



General Assembly

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Committee on the Peaceful

Uses of Outer Space

Legal Subcommittee

Forty-second session

Vienna, 24 March-4 April 2003

Provisional agenda¹

1. Opening of the session and adoption of the agenda.
2. Statement by the Chairman.
3. General exchange of views.
4. Status and application of the five United Nations treaties on outer space.
5. Information on the activities of international organizations relating to space law.
6. Matters relating to:
 - (a) The definition and delimitation of outer space;
 - (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union.
7. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

¹ In paragraph 5 of its resolution 57/116 of 11 December 2002, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that the Legal Subcommittee, at its forty-second session, taking into account the concerns of all countries, in particular those of developing countries, should consider items 3, 4, 5 and 6 as regular items of the agenda and should consider items 7 and 8 as single issues and items for discussion. In paragraph 6 of the same resolution, the Assembly noted that the Subcommittee, at its forty-second session, would submit proposals to the Committee for new items to be considered by the Subcommittee at its forty-third session, in 2004.



8. Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment (opened to signature in Cape Town on 16 November 2001):
 - (a) Considerations relating to the possibility of the United Nations serving as Supervisory Authority under the preliminary draft protocol;
 - (b) Considerations relating to the relationship between the terms of the preliminary draft protocol and the rights and obligations of States under the legal regime applicable to outer space.
9. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-third session.

Annotations

4. Status and application of the five United Nations treaties on outer space

At its fortieth session, in 2001, the Legal Subcommittee agreed that a working group should be established on this item, to be convened for three years, from 2002 to 2004. The Legal Subcommittee agreed that the discussions of the working group would include the status of the treaties, review of their implementation and obstacles to their universal acceptance, as well as promotion of space law, especially through the United Nations Programme on Space Applications (A/AC.105/763 and Corr.1, para. 118). At its forty-first session, in 2002, the Legal Subcommittee agreed that the Working Group on this item would review the application and implementation of the concept of the “launching State”, as reflected in the conclusions of the Subcommittee’s consideration of agenda item 9 (A/AC.105/787, para. 138) as well as any new, similar issues that might be raised in discussions in the working group, provided that those issues fell within the existing mandate of the working group (A/AC.105/787, para. 140).

In paragraph 7 of its resolution 57/116 of 11 December 2002, the General Assembly agreed that the Legal Subcommittee should reconvene the working group with the terms of reference as agreed upon by the Subcommittee, to be convened for three years, from 2002 to 2004.

5. Information on the activities of international organizations relating to space law

In the discussion of this item, member States may bring to the attention of the Legal Subcommittee any information on the activities of international organizations relating to space law. In accordance with the agreement reached at the forty-first session of the Legal Subcommittee, international organizations were invited to report to the Subcommittee on their activities (A/AC.105/787, para. 37).

In paragraph 8 of its resolution 57/116, the General Assembly noted that the group of experts designated by interested Member States to identify which aspects of the report on the ethics of space policy of the World Commission on the Ethics of Scientific Knowledge and Technology of the United Nations Educational, Scientific and Cultural Organization might need to be studied by the Committee would submit its report to the Legal Subcommittee at its forty-second session.

6. Matters relating to:

- (a) The definition and delimitation of outer space**
- (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union**

In paragraph 9 of its resolution 57/116, the General Assembly noted that the Legal Subcommittee would reconvene its working group on this item only to consider matters relating to the definition and delimitation of outer space.

8. Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment (opened to signature in Cape Town on 16 November 2001)

- (a) Considerations relating to the possibility of the United Nations serving as Supervisory Authority under the preliminary draft protocol**
- (b) Consideration relating to the relationship between the terms of the preliminary draft protocol and the rights and obligations of States under the legal regime applicable to outer space**

In paragraph 11 of its resolution 57/116 of 11 December 2002, the General Assembly agreed that the Legal Subcommittee should establish a working group to consider the questions reflected in sub-items 8 (a) and 8 (b) separately.

Annex

Organization of work

1. At its forty-first session, in 2002, the Legal Subcommittee agreed that a flexible organization of work should continue to serve as the basis for organizing its work with a view to making fuller use of the conference services available (A/AC.105/787, para. 9).
2. At the close of the afternoon meeting on 24 March 2003, a symposium entitled "Reinforcing the Registration Convention", sponsored by the International Institute of Space Law and the European Centre for Space Law, will be held.
3. In paragraph 30 of its resolution 56/51, the General Assembly requested the Committee on the Peaceful Uses of Outer Space to prepare a report on the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III). A draft of this report is being prepared by a working group of the Committee, which agreed that it should be assisted in this task by the Chairman of the Legal Subcommittee. The initial contribution should be prepared by the Legal Subcommittee in 2003 and finalized in 2004.
4. An indicative schedule of work is given below.

Indicative schedule of work^a

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Week of 24-28 March 2003		
Monday, 24 March	Item 1. Opening of the session and adoption of the agenda Item 2. Statement by the Chairman Item 3. General exchange of views	Item 3. General exchange of views Symposium on Reinforcing the Registration Convention
Tuesday, 25 March	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space
Wednesday, 26 March	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space	Item 4. Status and application of the five United Nations treaties on outer space Item 5. Information on the activities of international organizations relating to space law

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Thursday, 27 March	Item 4. Status and application of the five United Nations treaties on outer space Item 5. Information on the activities of international organizations relating to space law	Item 5. Information on the activities of international organizations relating to space law Item 6 (a). The definition and delimitation of outer space Item 6 (b). The character and utilization of the geostationary orbit
Friday, 28 March	Item 5. Information on the activities of international organizations relating to space law Item 6 (a). The definition and delimitation of outer space Item 6 (b). The character and utilization of the geostationary orbit	Item 5. Information on the activities of international organizations relating to space law Item 6 (a). The definition and delimitation of outer space Item 6 (b). The character and utilization of the geostationary orbit
Week of 31 March-4 April 2003		
Monday, 31 March	Item 6 (a). The definition and delimitation of outer space Item 6 (b). The character and utilization of the geostationary orbit Item 7. Nuclear power sources	Item 6 (a). The definition and delimitation of outer space Item 6 (b). The character and utilization of the geostationary orbit Item 7. Nuclear power sources
Tuesday, 1 April	Item 7. Nuclear power sources Item 8. Draft protocol on matters specific to space assets	Item 8. Draft protocol on matters specific to space assets Item 9. Proposals to the Committee on new agenda items
Wednesday, 2 April	Item 8. Draft protocol on matters specific to space assets Item 9. Proposals to the Committee on new agenda items	Item 8. Draft protocol on matters specific to space assets Item 9. Proposals to the Committee on new agenda items
Thursday, 3 April	Item 8. Draft protocol on matters specific to space assets Item 9. Proposals to the Committee on new agenda items	Adoption of the reports of the working groups on agenda items 4, 6 (a) and 8 Item 9. Proposals to the Committee on new agenda items
Friday, 4 April	Adoption of the report of the Legal Subcommittee	Adoption of the report of the Legal Subcommittee

^a At its thirty-eighth session, in 1995, the Committee on the Peaceful Uses of Outer Space agreed that the practice of allocating specific agenda items to particular meetings at a session should be ended and that, to assist in their planning, Member States would continue to be provided with an indicative schedule of work, which would be without prejudice to the actual timing of consideration of specific agenda items (*Official Records of the General Assembly, Fiftieth Session, Supplement No. 20 (A/50/20)*, paras. 168 and 169 (b)).