MEMORANDUM FOR MR. DWAYNE S. ANDERSON, OASD/ISA

SUBJECT: Agreement on Assistance to and Return of Astronauts and Objects Launched into Outer Space.


We have reviewed the referenced paper in coordination with SAFSL and the following comments represent the joint position of SAFSS and SAFSL.

We believe Article 2 is unnecessarily weak with respect to the rights of the launching state to conduct rescue operations in the territory of another state. In order to strengthen it, we recommend the following change to the last sentence and the addition of a new sentence, as follows:

"If the Contracting Party is not in a position to effect a prompt rescue, it shall, subject to control by its own authorities for purpose of safety and security, fully cooperate with the launching authority with a view to the effective conduct of search and rescue operations. For the purpose of this Article, full cooperation means the drastic reduction or elimination of the usual permissions and authorities for the entry of personnel and equipment of the launching authority into the territorial sovereignty of the Contracting Party to assist in and conduct rescue operations.

HARRY W. HEAN
U.S. Proposal No. 1 - Alternative to Last Sentence of Draft Article 2 - Territorial Assistance

If assistance by the launching authority would contribute to a prompt rescue, the launching authority shall cooperate with the Contracting Party with a view to the effective conduct of search and rescue operations. Such operations shall be subject to the direction and control of the Contracting Party, which shall act in close and continuing consultation with the launching authority.
U.S. Proposal No. 2 - Alternative to Last Sentence of Draft Article 2 - Territorial Assistance.

If assistance by the launching authority would help to effect a prompt rescue or would contribute substantially to the effectiveness of search and rescue operations, the Contracting Party shall cooperate with the launching authority with a view to the effective conduct of search and rescue operations. Such operations shall be subject to the direction and control of the Contracting Party, which shall act in close and continuing consultation with the launching authority.