Article III

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

Article IV

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

Article V

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

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

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

Article VI

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

Article VII

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

Article VIII

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

jurisdiction and control over such object, and on any personnel thereof, while it is in outer space of a celestial body. Ownership of objects launched outer space, including objects landed or construction on a celestial body, and of their component parts, is affected by their presence in outer space or on a celest body or by their return to the Earth. Such objects component parts found beyond the limits of the SP Party to the Treaty on whose registry they are carrishall be returned to that State Party, which shall, we request, furnish identifying data prior to their return

Article IX

In the exploration and use of outer space, include the Moon and other celestial bodies, States Parties the Treaty shall be guided by the principle of operation and mutual assistance and shall conduct their activities in outer space, including the Moon other celestial bodies, with due regard to the con sponding interests of all other States Parties to Treaty. States Parties to the Treaty shall pursue stu of outer space, including the Moon and other celes bodies, and conduct exploration of them so as to an their harmful contamination and also adverse change in the environment of the Earth resulting from introduction of extraterrestrial matter and, where essary, shall adopt appropriate measures for this a pose. If a State Party to the Treaty has reason believe that an activity or experiment planned by or its nationals in outer space, including the Moon other celestial bodies, would cause potentially harm interference with activities of other States Parties the peaceful exploration and use of outer space, cluding the Moon and other celestial bodies, it undertake appropriate international consultations be proceeding with any such activity or experiment State Party to the Treaty which has reason to bel that an activity or experiment planned by another S Party in outer space, including the Moon and celestial bodies, would cause potentially harmful in ference with activities in the peaceful exploration use of outer space, including the Moon and other lestial bodies, may request consultation concerning activity or experiment.

Article X

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

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

Article XI

In order to promote international co-operation in peaceful exploration and use of outer space, Starties to the Treaty conducting activities in space, including the Moon and other celestial both agree to inform the Secretary-General of the University Nations as well as the public and the international co-operation in peace of the University of the Unive

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

Article XII

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

Article XIII

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

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

Article XIV

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

Article XV

- 1. If any dispute arises between two or more States Parties to the Treaty with regard to the interpretation or application of this Treaty, those States Parties to the Treaty shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.
- 2. Any dispute of this nature not so resolved shall, with the consent, in each case, of all parties to the

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

Article XVI

- 1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
- 2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of ... which are hereby designated the Depositary Governments.
- 3. This Treaty shall enter into force after its ratification.
- 4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
- 5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force, and other notices.
- 6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XVII

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

Article XVIII

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

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

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

DOCUMENT A/6392

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

[Original text: English] [19 September 1966]

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

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

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

the Peaceful Uses of Outer Space, so that the General Assembly may have before it as an agenda item the treaty proposal of the United States Government of 16 June 1966 brought up to date by modifications that take into account the Legal Sub-Committee's work.

The General Assembly will thus have clearly before it the three key documents on this general subject: the report of the Committee on the Peaceful Uses of Outer Space, the United States proposal for a "Treaty governing the exploration and use of outer space, including the Moon and other celestial bodies" and the item proposed by the Soviet Union entitled "Conclusion of an international agreement on legal principles governing the activities of States in the exploration and conquest of the Moon and other celestial bodies".

I would be grateful if you would arrange to have my letter, together with the enclosed explanatory memorandum and proposed treaty, circulated as an official document of the United Nations.

(Signed) Arthur J. GOLDBERG Permanent Representative of the United States of America to the United Nations

EXPLANATORY MEMORANDUM

- 1. During the past year considerable attention has been devoted to the need for and development of a treaty laying down rules concerning activities in outer space including the Moon and other celestial bodies. In May 1966 the United States and interested Governments began extensive private consultations on this subject with one another and with such distinguished persons as Mr. Waldheim, Chairman of the Committee on the Peaceful Uses of Outer Space. On 16 June the United States circulated to members of the Committee a proposed "Treaty Governing the Exploration of the Moon and Other Celestial Bodies". On the same day the Soviet Union circulated a draft treaty on this subject.
- 2. In the interest of making the most rapid possible progress, the United States proposed that the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space be convened on 12 July to take up this important and urgent matter. Although the Soviet Union had originally proposed that discussion of this matter be begun in the General Assembly in the autumn, general agreement was reached accepting the United States proposal for an early meeting of the Legal Sub-Committee. The Sub-Committee held the first part of its fifth session in Geneva from 12 July to 4 August and made very considerable progress. During the resumption of its session, held at Headquarters from 12 to 16 September, the Sub-Committee was unable to make further progress because of the insistence by a small minority on a clause that would accord special privileges for a State launching objects into outer space by giving it the right to demand tracking facilities on the territory of other countries regardless of the views of the other country and without reciprocal obligations by the launching State to permit any facilities for others on its territory.
- 3. It has thus proven impossible for the Legal Sub-Committee and the parent Committee on the Peaceful Uses of Outer Space to bring work on this matter to a successful conclusion notwithstanding the clear desire of most members to conclude this treaty with its important provisions banning weapons of mass destruc-

tion from outer space and assuring free access by to the Moon and other celestial bodies.

- 4. The urgency of this matter is made apparent man's rapid strides in space. The United States considers that the discussions in Geneva and New You have made necessary the presentation to the General Assembly of all the relevant proposals, and thus reques the inclusion in the agenda of the twenty-first session of the General Assembly, in accordance with rule of the rules of procedure of the General Assembly, an item entitled "Treaty governing the exploration and use of outer space, including the Moon and othe celestial bodies".
- 5. The treaty proposed by the United States is corporates the United States proposal of 16 June at the provisions agreed upon by the Legal Sub-Committee during its fifth session. The text of the propose treaty is attached.

DRAFT TREATY GOVERNING THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES

The Contracting Parties,

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

Further recalling General Assembly resolution 188 (XVIII), concerning weapons of mass destruction adopted by acclamation on 17 October 1963,

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

Desiring to contribute to broad international of operation in the scientific as well as in the legal aspect of the exploration and use of outer space for peaced purposes,

Anticipating the substantial contributions to scientific knowledge that will flow from international co-operation the scientific investigation of outer space and elestial bodies,

Convinced that a treaty on the exploration and of outer space and celestial bodies will further the purposes and principles of the Charter of the United Nations,

Agree as follows:

Article 1

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

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

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

Article 2

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

The Moon and other celestial bodies shall be used exclusively for peaceful purposes. The establishment of military bases and fortifications, the testing of any type of weapons and the conduct of military manœuvres shall be forbidden. The present Treaty does not prohibit the use of any type of personnel or equipment for scientific research or any other peaceful purpose.

Article 3

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

Article 4

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

Article 5

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

Article 6

The States Parties to the Treaty take note of the desirability of the fullest exchange of information concerning the nature, conduct and locations of activities on celestial bodies and, to the extent feasible and practicable, will promptly submit reports to the other Parties to the Treaty or the Secretary-General of the United Nations and to the international scientific community.

Article 7

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

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall States Parties.

States Parties to the Treaty shall immediately inform the other Parties to the Treaty or the Secretary-General of the United Nations of any phenomena they discover

in outer space, including the Moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

Article 8

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

Article 9

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

Article 10

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

Article 11

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

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

Article 12

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

Article 13

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

Article 14

This Treaty shall be open for signature by States Members of the United Nations or members 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 Treaty may accede to it any time.

Article 15

This Treaty 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 16

This Treaty 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 ratio ing, approving or acceding thereafter upon the depoi of its instrument of ratification, approval or accession

Article 17

on acceptance by it.

Article 18

A Contracting Party may give notice of its with drawal from this Treaty one year after its entry in force by written notification to the Secretary-General of the United Nations. Such withdrawal shall take effective one year from the date of receipt by the Secretar General of the notification.

Article 19

The Secretary-General of the United Nations ship april 1966. The Sub-Committee's report was circulated inform all States referred to in article 14 of signature is document A/AC.105/31. deposits of instruments of ratification, approval or 3. The fifth session of the Legal Sub-Committee was proposals for amendment, notification of acceptances amendments, and notices of withdrawal.

Article 20

This Treaty shall be registered in accordance wind Article 102 of the Charter of the United Nations.

Article 21

thereof to the States referred to in article 14.

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

Done at ... this ... day of ... one thousand hundred and...

DOCUMENT A/6431

Report of the Committee on the Peaceful Uses of Outer Space

[Original text: English [22 September 196

Paragraphs

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I. INTRODUCTION

1. The Committee on the Peaceful Uses of Outer pace met at United Nations Headquarters, New York, pace met at office 1 and on 19 September 1966 under the A Contracting Party may propose amendments hairmanship of Mr. Kurt Waldheim (Austria). Mr. this Treaty. Amendments shall come into force to Gheorghe Diaconescu (Romania) was elected Viceeach Contracting Party accepting the amendments Chairman at the 44th meeting, on 19 September, in acceptance by a majority of the Contracting P acceptance by a majority of the Contracting Parts uccession to Mr. Mihail Haseganu (Romania). Mr. and thereafter for each remaining Contracting Parts Geraldo de Carvalho Silos (Brazil) served as Rapon acceptance by it neetings were circulated as documents A/AC.105/ V.43-45.

deetings of sub-committees and the Working Group of the Whole

- 2. The fourth session of the Scientific and Technical sub-Committee was convened at the United Nations ffice, Geneva, on 18 April under the chairmanship Mr D. F. Martyn (Australia). The Sub-Committee eld eleven meetings and concluded its work on 27
- cession, the date of entry into force of this Treat onvened at the United Nations Office, Geneva, on 12 My under the chairmanship of Mr. Manfred Lachs oland). The session was suspended on 4 August was resumed at United Nations Headquarters in 12 to 16 September. The Sub-Committee's report circulated as document A/AC.105/35.
- 4. The Working Group of the Whole, established examine the desirability, objectives and organization an international conference to be held in 1967 on the The original of this Treaty, of which the Chines Inited Nations Headquarters from 18 to 25 January English, French, Russian and Spanish texts are equal authentic, shall be deposited with the Secretary-General hittee served as officers of the Working Group. The of the United Nations, who shall send certified copie Working Group's first and second reports were circular to in article 14 xploration and peaceful uses of outer space, met at ulated as documents A/AC.105/30 and A/AC.105/34.

Eighth session of the Committee

5. At its 44th meeting, on 19 September 1966, the ommittee adopted the following agenda:

Election of Vice-Chairman.

Statement by the Chairman.

Report of the Committee to the General Assembly:

- (a) Report of the Scientific and Technical Sub-Committee and related matters (A/AC.105/31);
- (b) Report of the Legal Sub-Committee (A/AC.105/35);
- (r) Report of the Working Group of the Whole (A/ AC.105/34):
- (d) Reports furnished by the International Telecommunication Union (A/AC.105/L.24) and the World Meteorolegical Organization (A/AC.105/L.31).
- 6. In addition to the documents listed in the agenda, e following documents were submitted for the inormation of the Committee: (a) a report by the ecretary-General on material to ensure popular unerstanding of the purposes and potentialities of space ctivities (A/AC.105/C.1/L.12); (b) a note by the ecretariat containing suggestions for programmes of ducation and training of specialists in the peaceful uses outer space to assist the developing countries (A/ C.105/C.1/L.14); (c) a review of national and coperative international space activities (A/AC.105/ (d) a report by the Ad Hoc Panel on space lucation and training established by the Committee

on Space Research (COSPAR) of the International Council of Scientific Unions (A/AC.105/L.27); (e) a report furnished by COSPAR on the world-wide distribution of sounding rocket launching facilities (A/ AC.105/L.28); (f) a review of the activities and resources of the United Nations, of its specialized agencies and of other competent international bodies relating to the peaceful uses of outer space (A/AC.105/L.29); (g) the report of the Advisory Panel for the Thumba Equatorial Rocket Launching Station (TERLS) on its first meeting (A/AC.105/L.30); (h) a statement by the Secretary-General on the financial implications of the proposed international conference on the exploration and peaceful uses of outer space (A/AC.105/

- 7. The opening statement by the Chairman is reproduced in annex I.
- 8. The Committee adopted its report to the General Assembly at its 45th meeting, on 19 September 1966.
- 9. The Committee's recommendations and decisions are set out below.

II. RECOMMENDATIONS AND DECISIONS

Report of the Scientific and Technical Sub-Committee

10. The Committee endorsed the recommendations set out in paragraphs 15 to 36 of the Sub-Committee's report and reproduced in annex II.

Report of the Legal Sub-Committee

11. The Committee took note of the report of the Legal Sub-Committee. The report is reproduced in annex III.

Report of the Working Group of the Whole

- 12. The Committee endorsed the recommendations set out in paragraphs 3, 7, 8, 9 and 10 of the Working Group's second report (A/AC.105/34). The Working Group's recommendations are reproduced in annex IV.
- 13. The representative of Mexico proposed that the words "examination of the desirability of establishing a permanent centre for information and consultation within the United Nations Secretariat" should be added to item 8 (International co-operation and opportunities for space research and application), in the draft agenda recommended by the Working Group. The Committee agreed to refer the proposal to the General Assembly for further consideration.
- 14. With regard to the site of the conference, the Committee agreed to recommend that the conference should be held at Vienna in the first part of September 1967, prior to the opening of the twenty-second session of the General Assembly.
- 15. The Committee agreed that a ceiling of between \$300,000 and \$350,000 should be established for the cost of the conference, the exact amount to be determined after consultations with members and with the Advisory Committee on Administrative and Budgetary Questions. The statement of financial implications by the Secretary-General is reproduced in annex V.
- 16. With regard to the organization of the conference, the Chairman announced, following consultations with members, that the panel of experts referred to in paragraph 8 of the Working Group's second report would be composed of representatives of the following countries: Australia, Brazil, Bulgaria, Czechoslovakia, France, India, Italy, Japan, Romania, Sweden,