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**Committee on the Peaceful  
Uses of Outer Space**

**Legal Subcommittee**

**Fifty-second session**

Vienna, 8-19 April 2013

**Proposals to the Committee on the Peaceful Uses of Outer  
Space for new items to be considered by the Legal  
Subcommittee at its fifty-third session**

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**Note by the Secretariat**

The present document contains a proposal for a new agenda item entitled “General exchange of information on practices in relation to non-legally binding instruments for outer space activities”, submitted by Japan and co-sponsored by Austria, Canada, France, Nigeria and the United States. The proposal will be made available in all official languages of the United Nations in document A/AC.105/C.2/L/291.



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## **New agenda item on general exchange of information on practices in relation to non-legally binding instruments for outer space activities**

1. The Legal Subcommittee has been engaged in formulating a number of Principles and Declarations related to space activities in the form of United Nations General Assembly Resolutions to supplement four of the United Nations treaties on outer space since early 1980's. The Scientific and Technical Subcommittee also played an important role in adopting technical guidelines and frameworks which were endorsed as part of documents of the Committee on the Peaceful Uses of Outer Space by the General Assembly.\*

2. The practical effect of such General Assembly Resolutions, Guidelines and Frameworks is not necessarily evident or clear, as it is not currently known in many cases what states are doing, if anything, in relation to these non-legally binding instruments. This tends to result in the difficulty in evaluating how those Resolutions and Guidelines have been implemented both in the domestic sphere and on the international plane.

3. Increasing use of space by various non-governmental entities worldwide has been a predominant phenomenon for more than a decade, with one example being the use of small- and nano-satellites by universities, research institutions and small-sized companies. The next decade will show us further emerging operations of space vehicles by a wider variety of entities. In this regard, it should be recalled that in the Declaration commemorating the 50th Anniversary of the Committee on the Peaceful Uses of Outer Space, annexed to General Assembly Resolution 66/71, the Assembly acknowledges that significant changes have occurred in the structure and content of the space endeavour, reflected in the emergence of new technologies and the increasing number of actors at all levels. There is an increasing need for a consideration of the safe and sustainable use of outer space.

4. As Member States consider how best to address contemporary challenges in the peaceful exploration and use of outer space, and as Member States and the international society as a whole do not have adequate and effective information on how other States and international organizations implement United Nations Principles, Declarations, Guidelines and Frameworks, it would be valuable to assess to what extent and how these instruments have been put into practice by individual States in their domestic dealings and also in international activities.

5. Thus, Japan proposes a new agenda item to collect information concerning practices in relation to non-legally binding United Nations instruments for outer space activities on a voluntary basis. The title of this new agenda item would be

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\* Examples of such legally non-binding rules would include Principles Relevant to the Use of Nuclear Power Sources in Outer Space (A/RES/47/68), Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects (A/RES/62/101), and Space debris mitigation guidelines of the Science and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space (A/62/20). See also United Nations Treaties and Principles on Outer Space related General Assembly resolutions and other documents (ST/SPACE/61).

“General exchange of information on practices in relation to non-legally binding instruments for outer space activities.”

6. The following three-year work plan is suggested:

- In the first year, information about the practices of governments, international organizations and non-governmental entities in furtherance of these instruments will be provided, presented, and exchanged through statements or special presentations during the Legal Subcommittee. Member States of the United Nations will be invited to provide information prior to the session of the Legal Subcommittee.

- In the second year, a further exchange of information on voluntary basis about practices and the practical effect of non-legally binding instruments will be conducted. In addition, the Legal Subcommittee will begin preparing a set of reference materials with concrete examples of the practices of States in relation to the non-binding United Nations instruments. The expected outcome is to publish an information package on the website of the Office for Outer Space Affairs.

- In the third year, it is proposed that a summary of the work carried out during the three years is adopted and incorporated into the report of the Legal Subcommittee.

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