

The Declaration of Legal Principles, as well as its precursor Resolution 1721, did not contain any specific controls on military uses of outer space and/or celestial bodies, but did make reference to the general principle that the exploration and use of outer space should be carried on for peaceful purposes.

Another factor which favoured progress in the enhancement of public order in space during this period could be broadly classified as community concerns. In 1962, within the Eighteen-Nation Committee on Disarmament (ENDC) several countries pressed for priority in the question of the Peaceful Uses of Outer Space.⁷³ During 1963, a joint draft resolution to ban nuclear and other weapons of mass destruction from outer space was initiated in the ENDC. Following private negotiation and agreement between the United States and the Soviet Union, the draft was referred to the General Assembly. On 13 October 1963, the General Assembly approved the draft as Resolution 1884 (XVIII). In its operative part, the resolution calls upon all states: "(a) to refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space" or in any way participating in the conduct of the foregoing activities. The substance of this resolution eventually was incorporated into The Outer Space Treaty of 1967 as Article IV (1).

These important concepts formed the basis for conduct in outer space and future space law conventions. It is worthy of note that Resolution 1962 was adopted unanimously. Nevertheless, the adoption of the significant provisions in all the afore-mentioned General Assembly resolutions, while welcomed, were considered only as provisional steps in establishing outer space law.⁷⁴ From a legal point of view, General Assembly resolutions do not constitute binding international law, and have the character of recommendations only. However, in some cases certain resolutions, may reflect customary international law or represent a step in the process of the progressive development of the law.

It is noteworthy that as regards Resolution 1962 many states declared, before its adoption, that their governments would consider the resolution as legally binding, or would at least agree to comply with its principles.⁷⁵