

57th IAA HISTORY OF ASTRONAUTICS SYMPOSIUM (E4)
Memoirs & Organisational Histories (1)

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60TH ANNIVERSARY LEGAL PRINCIPLES DECLARATION

Abstract

The Declaration of Legal Principles Governing the Activities of States in the Exploration and Uses of Outer Space was adopted by the UN General Assembly 60 years ago in 1963. It is in many ways a precursor to the 1967 Outer Space Treaty. It provides i.a. that the provisions of the UN Charter, including limitations on the use of force, apply to outer space; outer space and celestial bodies are not subject to national appropriation by claim of sovereignty; states bear responsibility for parts of space vehicles that land on the territory of other states; the state of registry of a spacecraft has exclusive jurisdiction over it and any personnel it carries; and states shall regard astronauts as envoys and shall accord them assistance and promptly return them to the state of registry. Although being “only” a UNGA Resolution, it has gained wide acceptance and ICJ Judge Manfred Lachs once concluded that “it is difficult to regard the 1963 Declaration as a mere recommendation: it was an instrument which has been accepted as law.” It is at times argued that the provisions of the Declaration – or even of the Outer Space Treaty that enshrines these provisions in treaty law – have become customary international law.