

**TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES  
IN THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE  
MOON AND OTHER CELESTIAL BODIES**

By resolution 1148 (XII) of 14 November 1957, the General Assembly urged States to give priority to reaching a disarmament agreement providing, among other things, for the joint study of an inspection system designed to ensure that the sending of objects through outer space shall be exclusively for peaceful and scientific purposes. The implementation of the resolution was entrusted to the Subcommittee of the Disarmament Commission, which however did not meet during 1958.

In 1958, the Union of Soviet Socialist Republics (USSR) and the United States submitted requests for the various aspects of the peaceful uses of outer space to be discussed at the thirteenth session of the General Assembly (A/3818 and A/3902, respectively). Following these two requests, the General Committee, on 17 September 1958, decided to include the item "Question of the peaceful use of outer space" in its agenda for that session and referred it to the First (Political and Security) Committee for consideration.

Between 12 and 24 November 1958 the First Committee discussed, *inter alia*, a draft resolution (later revised) submitted by the USSR and one submitted jointly (and later revised) by 20 Member States (A/C.1/L.219 and Rev. 1, and A/C.1/L.200 and Rev.1, respectively). After lengthy negotiations in the First Committee, the USSR withdrew its draft resolution, and the 20-power draft resolution was adopted by a vote of 54 to 9, with 19 abstentions. This draft resolution proposed, among other things, the establishment of an ad hoc committee which would report on the nature of legal questions in the exploration of outer space. After the vote, Czechoslovakia and the USSR declared that they would not take part in the work of the Ad Hoc Committee (see report of the First Committee to the General Assembly, A/4009). On 13 December 1958, following the recommendation of the First Committee, the General Assembly adopted resolution 1348 (XIII) by a roll-call vote of 53 to 9, with 19 abstentions. In this resolution, the General Assembly established an Ad Hoc Committee on the Peaceful Uses of Outer Space, requesting it to report to the General Assembly at its fourteenth session on, *inter alia*, the nature of legal problems which may arise in the carrying out of programmes to explore outer space.

The Ad Hoc Committee on the Peaceful Uses of Outer Space, an 18-member body, met from 6 May 1959 to 25 June 1959 and set up two subcommittees of the whole, one technical and the other legal. Five of its members (Czechoslovakia, India, Poland, the USSR and the United Arab Republic) did not participate in its work. The Legal Subcommittee was asked to prepare a report on the nature of legal problems which might arise in carrying out programmes to explore outer space (see the report of the Ad Hoc Committee: A/4141). At the General Assembly's fourteenth session, later in 1959, the report of the Ad Hoc Committee was taken up in the First Committee, which adopted a draft resolution on 12 December 1959 (A/C.1/L.247). On the same day, following the recommendation of the First Committee, the General Assembly adopted resolution 1472 (XIV), by which it established a Committee on the Peaceful Uses of Outer Space (hereinafter the "Outer Space Committee") to serve for the years 1960 and 1961, consisting of 24 members, among which the USSR and the United States. The Outer Space Committee was requested,

among others, to study the nature of legal problems which may arise from the exploration of outer space, and submit its reports to the subsequent sessions of the General Assembly.

The Outer Space Committee held no meetings before the opening of the General Assembly's fifteenth session in September 1960. The General Assembly nevertheless decided to place an item entitled "Report of the Committee on the Peaceful Uses of Outer Space" on its agenda, and referred it to the First Committee. The latter did not find the opportunity to debate on the question and consideration of the item was therefore deferred until the General Assembly's sixteenth session (see report of the First Committee to the General Assembly, A/4749).

The Outer Space Committee held its first organizational meeting on 27 November 1961 and adopted a report inviting to the General Assembly's attention the verbatim records of its meeting (A/4987). It then adjourned sine die. At the sixteenth session of the General Assembly, the report of the Outer Space Committee was considered in the context of the First Committee. The latter held five meetings on the topic between 4 and 11 December 1961 and unanimously adopted a draft resolution (A/C.1/L.301/Rev. 1 and Corr. 1) recommending inter alia that the existing Outer Space Committee be continued with the addition of four more members (see report of the First Committee to the General Assembly, A/5026). On 20 December 1961, the General Assembly unanimously adopted, on the recommendation of the First Committee, a five-part draft resolution (resolution 1721 (XVI)), by which it decided to continue the membership of the Outer Space Committee as set forth in resolution 1472 (XIV) with the addition of four more members and requested the Committee to carry out its mandate as contained in resolution 1472 (XIV).

At its first session, held in March 1962, the Outer Space Committee decided to set up two subcommittees of the whole, one to deal with legal questions and the other to deal with scientific and technical questions (see the report of the Outer Space Committee, A/5181). The Legal Subcommittee started its first session in May 1962, during which it considered the general principles and legal problems arising from the exploration and use of outer space. Four proposals, two by the USSR and two by the United States (reproduced in A/5181, Annex III, Sections A- D), were submitted at various stages during 1962 for consideration by the Legal Subcommittee; however no agreement was reached on any of the proposals. One of the proposals submitted by the USSR included a draft declaration of the basic principles governing the activities of States in outer space and set out general principles relating to the exploration and use of outer space (A/5181, Annex III, Section A).

The work of the first session of the Legal Subcommittee was considered by the Outer Space Committee at its second session between 10 and 14 September 1962. During this session, the Outer Space Committee discussed the proposals of the USSR and United States, as well as an additional draft code submitted by the United Arab Republic (reproduced in A/5181, Annex III, Section E). However, during the Outer Space Committee's discussions it became evident that no agreement would be reached and it was unanimously decided to submit the proposals and records of the discussions for consideration to the General Assembly. At the seventeenth session of the General Assembly, in 1962, the report and discussions of the Outer Space Committee were considered in the framework of the First Committee (see the report of the First Committee to the General Assembly, A/5341), and eventually a draft resolution was unanimously

adopted on 11 December 1962 (A/C.1/L.320/Rev. 1 and Add. 1 and 2). Based on the recommendation of the First Committee, the General Assembly adopted unanimously, on 14 December 1962, resolution 1802 (XVII), by which, among other things, it requested the Outer Space Committee to continue urgently its work on the further elaboration of, inter alia, basic legal principles governing the activities of States in the exploration and use of outer space. In addition, the General Assembly referred to the Outer Space Committee, as a basis for its work in 1963, all the proposals presented to the General Assembly during its discussions on the item.

During the second session of the Legal Subcommittee from 16 April to 3 May 1963, an agreement was reached, in the light of resolution 1802 (XVII), to the effect that the general principles governing the activities of States relating to the exploration and use of outer space should take the form of a declaration. However, no agreement was reached as to the character of the document in which these principles were to be embodied; some delegations favoring a treaty-type document and others a General Assembly resolution. The report of the second session of the Legal Subcommittee (A/AC.105/12) was considered by the Outer Space Committee at its third, fourth and fifth sessions, held respectively between 25 February and 8 March 1963, between 9 and 13 September 1963, and on 22 November 1963, and it was unanimously decided to submit a nine-point draft declaration of legal principles to the General Assembly (see the report of the Outer Space Committee, A/5549, Corr. 1 and Add. 1). At the eighteenth session of the General Assembly, the draft declaration of legal principles (reproduced together with the text of the draft resolution: A/C.1/L.331 and Rev. 1) was approved by acclamation in the First Committee on 5 December 1963 (see the report of the First Committee, A/5656). On 13 December 1963, the Assembly unanimously adopted resolution 1962 (XVIII) entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space". By resolution 1963 (XVIII) of the same date, the General Assembly requested the Outer Space Committee to continue to study on the legal problems which may arise in the exploration and use of outer space, and recommended that consideration be given to incorporating into an international agreement, in the future as appropriate, legal principles governing the activities of States in the exploration and use of outer space.

In accordance with General Assembly resolution 1963 (XVIII), the Legal Subcommittee, in 1964, continued its study and consideration of the legal problems that might arise in the exploration and use of outer space in its third session (see the reports of the first part (A/AC.105/19) and second part (A/AC.105/21 and Add. 1) of its third session). At its sixth session, held in October 1964, the Outer Space Committee reported to the General Assembly that, although substantial progress had been made, the Legal Subcommittee had insufficient time to draft the legal principles for outer space activities of states in the form of an international agreement, and decided that work should be resumed as soon as possible (see the report of the Outer Space Committee, A/5785). Due to circumstances prevailing during the first part of its nineteenth session, the General Assembly did not discuss the report of the Outer Space Committee in 1964 (see note by President of General Assembly on status of agenda on nineteenth session: A/5884).

The Legal Subcommittee held its fourth session from 20 September to 1 October 1965, during which it continued its consideration of the topic within the framework of resolution 1963 (XVIII). At its seventh session, held from 5 to 8 October 1965, the Outer Space Committee took note of the report of its Legal

Subcommittee and expressed the hope that the Subcommittee would be able in the near future to overcome the existing difficulties and make further progress. At the twentieth session of the General Assembly, in 1965, the reports of the Outer Space Committee on the work of its fifth and sixth sessions (A/5785 and A/6042) were considered by the First Committee, together with a three-part draft resolution sponsored by twelve delegations (A/C.1/L.363). The text of the draft resolution was adopted by the First Committee on 20 December 1965, by a vote of 98 to none, with one abstention (A/C.1/L.363/Rev. 1). The corresponding resolution was unanimously adopted by the General Assembly on 21 December 1965 (resolution 2130 (XX), entitled “International co-operation in the peaceful uses of outer space”), urging, inter alia, the Outer Space Committee to give consideration to incorporating into an international agreement, in the future as appropriate, legal principles governing the activities of States in the exploration and use of outer space (resolution 2130 I (XX)).

The work on a draft international treaty governing the exploration and use of outer space was initiated by letters respectively from the United States and the USSR (A/6327 and A/6341), which both emphasized the need for a treaty governing the exploration of outer space and the moon. The USSR requested the inclusion in the agenda of the General Assembly’s twenty-first session of an item “Conclusion of an international agreement on legal principles governing the activities of States in the exploration and conquest of the moon and other celestial bodies”. The General Committee decided to recommend to the General Assembly that two items, entitled “Conclusion of an international treaty on the principles governing the activities of States in the exploration and use of outer space, the moon and the celestial bodies” and “Treaty governing the exploration and use of outer space, including the moon and other celestial bodies”, be allocated to the First Committee. The consideration of a draft treaty governing the exploration and use of outer space began at the fifth session of the Legal Subcommittee, which took place from 12 July to 4 August and from 12 to 16 September 1965. At the outset of its work, the Legal Subcommittee had before it a draft treaty on principles governing the activities of States in the exploration and use of outer space, the moon and other celestial bodies proposed by the USSR, and a draft treaty governing the exploration of the moon and other celestial bodies proposed by the United States, both submitted on 16 June 1966. The Subcommittee, however, did not reach agreement on the outstanding issues of the draft treaty (see the report of the Legal Subcommittee, reproduced in Annex III of the report of the Outer Space Committee, A/6431), but nevertheless the Outer Space Committee, after an exchange of views, took note of the report at its seventh session, on 19 September 1966 (A/6431).

As a result of consultations between members of the Outer Space Committee, the remaining unsettled issues on the draft treaty were resolved before the First Committee began its debate on the draft treaty. Accordingly, the report of the Outer Space Committee and a 43-power draft resolution, with the draft text of a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space annexed to it, was submitted to the First Committee on 15 December 1966 (A/6431). The draft resolution was discussed by the First Committee on 16 and 17 December 1966, during the twenty-first session of the General Assembly (see the report of the First Committee to the General Assembly, A/6621). Widespread support of the 43-power draft treaty was expressed and, as a result, the First Committee unanimously adopted a draft resolution, to which the draft treaty was annexed, on 17 December 1966 (see A/C.1/L.396 and Add. 1 and 2, A/C.1/L.398).

On the recommendation of the First Committee, the General Assembly adopted, on 19 December 1966, resolution 2222 (XXI), entitled “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies”, to which the text of the Treaty was annexed. The resolution commended the Treaty and requested the Depositary Governments to open it for signature and ratification at the earliest possible date. The Treaty was signed at London, Moscow and Washington on 27 January 1967, and entered into force on 10 October 1967.