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**Committee on the Peaceful  
Uses of Outer Space**  
**Scientific and Technical Subcommittee**  
**Forty-sixth session**  
Vienna, 9-20 February 2009

## **Draft report of the Working Group on the Use of Nuclear Power Sources in Outer Space**

1. At its 704th meeting, on 12 February 2009, the Scientific and Technical Subcommittee reconvened its Working Group on the Use of Nuclear Power Sources in Outer Space, under the chairmanship of Sam A. Harbison (United Kingdom of Great Britain and Northern Ireland).
2. At the 1st meeting of the Working Group, on 12 February, the Chairman recalled the tasks before the Working Group, as contained in the multi-year workplan covering the period 2007-2010 for developing an international technically based framework of goals and recommendations for the safety of planned and currently foreseeable nuclear power source (NPS) applications in outer space, which the Subcommittee had endorsed at its forty-fourth session (A/AC.105/890, paras. 112-113 and annex II).
3. The Working Group noted with satisfaction that the Joint Expert Group of the Scientific and Technical Subcommittee and the International Atomic Energy Agency (IAEA), established at the forty-fourth session of the Subcommittee to develop an international technically based framework of goals and recommendations for the safety of planned and currently foreseeable NPS applications in outer space, held three meetings in 2008, in February, June and October. At those meetings, the Joint Expert Group considered comments on the text of the draft Safety Framework for Nuclear Power Source Applications in Outer Space received from member States of the Committee on the Peaceful Uses of Outer Space, IAEA member States, the IAEA Commission on Safety Standards and the IAEA safety standards committees. This work resulted in a new, updated text of the draft Safety Framework that, while being made available to the Subcommittee in document A/AC.105/C.1/L.292/Rev.2, had not yet been approved by the Joint Expert Group.



4. The Working Group expressed its appreciation to the Joint Expert Group for its work on the draft Safety Framework, which was further updated at the current session of the Subcommittee and was submitted to the Working Group for its consideration in document A/AC.105/C.1/L.292/Rev.3.

5. At its 6th meeting, on 17 February, the Working Group approved by consensus the text of the Safety Framework, which had been finalized by the Joint Expert Group. The approved text of the Safety Framework (A/AC.105/C.1/L.292/Rev.4) was recommended to the Subcommittee for adoption.

6. The Working Group emphasized that the Safety Framework, as a technical document, relied on and was consistent with the principle of responsibility of States set out in international treaties and principles, in particular in article VI of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>1</sup> in which the following is stated:

“States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.”

7. The Working Group noted the reservations expressed by the representative of the Bolivarian Republic of Venezuela with regard to the draft Safety Framework. The specific reservations of that representative’s Government were expressed as follows:

(a) The inadmissibility of the use of NPS in Earth orbits, based on the premise that any activity conducted in outer space should be governed by the principles of preservation of life and maintenance of peace;

(b) The responsibility of States for national activities carried out by Government agencies or non-governmental organizations that use NPS in outer space; States should ensure the regulation, authorization and monitoring of such activities and that authority may not be delegated in any way.

8. The view was expressed that it would be necessary to develop a binding instrument on the basis of the Safety Framework in order to prevent irresponsible and indiscriminate use of NPS in outer space.

9. Some delegations were of the view that the Safety Framework represented a significant advance in the development of safe NPS applications and that implementation of the Safety Framework by Member States and international

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<sup>1</sup> United Nations, *Treaty Series*, vol. 610, No. 8843.

intergovernmental organizations would provide assurance to the global public that space NPS applications would be launched and used in a safe manner.

10. The Working Group agreed that, following adoption by the Subcommittee, the Safety Framework would be transmitted by the Secretariat to the IAEA secretariat for consideration and agreement by the IAEA Commission on Safety Standards during its meeting to be held in Vienna from 22 to 24 April 2009.

11. The Working Group requested the Secretariat to make available as a United Nations document,<sup>2</sup> without further editing, the text of the Safety Framework once it had been agreed by the IAEA Commission on Safety Standards.

12. The Working Group noted that the text of the Safety Framework, once agreed by the IAEA Commission on Safety Standards, would be published by the IAEA secretariat on behalf of the Joint Expert Group as an IAEA report and that the electronic version of the United Nations document containing the text of the Safety Framework, issued in all official languages of the United Nations, would also be made available by the IAEA secretariat as a CD-ROM, without editing.

13. The Working Group agreed to hold an informal intersessional meeting in Vienna from 2 to 4 June 2009 during the fifty-second session of the Committee, to discuss the next appropriate steps to facilitate consideration by the Subcommittee at its forty-seventh session, in 2010, of a possible new workplan of the Working Group. The discussion would include consideration of approaches for establishing the potential range of technical topics and technical objectives, scope and attributes of such new work that the Working Group could pursue in enhancing the safe development and use of space NPS applications. The Working Group also agreed that, if needed, it would hold a further informal meeting on 20 and 21 October 2009.

14. The Working Group commended its Chairman for his guidance and his outstanding contribution to the work of the Joint Expert Group and the Working Group.

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<sup>2</sup> To be issued as A/AC.105/934.