

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/8528
23 November 1971

ORIGINAL: ENGLISH

Twenty-sixth session
Agenda item 33

INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

Report of the First Committee

Rapporteur: Mr. Giovanni MIGLIUOLO (Italy)

1. The item entitled "International co-operation in the peaceful uses of outer space: report of the Committee on the Peaceful Uses of Outer Space" was included by the Secretary-General in the provisional agenda of the twenty-sixth session of the General Assembly on the basis of Assembly resolution 2733 (XXV) of 16 December 1970.
2. At its 1939th plenary meeting, on 25 September 1971, the General Assembly, on the recommendation of the General Committee, decided to include this item in the agenda and to allocate it to the First Committee for consideration and report.
3. At its 1803rd meeting, on 11 October, during the consideration of the organization of work, the First Committee decided to hold the general debate on this item together with item 92 (Preparation of an international treaty concerning the Moon) on the understanding that any delegation would be free, if it so wished, to make two separate statements in the general debate, at the conclusion of which the Committee would consider draft resolutions or proposals under each item separately, under their respective titles.
4. The general debate on the two items took place at the 1819th to 1825th meetings, from 4 to 10 November.
5. At the 1819th meeting, on 4 November, the Chairman of the Committee on the Peaceful Uses of Outer Space introduced that Committee's report.^{1/} At the same

1/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 20 (A/8420).

meeting, the Chairman of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space made a statement on the draft Convention on International Liability for Damage Caused by Space Objects, the text of which is contained in the same report.^{2/}

6. During the debate on this item in the Committee, three draft resolutions and one amendment were submitted.

7. The first draft resolution was submitted on 5 November by Australia, Austria, Belgium, Canada, France, Iran, Italy, Japan, Lebanon, Morocco, Romania, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.569 and Corr.1) and later co-sponsored by Hungary, Liberia, Poland, Sierra Leone and the Union of Soviet Socialist Republics. It was introduced by the representative of Austria on behalf of its sponsors at the 1822nd meeting, on 9 November. The text of the 19-Power draft resolution appears in paragraph 20 below, as draft resolution I.

8. A statement on the administrative and financial implications of the recommendations contained in the 19-Power draft resolution was submitted by the Secretary-General on 9 November (A/C.1/L.575).

9. The second draft resolution was submitted on 5 November by Australia, Austria, Belgium, Brazil, Bulgaria, Hungary, Lebanon, Mongolia, Poland, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.570) and later co-sponsored by Sierra Leone. The 13-Power draft resolution read as follows:

"Draft Convention on International Liability for Damage caused
by Space Objects

"The General Assembly,

"Reaffirming the importance of international co-operation in the field of the exploration and peaceful uses of outer space, including the moon and other celestial bodies, and of promoting the law in this new field of human endeavour,

"Desiring that the rights and obligations pertaining to liability for damage as laid down 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 should be elaborated in a separate international instrument,

^{2/} Ibid., para 32.

"Recalling its resolutions 1963 (XVIII), 2130 (XX), 2222 (XXI), 2345 (XXII), 2453 B (XXIII), 2601 B (XXIV) and 2733 B (XXV) concerning the elaboration of an agreement on the liability for damages caused by the launching of objects into outer space,

"Recalling also that in its latest resolution, 2733 B (XXV) of 16 December 1970, it urged the Committee on the Peaceful Uses of Outer Space to reach early agreement on a draft Convention on liability, to be submitted to the General Assembly at its twenty-sixth session, embodying the principles of a full measure of compensation to victims and effective procedures which would lead to prompt and equitable settlement of claims,

"Having considered the report of the Committee on Peaceful Uses of Outer Space,

"Taking note with appreciation of the work accomplished by the Committee on Peaceful Uses of Outer Space and in particular that of its Legal Sub-Committee,

"1. Commends the Convention on International Liability for Damage Caused by Space Objects, the text of which is annexed to the present resolution;

"2. Requests the Depositary Governments to open the Convention for signature and ratification at the earliest possible date;

"3. Expresses its hope for the widest possible adherence to this Convention."

ANNEX^{3/}

^{3/} For text of the draft Convention, see paragraph 20 below, draft resolution II, annex.

10. On 8 November, Canada submitted an amendment (A/C.1/L.574) to the 13-Power draft resolution, by which the General Assembly would add a paragraph to article XIX of the draft Convention on International Liability for Damage Caused by Space Objects, annexed to that draft resolution. The amendment read as follows:

"After paragraph 2, article XIX, insert the following additional paragraph:

'Any State Party to this Convention may, at any time declare that it will recognize as binding, in relation to any other State accepting the same obligation, the decision of the Commission concerning any dispute to which it may become a Party. Such declarations shall be deposited with the Depositary Governments designated in article XXIV, paragraph 2, which shall transmit copies thereof to the Governments of the signatory and acceding States.'

11. At the 1826th meeting, on 11 November, the representative of Belgium, on behalf of the sponsors of the 13-Power draft resolution (A/C.1/L.570), introduced a revised draft (A/C.1/L.570/Rev.1) whereby a new paragraph 3 was inserted and paragraph 3 of draft resolution A/C.1/L.570 became paragraph 4. The new paragraph 3 reads as follows:

"3. Notes that any State may, on becoming a Party to the Convention, declare that it will recognize as binding, in relation to any other State accepting the same obligation, the decision of a Claims Commission concerning any dispute to which it may become a party."

12. At the same meeting, the representative of Canada announced that in the light of the revised 13-Power draft resolution, his delegation did not wish to press the Canadian amendment (A/C.1/L.574) to a vote.

13. The third draft resolution was submitted on 5 November by Argentina, Australia, Austria, Belgium, Bulgaria, Canada, France, India, Iran, Italy, Japan, Hungary, Mexico, Morocco, Poland, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.1/L.571) and later co-sponsored by Sierra Leone. The 20-Power draft resolution was introduced, on behalf of its sponsors, by the representative of Sweden at the 1822nd meeting, on 9 November. The text of this draft resolution appears in paragraph 20 below, as draft resolution III.

14. A statement on the administrative and financial implications of the recommendations contained in the 20-Power draft resolution was submitted by the Secretary-General on 9 November (A/C.1/L.576).

/...

15. During the consideration of this item, some members said they would be unable to support the draft Convention on International Liability for Damage Caused by Space Objects owing to their reservations with regard to the provisions of article XII of that draft Convention concerning measure of compensation and those of article XIX concerning the settlement of claims. In expressing their reservations, some representatives drew attention to the positions taken by their Governments in regard to those questions in the Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee, as set out in paragraph 35 of the report of that Committee. Several other members, while supporting the draft Convention, said they would have preferred arbitration awards to be binding in all cases. In this connexion, the Committee took note of the proposal submitted by Canada in document A/C.1/L.574 (see paragraph 10 above), which was supported by other delegations, and noted that every State is entitled, upon becoming a party to the Convention, to make a declaration that it will recognize as binding, in relation to any other State accepting the same obligation, the decision of a Claims Commission concerning any dispute to which it is a party. The Committee, furthermore, noted the hope expressed by Canada that many States would avail themselves of such an opportunity.

16. At its 1826th meeting, the Committee proceeded to a vote on the draft resolutions before it.

17. The Committee first voted on the 19-Power draft resolution (A/C.1/L.569 and Corr.1) which, in the absence of any objection, was declared adopted unanimously (see paragraph 20 below, draft resolution I).

18. The 13-Power draft resolution, as revised (A/C.1/L.570/Rev.1), was voted upon by a roll-call vote. The results of the voting were as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, South Africa, Spain, Sudan, Swaziland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia.

/...

Against: . None.

Abstaining: Canada, Iran, Japan, Sweden.

The 13-Power draft resolution, as revised, was adopted by 90 votes to none, with 4 abstentions. In the absence of any objection, the revised 13-Power draft resolution was declared adopted unanimously (see paragraph 20 below, draft resolution II).

19. The 20-Power draft resolution (A/C.1/L.571) was also adopted unanimously (see paragraph 20 below, draft resolution III).

RECOMMENDATIONS OF THE FIRST COMMITTEE

20. The First Committee recommends to the General Assembly the adoption of the following of the draft resolutions:

/...

DRAFT RESOLUTION I

International co-operation in the peaceful uses of outer space:

The General Assembly,

Recalling its resolution 2733 (XXV) of 16 December 1970,

Having considered the report of the Committee on the Peaceful Uses of Outer Space,^{4/}

Reaffirming the common interest of mankind in furthering the exploration and use of outer space for peaceful purposes,

Continuing to believe that the benefits deriving from space exploration can be extended to States at all stages of economic and scientific development if Member States conduct their space programmes in a manner designed to promote maximum international co-operation, including the widest possible exchange of information in this field,

Convinced of the need for continued international efforts to promote practical applications of space technology,

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space:
2. Invites States which have not yet become parties 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, and the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space to give early consideration to ratifying or acceding to those agreements so that they may have the broadest possible effect;
3. Reiterates the importance of the goal of making satellite communications available to States on a world-wide and non-discriminatory basis, as expressed in General Assembly resolution 1721 D (XVI) of 20 December 1961;
4. Takes note of the agreements relating to space communications recently concluded between a number of States and of the desirability of keeping the United Nations currently informed concerning activities and developments in this field;
5. Notes the action taken by the International Telecommunications Union, through the World Administrative Radio Conference for Space Telecommunications held in June-July 1971, to allocate frequencies and to adopt administrative procedures

^{4/} Official Records of the General Assembly, Twenty-sixth session, Supplement No. 20 (A/8420).

for all kinds of space communications, and recommends that the Union and its specialized bodies, as well as the members of the Union, should apply these provisions with a view to promoting the use of space communications for the benefit of all countries in accordance with the relevant resolutions of the General Assembly;

6. Welcomes the progress achieved in the efforts of the Committee on the Peaceful Uses of Outer Space to encourage international programmes to promote practical applications of space technology for the benefit of all countries, and commends to the attention of Member States, specialized agencies and interested United Nations bodies the programme contained in the report of the Scientific and Technical Sub-Committee of the Committee;

7. Takes note with appreciation of the valuable work carried out by the Secretary-General within the framework of the programme for promoting the application of space technology in accordance with the relevant recommendations of the Committee on the Peaceful Uses of Outer Space and resolutions of the General Assembly;

8. Endorses the resolution contained in paragraph 15 of the report of the Committee on the Peaceful Uses of Outer Space and recommends the continuation and development of the programme for promoting the practical application of space technology taking into account the needs of the developing countries;

9. Welcomes the efforts of a number of Member States to share with other interested Member States the practical benefits that may be derived from programmes in space technology;

10. Welcomes the progress achieved in international co-operation among Member States in space research and exploration, including the exchange and analysis of lunar material on a broad international basis and studies of the development of compatible rendezvous and docking systems for manned spacecraft;

11. Welcomes also the action of a number of States and of the Food and Agriculture Organization of the United Nations in promoting international co-operation in education and training in the peaceful uses of outer space and endorses the appeal made to other States by the Committee on the Peaceful Uses of Outer Space for similar contributions to international education and training in this field;

/...

12. Approves continuing sponsorship by the United Nations of the Thumba Equatorial Rocket Launching Station in India and the CELPA Mar del Plata Station in Argentina, expresses its satisfaction at the work being carried out at these ranges in relation to the use of sounding rocket facilities for international co-operation and training in the peaceful and scientific exploration of outer space, and recommends that Member States continue to give consideration to the use of these facilities for appropriate space research activities;

13. Welcomes the efforts of Member States to keep the Committee on the Peaceful Uses of Outer Space fully informed of their space activities and invites all Member States to do so;

14. Notes that, in accordance with General Assembly resolution 1721 B (XVI), the Secretary-General continues to maintain a public registry of objects launched into orbit or beyond on the basis of information furnished by Member States;

15. Takes notes with appreciation of the activities during the past year of the World Meteorological Organization, as reported to the Committee on the Peaceful Uses of Outer Space,^{5/} in particular the measures taken in implementation of General Assembly resolution 2733 D (XXV), requesting the World Meteorological Organization to mobilize technical resources in order to discover ways and means of mitigating the harmful effects and destructive potential of tropical storms;

16. Takes note of the programmes currently undertaken by the United Nations Educational, Scientific and Cultural Organization and the International Telecommunication Union in satellite broadcasting for the purpose of contributing to the advancement of education and training, and draws attention to the fact that questions relating to the legal implications of space communications are also on the agenda of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, with which the two agencies should co-ordinate their activities in this field;

17. Requests the specialized agencies and the International Atomic Energy Agency to continue, as appropriate, to furnish the Committee on the Peaceful Uses of Outer Space with progress reports on their work relating to the peaceful uses of outer space and to examine and report to the Committee on the particular problems which arise or may arise from the use of outer space in the fields within their competence and which should in their opinion be brought to the attention of the Committee;

^{5/} See A/AC.105/PV.100.

18. Endorses the recommendations contained in paragraph 38 of the report of the Committee on the Peaceful Uses of Outer Space concerning the future work of its Legal Sub-Committee;

19. Requests the Committee on the Peaceful Uses of Outer Space to continue its work as set out in the present resolution and in previous resolutions of the General Assembly and to report to the Assembly at its twenty-seventh session.

DRAFT RESOLUTION II

Convention on International Liability for Damage Caused
by Space Objects

The General Assembly,

Reaffirming the importance of international co-operation in the field of the exploration and peaceful uses of outer space, including the Moon and other celestial bodies, and of promoting the law in this new field of human endeavour,

Desiring that the rights and obligations pertaining to liability for damage as laid down 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, should be elaborated in a separate international instrument,

Recalling its resolutions 1963 (XVIII), of 13 December 1963, 2130 (XX) of 21 December 1965, 2222 (XXI) of 19 December 1966, 2345 (XXII) of 19 December 1967, 2453 B (XXIII) of 20 December 1968, 2601 B (XXIV) of 16 December 1969 and 2733 B (XXV) of 16 December 1970 concerning the elaboration of an agreement on the liability for damages caused by the launching of objects into outer space.

Recalling also that in resolution 2733 B (XXV) it urged the Committee on the Peaceful Uses of Outer Space to reach early agreement on a draft convention on liability, to be submitted to the General Assembly at its twenty-sixth session, embodying the principles of a full measure of compensation to victims and effective procedures which would lead to prompt and equitable settlement of claims,

Having considered the report of the Committee on Peaceful Uses of Outer Space,

Taking note with appreciation of the work accomplished by the Committee on the Peaceful Uses of Outer Space, and in particular that of its Legal Sub-Committee,

1. Commends the Convention on International Liability for Damage Caused by Space Objects, the text of which is annexed to the present resolution;
2. Requests the Depositary Governments to open the Convention for signature and ratification at the earliest possible date;
3. Notes that any State may, on becoming a party to the Convention, declare that it will recognize as binding, in relation to any other State accepting the same obligation, the decision of a claims commission concerning any dispute to which it may become a party;
4. Expresses its hope for the widest possible adherence to this Convention.

/...

ANNEX

Convention on International Liability for Damage Caused
by Space Objects

The States Parties to this Convention,

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

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,

Taking into consideration that, notwithstanding the precautionary measures to be taken by States and international intergovernmental organizations involved in the launching of space objects, damage may on occasion be caused by such objects,

Recognizing the need to elaborate effective international rules and procedures concerning liability for damage caused by space objects and to ensure, in particular, the prompt payment under the terms of this Convention of a full and equitable measure of compensation to victims of such damage,

Believing that the establishment of such rules and procedures will contribute to the strengthening of international co-operation in the field of the exploration and use of outer space for peaceful purposes,

Have agreed on the following:

Article I

For the purposes of this Convention:

(a) The term "damage" means loss of life, personal injury or other impairment of health; or loss of or damage to property of States or of persons, natural or juridical, or property of international intergovernmental organizations;

(b) The term "launching" includes attempted launching;

(c) 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;

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

Article II

A launching State shall be absolutely liable to pay compensation for damage caused by its space object on the surface of the earth or to aircraft in flight.

Article III

In the event of damage being caused elsewhere than on the surface of the earth to a space object of one launching State or to persons or property on board such a space object by a space object of another launching State, the latter shall be liable only if the damage is due to its fault or the fault of persons for whom it is responsible.

Article IV

1. In the event of damage being caused elsewhere than on the surface of the earth to a space object of one launching State or to persons or property on board such a space object by a space object of another launching State, and of damage thereby being caused to a third State or to its natural or juridical persons, the first two States shall be jointly and severally liable to the third State, to the extent indicated by the following:

(a) If the damage has been caused to the third State on the surface of the earth or to aircraft in flight, their liability to the third State shall be absolute;

(b) If the damage has been caused to a space object of the third State or to persons or property on board that space object elsewhere than on the surface of the earth, their liability to the third State shall be based on the fault of either of the first two States or on the fault of persons for whom either is responsible.

2. In all cases of joint and several liability referred to in paragraph 1, the burden of compensation for the damage shall be apportioned between the first two States in accordance with the extent to which they were at fault; if the extent of the fault of each of these States cannot be established, the burden of compensation shall be apportioned equally between them. Such apportionment shall be without prejudice to the right of the third State to seek the entire compensation due under this Convention from any or all of the launching States which are jointly and severally liable.

Article V

1. Whenever two or more States jointly launch a space object, they shall be jointly and severally liable for any damage caused.

2. A launching State which has paid compensation for damage shall have the right to present a claim for indemnification to other participants in the joint launching. The participants in a joint launching may conclude agreements regarding the apportioning among themselves of the financial obligation in respect of which they are jointly and severally liable. Such agreements shall be without prejudice to the right of a State sustaining damage to seek the entire compensation due under this Convention from any or all of the launching States which are jointly and severally liable.

3. A State from whose territory or facility a space object is launched shall be regarded as a participant in a joint launching.

Article VI

1. Subject to the provisions of paragraph 2, exoneration from absolute liability shall be granted to the extent that a launching State establishes that the damage has resulted either wholly or partially from gross negligence or from an act or omission done with intent to cause damage on the part of a claimant State or of natural or juridical persons it represents.

2. No exoneration whatever shall be granted in cases where the damage has resulted from activities conducted by a launching State which are not in conformity with international law including, in particular, 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.

Article VII

The provisions of this Convention shall not apply to damage caused by a space object of a launching State to:

(a) Nationals of that launching State;

(b) Foreign nationals during such time as they are participating in the operation of that space object from the time of its launching or at any stage thereafter until its descent, or during such time as they are in the immediate vicinity of a planned launching or recovery area as the result of an invitation by that launching State.

Article VIII

1. A State which suffers damage, or whose natural or juridical persons suffer damage, may present to a launching State a claim for compensation for such damage.

2. If the State of nationality has not presented a claim, another State may, in respect of damage sustained in its territory by any natural or juridical person, present a claim to a launching State.

3. If neither the State of nationality nor the State in whose territory the damage was sustained has presented a claim or notified its intention of presenting a claim, another State may, in respect of damage sustained by its permanent residents, present a claim to a launching State.

Article IX

A claim for compensation for damage shall be presented to a launching State through diplomatic channels. If a State does not maintain diplomatic relations with the launching State concerned, it may request another State to present its claim to that launching State or otherwise represent its interests under this Convention. It may also present its claim through the Secretary-General of the United Nations, provided the claimant State and the launching State are both Members of the United Nations.

Article X

1. A claim for compensation for damage may be presented to a launching State not later than one year following the date of the occurrence of the damage or the identification of the launching State which is liable.

2. If, however, a State does not know of the occurrence of the damage or has not been able to identify the launching State which is liable, it may present a claim within one year following the date on which it learned of the aforementioned facts; however, this period shall in no event exceed one year following the date on which the State could reasonably be expected to have learned of the facts through the exercise of due diligence.

3. The time-limits specified in paragraphs 1 and 2 shall apply even if the full extent of the damage may not be known. In this event, however, the claimant State shall be entitled to revise the claim and submit additional documentation after the expiration of such time-limits until one year after the full extent of the damage is known.

Article XI

1. Presentation of a claim to a launching State for compensation for damage under this Convention shall not require the prior exhaustion of any local remedies which may be available to a claimant State or to natural or juridical persons it represents.

2. Nothing in this Convention shall prevent a State, or natural or juridical persons it might represent, from pursuing a claim in the courts or administrative tribunals or agencies of a launching State. A State shall not, however, be entitled to present a claim under this Convention in respect of the same damage for which a claim is being pursued in the courts or administrative tribunals or agencies of a launching State or under another international agreement which is binding on the States concerned.

Article XII

The compensation which the launching State shall be liable to pay for damage under this Convention shall be determined in accordance with international law and the principles of justice and equity, in order to provide such reparation in respect of the damage as will restore the person, natural or juridical, State or international organization on whose behalf the claim is presented to the condition which would have existed if the damage had not occurred.

Article XIII

Unless the claimant State and the State from which compensation is due under this Convention agree on another form of compensation, the compensation shall be paid in the currency of the claimant State or, if that State so requests, in the currency of the State from which compensation is due.

Article XIV

If no settlement of a claim is arrived at through diplomatic negotiations as provided for in article IX, within one year from the date on which the claimant State notifies the launching State that it has submitted the documentation of its claim, the parties concerned shall establish a Claims Commission at the request of either party.

Article XV

1. The Claims Commission shall be composed of three members: one appointed by the claimant State, one appointed by the launching State and the third member, the Chairman, to be chosen by both parties jointly. Each party shall make its appointment within two months of the request for the establishment of the Claims Commission.

2. If no agreement is reached on the choice of the Chairman within four months of the request for the establishment of the Claims Commission, either party may request the Secretary-General of the United Nations to appoint the Chairman within a further period of two months.

Article XVI

1. If one of the parties does not make its appointment within the stipulated period, the Chairman shall, at the request of the other party, constitute a single-member Claims Commission.

2. Any vacancy which may arise in the Claims Commission for whatever reason shall be filled by the same procedure adopted for the original appointment.

3. The Claims Commission shall determine its own procedure.

4. The Claims Commission shall determine the place or places where it shall sit and all other administrative matters.

5. Except in the case of decisions and awards by a single-member Commission, all decisions and awards of the Claims Commission shall be by majority vote.

Article XVII

No increase in the membership of the Claims Commission shall take place by reason of two or more claimant States or launching States being joined in any one proceeding before the Commission. The claimant States so joined shall collectively appoint one member of the Commission in the same manner and subject to the same conditions as would be the case for a single claimant State. When two or more launching States are so joined, they shall collectively appoint one member of the Commission in the same way. If the claimant States or the launching States do not make the appointment within the stipulated period, the Chairman shall constitute a single-member Commission.

Article XVIII

The Claims Commission shall decide the merits of the claim for compensation and determine the amount of compensation payable, if any.

Article XIX

1. The Commission shall act in accordance with the provisions of article XII.

2. The decision of the Commission shall be final and binding if the parties have so agreed; otherwise the Commission shall render a final and recommendatory award, which the parties shall consider in good faith. The Commission shall state the reasons for its decision or award.

3. The Commission shall give its decision or award as promptly as possible and no later than one year from the date of its establishment unless an extension of this period is found necessary by the Commission.

4. The Commission shall make its decision or award public. It shall deliver a certified copy of its decision or award to each of the parties and to the Secretary-General of the United Nations.

Article XX

The expenses in regard to the Claims Commission shall be borne equally by the parties, unless otherwise decided by the Commission.

Article XXI

If the damage caused by a space object presents a large-scale danger to human life or seriously interferes with the living conditions of the population or the functioning of vital centres, the States Parties, and in particular the launching State, shall examine the possibility of rendering appropriate and rapid assistance to the State which has suffered the damage, when it so requests. However, nothing in this article shall affect the rights or obligations of the States Parties under this Convention.

Article XXII

1. In this Convention, with the exception of articles XXIV to XXVII, 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.

3. If an international intergovernmental organization is liable for damage by virtue of the provisions of this Convention, that organization and those of its members which are States Parties to this Convention shall be jointly and severally liable; provided, however, that:

(a) Any claim for compensation in respect of such damage shall be first presented to the organization;

(b) Only where the organization has not paid, within a period of six months, any sum agreed or determined to be due as compensation for such damage, may the claimant State invoke the liability of the members which are States Parties to this Convention for the payment of that sum.

4. Any claim, pursuant to the provisions of this Convention, for compensation in respect of damage caused to an organization which has made a declaration in accordance with paragraph 1 of this article shall be presented by a State member of the organization which is a State Party to this Convention.

Article XXIII

1. 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.

2. No provision of this Convention shall prevent States from concluding international agreements reaffirming, supplementing or extending its provisions.

Article XXIV

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

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

3. This Convention shall enter into force on the deposit of the fifth instrument of ratification.

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

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

Article XXV

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

Article XXVI

Ten years after the entry into force of this Convention, the question of the review of this Convention shall be included in the provisional agenda of the United Nations General Assembly in order to consider, in the light of past application of the Convention, whether it requires revision. However, at any time after the Convention has been in force for five years, and at the request of one-third of the States Parties to the Convention, and with the concurrence of the majority of the States Parties, a conference of the States Parties shall be convened to review this Convention.

Article XXVII

Any State Party to this Convention may give notice of its withdrawal from the Convention 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 XXVIII

This Convention, 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 Convention 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 Convention.

DONE in, at the cities of London, Moscow and Washington, the day of one thousand nine hundred and,

DRAFT RESOLUTION III

Convening of the Working Group on Remote Sensing of the Earth by Satellites

The General Assembly,

Recalling its resolution 2733 (XXV) of 16 December 1970 in which it requested the Scientific and Technical Sub-Committee, as authorized by the Committee on the Peaceful Uses of Outer Space, to determine at what time and in what specific frame of reference a working group on earth surveying, with special reference to satellites should be convened,

Welcoming the decision of the Sub-Committee at its eighth session to establish and convene a working group on remote sensing of the earth by satellites,

Sharing the view expressed by the Committee on the Peaceful Uses of Outer Space in the report on its fourteenth session that the potential benefits from technological developments in remote sensing of the earth from space platforms could be extremely meaningful to the economic development of all countries, especially the developing countries, and to the preservation of the global environment,^{6/}

Noting that the Working Group on Remote Sensing of the Earth by Satellites had a first organizational meeting in connexion with the fourteenth session of the Committee on the Peaceful Uses of Outer Space,

Looking forward to the early initiation of the substantive work of the Working Group, keeping in mind that experiments to test the feasibility of remote sensing of the earth from space platforms are scheduled to begin early in 1972,

Expressing confidence that in discharging its responsibility the Working Group would seek to promote the optimum utilization of this space application for the benefit of individual States and of the international community,

1. Requests Member States to submit information on their national and co-operative activities in this field, as well as comments and working papers through the Secretary-General to the Working Group on Remote Sensing of the Earth by Satellites,

^{6/} Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 20, (A/8420), para. 10.

2. Endorses the request of the Scientific and Technical Sub-Committee that the Working Group solicit the views of appropriate United Nations bodies and specialized agencies and other relevant international organizations;

3. Requests the Secretary-General to provide the Working Group with his comments on this subject and to submit working papers on matters falling within the terms of reference of the Group;

4. Requests the Committee on the Peaceful Uses of Outer Space and its Scientific and Technical Sub-Committee to bring about the early initiation of the Working Group's substantive work and to keep the General Assembly informed in a comprehensive fashion on the progress of its work.
