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Practice of States and international organization in registering space objects

Practice of States and international organizations in registering space objects: replies from Member States

Note by the Secretariat

Addendum

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II. Replies received from Member States*

Italy

[Original: English]

1. Italy has not yet acceded to the United Nations Convention on Registration of Objects Launched into Outer Space (General Assembly resolution 3235 (XXIX), annex). A draft bill on its accession to the Registration Convention, in conformity with its article VIII, paragraph 1, and the completion of the internal procedures necessary for its implementation in the Italian legal system are currently under consideration by the Italian Council of Ministers.
2. Hitherto, Italy has transmitted to the Secretary-General, on a voluntary basis, information on 11 spacecrafts launched into orbit, in accordance with paragraph 1 of General Assembly resolution 1721 B (XVI) of 20 December 1961, in which the Assembly called upon States launching objects into orbit or beyond to furnish information promptly to the Committee on the Peaceful Uses of Outer Space, through the Secretary-General, for the registration of launchings.
3. The space objects referred to in the information previously submitted include Italian satellites launched by public agencies, such as the National Research Council, the University of Rome and the Italian Space Agency, as well as by non-governmental entities.
4. The technical data provided for Italian space launches are, with a few exceptions, the following: name of the satellite or name and type of the space object; launching State or organization; territory, location or place of launching; launching vehicle; date of launch; orbital parameters; and general function of the space object.

Russian Federation

[Original: Russian]

1. The Russian Federation registers space objects launched into outer space in accordance with the United Nations Convention on Registration of Objects Launched into Outer Space (General Assembly resolution 3235 (XXIX), annex).
2. The procedure in the Russian Federation for registering space objects is defined in the regulations on the registration of space objects launched by the Russian Federation into outer space and the submission to the United Nations of information on objects entered in the register.
3. Under those regulations, the registration data entered in the register (name of the launching State, name of the space object, launch date, territory or place of launching, basic orbital parameters and general function) are provided by the Federal Space Service to the Ministry of Foreign Affairs of the Russian Federation for subsequent transmission to the United Nations.

* The replies are reproduced in the form in which they were received.

4. In accordance with established practice, the Russian Federation does not register non-functioning objects launched into outer space such as boosters and upper stages of carrier rockets. Moreover, the non-registration of non-functioning objects was deemed lawful in the report of the Secretary-General of 2 March 1987 on application of the Registration Convention (A/AC.105/382).
5. The non-registration of non-functioning space objects must therefore be regarded as consistent with the Registration Convention.
6. There is now a growing number of clients on whose behalf Russian launch facilities are used to launch foreign space objects. In some cases the client—the owner or operator of the space object—fails to comply with its obligation to register the object on the grounds that it is not party to the Registration Convention.
7. The current practice whereby some States that offer their services for the launch of space objects belonging to other States do not register launched objects with the United Nations is not supported by any international legal instrument governing space activities.
8. In the view of the Russian Federation, the present situation with regard to the non-registration of objects has arisen because some provisions of the international legal instruments governing space activities do not correspond to current circumstances.
9. In addition, article VII of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (General Assembly resolution 2222 (XXI), annex), establishes that a State that launches or procures the launching of an object into outer space is internationally liable for damage caused by such object or its component parts on the Earth, in air or in outer space.
10. Thus, even if the question of the registration of a space object launched by one State on behalf of another is resolved, the former of the two parties to the relevant bilateral agreement is not released from liability in the event of unforeseen accidents occurring after the object has been handed over to the owner or operator for flight operation.
11. The Russian Federation believes that any payloads belonging to or under the control of private or government organizations of a particular State should be entered in that State's register, unless otherwise agreed by interested States.
12. Regarding payloads belonging to foreign owners or operators that are launched from Russian territory or using Russian launch facilities, the procedure applied in the United States of America is used, that is, the objects are entered in the national register of the State that owns the payload.
13. In view of the foregoing comments, States should agree on the current practice: the launching State should report to the United Nations only the fact that the launch has taken place and the name of the space object whenever the owner or operator declines to register.
14. In that connection, in order to establish a legal basis that corresponds to the way in which States carrying out space activities cooperate in practice, consideration should be given to the question of coordinated action to improve the national registers of States parties to the Registration Convention.

15. The above-mentioned practice is warranted since, under the Outer Space Treaty, the launching State cannot, for technical reasons alone, have jurisdiction and control over foreign objects in such cases.
16. The Russian Federation believes that it would be expedient if the right to registration could, by agreement with the owners of a payload, be transferred to a third party in cases where a State launches a payload for another State or international organization that is not party to the Registration Convention.
17. The most valuable feature of the Registration Convention is that, by registering objects, States Parties accept liability for their national space activities.
18. The registration of space objects in accordance with the Registration Convention makes it possible to keep a sufficiently clear record of the nature and quantity of objects at the time they are launched into outer space.
19. After a certain time, however, even when the terms of the Convention are complied with, it becomes impossible to state the whereabouts and functional status of a particular space object because of changes in the orbital parameters during every manoeuvre of the object and because of the effect of gravitational forces.
20. It would therefore be expedient, in accordance with article IV, paragraph 2, of the Registration Convention, to introduce the practice whereby the appropriate authorities in launching States inform the Secretary-General when an orbiting space object ceases to function and when it becomes debris.