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COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE

REPORT OF THE LEGAL SUB-COMMITTEE ON THE WORK OF ITS
ELEVENTH SESSION (10 APRIL-5 MAY 1972)

1. The Legal Sub-Committee opened its eleventh session at the United Nations Office at Geneva on 10 April 1972 under the chairmanship of Mr. Eugeniusz Wyzner (Poland).
2. The Chairman in opening the session expressed his gratification that the Convention on International Liability for Damage Caused by Space Objects, the text of which was completed by the Sub-Committee at its tenth session after several years of work, had been opened for signature at the capitals of the three depositary Governments on 29 March 1972 and had already been signed by over 40 countries. The Sub-Committee had thus, within a period of 10 years, prepared three important international agreements on outer space, namely, the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the 1972 Convention on International Liability for Damage Caused by Space Objects. The Chairman congratulated the members of the Sub-Committee for their professional skill in producing the text of the Liability Convention which, without any change, was commended by the General Assembly.
3. In regard to the work of the present session, the Chairman recalled that in response to the request made by the Legal Sub-Committee at its tenth session, the Committee on the Peaceful Uses of Outer Space, at its fourteenth session in September 1971, considered the desirability of establishing the order of priority among the different questions to be included on the agenda of the Legal Sub-Committee at its future sessions. He referred, in this connexion,

to paragraph 38 of the report of the Committee on that session which read as follows: 1/

The Committee recognized that it was within the competence of the Legal Sub-Committee to assign priorities to the various subjects on its agenda. Nevertheless, in response to the request of the Sub-Committee, and on the basis of the suggestions made by many delegations, the Committee recommended, at its 106th meeting, on 10 September 1971, that priorities be given to matters relating to the registration of objects launched into space for the exploration or use of outer space, and to questions relating to the moon. At the same time, the Committee took note of the preference expressed by several delegations that priority be also given to: the various implications of space communications in the light of the reports of the Working Group on Direct Broadcast Satellites and the work undertaken in that field, in particular, by the International Telecommunication Union, the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization; matters relating to the definition and/or delimitation of outer space and outer space activities; and matters relating to activities carried out through remote sensing satellite surveys of earth resources. The Committee also recommended that the Legal Sub-Committee take these views into consideration in the programming of its future work. It further recommended that any decision taken by the Legal Sub-Committee to accord priority to one item should not preclude the consideration of any other item on the agenda during any future session of the Sub-Committee if the Sub-Committee so decides.

4. The Chairman noted that the recommendations quoted above had been endorsed by the General Assembly in its resolution 2776 (XXVI) of 29 November 1971.

Adoption of the agenda

5. At its opening meeting, the Sub-Committee adopted the following agenda for the session (A/AC.105/C.2/11):

1. Statement by the Chairman
2. Matters relating to the registration of objects launched into space for the exploration or use of outer space
3. Questions relating to the moon
4. Other questions, including:
 - (a) The various implications of space communications: report of the Working Group on Direct Broadcast Satellites

1/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 20.

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- (b) Matters relating to the definition and/or delimitation of outer space and outer space activities
- (c) Matters relating to activities carried out through remote sensing satellite surveys of earth resources.

Message from the Secretary-General on measures of economy

6. At the opening meeting of the session, the Chairman read out a message from the Secretary-General concerning measures of economy to be observed by the Secretariat and on which he would wish to have the support and assistance of United Nations bodies. The Chairman was certain that all members of the Sub-Committee shared the feelings expressed by the Secretary-General.

Decision on summary records

7. The Chairman drew attention to the decision taken by the main Committee in order to realize a substantial saving 2/ that in 1972, on an experimental basis, the summary records of the Sub-Committee would be prepared and issued only for the last week of the session. Following discussion, the Sub-Committee decided to request its Chairman to ascertain, in the course of the present session and through informal consultations, the views of the members on the question of summary records (A/AC.105/C.2/D.1). At its 190th meeting on 4 May, the Sub-Committee agreed that summary records should be prepared and issued for all meetings of its next (twelfth) session in 1973, on the understanding that this would not have additional financial implications and would not set a precedent for future sessions of the Sub-Committee.

Organization of work 3/

8. The Sub-Committee decided that the first week of the session would be devoted to the consideration of item 3 while the second week would be reserved in principle for the consideration of item 2. The Sub-Committee also decided that there would be some flexibility in moving from one item to the other. This flexibility was also maintained by the Sub-Committee during the third week of its work. It was also the decision of the Sub-Committee that the above arrangement should not preclude any delegation from making observations on any other item on the agenda, possibly during the fourth week of the session when the Sub-Committee would be provided with summary records of its meetings.

9. During the session, the Sub-Committee established two working groups for article by article consideration of proposals made under agenda items 2 and 3

2/ See the statement made by the Chief Editor of the United Nations, at the 108th meeting of the Outer Space Committee on 20 December 1971, that the saving would be of the order of \$45,000 (A/AC.105/PV.108, p. 2).

3/ Documents concerning the organization of work (A/AC.105/C.2/D.1, D.2 and D.3) are reproduced in annex III.

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respectively. The first working group was established at the 171st meeting on 11 April with respect to item 3 and was presided over by the Chairman of the Sub-Committee. The second working group was established at the 182nd meeting on 24 April with respect to item 2 and was presided over by the representative of Austria.

10. The Sub-Committee, because of lack of time, did not consider in any detail the various questions covered by item 4 of the agenda. However some delegations recorded their views on those questions during the last week of the session.

11. The Sub-Committee held a total of 22 meetings. The views expressed by delegations during the fourth week of the session are summarized in documents A/AC.105/C.2/SR.187 to 191. The two working groups each held a series of meetings during the course of the session. 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 to be found in document A/AC.105/C.2/INF.4/Rev.1.

Date of the next session of the Sub-Committee

12. The Sub-Committee recommended that its next (twelfth) session be held from 26 March to 20 April 1973.

Presentation of the report to the Committee

13. At its 190th meeting, on 4 May, the Sub-Committee decided to request its Chairman to attend the forthcoming session of the Committee on the Peaceful Uses of Outer Space in order to present the report of the Sub-Committee to the Committee and to provide such information relating to the report as might be required.

14. The Sub-Committee concluded its work on 5 May 1972 by adopting the present report unanimously.

I. QUESTIONS RELATING TO THE MOON

15. The Sub-Committee began consideration of agenda item 3 (Questions relating to the moon) at its 170th meeting on 10 April 1972.

16. In his introductory statement on this item the Chairman recalled that in 1971 the Union of Soviet Socialist Republics proposed for inclusion in the agenda of the twenty-sixth session of the General Assembly an item entitled "Preparation of an international treaty concerning the moon". This proposal (A/8391 and Corr.1) was communicated to the Sub-Committee for information in the course of its previous session. At its fourteenth session in September 1971, the Committee on the Peaceful Uses of Outer Space noted that the USSR had submitted to the General Assembly a draft international treaty concerning the moon, on which some members made observations. On 29 November 1971, the General Assembly adopted resolution 2779 (XXVI) in which, among other things, it took note of the draft

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treaty submitted by the USSR and requested the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee to consider, as a matter of priority, the question of the elaboration of a draft international treaty concerning the moon and to report thereon to the General Assembly at its twenty-seventh session.

17. The Chairman also drew attention to a proposal submitted to the Sub-Committee at its ninth session in 1970 by the delegation of Argentina entitled "draft agreement on the principles governing activities in the use of the natural resources of the moon and other celestial bodies" (A/AC.105/C.2/L.71 and Corr.1; see A/AC.105/85, annex II, p. 1).

18. As indicated in paragraph 9 above, the Sub-Committee, on 11 April, established a Working Group, with respect to item 3. The Working Group considered the provisions of the draft international treaty concerning the moon submitted by the USSR which contained the texts of a preamble, 11 substantive articles (articles I to XI) and final clauses (articles XII and XV), together with the following other proposals submitted in the course of its discussions:

Proposals submitted by the United States: "Article I - International law, force, hostile acts" (A/AC.105/C.2(XI)/Working paper 1); "Article II - Peaceful purposes, military prohibitions" (A/AC.105/C.2(XI)/Working Paper 2); "Article III - Freedom of scientific investigation, co-operation, exchange of personnel, reporting, scientific preserves, access, consultations" (A/AC.105/C.2(XI)/Working paper 3), together with document A/AC.105/C.2(XI)/Working paper 23 to replace paragraph 7 of article III; "Article ... - Definitions" (A/AC.105/C.2(XI)/Working paper 4); "Article IV - Non-contamination, reporting" (A/AC.105/C.2(XI)/Working paper 5); "Article V - Freedom of movement" (A/AC.105/C.2(XI)/Working paper 6); "Article VI - Right to establish non-interfering stations" (A/AC.105/C.2(XI)/Working Paper 7); "Article VII - Rescue, shelter, reporting" (A/AC.105/C.2(XI)/Working paper 8); "Preamble - Treaty on the exploration of the moon and other celestial bodies" (A/AC.105/C.2(XI)/Working paper 9); "Article VIII - Natural resources" (A/AC.105/C.2(XI)/Working paper 12, later revised and issued as document A/AC.105/C.2(XI)/Working paper 12/Rev.1); "Article IX - Ownership of space vehicles, emergency use" (A/AC.105/C.2(XI)/Working paper 14); "Article X - Information regarding accidents" (A/AC.105/C.2(XI)/Working paper 15); "Article XI - non-governmental entities, international organizations" (A/AC.105/C.2(XI)/Working paper 16); "Article XII - Outer space Treaty astronaut Agreement, liability Convention" (A/AC.105/C.2(XI)/Working paper 17); and "Article ... - Review" (A/AC.105/C.2(XI)/Working paper 21).

A joint proposal submitted by Sweden and the United Kingdom concerning "Scientific investigation" (A/AC.105/C.2(XI)/Working paper 10/Rev.1); and a proposal submitted by Australia (A/AC.105/C.2(XI)/Working paper 11) to add a provision to the Sweden/United Kingdom proposal.

A proposal submitted by Australia (A/AC.105/C.2(XI)/Working paper 13) to add a provision to paragraph 2 of article VIII of the United States draft (A/AC.105/C.2(XI)/Working paper 12).

A joint proposal concerning verification and consultation, submitted by Belgium, France, Italy, Sweden and the United Kingdom and later revised by the co-sponsors (A/AC.105/C.2(XI)/Working paper 18/Rev.1).

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A proposal submitted but later withdrawn by Australia (A/AC.105/C.2(XI)/Working paper 19) to insert a provision in the United States draft article VI (A/AC.105/C.2(XI)/Working paper 7).

A joint proposal concerning natural resources (article VIII) submitted by Egypt and India (A/AC.105/C.2(XI)/Working paper 20).

A working paper entitled "International co-operation" submitted by Australia (A/AC.105/C.2(XI)/Working paper 22), with respect to the text of article XIII considered by the Working Group and contained in document PUOS/C.2/WG(XI)/4.

A proposed addition to the United States draft article on definitions (A/AC.105/C.2(XI)/Working paper 4), submitted by the United Kingdom (A/AC.105/C.2(XI)/Working paper 24).

A proposal on article III submitted by Bulgaria (A/AC.105/C.2(XI)/Working paper 25).

A proposal on article IX submitted by the United States (A/AC.105/C.2(XI)/Working paper 26), with respect to the text formulated by the Working Group and contained in document PUOS/C.2/WG(XI)/9.

19. After its first reading of all the proposals the working group formulated 13 articles which were reproduced in documents PUOS/C.2/WG(XI)/1-14. The texts of 16 articles which resulted from a second reading by the working group were issued in document PUOS/C.2/WG(XI)/15. At a further meeting the working group formulated the preamble and final clauses of the draft treaty, which, together with the texts earlier formulated, were reproduced in document PUOS/C.2/WG(XI)/15/Rev.1. Certain provisions of these articles on which agreement had not yet been reached were indicated by square brackets.

20. The proposals referred to in paragraphs 16-18 and the texts referred to in paragraph 19, with the exception of the draft (PUOS/C.2/WG(XI)/15/Rev.1) set out in paragraph 21 below, are to be found in annex I.

21. At its 190th meeting on 4 May, the Sub-Committee approved the following text (as contained in document PUOS/C.2/WG(XI)/15/Rev.1), on which work should be pursued as a matter of priority:

The States Parties to this Treaty,

Noting the achievements of States in the exploration and use of the Moon and other celestial bodies, 4/

4/ A suggestion was made that, with a view to deleting references to "other celestial bodies" the treaty might contain a provision along the following lines:

The provisions of this Treaty shall apply to celestial bodies in addition to the Moon until such time as provision is made by other treaties in relation to specific celestial bodies. To the extent that provision is so made, this Treaty shall then cease to apply to those bodies.

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Recognizing that the Moon, as a natural satellite of the Earth, has an important role to play in the exploration of outer space,

Determined to promote on the basis of equality the further development of co-operation among States in the exploration and use of the Moon and other celestial bodies,

Desiring to prevent the Moon and other celestial bodies from becoming an area of international conflict,

Recalling the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, and the Convention on International Liability for damage caused by space objects,

Taking into account the need to define and develop the provisions of these international instruments in relation to the Moon and other celestial bodies having regard to further progress in the exploration and use of outer space,

Have agreed on the following:

Article I

1. As employed in this Treaty:

(i) The term "celestial body" includes all natural celestial bodies other than the Earth.

(ii) The phrase "the Moon and other celestial bodies" includes orbits around or other trajectories to or around celestial bodies.

2. This Treaty does not apply to extra-terrestrial materials which reach the surface of the Earth by natural means.

Article II

1. Activities on in the exploration and use of the Moon and in circumlunar space and other celestial bodies shall be carried out 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.

2. In accordance with the Charter of the United Nations, the threat or use of force or any other hostile act or threat of hostile act on the Moon and other celestial bodies is prohibited. It is likewise prohibited to use

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the Moon /or other celestial bodies/ in order to commit any such act or to engage in any such threat in relation to the Earth, /the Moon/ or other celestial bodies, spacecraft, the personnel of spacecraft or man-made space objects.

Article III

1. The Moon /and other celestial bodies/ shall be used by all States Parties exclusively for peaceful purposes.
2. States Parties shall not place in orbit around or other trajectory to or around the Moon /or other celestial bodies/ objects carrying nuclear weapons or any other kinds of weapons of mass destruction or place or use such weapons on or in the Moon /or other celestial bodies/. 5/
3. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on the Moon /and other celestial bodies/ shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the Moon /and other celestial bodies/ shall also not be prohibited.

Article IV

1. The exploration and use of the Moon /and other celestial bodies/ shall be the province of all mankind and /the exploitation of their natural resources/ shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development. Due regard shall be paid to the interests of present and future generations as well as to the need to promote higher standards of living conditions of economic and social progress and development in accordance with the Charter of the United Nations. 6/
2. States Parties shall be guided by the principle of co-operation and mutual assistance in all their activities concerning the exploration and use of the Moon /and other celestial bodies/. International co-operation in pursuance of this Treaty should be as wide as possible and may take place on a multilateral basis, on a bilateral basis, or through international intergovernmental organizations.
3. States Parties shall inform the Secretary-General as well as the public and international scientific community, to the greatest extent feasible

5/ Certain delegations reserved their position on this paragraph.

6/ The eventual placement of this paragraph will be decided later.

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and practicable, of their activities concerned with the exploration and use of the Moon /and other celestial bodies/. They shall in any case give information on the time, purposes, locations, orbital parameters, duration and results of each /completed/ mission to the Moon /and other celestial bodies/, in particular on the scientific results arising out of such missions. In case of a mission lasting more than 60 days, information on conduct of the mission shall be given periodically at 30 days' intervals. For missions lasting more than six months, only significant additions to such information need be reported thereafter. 7/

4. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the Moon or other celestial body, it shall promptly inform the other State of the timing of and plans for its own operations.

Article V

1. There shall be freedom of scientific investigation on the Moon /and other celestial bodies/ by all States Parties without discrimination of any kind, on the basis of equality and in accordance with international law.
2. In carrying out scientific investigations in furtherance of the provisions of this Treaty the States Parties shall have the right to collect on and remove from the Moon /and other celestial bodies/ samples of its /their/ mineral and other substances. Such samples shall remain at the disposal of those States Parties which caused them to be collected and may be used by them for scientific purposes. States Parties shall have regard to the desirability of making a portion of such samples available to other interested States Parties and the international scientific community for scientific investigation. States Parties may in the course of scientific investigations also use mineral and other substances of the Moon /and other celestial bodies/ in quantities appropriate for the support of their missions.
3. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the Moon /or other celestial bodies/ to the greatest extent feasible and practicable.

Article VI

1. In exploring and using the Moon /and circumlunar space/ /and other celestial bodies/ States Parties shall take measures to prevent the disruption of the existing balance of /its/ /their/ environment/s/ whether by

7/ Certain delegations reserved their position with respect to the question of advance notification of missions to celestial bodies.

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introducing adverse changes in such environment /s/ /its/ /their/ harmful contamination through the introduction of extra-environmental matter or otherwise. States Parties shall also take measures to prevent harmfully affecting the environment of the Earth through the introduction of extra-terrestrial matter or otherwise.

2. /States Parties planning missions to the Moon /and other celestial bodies/ shall notify the Secretary-General of measures being adopted to minimize the disruption of the existing balance of the environment /s/ of /those bodies/. Such reports shall include the trajectories to be flown the distance of closest approach, and specific measures taken to control micro-organisms on and in the spacecraft.

3. /States Parties shall notify the Secretary-General of plans to place radio-active material on or in orbit or other trajectory around the Moon /or other celestial bodies/ and shall give similar notification with regard to the conditions and effects of such placement when it occurs./

4. States Parties shall report to other States Parties and to the Secretary-General concerning areas of the Moon /and other celestial bodies/ having special scientific interest in order that consideration may be given to their designation as international scientific preserves for which special protective arrangements are to be agreed, without prejudice to the rights of other States Parties to this Treaty.

Article VII

1. States Parties may pursue their activities in the exploration and use of the Moon /and other celestial bodies/ anywhere on or below its /their/ surface, /and in circumlunar space/, subject to the other provisions of this Treaty.

2. For these purposes States Parties may, in particular:

- (a) land their space objects on the Moon /and other celestial bodies/, and launch them from the Moon /such bodies/, /and place them in circumlunar orbit/;
- (b) place their personnel, space vehicles, equipment, facilities, stations and installations anywhere on or below the surface of the Moon /and other celestial bodies/ /and in circumlunar space/;

Personnel, space vehicles, equipment, facilities, stations and installations may move or be moved freely over or below the surface of the Moon /and other celestial bodies/ /and in circumlunar space/.

3. Activities of States Parties in accordance with paragraphs 1 and 2 of this article shall not interfere with the activities of other States Parties on the Moon /and other celestial bodies/. Where such interference may occur, the States Parties concerned shall undertake consultations in accordance with article XVI.

Article VIII

1. States Parties may establish manned and unmanned stations on the Moon /and other celestial bodies/. A State Party establishing a station shall use only that area which is required for the needs of the station and shall immediately inform the Secretary-General of the location and purposes of that station. Subsequently, at annual intervals that State shall likewise inform the Secretary-General whether the station continues in use and whether its purposes have changed.

2. Stations shall be installed in such a manner that they do not impede the free access to all areas of the Moon of personnel, vehicles and equipment of other States Parties conducting activities on the Moon /and other celestial bodies/ in accordance with the provisions of this Treaty or of article I 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.

Article IX

1. States Parties shall adopt all practicable measures to safeguard the life and health of persons on the Moon /and other celestial bodies/. For this purpose they shall regard any person on the Moon /or other celestial body/ as an astronaut within the meaning of the article V 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 and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

2. States Parties shall offer shelter in their stations, installations, vehicles and other facilities to persons in distress on the Moon /or other celestial bodies/.

3. States Parties shall inform the Secretary-General, as well as the public and the international scientific community, of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger human life or health, as well as any indication of organic life.

Article X^{8/}

1. /The natural resources of the Moon /and other celestial bodies/ shall be the common heritage of all mankind./

2. Neither States, international intergovernmental or non-governmental organizations, national organizations having the status of juridical persons

^{8/} This text may be supplemented later.

or not, nor natural persons, may claim the surface or subsurface of the Moon /or other celestial bodies/ as their property. The placement of personnel, space vehicles, equipment, facilities, stations and installations on or below the surface of the Moon /or other celestial bodies/ including structures connected with its /their/ surface or subsurface, shall not create a right of ownership over parts of the surface or subsurface of the Moon /or other celestial bodies/.

3. /Parts of the surface or subsurface of the Moon /or other celestial bodies/ may not be the object of grant, exchange, transfer, sale or purchase, lease, hire, gift or any other arrangement or transactions with or without compensation between States, international intergovernmental and non-governmental organizations or national organizations having the status of juridical persons or not, or of arrangements or transactions between natural persons./

4. /The States Parties to this Treaty, bearing in mind the need for economic advancement and for the encouragement of investment and efficient development if utilization of the resources of the Moon and other celestial bodies becomes a reality, recognize the importance of concluding agreements in this area. To this end, the Depositary Governments shall promptly convene a meeting of all States Parties with a view to negotiating arrangements for the international sharing of the benefits of such utilization when one third of the States Parties inform the Depositary Governments that they consider that practical utilization of the resources of the Moon or other celestial bodies is likely to begin within two years following or has already begun./

Article XI

1. States Parties shall retain jurisdiction and control over their personnel, vehicles, equipment, facilities, stations and installations on the Moon /and other celestial bodies/. The ownership of space vehicles, equipment, facilities, stations and installations shall not be affected by their presence on the Moon /or other celestial bodies/. 9/

2. Vehicles, installations and equipment or their component parts found in places other than their intended location shall be dealt with in accordance with article V of the Agreement on Assistance to Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

3. In the event of an emergency involving a threat to human life, States Parties may use the equipment, vehicles, installations, facilities or

9/ Certain delegations reserved their positions on the reference to property with regard to facilities, stations and installations.

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supplies of other States Parties on the Moon /or in circumlunar space/ /or other celestial bodies/. Prompt notification of such use shall be made to the Secretary-General or State Party concerned.

Article XII

A State Party which learns of the crash landing, forced landing or other unintended landing on the Moon /or other celestial body/ of a space object, or its component parts, that were not launched by it, shall promptly inform the launching State Party and the Secretary-General of the United Nations.

Article XIII

1. States Parties to this Treaty shall bear international responsibility for national activities on 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. States Parties shall ensure that non-governmental entities under their jurisdiction shall engage in activities on the Moon /and other celestial bodies/ only under the authority and continuing supervision of the appropriate State Party.

2. /In addition to the provisions of article VII 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, a State Party shall be liable for damage resulting from its act or omission or from an act or omission of its personnel on the Moon to the property or personnel of other States Parties on the Moon, unless it is established that the damage occurred through no fault of the said State or of its personnel on the Moon./

Article XIV

With the exception of Articles XVIII to XXI, references in this Treaty to States shall be deemed to apply to any international intergovernmental organization which conducts space activities if the organization declares its acceptance of the rights and obligations provided for in this Treaty and if a majority of the States members of the organization are States Parties to this Treaty 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. States members of any such organization which are States Parties to this Treaty shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the foregoing.

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Article XV

In the event of any difference arising between States Parties with regard to the interpretation or application of the provisions of this Treaty, reference shall be made where appropriate to the provisions of the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage caused by Space Objects. 10/

Article XVI

1. Each State Party may assure itself that the activities of other States Parties in the exploration and use of the Moon and other celestial bodies are compatible with the provisions of this Treaty. To this end, all space vehicles, equipment, facilities, stations and installations on the Moon and other celestial bodies shall be open to other States Parties. Such States Parties 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. In pursuance of this Article any State Party may use its own means, or may act with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

2. A State Party which has reason to believe that another State Party is not fulfilling the obligations incumbent upon it pursuant to this Treaty or that another State Party is interfering with the rights which the former State has under this Treaty may request consultations with that Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party which requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General shall be informed of the results of the consultations and transmit the information received to all States Parties concerned.

3. If the consultations do not lead to a mutually acceptable settlement which has due regard for the rights and interests of all the States Parties, the parties concerned shall take all measures to settle the dispute by

10/ The delegation of Australia reserved its position on this article.

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other peaceful means of their choice and appropriate to the circumstances and the nature of the dispute. If difficulties arise in connexion with the opening of consultations or if consultations do not lead to a mutually acceptable settlement, any State Party may seek the assistance of the Secretary-General without seeking the consent of any other State Party concerned, in order to resolve the controversy. A State Party which does not maintain diplomatic relations with another State Party concerned shall participate in such consultations, at its choice, either itself or through another State Party or the Secretary-General, as intermediary.

Article XVII

At any time after this Treaty has been in force for five years, at the request of one third of the States Parties to the Treaty and with the concurrence of the majority of the States Parties a conference of the States Parties shall be convened to review this Treaty.

Article XVIII

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 upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.

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.

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Article XIX

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 and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

Article XX

Any State Party to the Treaty may give notice of its withdrawal from the Treaty 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 XXI

This Treaty, of which the Chinese, English, French, Russian 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 cities of ..., the ... day of ... one thousand nine hundred and seventy....

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II. MATTERS RELATING TO THE REGISTRATION OF OBJECTS LAUNCHED INTO SPACE FOR THE EXPLORATION OR USE OF OUTER SPACE

22. The Sub-Committee began consideration of item 2 of its agenda (matters relating to the registration of objects launched into space for the exploration and use of outer space) at its 176th meeting on 17 April 1972.

23. The Chairman in an introductory statement referred to General Assembly resolution 1721 B (XVI) of 20 December 1961 which called on States launching objects into orbit or beyond to furnish information promptly to the Committee on the Peaceful Uses of Outer Space, through the Secretary-General, for the registration of launchings, and requested the Secretary-General to maintain a public registry of the information furnished. In this connexion, Mr. Abdel-Ghani, Chief of the Outer Space Affairs Division of the Secretariat, made a detailed statement on the system of registration by the United Nations under the said resolution.

24. The Chairman also drew the Sub-Committee's attention to the draft Convention concerning the registration of objects launched into space for the exploration or use of outer space which had been proposed by the delegation of France (A/AC.105/C.2/L.45) 11/ at the seventh session (1968) of the Sub-Committee, and which was to be further considered by the Sub-Committee at its present session. In connexion with this question the Legal Sub-Committee, at its eighth session in 1969, recommended that the Scientific and Technical Sub-Committee be invited by the Committee on the Peaceful Uses of Outer Space to study the technical aspects of the registration of objects launched into outer space, for the exploration and use of outer space.

25. The report of the Scientific and Technical Sub-Committee on the technical aspects of registration, including certain conclusions (A/AC.105/82, paras. 39-43) was considered by the Committee on the Peaceful Uses of Outer Space at its thirteenth session in September 1970. The Committee took note of the findings and conclusions of the Scientific and Technical Sub-Committee and requested the latter to keep the question under review in the light of the changes and developments of space technology. It also stated that in considering the question of the registration and identification of objects launched into outer space at its future meetings, the Legal Sub-Committee should take into consideration the findings and the conclusions of the Scientific and Technical Sub-Committee. 12/

26. The Chairman, continuing his introductory statement, noted that the Legal Sub-Committee, at its two previous sessions, was unable to consider further the question of registration in view of the priority accorded the liability convention. He drew attention to the fact that agenda item 2 was one of the two priority items at the present session of the Sub-Committee (see paragraph 3 above).

11/ For text, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 21, annex III, appendix I).

12/ Ibid., Twenty-fifth Session, Supplement No. 20, para. 34.

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27. At the 177th meeting of the Sub-Committee on 17 April, a draft convention on registration of objects launched into outer space was submitted by the delegation of Canada (A/AC.105/C.2/L.82).

28. The draft convention proposed by the delegation of France (A/AC.105/C.2/L.45) and the draft convention proposed by the delegation of Canada (A/AC.105/C.2/L.82) were later, following consultations between the two sponsors, combined in a single draft convention consisting of a preamble and 10 substantive articles (A/AC.105/C.2/L.83). The joint draft convention was introduced by the two delegations at the 182nd meeting of the Sub-Committee on 24 April 1972.

29. As stated in paragraph 9 above, a Working Group was established by the Sub-Committee on 24 April to consider the provisions of the joint draft convention. ^{13/} The texts formulated by the Working Group were first reproduced in documents PUOS/C.2/WG.2(XI)/1-4 and later incorporated, together with additional provisions, in document PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1 which consisted of a preamble and eight substantive articles. Certain provisions of those articles on which agreement had not been reached were indicated by square brackets. These results were reported by the Chairman of the Working Group to the Sub-Committee at its 186th meeting on 28 April.

30. The proposals referred to in paragraph 28 as well as the documents referred to in paragraph 29, with the exception of the draft (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1) set out in paragraph 31 below, are to be found in annex II.

31. The Sub-Committee noted the following text prepared by the Working Group on Registration (PUOS/C.2/WG.2(XI)/5 and Corr.1 and Add.1) and was of the opinion that the draft convention on registration of objects launched into outer space required further consideration, as a matter of priority:

The States Parties to this Convention

Recalling that the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, affirms that States shall bear international responsibility for their national activities in outer space and refers to states of registry for objects launched into outer space,

Recalling also that the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space provides for a launching authority to furnish identifying data upon request prior to the return of a space object or its component parts,

Recalling further that, the Convention on International Liability for Damage Caused by Space Objects elaborates international rules and procedures concerning the liability of launching States for damage caused by space objects,

^{13/} The United States of America did not participate in the drafting process of the Working Group. Several delegations, while participating in the work of the Working Group, reserved their position on the convention as a whole for reasons stated by them in the Sub-Committee.

Considering the advantages, at the international level, of establishing a formal link between a space object and a launching State through mandatory registration by States of all space objects, and of making provision for the marking of space objects,

Convinced that an adequate international system of registration of space objects would contribute significantly to the identification of space objects and would facilitate the application of international law and in particular space law to outer space activities,

Believing that, although the public registry system maintained by the Secretary-General of the United Nations pursuant to General Assembly resolution 1721 B (XVI) has been a positive first step, a new and more comprehensive system is required,

Have agreed on the following:

Article I

For the purpose of this Convention:

- (a) The term "launching State" means:
- (i) A State which launches or procures the launching of a space object;
 - (ii) A State from whose territory or facility a space object is launched;
- (b) The term "State of registry" means a launching State on whose register a space object is carried and in the case of a joint register means all the States which maintain that register.
- (c) The term "space object" includes component parts of a space object as well as its launch vehicle and parts thereof.
The term "space object" means a physical object, manned or unmanned, launched into space for purposes of exploration and use of outer space, including the Moon and other celestial bodies. This term includes the launch or transport vehicle, whether recoverable or not, as well as the payload or artificial satellite to be placed in an outer space trajectory.

Article II

1. Each space object shall be registered by the launching State or States by means of an entry in an appropriate register maintained either individually or jointly by them. Each space object shall be so registered only once. Such State or States shall inform the Secretary-General of the establishment or termination of all such registers.

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2. Where, in respect of any launch, there is more than one State of registry, the States of registry in question shall, for purposes of articles of the present Convention, designate the State or States among them which shall act as the State or States of registry with respect to each space object launched.

Article III

1. States of registry shall, either individually, or where a joint register is maintained, jointly, determine the rules applicable to registration.

2. The entry in the register concerning each object shall include a registration number and such other information as may be relevant. The registration number shall be composed of:

- (a) The letter C, followed by a dash;
- (b) The radio call signal series assigned to the State of registry by international telecommunication regulations. This mark shall be followed by a dash;
- (c) The registration mark, consisting of Roman capital letters, Arabic numerals or a combination of such letters and numerals. This mark must be clearly distinguishable from those reserved for aircraft or for distress or emergency signals.

3. States of registry shall retain jurisdiction and control over such objects, and over any personnel thereof, while in outer space or on a celestial body.

Article IV

Any space object must bear in the most appropriate and feasible way /internally and externally/ the registration number /provided for in article III and with any other appropriate markings/. Such marking shall be done in accordance with the current state of scientific and technical expertise in this field, in particular in each State of registry, /with the aim of facilitating the most reliable and rapid identification as possible of the space object or its parts/.

Article V

States Parties agree to consult from time to time, particularly through the United Nations and its competent organs, in order to determine, in the light of scientific and technical advances, possible new methods that might be employed under articles III and IV/.

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Article VI

1. The State of registry shall furnish the Secretary-General with the following information, as soon as available, concerning each registered space object:

- (a) Launching State (including all States referred to in article I (a));
- /(b) Identification markings, including the registration number;
- (c) Date, time and precise location of launch;
- (d) Launch vehicle (where applicable);
- (e) General function and expected operational pattern;
- (f) Physical characteristics;
- (g) Components likely to withstand re-entry;
- (h) Trajectory characteristics, including transit and orbit description;
- (i) Degree of manoeuvrability;
- (j) Expected natural life;
- (k) Expected decay or re-entry date, re-entry trajectory and landing or impact area, and
- (l) Such other information as the State of registry considers helpful in identifying the space object.

2. After the initial information has been provided, the State of registry shall, to the greatest extent feasible and practicable provide the Secretary-General with /such/ data on significant changes in the information furnished in accordance with the preceding paragraph /as will assist in identifying the space object/.

Article VII

1. The Secretary-General shall maintain a central register in which the information furnished /in accordance with articles VI and VIII/ shall be recorded /on a continuing and orderly basis/.

2. States Parties shall have full access to the information in the central register.

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Article VIII

1. Additional relevant information shall be communicated, upon request and to the extent practicable, by the State of registry to any other State Party or to the Secretary-General of the United Nations. Such a request may be made by a State Party directly to a State of Registry or by the Secretary-General on its behalf whenever the State Party has reason to believe that this information is necessary to identify a space object or its parts for purposes of exercising a right or discharging an obligation under Conventions in force to which both the State of registry and the requesting State are Parties.

2. In addition, in the case where the conditions for a request under the preceding paragraph exist but where the identification of a space object has not otherwise been possible, the State Party concerned may request the assistance of States Parties with space monitoring and tracking capacities and facilities. The latter, in the spirit of promoting international co-operation in respect of the exploration and use of outer space, will do their utmost to respond favourably to such a request.

Article IX

1. In this Convention, with the exception of articles _____ to _____, references to States shall be deemed to apply to any international intergovernmental organization which conducts space activities, if the organization declares its acceptance of the rights and obligations provided for in this Convention and if a majority of the States members of the Organization are States Parties to this Convention 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.

2. States members of any such organization which are States Parties to this Convention shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the preceding paragraph.

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ANNEXES

Annex I

PROPOSALS AND OTHER DOCUMENTS RELATING TO AGENDA
ITEM 3 (QUESTIONS RELATING TO THE MOON)

1. Union of Soviet Socialist Republics: proposal for a treaty concerning the moon (A/8391, annex)

The States Parties to this Treaty,

Noting the gains made by States in the exploration of the Moon,

Recognizing that the Moon as the only natural satellite of the Earth, has an important role to play in the conquest of outer space,

Desiring to prevent the Moon from becoming a scene of international conflict,

Determined to promote the further development of co-operation among States in the exploration and use of the Moon and its subsoil and of circumlunar space,

Recalling the provisions 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, and the provisions of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space,

Taking into account the need to define and develop the provisions of these international instruments in relation to the Moon with a view to further progress in the conquest of outer space,

Have agreed on the following:

Article I

1. States Parties shall pursue their activities on the Moon and in circumlunar space in accordance with international law, including the Charter of the United Nations.

2. In accordance with the principles of the Charter of the United Nations, the use of force in any form or the threat of force, as well as any other hostile actions or threat of such actions, shall be prohibited on the Moon. The use of the Moon to commit any of the aforementioned actions in relation to the Earth or space objects shall also be prohibited.

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Article II

1. The Moon shall be used by all States Parties exclusively for peaceful purposes.
2. States Parties undertake not to place in orbit around the Moon any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or to install such weapons on the surface of the Moon or in its subsoil.
3. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on the Moon shall be prohibited.

Article III

1. States Parties shall strive to co-operate in matters relating to activities on the Moon. Such co-operation may be on either a multilateral or a bilateral basis.
2. Each State Party shall engage in the exploration and use of the Moon with due regard to the interests of present and future generations and with respect for the rights of other States Parties as specified in this Treaty.
3. A State Party which has reason to believe that another State Party is violating its obligations under this Treaty may request consultations between the States Parties concerned.

Article IV

1. States Parties shall explore and use the Moon by reasonable means avoiding the disruption of the existing balance of the lunar environment.
2. States Parties shall explore and use the Moon in such a way as to prevent adverse changes in the lunar environment and its contamination through the introduction of extralunar matter. Where necessary, consultations shall be held between the States Parties concerned.

Article V

1. States Parties may pursue their activities in the exploration and use of the Moon anywhere on the surface of the Moon, in its subsoil or in circumlunar space.
2. For these purposes States Parties may, in particular:

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- land their space objects on the Moon, launch them from the Moon and place them in circumlunar orbit;

- dispose their vehicles, equipment and personnel anywhere on the surface of the Moon, in its subsoil or in circumlunar space.

Vehicles and personnel of States Parties may move freely over the surface of the Moon, through its subsoil and in circumlunar space.

3. Actions of States Parties in accordance with paragraphs 1 and 2 of this article should not interfere with the activities of other States Parties on the Moon. Where such interference may occur, the States Parties concerned shall undertake consultations.

Article VI

1. States Parties may establish both manned and unmanned stations on the Moon.
2. Stations shall be installed in such a manner that they do not impede the free access of vehicles and personnel of other States Parties pursuing activities on the Moon to all areas of the Moon, as provided for in article I 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.

Article VII

1. States Parties undertake to adopt all practicable measures to safeguard the life and health of men on the Moon. For this purpose they shall regard any person on the Moon as an astronaut within the meaning of the article V 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, and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, irrespective of the duration of the stay of such person on the Moon, the place where he is situated on the Moon, his formal membership of the crew of a spacecraft and other similar circumstances.

2. It shall be the duty of States Parties to offer shelter in their stations, vehicles, installations or other facilities to persons in distress on the Moon who are part of the personnel of other States Parties.

3. In pursuing activities on the Moon, States Parties shall take the necessary steps to exchange information on any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger the life or health of men on the Moon, as well as information on any signs of organic life.

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Article VIII

1. Neither States, international intergovernmental or non-governmental organizations and national organizations having the status of juridical persons or not, nor natural persons, may claim the surface or subsoil of the Moon as their property. The emplacement of vehicles or equipment on the surface of the Moon or in the subsoil thereof, including the construction of installations integrally connected with the surface or subsoil of the Moon, shall not create a right of ownership over portions of the surface or subsoil of the Moon.

2. Portions of the surface or subsoil of the Moon may not be the object of concession, exchange, transfer, sale or purchase, lease, hire, gift or any other arrangements or transactions with or without compensation between States, international intergovernmental and non-governmental organizations or national organizations having the status of juridical persons or not, or of arrangements or transactions between natural persons.

Article IX

In accordance with article VIII 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, States Parties shall retain ownership of articles of their property delivered to the surface of the Moon or to circumlunar space, including structures, vehicles and equipment.

Article X

A State Party which learns of the crash landing, forced landing or other unintended landing on the Moon of a space object that does not belong to it, or the crash of component parts of such an object shall inform the State Party to which the space object or component parts belong, and the Secretary-General of the United Nations.

Article XI

In addition to the provisions of article VII 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, a State Party shall be liable for damage resulting from its act or omission or from an act or omission of its personnel on the Moon to the property or personnel of other States Parties on the Moon, unless it is established that the damage occurred through no fault of the said State or of its personnel on the Moon.

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Article XII

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 upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.

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 or 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 XIII

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 and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

Article XIV

Any State Party to the Treaty may give notice of its withdrawal from the Treaty 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 XV

This Treaty, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the Depositary

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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 cities of..., the... day of... one thousand nine hundred and seventy....

2. Argentina: draft agreement on the principles governing activities in the use of the natural resources of the moon and other celestial bodies (A/AC.105/C.2/L.71 and Corr.1)

The States Parties to this Agreement,

Bearing in mind that activities in the use of the natural resources of the Moon have begun,

Reaffirming that mankind has a common interest in promoting the use of outer space, including the Moon and other celestial bodies, for peaceful purposes,

Considering that the Treaty of 27 January 1967 does not establish regulations specifically for activities in the use of the natural resources of the Moon and other celestial bodies,

Believing that it is necessary to complete the provisions of that Treaty with respect to the legal system for activities in the use of such resources,

Bearing in mind the benefits to be obtained from the prompt establishment of principles for the use of the natural resources of the Moon and other celestial bodies by means of a general agreement within the framework of the 1967 Treaty,

Recalling that the use of outer space must be for the benefit and in the interests of all countries, and shall be the province of all mankind,

Have agreed on the following:

Article 1

The natural resources of the Moon and other celestial bodies shall be the common heritage of all mankind.

Article 2

All substances originating in the Moon or other celestial bodies shall be regarded as natural resources.

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Article 3

The legal system applicable to natural resources used in their place of origin shall be distinct from that applicable to those brought to the Earth for use.

Article 4

The benefits obtained from the use of the natural resources of the Moon and other celestial bodies shall be made available to all peoples without discrimination of any kind.

Article 5

In distributing such benefits, account shall be taken of the need to promote the attainment of higher standards of living and conditions of economic and social progress and development, pursuant to article 55a of the Charter of the United Nations, in the light of the interests and requirements of the developing countries and the rights of those undertaking these activities. (Followed by the formal provisions or final clauses on the lines of those of the Treaty of 1967 and the Agreement of 1968).

3. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 1; 11 April 1972)

Article I

(International law, force, hostile acts)

1. States Parties to the Treaty shall carry out their activities on the moon and other celestial bodies consistent with international law, including the Charter of the United Nations and other treaties in force.

2. States Parties shall refrain from the use or threat of force or any other hostile act or threat of hostile act on the moon and other celestial bodies except in the exercise of the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter. States Parties shall not use the moon or other celestial bodies to commit any such act or to engage in any such threat in relation to the earth, the moon or other celestial bodies, spacecraft, the personnel of spacecraft or man-made space objects.

4. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 2; 11 April 1972)

Article II

(Peaceful purposes, military prohibitions)

1. The moon and other celestial bodies shall be used by all States Parties exclusively for peaceful purposes. /...

/...

2. States Parties shall not place in orbit around or other trajectory to or around the moon or other celestial bodies or on such bodies objects carrying nuclear weapons or any other kinds of weapons or mass destruction or install, emplant or emplace such weapons on or in the moon or other celestial bodies.

3. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on the moon and other celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the moon and other celestial bodies shall also not be prohibited.

5. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 3; 11 April 1972)

Article III

(Freedom of scientific investigation, co-operation, exchange of personnel, reporting, scientific preserves, access, consultations)

1. There shall be freedom of scientific investigation on the moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

2. International co-operation may take place by such means as multilaterally, through international intergovernmental organizations or bilaterally.

3. States Parties shall engage in the exploration and use of the moon and other celestial bodies with due regard to the interests of present and future generations and with respect for the rights of other States Parties specified in this Treaty and other treaties in force.

4. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the moon or other celestial bodies to the greatest extent feasible and practicable.

5. Well in advance of launching, but in any event not later than 60 days before launching, States Parties intending to conduct activities on the moon or other celestial bodies shall inform the Secretary-General of the United Nations, as well as the public and the international scientific community, of the planned time frame of launching, purposes of the mission, intended locations of the mission, orbital parameters, and prospective duration of the mission. Timely notice shall also be given of any major changes in plans for the mission, of the termination of the mission and, in due course, of the nature, conduct, locations and results of the mission. The Secretary-General of the United Nations shall disseminate such information, as well as other information transmitted to him under this Treaty, immediately and effectively.

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6. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the moon or other celestial body, it shall promptly inform the other State and the Secretary-General of the timing of and plans for its own operations.

7. States Parties undertake to report to other States Parties and to the Secretary-General on areas of the moon and other celestial bodies having special scientific interest with a view to the possible establishment in those areas of scientific preserves whose exploration and use should be subject to conditions to be agreed.

8. All stations, installations, equipment and space vehicles on the moon and other celestial bodies shall be open to representatives of other States Parties 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.

9. A State Party which has reason to believe that another State Party is not fulfilling its obligations or is interfering with the rights of other States Parties under this Treaty may request consultations between the States Parties concerned. A State Party receiving a request for such consultations shall enter into such consultations without delay. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General shall be informed of the results of any such consultations. Any State Party may, at any time and without seeking the consent of other States Parties concerned, seek the assistance of the Secretary-General of the United Nations in resolving any such controversy.

6. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 4; 11 April 1972)

Article IV

(Definitions)

As employed in this Treaty:

(i) The term "celestial body" includes all natural celestial bodies other than the Earth.

(ii) The phrase "the moon and other celestial bodies" includes orbits around or other trajectories to or around celestial bodies.

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7. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 5; 11 April 1972)

Article IV

(Non-contamination, reporting)

1. States Parties shall explore and use the moon and other celestial bodies in a reasonable manner so as to minimize the disruption of the existing balance of the environments whether by introducing adverse changes in such environments, their harmful contamination through the introduction of extra-environmental matter or otherwise.
2. States Parties planning missions to the moon and other celestial bodies shall notify the Secretary-General of measures being adopted to minimize the disruption of the existing balance of the environments of those bodies. Such reports shall include the trajectories to be flown, the distance of closest approach, and specific measures taken to control micro-organisms on and in the spacecraft.
3. States Parties shall notify the Secretary-General of plans to place radioactive material on or in orbit or other trajectory around the moon or other celestial bodies and shall give similar notification with regard to the conditions and effects of such placement when it occurs.

8. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 6; 11 April 1972)

Article V

(Freedom of movement)

1. States Parties may pursue their activities in the exploration and use of the moon and other celestial bodies anywhere on the surface of such bodies, below their surface and in space around them.
2. For these purposes States Parties may, in particular:
 - (a) Land their space objects on the moon and other celestial bodies, launch them from such bodies and place them in orbit around or in other trajectory to or around them;
 - (b) Dispose their vehicles, equipment and personnel anywhere on the surface of the moon and other celestial bodies, below their surface and in space around them.
3. States Parties acting in accordance with paragraphs 1 and 2 of this Article shall take care to avoid interfering with the activities of other States Parties on the moon or other celestial bodies.

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9. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 7; 11 April 1972)

Article VI

(Right to establish non-interfering stations)

1. States Parties may establish both temporary and permanent, manned and unmanned stations on the Moon and other celestial bodies. A State Party establishing a station shall limit the area used to that which is reasonably required for the needs of the station and shall, at annual intervals, inform the Secretary-General whether, and in what manner, the station continues in use.
2. Stations shall be installed in such a manner that they do not impede the free access of vehicles and personnel of other States Parties conducting activities on the Moon and other celestial bodies in accordance with this Treaty or the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

10. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 8; 11 April 1972)

Article VII

(Rescue, shelter, reporting)

1. States Parties shall adopt all practicable measures to safeguard the life and health of persons on the Moon and other celestial bodies. For this purpose they shall regard any person on the Moon or other celestial body as an astronaut within the meaning of the Article V 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, and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, irrespective of the duration of the stay of such person on the moon or other celestial body, the place where such person is located, formal membership of the crew of a spacecraft or other circumstances.
2. States Parties shall offer shelter in their stations, installations, vehicles and other facilities to persons in distress on the Moon or other celestial bodies.
3. States Parties shall inform the Secretary-General, as well as the public and the international scientific community, of any indications of organic life and of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger human life or health.

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11. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 9; 12 April 1972)

TREATY ON THE EXPLORATION OF THE MOON AND OTHER CELESTIAL BODIES

PREAMBLE

The States Parties to this Treaty,

Noting the gains made by States in the exploration and use of the Moon and other celestial bodies,

Desiring to prevent the Moon and other celestial bodies from becoming the scene of international conflict and to promote the further development of international co-operation in their exploration and use,

Recalling the provisions 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, the Agreement on the Rescue of Astronauts, Return of Astronauts and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage Caused by Space Objects,

Taking into account the need to define and develop the provisions of these international instruments in relation to activities on the moon and other celestial bodies with a view to further progress in the exploration and use of outer space,

Have agreed on the following:

12. Sweden and United Kingdom: working paper (A/AC.105/C.2(XI)/Working paper 10; 12 April 1972)

Article

(Scientific investigation)

There shall be freedom of scientific investigation on the Moon and other celestial bodies and in respect of their natural resources. Samples of minerals and other substances gathered for scientific purposes shall remain at the disposal of those who have collected them or caused them to be collected. The scientific results of such investigations shall be made freely available.

/...

13. Sweden and United Kingdom: revised working paper (A/AC.105/C.2(XI)/Working paper 10/Rev.1; 13 April 1972)

Article III, paragraph 1 bis

(Scientific investigation)

1 bis (i) The scientific results of investigations on the Moon and other celestial bodies shall be made freely available to the international community.

(ii) Samples of minerals and other substances collected on the Moon or other celestial bodies for scientific purposes shall remain at the disposal of the State Party which caused them to be collected.

14. Australia: working paper (A/AC.105/C.2(XI)/Working paper 11; 13 April 1972)

Article III

Proposed addition to the amendment of Sweden and the United Kingdom (working paper 10)

Add after the second sentence the following sentence:

"Such State shall, however, have regard to the desirability of making some portion of such samples available to interested States for similar scientific purposes."

15. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 12; 13 April 1972)

Article VIII

(Natural resources)

1. The natural resources of the moon and other celestial bodies shall be the common heritage of all mankind.

2. States Parties may use appropriate quantities of the resources of the moon and other celestial bodies in carrying out scientific investigations in furtherance of the provisions of this Treaty, whether for supporting scientific investigation on the moon or other celestial bodies or by removing such resources to the earth for analysis or analysing them in space or on the moon or other celestial bodies.

/...

16. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 12/Rev.1; 17 April 1972)

Article VIII

(Natural resources)

1. The natural resources of the moon and other celestial bodies shall be the common heritage of all mankind.
2. States Parties may use appropriate quantities of the resources of the moon and other celestial bodies in carrying out scientific investigations in furtherance of the provisions of this Treaty, whether for supporting scientific investigation on the moon or other celestial bodies or by removing such resources to the earth for analysis or analysing them in space or on the moon or other celestial bodies.
3. The States Parties to this Treaty, bearing in mind the need for economic advancement and for the encouragement of investment and efficient development if utilization of the resources of the moon and other celestial bodies becomes a reality, recognize the importance of concluding agreements in this area. To this end, the Depositary Governments shall promptly convene a meeting of all States Parties with a view to negotiating arrangements for the international sharing of the benefits of such utilization when one-third of the States Parties inform the Depositary Governments that they consider that practical utilization of the resources of the moon or other celestial bodies is likely to begin within two years following or has already begun.

17. Australia: working paper (A/AC.105/C.2(XI)/Working paper 13; 13 April 1972)

Article VIII

Proposed addition to paragraph 2 of United States working paper 12

Add the following sentence at the conclusion of paragraph 2:

"Such States shall have regard to the desirability of making some portion of resources removed to the earth for such purposes available to other interested States for similar scientific investigation."

18. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 14; 13 April 1972)

Article IX

(Ownership of space vehicles, emergency use)

1. States Parties shall retain jurisdiction and control over their personnel, vehicles, installations and equipment on the moon and other celestial bodies.

/...

Ownership of such facilities is not affected by their presence on the moon or other celestial body or elsewhere in outer space or by their return to the earth. Such facilities or their component parts found in places other than their intended location shall, in accordance with the provisions of the Agreement on Assistance to Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, be returned to the State Party owning them.

2. A State Party may use the property of other States Parties on the moon or other celestial bodies in the event of an emergency involving a threat to human life and shall promptly notify the Secretary-General of such use.

19. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 15; 13 April 1972)

Article X

(Information regarding accidents)

A State Party which learns of the crash landing, forced landing or other unintended landing on the moon or other celestial body of a space object that does not belong to it, or the crash of component parts of such an object shall inform the State Party to which the space object or component parts belong, and the Secretary-General of the United Nations.

20. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 16; 13 April 1972)

Article XI

(Non-Governmental entities, international organizations)

1. States Parties to the Treaty shall bear international responsibility for national activities on the moon and other celestial bodies where 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 on the moon and other celestial bodies shall require authorization and continuing supervision by the appropriate State Party.

2. With the exception of Articles to , references in this Treaty to States shall be deemed to apply to any international intergovernmental organization which conducts space activities if the organization declares its acceptance of the rights and obligations provided for in this Treaty and if a majority of the States members of the organization are States Parties to this Treaty 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. States members of any such organization which are States Parties to this Treaty shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the foregoing.

/...

21. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 17; 13 April 1972)

Article XII

(Outer space Treaty, astronaut Agreement, liability Convention)

In the event of any differences arising with regard to the interpretation or application of the provisions of this Treaty, reference shall be made where appropriate to the provisions 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, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage Caused by Space Objects.

22. Belgium, France, Italy, Sweden and United Kingdom: revised working paper (A/AC.105/C.2(XI)/Working paper No. 18/Rev.1; 26 April 1972)

Article ...

1. Each State Party shall have the right to verify that the activities of other States Parties in the exploration and use of the Moon and other celestial bodies are compatible with the provisions of this Treaty. To this end, all stations, installations, equipment and space vehicles on the moon and other celestial bodies shall be open to other States Parties. Such States Parties 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.

2. Verification pursuant to this Article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other Party, or through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

3. A State Party which has reason to believe that another State Party is not fulfilling the obligations incumbent upon it pursuant to this Treaty or that another State Party is interfering with the rights which the former State has under this Treaty may request consultations with that Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party which requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General shall be informed of the results of the consultations.

/...

4. If the consultations do not lead to a mutually acceptable settlement which has due regard for the rights and interests of all States Parties, the parties concerned shall take all measures to settle the dispute by other peaceful means of their choice and appropriate to the circumstances and the nature of the dispute. If difficulties arise in connexion with the opening of consultations or if the consultations do not lead to a mutually acceptable settlement, any State Party may, without seeking the consent of other States Parties concerned, seek the assistance of the Secretary-General in order to resolve the controversy. A State Party which does not maintain diplomatic relations with another State Party concerned shall participate in such consultations, at its choice, either itself or through another State Party or the Secretary-General, as intermediary.

23. Australia: working paper (A/AC.105/C.2(XI)/Working paper 19; 14 April 1972)

Article VI

Proposed addition to A/AC.105/C.2(XI)/Working paper 7

Insert the following paragraph between paragraphs 1 and 2:

"If a State Party considers that the area so limited by another State Party for its use is excessive it may request consultations with that State Party."

(It is assumed that there would be a general consultation article in the Treaty.)

24. Egypt and India: working paper (A/AC.105/C.2(XI)/Working paper; 14 April 1972)

Article VIII

- (i) The Moon and other celestial bodies and their natural resources shall be the common heritage of all mankind.
- (ii) The exploration and use of the Moon and other celestial bodies and their natural resources shall be carried out in the interest of mankind as a whole and the benefits arising therefrom shall be made available to all peoples without discrimination of any kind.
- (iii) In the distribution of such benefits account shall be taken of the need to promote the attainment of higher standards of living and conditions of economic and social progress and development, pursuant to Article 55 (a) of the Charter of the United Nations, in the interests and requirements of the developing countries.

/...

25. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 21; 18 April 1972)

Article ...

(Review)

At any time after this Treaty has been in force for five years, at the request of one third of the States Parties to the Treaty and with the concurrence of the majority of the States Parties a conference of the States Parties shall be convened to review this Treaty.

26. Australia: working paper (A/AC.105/C.2(XI)/Working paper 22; 19 April 1972)

Article III, paragraph 2
(International co-operation)

Insert after first sentence of paragraph 2 as in document PUOS/C.2/WG (XI)4.

"International co-operation should be on widest possible basis."

Replace first two words of next sentence by "It".

27. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 23; 19 April 1972)

The following provision replaces article III, paragraph 7 contained in A/AC.105/C.2(XI)/Working paper 3:

States Parties shall report to other States Parties and to the Secretary-General concerning areas of the Moon and other celestial bodies having special scientific interest in order that consideration may be given to their designation as scientific preserves for which special protective arrangements are to be agreed, without prejudice to the rights of other States Parties to this Treaty.

28. United Kingdom: working paper (A/AC.105/C.2(XI)/Working paper 24; 20 April 1972)

Article ...

(Definitions)

Proposed addition to USA draft contained in document A/AC.105/C.2(XI)/Working paper 4

Number the existing paragraph as paragraph 1 and add the following paragraph as paragraph 2:

"This treaty does not apply to extra-terrestrial materials which reach the surface of the Earth by natural means."

/...

29. Bulgaria: working paper (A/AC.105/C.2(XI)/Working paper 25; 27 April 1972)

Article III

1. The exploration and use of the Moon and other celestial bodies shall be the province of all mankind and shall be carried out for the benefit and in the interests of all States, irrespective of their degree of economic or scientific development. Due regard shall be paid to the interests of present and future generations as well as to the need to promote higher standards of living and conditions of economic and social progress and development in accordance with the Charter of the United Nations.

2. States Parties shall be guided by the principle of co-operation and mutual assistance in all their activities concerning the exploration and use of the Moon and other celestial bodies. International co-operation in pursuance of this Treaty should be as wide as possible and may take place on a multilateral basis, on a bilateral basis, or through international intergovernmental organizations.

3. States Parties shall inform the Secretary-General as well as the public and international scientific community, to the greatest extent feasible and practicable, of their activities concerned with the exploration and use of the Moon and other celestial bodies. They shall in any case give information on time, purposes, locations orbital parameters, duration and results of each mission completed to the Moon and other celestial bodies, in particular on the scientific results arising out of such missions. In case of a mission lasting more than 60 days, information on conduct of the mission shall be given periodically at 30 days' intervals.

4. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the Moon or other celestial body, it shall promptly inform the other State of the timing of and plans for its own operations.

Article III bis.

1. There shall be freedom of scientific investigation on the Moon and other celestial bodies by all States Parties without discrimination of any kind, on the basis of equality.

2. In carrying out scientific investigations in furtherance of the provisions of this Treaty the States Parties shall have the right to collect on and remove from the Moon and other celestial bodies samples of its their mineral and other substances. Such samples shall remain at the disposal of those States Parties which caused them to be collected and may be used by them for scientific purposes. States Parties shall have regard to the desirability of making a portion of such samples available to other interested States Parties and the international scientific community for scientific investigation. States Parties may in the course of scientific investigations also use mineral and other substances of the Moon and other celestial bodies in quantities appropriate for the support of their missions.

/...

3. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the Moon /or other celestial bodies/ to the greatest extent feasible and practicable.

30. United States of America: working paper (A/AC.105/C.2(XI)/Working paper 26; 28 April 1972)

Article IX

1. States Parties shall retain ownership, jurisdiction and control over their personnel, vehicles, equipment, facilities, stations and installations on the Moon /and other celestial bodies/.

31. Text formulated by the Working Group (PUOS/C.2/WG(XI)/1; 11 April 1972)

Article I, paragraph 1

Activities on /in the exploration and use of/ the Moon /and in circumlunar space/ /and other celestial bodies/ shall be carried out in accordance with international law, including the Charter of the United Nations /and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies/ in the interest of maintaining international peace and security and promoting international co-operation and understanding.

32. Text formulated by the Working Group (PUOS/C.2/WG(XI)/2; 12 April 1972)

Article 1, paragraph 2

In accordance with the Charter of the United Nations, the /illegal/ threat or use of force or any other hostile act or threat of hostile act on the Moon /or other celestial bodies/ is prohibited. It is likewise prohibited to use the Moon /or other celestial bodies/ in order to commit any such act or to engage in any such threat in relation to the earth, /the Moon/ or other celestial bodies, spacecraft, the personnel of spacecraft or man-made space objects.

/...

33. Text formulated by the Working Group^{1/} (PUOS/C.2/WG(XI)/3; 12 April 1972)

Article II

1. The Moon /and other celestial bodies/ shall be used by all States Parties exclusively for peaceful purposes.

2. States Parties shall not place in orbit around or other trajectory to or around the Moon /or other celestial bodies/ objects carrying /nuclear weapons or any other kinds of/ weapons /of mass destruction/ or install, emplant or emplace such weapons on or in the Moon /or other celestial bodies/.

3. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on the Moon /and other celestial bodies/ shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the Moon /and other celestial bodies/ shall also not be prohibited.

34. Text formulated by the Working Group (PUOS/C.2/WG(XI)/4 and Corr:1; 13 and 20 April 1972)

Article III

1. ...

2. States Parties shall be guided by the principle of co-operation and mutual assistance on the widest possible basis in all their activities concerning the exploration and use of the Moon /and other celestial bodies/. International co-operation may take place on a multilateral basis, on a bilateral basis, or through international intergovernmental organizations.

3. ...

4. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the moon /or other celestial bodies/ to the greatest extent feasible and practicable.

5. /Well in advance of launching, but in any event not later than 60 days before launching, States Parties intending to conduct activities on the moon or other celestial bodies shall inform the Secretary-General of the United Nations, as well as the public and the international scientific community, of the planned time

^{1/} Certain drafting questions remain to be considered.

/...

frame of launching, purposes of the mission, intended locations of the mission, orbital parameters, and prospective duration of the mission. Timely notice shall also be given of any major changes in plans for the mission, of the termination of the mission and, in due course, of the nature, conduct, locations and results of the mission. The Secretary-General of the United Nations shall disseminate such information, as well as other information transmitted to him under this Treaty, immediately and effectively.

6. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the Moon or other celestial body, it shall promptly inform the other State and the Secretary-General of the timing of and plans for its own operations.

7. ...

8. All stations, installations, facilities, equipment and space vehicles on the Moon and other celestial bodies shall be open to other States Parties on a basis of reciprocity. Such States Parties 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.

9. ...

35. Text formulated by the Working Group (PUOS/C.2/WG(XI)/5/Rev.1;
21 April 1972)

Article IV

1. In exploring and using the Moon and circumlunar space and other celestial bodies, States Parties shall take all reasonable possible measures to prevent the disruption of the existing balance of its their environment/s whether by introducing adverse changes in such environment/s, its their harmful contamination through the introduction of extra-environmental matter or otherwise. States Parties shall also take all reasonable possible measures to prevent harmfully affecting or contaminating the environment of the Earth through the introduction of extra-terrestrial matter or otherwise.

2. States Parties planning missions to the Moon and other celestial bodies shall notify the Secretary-General of measures being adopted to minimize the disruption of the existing balance of the environment/s of those bodies. Such reports shall include trajectories to be flown, the distance of closest approach, and specific measures taken to control micro-organisms on and in the spacecraft.

3. States Parties shall notify the Secretary-General of plans to place radio-active material on or in orbit or other trajectory around the Moon or other celestial bodies and shall give similar notification with regard to the conditions and effects of such placement when it occurs.

/...

36. Text formulated by the Working Group (PUOS/C.2/WG(XI)/6 and
Corr.1; 14 and 17 April 1972)

Article V

1. States Parties may pursue their activities in the exploration and use of the Moon and other celestial bodies anywhere on or below its their surface, and in circumlunar space, subject to the other provisions of this Treaty.

2. For these purposes States Parties may, in particular:

(a) land their space objects on the Moon and other celestial bodies, launch them from the Moon such bodies and place them in circumlunar orbit;

(b) place their vehicles, equipment and personnel anywhere on the surface of the Moon and other celestial bodies below its their surface and in circumlunar space;

Vehicles and personnel of States Parties may move freely over the surface of the Moon, through its subsoil and in circumlunar space.

3. Activities of States Parties in accordance with paragraphs 1 and 2 of this Article shall not interfere with the activities of other States Parties on the Moon and other celestial bodies. Where such interference may occur, the States Parties concerned shall undertake consultations in accordance with article ...

37. Text formulated by the Working Group (PUOS/C.2/WG(XI)/7/Rev.1;
19 April 1972)

Article VI

1. States Parties may establish manned and unmanned stations on the Moon and other celestial bodies. A State Party establishing a station shall use only that area which is required for the needs of the station and shall immediately inform the Secretary-General of the location and purposes of that station. Subsequently at annual intervals that State shall likewise inform the Secretary-General whether the station continues in use and whether its purposes have changed.

2. Stations shall be installed in such a manner that they do not impede the free access to all areas of the Moon of personnel, vehicles and equipment of other States Parties conducting activities on the Moon and other celestial bodies in accordance with this Treaty or article I 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.

/...

38. Text formulated by the Working Group (PUOS/C.2/WG(XI)/8;
17 April 1972)

Article VII

1. States Parties shall adopt all practicable measures to safeguard the life and health of persons on the Moon /and other celestial bodies/. For this purpose they shall regard any person on the Moon /or other celestial body/ as an astronaut within the meaning of the article V 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, and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.
2. States Parties shall offer shelter in their stations, installations, vehicles and other facilities to persons in distress on the Moon /or other celestial bodies/.
3. States Parties shall inform the Secretary-General, as well as the public and the international scientific community, of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger human life or health, as well as any indication of organic life.

39. Text formulated by the Working Group (PUOS/C.2/WG(XI)/9;
18 April 1972)

Article IX

1. In accordance with article VIII 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, States Parties shall retain jurisdiction and control over their personnel, vehicles, installations and equipment on the Moon /and other celestial bodies/. Ownership of such facilities 1/ is not affected by their presence on the Moon /or other celestial body/ or elsewhere in outer space or by their return to the Earth.
2. Vehicles, installations and equipment or their component parts found in places other than their intended location shall be dealt with in accordance with article V of the Agreement on Assistance to Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.
3. In the event of an emergency involving a threat to human life, States Parties may use the equipment, vehicles, installations, facilities or supplies of other States Parties on the Moon /or in circumlunar space/ /or other celestial bodies/. Prompt notification of such use shall be made to the Secretary-General or State Party concerned.

1/ The word "facilities" is subject to drafting review.

/...

40. Text formulated by the Working Group (PUOS/C.2/WG(XI)/10;
18 April 1972)

Article X

A State Party which learns of the crash landing, forced landing or other unintended landing on the Moon /or other celestial body/ of a space object, or its component parts, that were not launched by it, shall promptly inform the launching State Party and the Secretary-General of the United Nations.

Article XI

/In addition to the provisions of article VII 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, a State Party shall be liable for damage resulting from its act or omission or from an act or omission of its personnel on the Moon to the property or personnel of other States Parties on the Moon, unless it is established that the damage occurred through no fault of the said State or of its personnel on the Moon./

41. Text formulated by the Working Group (PUOS/C.2/WG(XI)/11;
19 April 1972)

Article XII

1. States Parties to this Treaty shall bear international responsibility for national activities on 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. States Parties shall ensure that non-governmental entities under their jurisdiction shall engage in activities on the Moon /and other celestial bodies/ only under the authority and continuing supervision of the appropriate State Party.
2. With the exception of articles to , references in this Treaty to States shall be deemed to apply to any international intergovernmental organization which conducts space activities if the organization declares its acceptance of the rights and obligations provided for in this Treaty and if a majority of the States members of the organization are States Parties to this Treaty 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. States members of any such organization which are States Parties to this Treaty shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the foregoing.

/...

42. Text considered by the Working Group (PUOS/C.2/WG(XI)/12;
19 April 1972)

Article 1/

As employed in this Treaty:

- (i) The term "celestial body" includes all natural celestial bodies other than the Earth.
- (ii) The phrase "the Moon and other celestial bodies" includes orbits around or other trajectories to or around celestial bodies.

43. Text considered by the Working Group (PUOS/C.2/WG(XI)/13;
19 April 1972)

Article

1. To further the aims of this Treaty, each State Party shall have the right to ensure by appropriate means, including visits to stations, installations, equipment and space vehicles on the Moon and other celestial bodies, that the activities of other State Parties undertaken in virtue of this Treaty respect its provisions.

2. Any State Party may proceed to the verification provided for in this article either by its own means, or with the assistance, full or limited, of any other Party, or by appropriate international procedures within the framework of the United Nations and in accordance with the Charter. The utmost care must be taken to ensure safety and to avoid interference with normal operations in the facility to be visited.

3. If a State Party has reason to believe that another State Party is not discharging its obligations, or is infringing the rights of other States Parties under this Treaty, that State and the State Party responsible for the operations giving rise to suspicion shall consult together. Any Party which requests to do so shall be entitled to take part in the consultation. The Secretary-General shall be informed of the results of the consultation.

4. If the consultation does not lead to a mutually acceptable settlement, the Parties concerned shall, with due regard for the rights and interests of all the States Parties, take every step to settle the dispute by negotiation, investigation, mediation, conciliation, arbitration, judicial settlement or any other peaceful means of their choice and appropriate to the circumstances and the nature of the dispute.

1/ The Working Group deferred consideration of the question of definitions for the time being. In addition, provisions concerning meteorites and circumlunar space may be required.

/...

44. Text considered by the Working Group (PUOS/C.2/WG(XI)/14;
20 April 1972)

Article XIII

In the event of any difference arising between States Parties with regard to the interpretation or application of the provisions of this Treaty, reference shall be made where appropriate to the provisions 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, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage Caused by Space Objects.

45. Text formulated by the Working Group (PUOS/C.2/WG(XI)/15;
27 April 1972)

Article 0

1. As employed in this Treaty:

- (i) The term "celestial body" includes all natural celestial bodies other than the Earth.
- (ii) The phrase "the Moon and other celestial bodies" includes orbits around or other trajectories to or around celestial bodies.

2. This Treaty does not apply to extra-terrestrial materials which reach the surface of the Earth by natural means.

Article I

1. Activities on in the exploration and use of the Moon and in circumlunar space and other celestial bodies shall be carried out 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.

2. In accordance with the Charter of the United Nations, the threat or use of force or any other hostile act or threat of hostile act on the Moon and other celestial bodies is prohibited. It is likewise prohibited to use the Moon or other celestial bodies in order to commit any such act or to engage in any such threat in relation to the earth, the Moon or other celestial bodies, spacecraft, the personnel of spacecraft or man-made space objects.

/...

Article II

1. The Moon and other celestial bodies shall be used by all States Parties exclusively for peaceful purposes.
2. States Parties shall not place in orbit around or other trajectory to or around the Moon or other celestial bodies objects carrying nuclear weapons or any other kinds of weapons of mass destruction or place or use such weapons on or in the Moon or other celestial bodies. 1/
3. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres on the Moon and other celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the Moon and other celestial bodies shall also not be prohibited.

Article III

1. The exploration and use of the Moon and other celestial bodies shall be the province of all mankind and the exploitation of their natural resources shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development. Due regard shall be paid to the interests of present and future generations as well as to the need to promote higher standards of living and conditions of economic and social progress and development in accordance with the Charter of the United Nations.
2. States Parties shall be guided by the principle of co-operation and mutual assistance in all their activities concerning the exploration and use of the Moon and other celestial bodies. International co-operation in pursuance of this Treaty should be as wide as possible and may take place on a multilateral basis on a bilateral basis, or through international intergovernmental organizations.
3. States Parties shall inform the Secretary-General as well as the public and international scientific community, to the greatest extent feasible and practicable, of their activities concerned with the exploration and use of the Moon and other celestial bodies. They shall in any case give information on the time, purposes, locations, orbital parameters, duration and results of each completed mission to the Moon and other celestial bodies, in particular on the scientific results arising out of such missions. In case of a mission lasting more than 60 days, information on conduct of the mission shall be given periodically at 30 days' intervals. For missions lasting more than six months, only significant additions to such information need be reported thereafter. 2/

1/ The delegation of Egypt reserved its position on this paragraph.

2/ Certain delegations reserved their position with respect to the question of advance notification of missions to celestial bodies.

/...

4. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the Moon or other celestial body, it shall promptly inform the other State of the timing of and plans for its own operations.

Article III bis

1. There shall be freedom of scientific investigation on the Moon and other celestial bodies by all States Parties without discrimination of any kind, on the basis of equality and in accordance with international law.
2. In carrying out scientific investigations in furtherance of the provisions of this Treaty the States Parties shall have the right to collect on and remove from the Moon and other celestial bodies samples of its their mineral and other substances. Such samples shall remain at the disposal of those States Parties which caused them to be collected and may be used by them for scientific purposes. States Parties shall have regard to the desirability of making a portion of such samples available to other interested States Parties and the international scientific community for scientific investigation. States Parties may in the course of scientific investigations also use mineral and other substances of the Moon and other celestial bodies in quantities appropriate for the support of their missions.
3. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the Moon or other celestial bodies to the greatest extent feasible and practicable.

Article IV

1. In exploring and using the Moon and circumlunar space and other celestial bodies, States Parties shall take measures to prevent the disruption of the existing balance of its their environment/s/ whether by introducing adverse changes in such environment/s/, its their harmful contamination through the introduction of extra-environmental matter or otherwise. States Parties shall also take measures to prevent harmfully affecting the environment of the Earth through the introduction of extra-terrestrial matter or otherwise.
2. States Parties planning missions to the Moon and other celestial bodies shall notify the Secretary-General of measures being adopted to minimize the disruption of the existing balance of the environment/s/ of those bodies. Such reports shall include the trajectories to be flown, the distance of closest approach, and specific measures taken to control micro-organisms on and in the spacecraft.
3. States Parties shall notify the Secretary-General of plans to place radio-active material on or in orbit or other trajectory around the Moon or other celestial bodies and shall give similar notification with regard to the conditions and effects of such placement when it occurs.

/...

4. States Parties shall report to other States Parties and to the Secretary-General concerning areas of the Moon and other celestial bodies having special scientific interest in order that consideration may be given to their designation as international scientific preserves for which special protective arrangements are to be agreed, without prejudice to the rights of other States Parties to this Treaty.

Article V

1. States Parties may pursue their activities in the exploration and use of the Moon and other celestial bodies anywhere on or below its their surface, and in circumlunar space, subject to the other provisions of this Treaty.

2. For these purposes States Parties may, in particular:

(a) land their space objects on the Moon and other celestial bodies, and launch them from the Moon such bodies, and place them in circumlunar orbit;

(b) place their personnel, space vehicles, equipment, facilities, stations and installations anywhere on or below the surface of the Moon and other celestial bodies and in circumlunar space.

Personnel, space vehicles, equipment, facilities, stations and installations may move or be moved freely over or below the surface of the Moon and other celestial bodies through its subsoil and in circumlunar space.

3. Activities of States Parties in accordance with paragraphs 1 and 2 of this article shall not interfere with the activities of other States Parties on the Moon and other celestial bodies. Where such interference may occur, the States Parties concerned shall undertake consultations in accordance with article XIV.

Article VI

1. States Parties may establish manned and unmanned stations on the Moon and other celestial bodies. A State Party establishing a station shall use only that area which is required for the needs of the station and shall immediately inform the Secretary-General of the location and purposes of that station. Subsequently at annual intervals that State shall likewise inform the Secretary-General whether the station continues in use and whether its purposes have changed.

2. Stations shall be installed in such a manner that they do not impede the free access to all areas of the Moon of personnel, vehicles and equipment of other States Parties conducting activities on the Moon and other celestial bodies in accordance with the provisions of this Treaty or of article I 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.

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Article VII

1. States Parties shall adopt all practicable measures to safeguard the life and health of persons on the Moon and other celestial bodies. For this purpose they shall regard any person on the Moon or other celestial body as an astronaut within the meaning of the article V 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, and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

2. States Parties shall offer shelter in their stations, installations, vehicles and other facilities to persons in distress on the Moon or other celestial bodies.

3. States Parties shall inform the Secretary-General, as well as the public and the international scientific community, of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger human life or health, as well as any indication of organic life.

Article VIII 3/

1. The natural resources of the Moon and other celestial bodies shall be the common heritage of all mankind.

2. Neither States, international intergovernmental or non-governmental organizations, national organizations having the status of juridical persons or not, nor natural persons, may claim the surface or subsurface of the Moon or other celestial bodies as their property. The placement of personnel, space vehicles, equipment, facilities, stations and installations on or below the surface of the Moon or other celestial bodies including structures connected with its their surface or subsurface, shall not create a right of ownership over parts of the surface or subsurface of the Moon or other celestial bodies.

3. Parts of the surface or subsurface of the Moon or other celestial bodies may not be the object of grant, exchange, transfer, sale or purchase, lease, hire, gift or any other arrangements or transactions with or without compensation between States, international intergovernmental and non-governmental organizations or national organizations having the status of juridical persons or not, or of arrangements or transactions between natural persons.

4. The States Parties to this Treaty, bearing in mind the need for economic advancement and for the encouragement of investment and efficient development if utilization of the resources of the Moon and other celestial bodies becomes a reality, recognize the importance of concluding agreements in this area. To this end, the Depositary Governments shall promptly convene a meeting of all States

3/ This text may be supplemented later.

/...

Parties with a view to negotiating arrangements for the international sharing of the benefits of such utilization when one third of the States Parties inform the Depositary Governments that they consider that practical utilization of the resources of the Moon or other celestial bodies is likely to begin within two years following or has already begun.^{4/}

Article IX

1. States Parties shall retain jurisdiction and control over their personnel, vehicles, equipment, facilities, stations and installations on the Moon and other celestial bodies. The ownership of space vehicles, equipment, facilities, stations and installations shall not be affected by their presence on the Moon or other celestial bodies.^{4/}

2. Vehicles, installations and equipment or their component parts found in places other than their intended location shall be dealt with in accordance with article V of the Agreement on Assistance to Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

3. In the event of an emergency involving a threat to human life, States Parties may use the equipment, vehicles, installations, facilities or supplies of other States Parties on the Moon or in circumlunar space or other celestial bodies. Prompt notification of such use shall be made to the Secretary-General or State Party concerned.

Article X

A State Party which learns of the crash landing, forced landing or other unintended landing on the Moon or other celestial body of a space object, or its component parts, that were not launched by it, shall promptly inform the launching State Party and the Secretary-General of the United Nations.

Article XI

1. States Parties to this Treaty shall bear international responsibility for national activities on 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. States Parties shall ensure that non-governmental entities under their jurisdiction shall engage in activities on the Moon and other celestial bodies only under the authority and continuing supervision of the appropriate State Party.

2. In addition to the provisions of article VII of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space,

^{4/} The delegation of Egypt reserved its position on the reference to property, with regard to facilities, stations and installations.

including the Moon and Other Celestial Bodies, a State Party shall be liable for damage resulting from its act or omission or from an act or omission of its personnel on the Moon to the property or personnel of other States Parties on the Moon, unless it is established that the damage occurred through no fault of the said State or of its personnel on the Moon.^{4/}

Article XII

With the exception of articles to , references in this Treaty to States shall be deemed to apply to any international intergovernmental organization which conducts space activities if the organization declares its acceptance of the rights and obligations provided for in this Treaty and if a majority of the States members of the organization are States Parties to this Treaty 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. States members of any such organization which are States Parties to this Treaty shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the foregoing.

Article XIII

In the event of any difference arising between States Parties with regard to the interpretation or application of the provisions of this Treaty, reference shall be made where appropriate to the provisions 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, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space, and the Convention on International Liability for Damage caused by Space Objects.

Article XIV

1. Each State Party may assure itself that the activities of other States Parties in the exploration and use of the Moon and other celestial bodies are compatible with the provisions of this Treaty. To this end, all space vehicles, equipment, facilities, stations and installations on the Moon and other celestial bodies shall be open to other States Parties. Such States Parties 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. In pursuance of this article any State Party may use its own means, or may act with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

2. A State Party which has reason to believe that another State Party is not fulfilling the obligations incumbent upon it pursuant to this Treaty or that another State Party is interfering with the rights which the former State has under this Treaty may request consultations with that Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party which requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General shall be informed of the results of the consultations and transmit the information received to all States Parties concerned.

3. If the consultations do not lead to a mutually acceptable settlement which has due regard for the rights and interests of all the States Parties, the parties concerned shall take all measures to settle the dispute by other peaceful means of their choice and appropriate to the circumstances and the nature of the dispute. If difficulties arise in connexion with the opening of consultations or if consultations do not lead to a mutually acceptable settlement, any State Party may seek the assistance of the Secretary-General without seeking the consent of any other State Party concerned, in order to resolve the controversy. A State Party which does not maintain diplomatic relations with another State Party concerned shall participate in such consultations, at its choice, either itself or through another State Party or the Secretary-General, as intermediary.

Article XV

At any time after this Treaty has been in force for five years, at the request of one third of the States Parties to the Treaty and with the concurrence of the majority of the States Parties a conference of the States Parties shall be convened to review this Treaty.

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Annex II

PROPOSALS AND OTHER DOCUMENTS RELATING TO AGENDA ITEM 2 (MATTERS RELATING TO THE REGISTRATION OF OBJECTS LAUNCHED INTO SPACE FOR THE EXPLORATION OR USE OF OUTER SPACE)

A. France: proposal (A/AC.105/C.2/L.45)

Draft convention concerning the registration of objects launched into space for the exploration or use of outer space

The Governments signatories of this Convention,

Considering that the registration or entry in a register of objects launched into outer space is mentioned in several provisions 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,

Considering the advantages, at the international level, of the establishment of common rules governing the registration of objects launched into space for the exploration or use of outer space,

Have agreed on the following provisions:

Article 1

Any object launched into space for the exploration or use of outer space shall be registered by entry in a register kept by a service under the supervision of one or more Governments Parties to this Convention. Each Government shall inform the Depositary Government of the establishment or termination of the services under its supervision.

There shall be only one registration of each object, but the registration may be transferred from one service to another.

Article 2

Each Contracting Party, acting separately or, in the case of a joint service, together with the other Contracting Parties exercising supervision over that service, shall determine the rules of law applicable to registration.

However, the entry in the register concerning each object shall include at least:

(a) The registration number;

/...

(b) Where applicable, the name of the object;

(c) The name and address of the governmental or intergovernmental agency or non-governmental entity procuring the launching;

(d) The external specifications of the object, such as total weight, shape, dimensions and external component parts;

(e) The law applicable to the object and to the persons carried in it when an intergovernmental agency or a group of natural or juridical persons, referred to in subparagraph (c) hereof, procures the launching.

Each Contracting Party undertakes to provide any other Contracting Party with any information requested by the latter regarding the particulars referred to in subparagraphs (a) and (c) of the preceding paragraph concerning any object registered by a service under its supervision, whether such supervision is exclusive or shared with other Governments.

The registers of services functioning in the territory of any State whose Government is a party to this Convention shall be, so far as possible, be accessible to the public.

Article 3

The registration number shall be composed of:

(a) The letter C, followed by a dash;

(b) The mark of the registration service, chosen from among the symbols assigned by international telecommunications regulations as identifying radio call signals to the State or States exercising supervision over the service which keeps the register. This mark shall be followed by a dash;

(c) The registration mark, consisting of Roman capital letters, Arabic numerals or a combination of such letters and numerals. This mark must be clearly distinguishable from those reserved for aircraft or for distress or emergency signals.

This number shall be displayed in at least two places on the object and on opposite sides thereof, if the size of the object permits. It shall be repeated as frequently as possible in order to permit identification, in case of accident, of portions or component parts of the object. The height of the characters shall be determined by technical considerations. The number shall be shown on at least one identification plate inside the object. The processes and materials used for reproduction of the registration number and manufacture of the identification plate shall be such, having regard to the conditions in which the object will be used, as to provide the best possible guarantee that the registration number will be identifiable as speedily as possible if the object or its component parts are found.

Article 4

At two-year intervals, on the proposal of the Government Depositary of this Convention, a conference shall be convened in order to consider in the light, inter alia, of scientific and technical advances, measures which could be adopted with regard to the questions dealt with in articles 2 and 3 of this Convention.

At such a conference, it may be decided by unanimous vote of the Contracting Parties represented and voting that the said common rules may at subsequent conferences be adopted by a two-thirds majority of the Contracting Parties represented and voting and be binding upon all the Contracting Parties.

The first conference shall take place in the third year after the date of entry into force of this Convention.

Article 5

Any Contracting Party may propose amendments to this Convention.

For this purpose, it shall transmit the text of the amendment to the Depositary Government, which shall communicate it to all the other Governments Parties. If at least one third of the latter state that they consider it necessary to discuss the proposal, a review conference shall be convened as soon as possible on the proposal of the Depositary Government.

Amendments adopted by the majority of the Contracting Parties represented and voting shall enter into force for the Government ratifying approving or accepting them one month s after one half of the Contracting Parties, at the date of adoption of the amendment by the conference, have deposited the instrument of ratification or the notification of approval or acceptance concerning them with the Government Depositary of this Convention. They shall enter into force for any other Government one month s after that Government has deposited the relevant instrument or notification.

If, after the Depositary Government has informed the other Governments Parties to this Convention of the text of a proposed amendment, at least two thirds of the Contracting Parties intimate that the amendment can be adopted without the convening of a review conference, the said amendment shall enter into force, for those Contracting Parties, one month s after the last reply from one of them has reached the Depositary Government. The amendment shall enter into force for any other Contracting Party one month s after its reply has reached the Depositary Government.

Article 6

No reservation may be made in respect of this Convention.

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(followed by the formal provisions)

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B. Canada: draft convention on registration of objects launched into outer space (A/AC.105/C.2/L.82; 4 April 1972)

The States Parties to this Convention,

Recalling that the international responsibility of States for their outer space activities has been affirmed in the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,

Recalling also that the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space provides for a launching authority to furnish identifying data prior to the return of a space object,

Recalling further that the Convention on International Liability for Damage Caused by Space Objects affirms the principle that launching States are liable for the damage caused by their space objects,

Considering that the existing Conventions and general principles of space law point to the fundamental need for the identification of space objects in order to facilitate the effective regulation of space activities and to deal with the legal consequences of such activities,

Convinced that an adequate international system of registration of space objects is the best means of providing for this identification,

Believing that, notwithstanding the usefulness of the public registry maintained by the Secretary-General of the United Nations pursuant to resolution 1721 B (XVI) of 20 December 1961, a more comprehensive international system is required,

Have agreed on the following:

Article I

For the purposes of this Convention:

(a) The term "launching State" means:

- (i) A State which launches or procures the launching of a space object;
- (ii) A State from whose territory or facility a space object is launched.

(b) The term "space object" includes component parts of a space object as well as its launch vehicle and parts thereof.

/...

Article II

1. The launching State shall furnish the Secretary-General with the following initial information as soon as possible concerning each space object launched:

- (a) Launching State (including all States referred to in Article I (a)),
- (b) Date, time and precise location of launch,
- (c) Launch vehicle,
- (d) General function,
- (e) Physical characteristics,
- (f) Description, including any identifiable markings, of components likely to withstand re-entry,
- (g) Transit and orbit description,
- (h) Degree of manoeuvrability,
- (i) Expected operational pattern,
- (j) Expected natural life,
- (k) Expected decay or re-entry date, re-entry trajectory and landing or impact area, and
- (l) Such other information as the launching State considers helpful in identifying the space object.

2. After the initial information has been provided, the launching State shall provide the Secretary-General with such current information concerning the space object, including any changes in the information furnished in accordance with the preceding paragraph, as will assist in identifying the space object.

3. Where, with respect to any space object, there is more than one launching State as defined in Article I (a), the launching States in question shall designate the State among them which shall furnish the Secretary-General with information in accordance with the preceding paragraphs of this article.

Article III

1. States Parties should provide the Secretary-General, upon his request, with such information as they possess which is relevant to identifying the space object. The Secretary-General shall make such a request whenever a State Party notifies him that it requires such information in order to assist in identifying a space object for purposes of exercising a right or discharging an obligation under international law.

/...

2. States with advanced space monitoring and tracking capacities and facilities agree to provide the Secretary-General, whenever feasible, with relevant "in-orbit" data on space objects and predictions about decaying orbits and times and places of re-entry.

Article IV

1. The Secretary-General shall maintain a central register in which the information furnished in accordance with articles II and III shall be recorded on a continuing and orderly basis with a view to facilitating ready access to such information.
2. The Secretary-General shall assign a registration number to each space object about which information is furnished in accordance with articles II and III.
3. The information in the central register shall be fully accessible to States Parties and shall be made available to them upon request.

Article V

1. The launching State shall mark each space object in accordance with international standards or, in the absence thereof in such a manner as to provide the best possible guarantee that the object will be identifiable as reliably and speedily as possible.
2. States agree to co-operate, in close consultation with the Committee on the Peaceful Uses of Outer Space and in the light of scientific and technical advances, to establish agreed international standards of marking to facilitate the objective of the preceding paragraph.

Article VI

1. In this Convention, with the exception of articles to , references to States shall be deemed to apply to any international intergovernmental organization which conducts space activities, if the organization declares its acceptance of the rights and obligations provided for in this Convention and if a majority of the States members of the organization are States Parties to this Convention 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.
2. States members of any such organization which are States Parties to this Convention shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the preceding paragraph.

/Final clauses/

/...

C. Canada and France: Proposal for a convention on registration of objects launched into outer space (A/AC.105/C.2/L.83 and Corr.1 and 2; 20, 25 and 26 April 1972)

The States Parties to this Convention,

Recalling that the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, affirms that States shall bear international responsibility for their national activities in outer space and refers to States of registry for objects launched into outer space,

Recalling also that the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space provides for a launching authority to furnish identifying data upon request prior to the return of a space object or its component parts,

Recalling further that the Convention on International Liability for Damage Caused by Space Objects elaborates international rules and procedures concerning the liability of launching States for damage caused by space objects,

Convinced that an adequate international system of registration of space objects would contribute significantly to the identification of space objects and would facilitate the application of international law to outer space activities,

Believing that, although the public registry system maintained by the Secretary-General of the United Nations pursuant to General Assembly resolution 1721 B (XVI) has been a positive first step, a new and more comprehensive system is required,

Have agreed on the following:

Article I

For the purpose of this Convention:

(a) The term "launching State" means:

- (i) A State which launches or procures the launching of a space object;
- (ii) A State from whose territory or facility a space object is launched;

(b) The term "State of registry" means a launching State on whose register a space object is carried.

(c) The term "space object" includes component parts of a space object as well as its launch vehicle and parts thereof.

/...

The term "space object" means a physical object, manned or unmanned, launched into space for purposes of exploration and use of outer space, including the Moon and other celestial bodies.

This term includes the launch or transport vehicle, whether recoverable or not, as well as the payload or artificial satellite to be placed in an outer space trajectory.

Article II

1. Each space object shall be registered by the launching State or States by means of an entry in an appropriate register maintained either individually or jointly by them. Such State or States shall inform the Secretary-General of the establishment or termination of all such registers. Each space object shall be registered only once.
2. Where, in respect of any launch, there is more than one State of registry, the States of registry in question shall, for purposes of articles of the present Convention, designate the State or States among them which shall act as the State or States of registry with respect to each space object launched.

Article III

1. States of registry shall, either individually, or where a joint register is maintained, jointly, determine the rules applicable to registration.
2. The entry in the register concerning each object shall include a registration number and such other information as may be relevant. The registration number shall be composed of:
 - (a) The letter C, followed by a dash;
 - (b) The radio call signal series assigned to the State of registry by international telecommunication regulations. This mark shall be followed by a dash;
 - (c) The registration mark, consisting of Roman capital letters, Arabic numerals or a combination of such letters and numerals. This mark must be clearly distinguishable from those reserved for aircraft or for distress or emergency signals.
3. States of registry shall retain jurisdiction and control over such objects, and over any personnel thereof, while in outer space or on a celestial body.

Article IV

The State of registry shall mark the space object internally and externally with the registration number provided for in articles V and VII, shall be recorded appropriate markings. This shall be done in accordance with such marking techniques as result from scientific and technical advances for assuring the most certain and rapid identification of the space object or its parts.

Article V

1. The State of registry shall furnish the Secretary-General with the following information, as soon as available, concerning each registered space object:
 - (a) Launching State (including all States referred to in article I (a));
 - (b) Identification markings, including the registration number;
 - (c) Date, time and precise location of launch;
 - (d) Launch vehicle (where applicable);
 - (e) General function and expected operational pattern;
 - (f) Physical characteristics, including transit and orbit description;
 - (g) Components likely to withstand re-entry;
 - (h) Trajectory characteristics, including transit and orbit description;
 - (i) Degree of manoeuvrability;
 - (j) Expected natural life;
 - (k) Expected decay or re-entry date, re-entry trajectory and landing or impact area, and
 - (l) Such other information as the State of registry considers helpful in identifying the space object.
2. After the initial information has been provided, the State of registry shall provide the Secretary-General with such significant changes in the information furnished in accordance with the preceding paragraph as will assist in identifying the space object.

Article VI

1. The Secretary-General shall maintain a central register in which the information furnished, in accordance with articles V and VII, shall be recorded on a continuing and orderly basis.
2. States Parties shall have full access to the information in the central register.

Article VII

1. Each State of registry undertakes, upon request, to furnish any other State party or the Secretary-General with such additional information as is relevant to identifying, and as can be made available concerning, the space object on its register. Such a request may be made by a State party directly to a State of Registry or by the Secretary-General on its behalf whenever the State party has reason to believe that this information is necessary to identify a space object or its parts for purposes of exercising a right or discharging an obligation under Conventions in force to which both the State of Registry and the requesting State are parties.
2. In addition, in the case where the conditions for a request under the preceding paragraph exist but where the identification of a space object has not otherwise been possible, the State party concerned may request the assistance of States parties with space monitoring and tracking capacities and facilities. The latter, in the spirit of promoting international co-operation in respect of the exploration and use of outer space, will do their utmost to respond favourably to such a request.

Article VIII

1. In this Convention, with the exception of articles to , references to States shall be deemed to apply to any international intergovernmental organization which conducts space activities, if the organization declares its acceptance of the rights and obligations provided for in this Convention and if a majority of the States members of the organization are States Parties to this Convention 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.
2. States members of any such organization which are States parties to this Convention shall take all appropriate steps to ensure that the organization makes a declaration in accordance with the preceding paragraph.

/...

Article IX

1. States parties agree to consult regularly, particularly through the United Nations Committee on the Peaceful Uses of Outer Space, in order to determine, in the light of scientific and technical advances, possible new methods that might be employed under articles III and IV.

Article X

The provisions of this Convention shall not affect other international agreements in force in so far as relations between the States Parties to such agreements are concerned.

/Final clauses/

D. Text considered by the Working Group on Registration
(FUCS/C.2/WG.2(XI)/1; 24 April 1972)

Preamble

The States Parties to this Convention,

Recalling that the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, affirms that States shall bear international responsibility for their national activities in outer space and refers to States of registry for objects launched into outer space,

...

Recalling further that the Convention on International Liability for Damage Caused by Space Objects provides rules governing the liability of States for the damage caused by their space objects,

Considering that there is a fundamental need for the identification of space objects in order to facilitate the application of international law to outer space activities,

Convinced that an adequate international system of registration of space objects best contributes to facilitating this identification,

...

Have agreed on the following:

/...

E. Text considered by the Working Group on Registration
(PUOS/C.2/WG.2(XI)/2; 24 April 1972)

Article II

1. Each space object shall be registered by the launching State or States by means of an entry in an appropriate register maintained either individually or jointly by them. Each space object shall be so registered only once. Such State or States shall inform the Secretary-General of the establishment or termination of all such registers.

2. ...

F. Text considered by the Working Group on Registration
(PUOS/C.2/WG.2(XI)/3; 25 April 1972)

Article III

1. States of registry shall, either individually, or where a joint register is maintained, jointly, determine the rules applicable to registration.

2. The entry in the register concerning each object shall include a registration number and such other information as may be relevant. The registration number shall be composed of:

(a) The letter C, followed by a dash;

(b) The radio call signal series assigned to the State of registry by international telecommunication regulations. This mark shall be followed by a dash;

(c) The registration mark, consisting of Roman capital letters, Arabic numerals or a combination of such letters and numerals. This mark must be clearly distinguishable from those reserved for aircraft or for distress or emergency signals.

3. States of registry shall retain jurisdiction and control over such objects, and over any personnel thereof, while in outer space or on a celestial body.

G. Text considered by the Working Group on Registration
(PUOS/C.2/WG.2(XI)/4; 25 April 1972)

Article V

1. The State of registry shall furnish the Secretary-General with the following information, as soon as available, concerning each registered space object:

(a) Launching State (including all States referred to in Article I (a));

(b) Identification markings, including the registration number;

(c) Date, time and precise location of launch;

(d) Launch vehicle (where applicable);

(e) General function and expected operational pattern;

(f) Physical characteristics;

(g) Components likely to withstand re-entry;

(h) Trajectory characteristics, including transit and orbit description;

(i) Degree of manoeuvrability;

(j) Expected natural life;

(k) Expected decay or re-entry date, re-entry trajectory and landing or impact area, and

(l) Such other information as the State of registry considers helpful in identifying the space object.

2. After the initial information has been provided, the State of registry shall, to the greatest extent feasible and practicable provide the Secretary-General with such data on significant changes in the information furnished in accordance with the preceding paragraph as will assist in identifying the space object.

Annex III

DOCUMENTS CONCERNING ORGANIZATION OF WORK

A. Decisions taken by the Sub-Committee at its 170th meeting
on 10 April 1972 (A/AC.105/C.2/D.1)

Organization of work

The Sub-Committee decided to begin with the consideration of agenda item 3, namely, questions relating to the Moon, immediately at the opening meeting of its present session. This consideration would continue until the end of the first week of the session, while the second week would be reserved in principle for the consideration of item 2, namely, matters relating to the registration of objects launched into space for the exploration or use of outer space. However, towards the end of the first week, the Sub-Committee would examine the progress made and decide whether to proceed further on item 3 or to begin consideration of item 2 immediately. In other words, there would be some flexibility in moving from the one item to the other, always taking into consideration the existing situation. The Sub-Committee would also bear in mind that this arrangement should not preclude any delegation from making observations on any other items on the agenda, possibly during the fourth week of the session.

Summary records of the Sub-Committee

The Sub-Committee decided to request its Chairman to ascertain, in the course of the present session and through informal consultations, the views of the members on the question of summary records and on the question of when would be the best time to hold the next session of the Sub-Committee.

B. Decision taken by the Sub-Committee at its 171st meeting
on 11 April 1972 (A/AC.105/C.2/D.2)

The Sub-Committee decided to set up a Working Group open to all members for article-by-article discussion with respect to agenda item 3. The Sub-Committee also decided that its Chairman should preside over the Working Group. It was further decided that the Working Group would meet both in the morning and afternoon. However, if there were delegations wishing to make general statements, the Sub-Committee would begin with plenary meeting in the morning to hear such statements and then transform itself into the Working Group.

C. Decision taken by the Sub-Committee at its 182nd meeting
on 24 April 1972 (A/AC.105/C.2/D.3)

The Sub-Committee decided to set up a Working Group of the Whole on registration for article-by-article consideration of the Canadian-French joint draft (A/AC.105/C.2/L.83). The Sub-Committee also decided that the Working Group would be chaired by the representative of Austria and would begin its work in the afternoon of 24 April. It was further decided that beginning 25 April the Sub-Committee would meet in plenary in the morning to enable delegations to make general statements; it would then adjourn and reconvene as the Working Group.

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COMMITTEE ON THE PEACEFUL USES
OF OUTER SPACE

REPORT OF THE SCIENTIFIC AND TECHNICAL SUB-COMMITTEE
OF THE WORK OF ITS NINTH SESSION

INTRODUCTION

1. The Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space held its ninth session at United Nations Headquarters, New York, from 3 to 11 May 1972, under the chairmanship of Professor J. H. Carver (Australia).
2. Representatives of the following member States attended the session: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Czechoslovakia, Egypt, France, Hungary, India, Iran, Italy, Japan, Lebanon, Mexico, Mongolia, Morocco, Poland, Romania, Sierra Leone, Sweden, Union of Soviet Socialist Republics, United Kingdom and United States of America.
3. Representatives of the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the International Telecommunication Union (ITU), the World Meteorological Organization (WMO), the Committee on Space Research (COSPAR) and the International Astronautical Federation (IAF) attended the session.
4. In the course of the ninth session of the Scientific and Technical Sub-Committee, the Working Group on Remote Sensing of the Earth by Satellites held its preparatory session between 3 and 9 May 1972, under the chairmanship of Dr. Franco Fiorio (Italy). The Working Group having held a general debate, provided for an assessment of the information and studies before it, organized its work and schedule of meetings and submitted a summary of its work to the Sub-Committee.

Agenda

5. At the opening meeting of the session the Sub-Committee adopted the following agenda:

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