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13 March 1962

MEMORANDUM FOR: Deputy Director (Research)
THROUGH : Acting Chief, DPD
SUBJECT : Position Paper for United Nations
Outer Space Committee

1. On Friday, 9 March 1962, the undersigned attended a conference at the State Department to consider the attached draft of a United States Position Paper for the United Nations Outer Space Committee session scheduled to commence on 19 March 1962 in New York.

2. The draft paper was reviewed in detail by the group and some changes of a minor nature were effected. In addition, certain paragraphs and sentences were deleted in their entirety (as indicated in the attached draft). The deletions which were made, in my opinion, make the position paper more acceptable to CIA and DOD from the standpoint of our mutual interests.

3. It is my understanding that you have already reviewed the original draft and have offered no serious objection. I therefore assume that the revised and somewhat more innocuous draft, which is presently being recirculated for coordination, will also meet with your approval.

4. To facilitate your review of the revised draft, you will find the significant deletions occur on Pages 5, 6, 8, and 9 of the Position Paper and on Page 2 of the final tab.

Declassified and Released by the N R C

In Accordance with E. O. 12958

on NOV 26 1997

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5. It was also requested, and agreed to by State, that the "major statement of United States policy on space cooperation" referred to in Para. 2 of the Position Paper be coordinated by all interested agencies prior to its presentation in the United Nations.

[REDACTED]

Chief, Intelligence Staff, DPD

Attachment

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TO: NASC - Dr. Welsh
PSAC - Dr. Wiesner
NASA - Mr. Webb
USIA - Mr. Wilson
DOD - Mr. Nitze
FCC - Mr. Minow
JUSTICE - Mr. Katzenbach
WEATHER - Dr. Reichelderfer

FROM: IO - *H.C. /* Harlan Cleveland

SUBJECT: Position Paper for United Nations Outer Space Committee

You have already been notified of the meeting regarding the United Nations Committee on the Peaceful Uses of Outer Space which will be held in State Department Conference Room No. 1105 on Friday, March 9, at 4:00 p.m. The purpose of the meeting is to consider the attached draft United States Position Paper for the Space Committee Session scheduled to begin March 19. Both Mr. Philip Farley, Special Assistant for Atomic Energy and Outer Space, and I hope you will come to this meeting or send an appropriate representative.

We plan to discuss the attached paper section by section and hope to reach agreement on a final version which can then be made available for the use of our Delegation in New York. The draft we have attached was prepared in light of material received from various interested offices and agencies, and compromises, of course, have been inevitable. In order to facilitate our discussion on Friday, I hope that you will formulate such suggestions as you may have in terms of specific proposals for language changes, thus expediting whatever revisions prove necessary in the position paper.

IG:UNP [REDACTED]

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Encl. #1 to
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DRAFT POSITION PAPER FOR U. S.
DELEGATION TO INITIAL MEETING OF THE
UNITED NATIONS COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

THE PROBLEM:

The United Nations Committee on the Peaceful Uses of Outer Space is scheduled to meet March 29 to undertake the substantive work assigned it under General Assembly Resolutions 1472 (XIV) and 1721 (XVI). Passage of these resolutions was effected at United States initiative, and the United States will be expected to continue to exercise leadership in the work of the Outer Space Committee.

UNITED STATES POSITION:

1. It is in the United States interest to maintain its position as leading advocate of international cooperation in the peaceful uses of outer space and to play a leading role in the work of the Committee. Promotion of international space cooperation through the United Nations should ~~help build consent and~~ secure necessary cooperation for the United States space program on the part of many nations. It might encourage cooperative space arrangements involving the Soviet Union, and insofar as it provides new functions for the United Nations and its specialized agencies it strengthens them in their efforts to promote peaceful and cooperative international relations.

2. The United States Delegation should make a major statement

on the subject of international space cooperation setting forth our

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record of cooperation with other states, and making clear our continuing desire to further such efforts in the peaceful exploration and use of outer space and in the timely resolution of problems which may arise from the conduct of outer space activities. The Delegation should outline the questions which the United States believes the Committee and its Sub-committees could profitably consider and should urge the members of the Committee to approach their work in a manner best suited to achievement of constructive progress in these fields.

ORGANIZATION QUESTIONS:

3. The three committee officers elected on November 27, 1961-- Chairman: Doctor Franz Matsch of Austria; Vice Chairman: Professor Mihail Haseganu of Rumania; and Rapporteur: Mr. Geraldo de Carvalho of Brazil--should be re-elected to serve during 1962 and 1963. This has been generally agreed with the Soviet Union and other committee members.

4. The Technical and Legal Sub-committees should be established as Committees of the Whole. Their officers should be elected by the Committee if agreement has been reached with the Soviet Union. Otherwise, the officer question could be left for later determination by the Sub-committees themselves. The Department's recommendations regarding distribution of officer positions are contained in memorandum attachment Tab A.

5. The United States Delegation should propose that in order to allow sufficient time for preparation of constructive national positions for the Technical and Legal Sub-committees pursuant to

discussion in the Main Committee, these Sub-committees should meet to undertake their work ~~in June~~ *by mid-May in Geneva or New York*

TECHNICAL MATTERS:

6. The United States believes that first among the technical matters the Committee should consider are measures for promotion of international cooperative efforts.

a. The Main Committee should note the encouraging exchange of correspondence between President Kennedy and Premier Khrushchev on the subject of cooperation in outer space projects and should express an interest in being kept informed of the progress of plans for such cooperation, to which various members of the Committee and other nations as well might be able to make significant contributions.

b. The Main Committee should request a report from ~~1956~~ ^{COSPAR} on its activities and planning with regard to cooperative programs such as coordinated rocket soundings.

(1) The Technical Sub-committee might consider and comment on the ~~1956~~ report and the work COSPAR is doing in identification of types of space experiments and space exploration which might profitably be undertaken and the optimum sequence and manner in which they should be conducted.

(a) In this connection, the Technical Sub-committee might recommend that COSPAR undertake the systematic identification and definition of desirable steps to be taken in ^{INVESTIGATION} ~~exploration~~ of the planets.

~~through use of unmanned or manned expeditions, as appropriate.~~

c. The Technical Sub-committee might suggest to ICSU the possible desirability of consideration by COSPAR and the International Astronomical Union of the potential usefulness and the requirements of ~~establishing~~ ^{ORGANIZING} a network of ground-based planetary observatories around the world, which could work together in coordinated research programs to fill out our knowledge of the planets.

d. The Technical Sub-committee might explore the possible desirability of establishing one or more international scientific laboratories where scientists from all nations could join in research projects and exchange scientific and technological information related to these projects. ✓

(1) Questions such as the human aspects of space flight--medical, biological, ecological, psychological and other matters relating to human activity and survival in space--might be studied in such an international center. In addition, scientists might be drawn from various states to collaborate on the planning and design of instruments and equipment for use in space-based laboratories and astronomical observatories. ✓

(2) Appropriate arrangements should of course be made, through existing data centers or otherwise to make the information derived from such studies freely available to interested nations and scientists. Such international research centers should

be equipped with library facilities which contain all relevant published documents on space science and technology and in which the findings of future research efforts may be retained. The United States Delegation should offer ^{TO INVESTIGATE} in this connection ^{THE MAKING} ~~to make~~ available a supply of such material as is available in the United States for establishment of an international research library of this type where and when desired.

e. The Sub-committee might note the current activity on the part of the ITU International Radio Consultative Committee relative to the termination of satellite radio emissions. The Sub-committee might give its support to the desirability of ITU adoption of appropriate CCIR recommendations calling for administrations to assure that satellites and other space vehicles be capable of ceasing radio emissions by the use of appropriate devices.

~~(1) In this connection, the Technical Sub-committee might consider means of establishing general criteria for determining when the purpose of radio emissions from a given satellite has been satisfied and that it would be desirable to discontinue these emissions.~~

delete

f. The Technical Sub-committee should take measures to encourage and assist national space programs and the exchange of information regarding these programs.

(1) The Sub-committee might encourage formation of national space research committees to enable member nations to

participate more effectively in international cooperative efforts relating to outer space.

(2) The Sub-committee might request reports from nations and national groupings such as the European Space Research Organization concerning their space and space-related activities. ✓

(3) In support of national space activities, the Sub-committee should arrange for preparation of informational material which would outline appropriate measures that states could take to enhance their ability to participate in international space efforts. ^{AND THEIR COSTS} ✓

Such materials might include information about;

(a) existing national and international training programs and facilities;

(b) scientific and technological symposia in which states could participate;

(c) sounding rocket programs; and

(d) minimum equipment required for telemetry operations.

7. Maintenance of contact with organizations concerned with space activities; exchange and dissemination of space information.

~~a. It might be suggested in the interest of filling out United Nations and COSPAR launch registration records that such information be exchanged with COSPAR.~~

delete

b. Scientific information exchange. With the participation of a qualified representative from COSPAR, the Technical Sub-committee ✓

might examine the operation of existing scientific data centers translation services and communications facilities for the dissemination and use of scientific information received from space activities.

c. Technical information exchanges. The Technical Subcommittee should examine existing WMO, ITU and other arrangements for the exchange of information regarding technology and technical applications of space science as in meteorology, communications, geodetics, and navigation. In light of this examination, the Subcommittee might suggest arrangements to further and improve the exchange of technological information.

8. With regard to the proposals contained in Parts C and D of Resolution 1721 (XVI) concerning meteorology and communications satellites, the United States posture should be one of encouraging the WMO and ITU, respectively, to move ahead as rapidly as possible in their implementation of the Resolution. It is not desirable for the Outer Space Committee to become involved in the complex questions associated with these programs, but action by the Committee to evince its deep interest in the implementation of the Resolution would be constructive.

a. The United States Delegation should in this connection propose that the Main Committee be reconvened ~~in late August~~ to examine the WMO and ITU reports so that it can incorporate in its report to the General Assembly on its own work such comments as it might wish to make on the proposals regarding meteorology and

satellite communications.

b. The United States Delegation should indicate that the United States will ^{KEEP} ~~from time to time submit reports~~ ^{INFORMED} to the Outer Space Committee concerning the progress made in our national efforts to develop meteorological and communications satellites.

~~The first such report should be submitted to the Technical Sub-Committee at its initial meeting.~~

LEGAL MATTERS:

9. The United States Delegation should propose that the Legal Sub-committee initiate a study of the problem of liability for space vehicle incidents. It should be suggested that the most efficient approach to this question would be for the Legal Sub-committee, after a brief initial discussion of the problem, to have the Outer Space Committee request the Secretary-General to convene a small panel of suitably qualified experts drawn from various geographical areas. The panel could prepare a report on the matter, together with recommendations for treaty or other instruments to deal with it.

10. The Legal Sub-committee should also study the question of return of space vehicles and personnel which land on foreign territory in distress or by mistake. It should draft a resolution to be forwarded to the General Assembly by the Outer Space Committee, calling for the prompt and safe return of such space vehicles and personnel.

11. [Contingency: A neutral or bloc member of the Committee may propose that the Committee, or its Legal Sub-committee, draw up a definition of "peaceful uses" or "peaceful purposes" in the outer space context. The United States Delegation should oppose as unnecessary and fruitless any attempt to define these terms in that context. A definition of "peaceful uses" and "peaceful purposes" is attached in Contingency Paper A for use in the event that the United States is required to take a position in order to try to ensure the defeat of objectionable definitions.]

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12. [Contingency: It is possible that members of the Committee may propose definition of an altitude boundary for a lower limit to outer space and/or an upper limit to air space. ~~The United States has, by implication, consistently taken the position that the lower limit of outer space is at least as low as the area in which satellites orbit. Insufficient experience has been had to permit establishment of a more specific definition at this time.~~

delete

OK

The United States Delegation should ~~therefore~~ oppose as premature any attempt to define a boundary for outer space or air space. As a fall-back, the Delegation may, if necessary, agree to the creation of a working group on the boundary question. A contingency paper on this subject is attached at Tab B.]

13. [Contingency: The Soviet Union or other members of the Committee may seek to attack certain United States space programs on the ground that they are designed to serve aggressive

military purposes or espionage, that they are polluting outer space with scientifically unnecessary and undesirable programs, or that they are conducted in an irresponsible manner which endangers other countries. Making use of the attached contingency papers on military space activities (Tab C) and Project West Ford (Tab D), the United States Delegation should reject such charges and resist attempts to place limitations on United States space activities.]

OK

ADMINISTRATIVE QUESTIONS

14. Under Resolution 1721 (XVI), the Secretary-General has been requested to maintain a public registry of information furnished by states launching objects into orbit or beyond for the purpose of registration of such objects. The cooperation of the Secretary-General and the use of the functions and resources of the Secretariat are prescribed in implementation of the Space Committee's responsibilities, "(a) To maintain close contact with governmental and non-governmental organizations concerned with outer space matters; (b) To provide for the exchange of such information relating to outer space activities as Governments may supply on a voluntary basis, supplementing but not duplicating existing technical and scientific exchanges; (c) To assist in the study of measures for the promotion of international cooperation in outer space activities."

a. The United States wishes to strengthen the executive capacities of the United Nations, its Secretariat and Specialized

Agencies. The United States Delegation should therefore discourage suggestions that the Outer Space Committee become involved with the administrative arrangements the Secretariat may find necessary to execute the responsibilities assigned in the Resolution.

b. However, in elaboration of the duties which the Secretariat should perform on behalf of the Outer Space Committee, the United States Delegation should propose that:

(1) All governmental and non-governmental organizations concerned with outer space matters should be invited to establish contact with the Outer Space Committee through the United Nations Secretariat. ✓

(2) The Secretariat establish and maintain a comprehensive directory of these organizations, their constitutions, purposes, officers, facilities and activities.

(3) In addition, the Secretariat should maintain a similar inventory of national organizations concerned with space matters, together with a listing of research and other space-related resources in each country. ~~A directory of space scientists~~ ✓
~~would serve a useful purpose.~~

(4) On behalf of the Committee, the Secretariat might keep under review cooperative arrangements among such organizations as well as national members of the United Nations, maintaining a current picture of the overall extent and nature of international space cooperation.

c. The Secretariat should serve as a clearing house for the above information.

d. In support of the studies and activities of the Secretariat relating to outer space, the United States Delegation should announce that the United States will supply published material on space to the United Nations Reference Library.

OUTER SPACE CONFERENCE: [To be raised only at foreign initiative.]

15. The Delegation should indicate that an outer space conference would be generally desirable and should serve a useful purpose in bringing nations the world over up to date on progress in space exploration. The Delegation should emphasize, however, the importance of timing such a conference so as to maximize its impact, to make possible full participation by qualified scientists, and to avoid disturbing conflict with other conferences such as the conference on Science and Technology for Less Developed Areas scheduled for 1963. *(at least one year before possible)*

a. The United States Delegation should make it clear that the conference agenda should include space technology as well as science. This is of primary importance to the significance of such a conference, and the United States Delegation should insist upon it.

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b. It should be made clear that in arrangements for the conference maximum provision should be made for participation by scientists other than United States and Soviet.

c. The United States Delegation should propose Geneva as the conference site and should refer other suggestions to the Department for consideration.

d. If a conference is decided upon, the membership of the Conference Planning Sub-committee should be decided upon and the Sub-committee established. The United States favors a ⁶⁻³⁻³~~4-2-2~~ composition ratio for that sub-committee, although ~~6-3-3~~ would be an ~~acceptable fall-back~~. The Soviet Union shares the view that the Sub-committee should be limited in membership and has favored 8 or 9 members. The United States Delegation should propose as members of the sub-committee under a 4-2-2 arrangement: Chad, Japan, Lebanon, Poland, Soviet Union, United Kingdom, United States and a Latin American state.

*minor
will need review*

16. At an appropriate time during the proceedings of the Outer Space Committee, the United States Delegation should extend an invitation to the members of the committee to visit Cape Canaveral and witness a space launching there.

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POSITION PAPER
Outer Space Committee
Spring 1962 Meetings

February 20, 1962

LIABILITY FOR SPACE VEHICLE INCIDENTS

THE PROBLEM

The position to be taken by the United States concerning the problem of liability for space vehicle incidents.

UNITED STATES POSITION

1. The United States should propose that the Legal Subcommittee initiate a study of the principles of state responsibility for damage caused by space vehicles.

2. The Legal Subcommittee should, after an initial brief discussion of the liability problem, have the Outer Space Committee request the Secretary-General to summon a small panel of experts with suitable qualifications, drawn from various geographical areas. Less preferably, the Legal Subcommittee could summon the panel.

3. The panel should prepare a report containing its recommendations for treaty or other instruments. This report should be forwarded to the Committee for discussion and to governments for comment; hopefully, this could take place in 1962. The Committee should then make necessary revisions in the draft instruments, and request the General Assembly to call a plenipotentiary conference for the conclusion of an international convention assuming that the treaty form is decided upon.

/ COMMENT

COMMENT

1. There exists considerable uneasiness, particularly on the part of states not having outer space capabilities, arising from the absence of agreed principles of state responsibility for damage caused by space vehicles. The United States should take the initiative in suggesting an early international study of liability in order to meet these fears and thus to minimize tensions which might otherwise raise impediments to continued reasoned programs in the exploration and use of outer space.

2. A treaty appears to be the optimum form of international consensus on the liability problem. The alternatives of, first, a statement of agreed procedures by states conducting outer space activities, or, second, an Outer Space Committee or General Assembly resolution, seem unsatisfactory because of the difficulties posed by the domestic constitutions of a number of states, including to a certain extent, the United States.

3. An optimum treaty might include the following principles:

(a) The right to seek compensation for a space vehicle incident should, on an international level, accrue exclusively to the state whose nationals have suffered injury or loss of life or property damage.

(b) A launching state should be responsible internationally for injury to or loss of life of any person, other than a national of the launching state, and for damage to property owned by any person, other than a national of the launching state, resulting from the operation

/of

of its space vehicles (liability without fault).

(c) Liability in the case of a multi-national launching authority should be shared.

(d) A claimant state should present a documented claim for compensation to the launching state through the diplomatic channel within a reasonable time after the occurrence of the injury, loss or damage.

(e) The presentation of a claim should not require the prior exhaustion of any domestic remedies, administrative or judicial, which may be available in the launching state.

(f) The International Court of Justice should have jurisdiction to adjudicate any dispute relating to the interpretation or application of the above principles in the absence of agreement between the states concerned upon an alternative means of peaceful settlement.

It may be noted that space vehicle incidents are not likely to occur with great frequency; moreover, when they do, they are unlikely to cause great damage. For these reasons, the limitation-of-liability concept, which arises in connection with nuclear liability problems, is not relevant.

4. The drafting of a suitable treaty requires a small, technically competent group. Accordingly, the Secretary-General, or, less desirably, the Legal Subcommittee, should summon a panel of experts with suitable qualifications. For example, the panel might consist on the United States and Soviet sides of the following:

/Leon Lipson

Leon Lipson,
Yale Law School.

E. Korovin,
Chairman, Scientific Research Committee
on the Legal Problems of Outer Space,
Institute of Law,
U. S. S. R. Academy of Sciences.

Inclusion on the panel of experts from Brazil, India, Japan, Nigeria,
Poland and Sweden might be appropriate. The panel should not be large.

5. The interests of the United States and the Soviet Union may
be expected to be very similar in connection with the liability pro-
blem since, obviously, both states are prime users of outer space who
must continue their space activities.

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POSITION PAPER
Outer Space Committee
Spring 1962 Meeting

February 20, 1962

RETURN OF SPACE VEHICLES AND PERSONNEL

THE PROBLEM

The position to be taken by the United States concerning the landing in foreign territory of space vehicles and personnel.

UNITED STATES POSITION

1. The United States should propose that the Legal Subcommittee recommend the prompt and safe return of space vehicles and personnel which land in the territory of states other than the launching state as the result of distress or mistake.

2. This recommendation could perhaps best include a draft General Assembly resolution to be forwarded by the Outer Space Committee to the Assembly for adoption. A draft resolution is attached at TAB I.


COMMENT

1. The proposed Outer Space Committee resolution deals with only vehicles which land in the territory of foreign states by reason of distress or mistake. Intended landings on foreign territory require the consent of the territorial authority and can best be dealt with on an ad hoc basis.

2. Space vehicles landing in distress or by mistake should be treated in accordance with the norms of international law and civilized practice concerning customary transport. The duties of a state into

whose territory a peaceful vessel or airplane has innocently entered require it to permit landing and to ensure safe return of the craft and its occupants. Recent notable deviations from this practice are the destruction by Bloc States of innocently overflying passenger aircraft, both civil (July 27, 1955, Bulgarian incident involving an Israeli El Al, commercial aircraft) and military (November 19, 1951, Hungarian-Soviet incident involving a United States C-47 military aircraft).

3. The Legal Subcommittee should prepare a recommendation for prompt and safe return and forward it to the Outer Space Committee. This recommendation could perhaps best take the form of a draft General Assembly Resolution which the Outer Space Committee could then transmit to the Assembly for adoption. A draft resolution is attached at TAB 1.

L:L/UNA 

TAB I

The General Assembly,

Recognizing that there may occur landings of space vehicles in the territory of foreign states by reason of distress or mistake,

Believing that such vehicles and their personnel, if any, should be treated in accordance with civilized practice and humanitarian concerns,

Commends to states for their guidance the following principle:

Space vehicles and their personnel, if any, which land in the territory of a state other than the launching state by reason of distress or mistake should be safely returned without delay to the launching state.

POSITION PAPER
Outer Space Committee
Spring 1962 Meetings

February 20, 1962

DEFINITION OF PEACEFUL USES OF OUTER SPACE
(CONTINGENCY)

THE PROBLEM

There exists a possibility that a neutral or Bloc member of the Committee will propose that the Committee, or its Legal Subcommittee, draw up a definition of "peaceful uses" or "peaceful purposes" in the outer space context. One purpose of such a proposal would probably be to have the Committee, and possibly the General Assembly, adopt a resolution restricting the exploration and use of outer space to activities falling within the definition. A further purpose, regardless of the adoption of a resolution, could be to provide a basis for attacks by states upon various outer space activities of other states.

UNITED STATES POSITION

1. The United States opposes as unnecessary and fruitless any attempt to define "peaceful purposes" in the outer space context. Such an effort is unnecessary in view of the unanimous consensus of the organized international community that international law, including the United Nations Charter applies to state conduct in outer space. It would be fruitless since, apart from the restrictions placed upon state activities by international law, limitations upon exploration and use of the territory of States is a subject properly for discussion and action by disarmament bodies. Most importantly the eighteen-member United Nations Disarmament Committee.

2. A definition of "peaceful purposes" and peaceful uses" is attached at TAB II for contingency purposes. It is not to be used in meetings except in the event that the United States is required to take a position in order to try to ensure the defeat of other objectionable definitions.

COMMENT

1. Part A of General Assembly Resolution 1721 adopted December 20, 1961, commends to states for their guidance in the exploration and use of outer space the following principles:

"(a) International law, including the United Nations Charter, applies to outer space and celestial bodies;

"(b) Outer space and celestial bodies are free for exploration and use by all States in conformity with international law, and are not subject to national appropriation."

This resolution, adopted unanimously, satisfactorily articulates the basic principles of legal regime for outer space.

2. The national interest of the United States requires the continuation of our SAMOS and MIDAS programs. These programs are consistent with international law. If necessary, their legality may be enunciated along the following lines:

"...the SAMOS program is directed toward improving satellite capabilities for making observations. MIDAS is being developed to provide a new means of detecting mass launches of intercontinental ballistic missiles. The launching and orbiting of such vehicles is consistent with obligations under international law and the Charter of the United Nations. Neither SAMOS nor MIDAS constituted a threat or use of force against any State. Consequently, insofar as General Assembly

*refer to
DOD
who can be
expected to
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resolution 1721(XVI) recognizes the application of existing law to outer space and celestial bodies, the principle against which we have tested the legality of these programs has been affirmed as correct by the international community."

3. The limitation of the exploration and use of outer space by the imposition of restrictions beyond those flowing from international law is properly a subject of disarmament negotiations. The United States has taken an initiative in the disarmament context by urging in its disarmament proposals of September 24, 1961, that, in the first stage of general and complete disarmament:

(a) the placing into orbit or stationing in outer space of weapons of mass destruction shall be prohibited; and

(b) States shall give advance notification to participating States and to the International Disarmament Organization of launchings of space vehicles and missiles, together with the track of the vehicle. We hope that the United Nations Disarmament Committee will give early attention to this vital subject.

4. TAB II contains a definition of "peaceful purposes" and "peaceful uses" which is cast in terms of existing international law, specifically, Article 2, paragraph 4, of the Charter. The adoption of this definition would not jeopardize our SAMOS or MIDAS programs. Representatives of the United Kingdom have seen the definition in draft form and have indicated general assent. We agree with the United Kingdom that this definition should be adopted only if other, troublesome definitions are suggested. In any event, we should press strongly for this definition.

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TAB II

The terms "peaceful purposes" and "peaceful uses" in the context of outer space activities refer to activities which do not constitute a threat or use of force against the territorial integrity of any State or against the political integrity of any State or which would be in any other manner inconsistent with the Purposes of the United Nations.

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POSITION PAPER
Outer Space Committee
Spring 1962 Meeting

February 20, 1962

DEFINITION OF OUTER SPACE BOUNDARY
(CONTINGENCY)

THE PROBLEM

The position to be taken by the United States in the event that a strong desire develops in the Outer Space Committee or its Legal Subcommittee to define an altitude boundary for a lower limit for outer space and/or an upper limit for air space.

UNITED STATES POSITION

1. The United States should oppose as premature any attempt to define a boundary for outer space or air space.
2. As a fallback, the Delegation may, if necessary, agree to the creation of a working group on the boundary question. The United States, the United Kingdom and the Soviet Union should be represented on this group.

COMMENT

1. The Department of Defense, the National Aeronautics and Space Administration, and the Federal Aviation Agency are currently preparing studies for the National Aeronautics and Space Council concerning the consequences of the selection of various alternative altitudes. The security aspects of agreement upon a specific altitude cannot be fully appreciated pending the completion of this study.

2. ~~The United States has, by implication, consistently taken the position that the lower limit of outer space is at least as low as the area in which satellites orbit.~~ Insufficient experience has been had to permit of reaching a more specific definition at this juncture.

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3. The United Kingdom is extremely sensitive concerning the boundary question. We have undertaken not to enunciate a more specific or different position than that stated at paragraph 2, above, without prior consultation.

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