

COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACEREPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF ITS
SPECIAL SESSION (14 - 15 DECEMBER 1967) TO THE
COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

1. The Legal Sub-Committee, following consultation between the Chairman of the Committee on the Peaceful Uses of Outer Space, Mr. Kurt Waldheim (Austria), and the Chairman of the Legal Sub-Committee, Mr. Eugeniusz Wyzner (Poland), convened in special session at the United Nations Headquarters on 14 and 15 December 1967.
2. The Sub-Committee adopted the following agenda for the session (A/AC.105/C.2/L.30):
 1. Statement by the Chairman
 2. Draft agreement on assistance to and return of astronauts and space vehicles
 3. Adoption of the report of the Committee on the Peaceful Uses of Outer Space
3. The Sub-Committee had before it a Working paper on a draft agreement on assistance to and return of astronauts and space vehicles (A/AC.105/C.2/L.28) that had been circulated to the members of the Sub-Committee by the Secretariat at the request of the delegations of the USSR and the United States.
4. In his opening statement the Chairman emphasized the importance of the draft agreement both with respect to the gradual development of the law of outer space and in particular to the astronauts described in the Outer Space Treaty as "the envoys of mankind".
5. The discussions of the Sub-Committee at its 86th meeting, on 14 December 1967, led to a revised version of the text of the draft agreement (A/AC.105/C.2/L.28/Rev.1). Further revisions in the working paper were agreed during the 87th, 88th and 89th meetings on 15 December 1967.

6. The views expressed by the members of the Sub-Committee are set out in the summary records of the Sub-Committee (A/AC.105/C.2/SR.86, A/AC.105/C.2/SR.87, A/AC.105/C.2/SR.88 and A/AC.105/C.2/SR.89), including the various statements made with regard to article 2 at the 89th meeting.
7. The importance of the relationship between an agreement on assistance to and return of astronauts and space vehicles and an agreement on liability for damage caused by the launching of objects into outer space was recognized by the Sub-Committee. The Sub-Committee was of the view that, as its work on the preparation of a draft agreement on assistance to and return of astronauts and space vehicles had now been concluded, it should expedite its work on the equally important and urgent matter of the preparation of a draft agreement on liability for damages caused by the launching of objects into outer space, so as to conclude its preparation not later than the beginning of the twenty-third session of the General Assembly and to submit it to that session.
8. The Sub-Committee recommends for urgent consideration by the Committee on the Peaceful Uses of Outer Space the following text of a draft Agreement on the rescue of astronauts, the return of astronauts, and the return of objects launched into outer space.

AGREEMENT ON THE RESCUE OF ASTRONAUTS, THE RETURN OF ASTRONAUTS,
AND THE RETURN OF OBJECTS LAUNCHED INTO OUTER SPACE

The Contracting Parties,

Noting the great importance of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, which calls for the rendering of all possible assistance to astronauts in the event of accident, distress or emergency landing, the prompt and safe return of astronauts, and the return of objects launched into outer space,

Desiring to develop and give further concrete expression to these duties,

Wishing to promote international co-operation in the peaceful exploration and use of outer space,

Prompted by sentiments of humanity,

Have agreed on the following:

Article 1

Each Contracting Party which receives information or discovers that the personnel of a spacecraft have suffered accident or are experiencing conditions of distress or have made an emergency or unintended landing in territory under its jurisdiction or on the high seas or in any other place not under the jurisdiction of any State shall immediately:

(a) notify the launching authority or, if it cannot identify and immediately communicate with the launching authority, immediately make a public announcement by all appropriate means of communication at its disposal; and

(b) notify the Secretary-General of the United Nations who should disseminate the information without delay by all appropriate means of communication at his disposal.

Article 2

If, owing to accident, distress, emergency or unintended landing, the personnel of a spacecraft land in territory under the jurisdiction of a Contracting Party, it shall immediately take all possible steps to rescue them and render them all necessary assistance. It shall inform the launching authority and also the Secretary-General of the United Nations of the steps it is taking and of their progress. If assistance by the launching authority would help to effect a prompt rescue or would contribute substantially to the effectiveness of search and rescue operations, the launching authority shall co-operate with the Contracting Party with a view to the effective conduct of search and rescue operations. Such operations shall be subject to the direction and control of the Contracting Party, which shall act in close and continuing consultation with the launching authority.

Article 3

If information is received or it is discovered that the personnel of a spacecraft have alighted on the high seas or in any other place not under the jurisdiction of any State, those Contracting Parties which are in a position to do so shall, if necessary, extend assistance in search and rescue operations for such personnel to assure their speedy rescue. They shall inform the launching authority and the Secretary-General of the United Nations of the steps they are taking and of their progress.

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Article 4

If, owing to accident, distress, emergency or unintended landing, the personnel of a spacecraft land in territory under the jurisdiction of a Contracting Party or have been found on the high seas or in any other place not under the jurisdiction of any State, they shall be safely and promptly returned to representatives of the launching authority.

Article 5

1. Each Contracting Party which receives information or discovers that a space object or its component parts has returned to Earth in territory under its jurisdiction or on the high seas or in any other place not under the jurisdiction of any State, shall notify the launching authority and the Secretary-General of the United Nations.

2. Each Contracting Party having jurisdiction over the territory on which a space object or its component parts has been discovered shall, upon the request of the launching authority and with assistance from that authority if requested, take such steps as it finds practicable to recover the object or component parts.

3. Upon request of the launching authority, objects launched into outer space or their component parts found beyond the territorial limits of the launching authority shall be returned to or held at the disposal of representatives of the launching authority, which shall, upon request, furnish identifying data prior to their return.

4. Notwithstanding paragraphs 2 and 3 of this article, a Contracting Party which finds that a space object or its component parts discovered in territory under its jurisdiction, or recovered by it elsewhere, is of a hazardous or deleterious nature may so notify the launching authority which shall immediately take effective steps, under the direction and control of the said Contracting Party to eliminate possible danger or harm.

5. Expenses incurred in fulfilling obligations to recover and return a space object or its component parts under paragraphs 2 and 3 of this article shall be borne by the launching authority.

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Article 6

For the purposes of this Agreement, the term "launching authority" shall refer to the State responsible for launching, or, where an international inter-governmental organization is responsible for launching, that organization provided that that organization declares its acceptance of the rights and obligations provided for in this Agreement and a majority of the States members of that organization are Contracting Parties to this Agreement and to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies.

Article 7

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

2. This Agreement shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Agreement shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Agreement.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Agreement, 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 Agreement, the date of its entry into force and other notices.

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

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Article 8

Any State Party to the Agreement may propose amendments to this Agreement. Amendments shall enter into force for each State Party to the Agreement accepting the amendments upon their acceptance by a majority of the States Parties to the Agreement and thereafter for each remaining State Party to the Agreement on the date of acceptance by it.

Article 9

Any State Party to the Agreement may give notice of its withdrawal from the Agreement one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

Article 10

This Agreement, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Agreement 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 Agreement.

DONE in copies at

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