESCO  
Third Secretary,  
Permanent Mission of the Romanian  
Peoples' Republic to the European  
Office of the United Nations

SWEDEN

Representative

Mr. Love KELLBERG (9 - 18 March)  
Head, Legal Department,  
Ministry of Foreign Affairs

Mr. Hans BLIX (19 - 26 March)  
Special Legal Adviser to the  
Ministry of Foreign Affairs

UNION OF SOVIET SOCIALIST REPUBLICS

Representative

Dr. Oleg N. KHLESTOV  
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and Treaty Affairs,  
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Mr. Yulij M. VORONTZOV  
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Department of International Organizations,  
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UNITED ARAB REPUBLIC

Representative

Dr. Ahmed OSMAN  
Conseiller de la Mission Permanente  
de la R.A.U. auprès de l'Office  
européen des Nations Unies

Secretary

M. Fouad YOUSSEF  
Attaché, Mission Permanente de la R.A.U.  
auprès de l'Office européen des  
Nations Unies

UNITED KINGDOM

Representative

Miss Joyce A.C. GUTTERIDGE, C.B.E.  
Counsellor and Legal Adviser,  
United Kingdom Delegation to the  
United Nations

Alternate

Mr. Benjamin L. STRACHAN  
First Secretary,  
Foreign Office

UNITED STATES OF AMERICA

Representative

Mr. Leonard C. MEEKER  
Deputy Legal Adviser,  
Department of State

Advisers

Mr. Paul G. DEMBLING  
Deputy General Counsel,  
National Aeronautics and  
Space Administration

UNITED STATES OF AMERICA (Cont'd)

Advisers (Cont'd)

Colonel F. Ned HAND, U.S.A.F.  
Staff Judge Advocate,  
Space Systems Division,  
Air Force Systems Command

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Office of United Nations Political  
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Department of State

Mr. Joseph NORBURY  
International Affairs Officer,  
Department of State

Mr. Herbert K. REIS  
Office of the Legal Adviser,  
Department of State

Miss Jeannette SMITH

Secretary

\* \* \* \* \*

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Membre du service juridique

\* \* \* \* \*

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Office of Legal Affairs

Miss K. CHEN )  
Mr. G. KALINKIN ) Legal Officers  
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Mr. T. OLIVER  
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Council Affairs

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COMMITTEE ON THE PEACEFUL  
USES OF OUTER SPACE

REPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF ITS THIRD  
SESSION (9-26 MARCH 1964) TO THE COMMITTEE ON THE PEACEFUL  
USES OF OUTER SPACE

CORRIGENDUM

Page 3, paragraph 10, third line:

Replace the word "Australia" by "Austria".

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