

**COPUOS Chair's Non-paper
The Way Forward for LTS
“Sustainability as Enabler”**

Background information

At the 61st Session of the Committee in 2018, the Working Group on the Long-term Sustainability of Outer Space Activities (WG-LTS) came to the end of its mandate with consensus on the preamble and the text of 21 guidelines, while the text of the 7 additional guidelines remained under discussion. As there was no agreement on how to move forward, the WG-LTS was unable to come to a decision regarding its final report. As a result, the preamble and 21 guidelines (A/AC.105/C.1/L.366) not adopted by the Committee and so it was not possible to submit a draft resolution to the 73rd Session of the UNGA. In addition, there was no decision on the-way to finalize the work on the text of the seven guidelines still under discussion (document A/AC.105/C.1/L.367). As a result, both documents enjoy only CRP status.

In light of the importance of the work of the WG-LTS, the chair of the 62nd Session of COPUOS conducted informal consultations with interested delegations during the 56th Session of the STSC in 2019 to confirm their interest in resuming discussions on LTS with a view to adopting the guidelines and agreeing on a mechanism to continue discussions on LTS issues. As a result, the Subcommittee noted that Chair of the 62nd Session of the Committee would hold informal consultations prior to and during the sixty-second session of the Committee to discuss any possible ways forward on the topic of the long-term sustainability of outer space activities, taking into account the views of all delegations (cf. Report of the 56th Session of the STSC - document A/AC.105/1202, para. 262).

This non-paper has been drafted in response to that recommendation.

Objective

Facilitate dialogue with a view to encouraging consensus on the adoption of the preamble and 21 guidelines (as contained in document A/AC.105/C.1/L.366) and on a mechanism to continue work on LTS. The sustainability of outer space activities will only grow in importance over time, and COPUOS has to create conditions to ensure that the promotion of sustainability will always be a positive concept, one that **enables countries and space actors to do more and do better**. Finally, we should seek to **mainstream** the concept of sustainability as a concept that is not limited to guidelines but rather becomes a feature of space activities.

Justification

- a) The adoption of the guidelines by the Committee is an important step in the course of the ongoing work on LTS to bring closure to the outstanding work of the WG-LTS under the leadership of Mr. Peter Martinez, from South Africa. The WG produced an impressive body of work that deserves full recognition, both by COPUOS and the UNGA. It should also be recalled that, as the guidelines are a non-legally binding instrument, the political support associated with a UNGA resolution goes a long way towards promoting guideline adoption and compliance. Moreover, this procedure was followed in the case of the debris mitigation guidelines (Resolution 62/217 of 22 December 2007).
- b) It is also important to continue work on LTS. The promotion of sustainability should be a permanent feature of space activities and COPUOS should be able to respond to both existing and new challenges to sustainability. The current STSC agenda item on LTS addresses implementation, but it does not provide the means to advance the work on sustainability. An open-ended intergovernmental mechanism under the auspices of COPUOS with a mandate not only to exchange views on the implementation, but also to promote further discussion on the review of existing and/or adoption of the new guidelines is needed. The only

mechanism that seems to be aligned with the established practices of the COPUOS would be a Working Group of the Committee or its Subcommittees.

Deliverables

As discussed in the informal consultations during the 58th Session of the STSC, it is envisaged that the Committee will be able to agree on the following:

- a) adopt the Preamble + 21 guidelines agreed by the WG-LTS, as contained in document A/AC.105/C.1/L.366, and submit those in the form of a draft resolution to the 74th UNGA in 2019 for adoption/endorsement. These guidelines will **not** be subject to modification and/or amendment during the 62th Session, as they constitute consensus text;
- b) continue work on LTS, by means of an intergovernmental open-ended mechanism/ Working Group with a specific mandate i.a. to maintain and foster, on a permanent basis, exchanges of views and information on implementation of adopted guidelines and to promote further discussion on the text of the seven remaining guidelines contained in document A/AC.105/C.1/L.367 and consideration of possible proposals on additional guidelines, to be adopted on a later stage adopted by COPUOS and be submitted to the UNGA according to the procedure established in para “a”; the terms of reference and plan of work of the Mechanism/Working Group will be discussed agreed upon in an intersessional meeting in the second half of 2019 (dates to be defined).
- c) both decisions mentioned in paragraphs “a” and “b” should be reflected in the same 74th UNGA resolution on LTS on the understanding that the GA will be duly informed on the progress of further deliberations by COPUOS regarding the LTS agenda.

Intersessional meeting agenda

The outcomes of the intersessional meeting should include (other points could be added):

- Terms of reference => working methods, etc.;
- Proposed plan of work and outcomes;
- Time frame.

Features of the new LTS mechanism

In addition to the agreement on the need to further the discussion of the elements contained in the guidelines listed in document A/AC.105/C.1/L.367, the new mechanism should be inclusive, with a mandate that will tackle different aspects of the LTS agenda in a comprehensive manner.

The new mechanism should promote the key concept of **“sustainability as enabler”**, i.e. the pursuit of sustainability will allow us to do more and do it better in space. It is intended to make sure that space remains accessible and usable by all. Sustainability is not about creating barriers or hurdles, but assisting all those involved in space activities “to do things right”, at a lower cost and with reduced risk. It is also about encouraging ownership – the promotion of the concept that we are all stewards of outer space and thus need to preserve it for future generations.

Possible tasks of a new LTS mechanism (exploratory list, for discussion)

The new mechanism could, inter alia:

- Continue work on pending guidelines;
- Assess the implementation of adopted guidelines and propose amendments/recommendations, as appropriate;
- Discuss proposals for additional guidelines;
- Provide guidance on the application/use of LTS guidelines.

This is a non-exhaustive list, which could be complemented by the elements discussed in the consultations under the guidance of Switzerland.