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

**Legal Subcommittee**

**Forty-sixth session**

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Item 9 of the provisional agenda\*

**Practice of States and international organizations in  
registering space objects**

### **Practice of States and international organizations in registering space objects**

**Working paper submitted by the Chairman of the Working Group  
on the Practice of States and International Organizations in  
Registering Space Objects**

#### **I. Background to the Chairman's proposal**

##### **A. General background**

1. At its forty-second session, in 2003, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space agreed, on the basis of a working paper submitted by Australia, Austria, Canada, the Czech Republic, France, Germany, Greece, India, Japan, the Netherlands, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/AC.105/C.2/L.241 and Add.1), to consider a new agenda item entitled "Practice of States and international organizations in registering space objects" under the following four-year workplan:

2004: Presentation by Member States and international organizations of reports on their practice in registering space objects and submitting the required information to the Office for Outer Space Affairs for inclusion in the United Nations Register of Objects Launched into Outer Space

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\* A/AC.105/C.2/L.264.



- 2005: Examination by a working group of the reports submitted by Member States and international organizations in 2004
- 2006: Identification by the working group of common practices and drafting of recommendations for enhancing adherence to the Convention on Registration of Objects Launched into Outer Space<sup>1</sup>
- 2007: Report to the Committee on the Peaceful Uses of Outer Space

2. In accordance with paragraph 11 of General Assembly resolution 59/116 of 10 December 2004, the Legal Subcommittee, at its 711th meeting, on 4 April 2005, established a working group on agenda item 9, entitled "Practice of States and international organizations in registering space objects", with Niklas Hedman (Sweden) as its Chairman. In accordance with paragraph 8 of General Assembly resolution 60/99 of 8 December 2005, the Legal Subcommittee, at its 732nd meeting, on 3 April 2006, reconvened the Working Group on the Practice of States and International Organizations in Registering Space Objects, with Kai-Uwe Schrogl (Germany) as its Chairman.

3. During its meetings in 2005 and 2006, the Working Group had before it the following:

(a) Reports submitted by Member States and international organizations on their practices in registering space objects (A/AC.105/C.2/L.250 and Corr.1 and Add.1, A/AC.105/C.2/2004/CRP.3 and A/AC.105/C.2/2004/CRP.7);<sup>2</sup>

(b) A background paper prepared by the Secretariat entitled "Practice of States and international organizations in registering space objects" (A/AC.105/C.2/L.255 and Corr.1 and 2);

(c) Note by the Secretariat entitled "Registration of space objects: harmonization of practices, non-registration of space objects, transfer of ownership and registration/non-registration of 'foreign' space objects" (A/AC.105/867 and Corr.1);<sup>3</sup>

(d) Note by the Secretariat entitled "Practice of States and international organizations in registering space objects: benefits of becoming a party to the Convention on Registration of Objects Launched into Outer Space" (A/AC.105/C.2/L.262);

(e) Conference room paper prepared by the Secretariat containing statistical information on the number of space objects launched and registered or unregistered during the period 1957-2004 (A/AC.105/C.2/2005/CRP.10);

(f) Conference room paper prepared by the Secretariat entitled "States and intergovernmental (or former intergovernmental) organizations that operate or have operated space objects in Earth orbit or beyond (1957-present)" (A/AC.105/C.2/2006/CRP.5).

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<sup>1</sup> General Assembly resolution 3235 (XXIX), annex.

<sup>2</sup> Reports were received from the European Space Agency and the following Member States: Australia, Czech Republic, France, Germany, Italy, Morocco, Myanmar, Netherlands, Peru, Republic of Korea, Russian Federation and Sweden.

<sup>3</sup> Containing replies received from Germany and Morocco.

4. At the 703rd meeting of the Subcommittee, on 5 April 2004, a representative of the Office for Outer Space Affairs of the Secretariat made a presentation on the Register of Objects Launched into Outer Space, maintained by the Secretary-General pursuant to the Registration Convention.
5. During the forty-fourth session of the Subcommittee, in 2005, the Working Group heard the following presentations:
  - (a) “Findings of the ‘Project 2001 Plus’ workshop on ‘Current issues in registration of space objects’” by the representative of Germany;
  - (b) “The registration policy of the European Space Agency” by the observer for the European Space Agency.

## **B. Activities of the Working Group**

6. In 2005 and 2006, the Working Group was informed of the practices followed by States in registering space objects and implementing the Registration Convention. In particular, the Working Group was informed on the establishment and maintenance of national registries of objects launched into outer space; the activities of authorities responsible for maintaining national registries and the legal regulations applicable to registering space objects; criteria for including objects in national registries; the procedures applied in cases where more than one party was involved in the launch or where private entities or international organizations were involved; practices relating to the registration of functional and non-functional objects; and the provision of additional information to the Register of Objects Launched into Outer Space.
7. The Working Group was also informed on the practices of States concerning the inclusion of provisions related to the terms of the Registration Convention in bilateral agreements between States and between States and international organizations.
8. The Working Group was informed by some States of the status of their ratification of, or accession to, the Registration Convention and their practice in furnishing information in conformity with General Assembly resolution 1721 B (XVI) of 20 December 1961.
9. The Working Group noted with concern the decreasing number of registrations of objects launched into outer space in the past few years.
10. The Working Group noted the relevance of the conclusions of the Working Group on the Review of the Concept of the “Launching State” (A/AC.105/787, annex IV, appendix), established by the Legal Subcommittee during its forty-fourth session, as well as General Assembly resolution 59/115 of 10 December 2004, on the application of the concept of the “launching State”.
11. The Working Group took note of the indicative list of benefits to, and rights and obligations of, parties to the United Nations treaties on outer space (A/AC.105/826, annex I, appendix I). The indicative list was transmitted, together with a letter from the Secretary-General, to the ministers for foreign affairs of States that had not yet become parties to the United Nations treaties on outer space, with a view to encouraging States to become parties to those treaties.

12. The Working Group noted the series of workshops to build capacity in space law that had been organized by the Office for Outer Space Affairs, in cooperation with member States of the Committee. The Working Group noted that all the workshops in the series had been dedicated to promoting understanding, acceptance and implementation of the United Nations treaties and principles on outer space, promoting the development of national space laws and policies and improving the availability of education opportunities in space law.

13. In 2005, the Working Group agreed that, on the basis of the background paper prepared by the Secretariat (A/AC.105/C.2/L.255 and Corr.1 and 2) and discussions of the Working Group, the following issues could be the focus of the attention of the Working Group at the forty-fifth session of the Legal Subcommittee, in 2006:

- (a) Harmonization of practices (administrative and practical);
- (b) Non-registration of space objects;
- (c) Practice with regard to transfer of ownership of space objects in orbit;
- (d) Practice with regard to registration/non-registration of “foreign” space objects.

14. On the basis of those issues, in 2006, the Working Group agreed on elements that could constitute the basis for consensus on specific recommendations and conclusions to be included in the report to be prepared by the Subcommittee at its forty-sixth session, in 2007 (A/AC.105/871, annex III, para. 8).

15. In 2006, the Working Group also agreed that, to facilitate its work in relation to the report to be prepared by the Subcommittee at its forty-sixth session, the Chairman of the Working Group could conduct informal consultations open to all interested member States of the Committee prior to the forty-sixth session of the Subcommittee, by electronic means or in any other appropriate manner.

16. Intersessional informal consultations open to all member States of the Committee were held in Berlin on 24 and 25 January 2007. Those informal consultations, conducted by the Chairman of the Working Group, were attended by the representatives of 14 member States, with wide geographical distribution, and one intergovernmental organization. In addition, one member State provided comments by telephone conference.

17. At the intersessional informal consultations, participants discussed the text of a preliminary draft resolution, prepared by the Chairman of the Working Group and based on the elements agreed by the Working Group in 2006.

## **II. Proposal by the Chairman of the Working Group for a General Assembly resolution**

18. In reviewing the activities of the Working Group to assist the Subcommittee in carrying out its multi-year workplan, including the intersessional informal consultations referred to in paragraphs 16 and 17 above, and based on the elements agreed by the Working Group in 2006, the following elements are proposed for consideration by the Working Group in 2007, as the basis for a General Assembly

resolution on recommendations on the practice of States and international organizations in registering space objects, to be adopted in 2007:

*The General Assembly,*

*Recalling* the Treaty on Principles Governing the Activities of States in the Exploration and Uses of Outer Space, including the Moon and Other Celestial Bodies,<sup>4</sup> in particular articles 8 and 11,

*Recalling* the Convention on Registration of Objects Launched into Outer Space,<sup>5</sup>

*Recalling* its resolution 1721 B (XVI) of 20 December 1961,

*Recalling also* its resolution 41/66 of 3 December 1986,

*Taking note* of the report of the Committee on the Peaceful Uses of Outer Space on its fiftieth session<sup>6</sup> and the report of the Legal Subcommittee on its forty-sixth session, in particular the conclusions of the Working Group on the Practice of States and International Organizations in Registering Space Objects, annexed to the report of the Legal Subcommittee,<sup>7</sup>

*Noting* that nothing in the conclusions of the Working Group or in the present resolution constitutes an authoritative interpretation of or a proposed amendment to the Registration Convention,

*Bearing in mind* the benefits for States of becoming parties to the Registration Convention and that by acceding to, implementing and observing the provisions of the Registration Convention, States:

(a) Enhance the utility of the Register of Objects Launched into Outer Space established under article III of the Registration Convention, in which information furnished by States and international intergovernmental organizations conducting space activities that have declared their acceptance of the rights and obligations under the Registration Convention is recorded,

(b) Benefit from additional means and procedures, in particular the right under article VI of the Registration Convention to request assistance from other States, including States possessing monitoring and tracking facilities, to identify a space object that has caused damage or that may be of a hazardous or deleterious nature,

*Noting* that States parties to the Registration Convention and international intergovernmental organizations conducting space activities, having declared their acceptance of the rights and obligations under the Convention, are to furnish information to the Secretary-General in accordance with the Convention and are to establish an appropriate registry and inform the Secretary-General of the establishment of such a registry in accordance with the Convention,

*Considering* that universal accession to and acceptance, implementation and observance of the provisions of the Registration Convention:

<sup>4</sup> Resolution 2222 (XXII), annex.

<sup>5</sup> Resolution 3235 (XXIX), annex.

<sup>6</sup> *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20 (A/62/20)*.

<sup>7</sup> A/AC.105/[...], annex [...].

- (a) Lead to increased establishment of appropriate registries,
- (b) Contribute to the development of procedures and mechanisms for the maintenance of appropriate registries and the provision of information to the Register of Objects Launched into Outer Space,
- (c) Contribute to standardized procedures, at the national and international levels, for registering space objects with the Register,
- (d) Contribute to uniformity with regard to the information to be furnished and recorded in the Register concerning space objects listed in the appropriate registries,
- (e) Contribute to the receipt of and recording in the Register of additional information concerning space objects on the appropriate registries and information on objects that are no longer in Earth orbit,

*Noting also* that changes in space activities since the Registration Convention entered into force include the continuous development of new technologies, an increase in the number of States carrying out space activities, an increase in international cooperation in the peaceful uses of outer space and an increase in activities carried out by non-governmental entities, as well as partnerships formed by non-governmental entities from more than one country,

*Desirous* of achieving the most complete registration of space objects,

*Desirous* of enhancing adherence to the Registration Convention,

1. *Recommends*, with regard to adherence to the Convention on Registration of Objects Launched into Outer Space,<sup>8</sup> that:

(a) States that have not yet ratified or acceded to the Registration Convention should become parties to that Convention and, until they become parties to the Convention, furnish information in accordance with General Assembly resolution 1721 B (XVI) of 20 December 1961;

(b) International intergovernmental organizations conducting space activities that have not yet declared their acceptance of the rights and obligations under the Registration Convention should do so according to article VII of the Convention;

2. *Recommends*, with regard to the harmonization of administrative measures, that:

(a) Consideration should be given to achieving uniformity in the type of information to be provided to the United Nations on the registration of space objects; such information could include:

- (i) The Committee on Space Research international designator, where appropriate;
- (ii) Universal Time Coordinated as the time reference for the date of launch;
- (iii) Kilometres, minutes and degrees as the standard units for basic orbital parameters;

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<sup>8</sup> Resolution 3235 (XXIX), annex.

(b) Additional information that could be considered appropriate might include:

- (i) The geostationary orbit location, where appropriate;
- (ii) Web links to official information on space objects;
- (iii) Any change of status in operations;
- (iv) The approximate date of decay or re-entry, if States are capable of verifying that information;
- (v) The date and conditions of moving a space object to a disposal orbit;

(c) States and international intergovernmental organizations conducting space activities should designate focal points for their appropriate registries and provide the Office for Outer Space Affairs of the Secretariat with the contact details of those focal points;

3. *Recommends*, in order to achieve the most complete registration of space objects, that:

(a) Due to the complexity of the responsibility structure in international intergovernmental organizations conducting space activities, a solution should be sought in cases where an international intergovernmental organization conducting space activities has not yet declared its acceptance of the rights and obligations under the Registration Convention, and a general backup solution for registration by international intergovernmental organizations conducting space activities is needed in cases where there is no consensus on registration among the States members of such organizations;

(b) The State from whose territory or facility an object has been launched should, in the absence of prior agreement, contact States or international intergovernmental organizations that could qualify as “launching States” to jointly determine which State or entity should register the space object;

(c) The separate registration of the launch vehicle and parts thereof and each of the satellites launched should be encouraged; without prejudice to the rights and obligations of States, satellites should be included in the appropriate registry of the State responsible, under article VI 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,<sup>9</sup> for the operation of the satellite because that State is best positioned to exercise jurisdiction and control;

(d) States should encourage launch service providers under their jurisdiction to advise the owner and/or operator of the satellite to address the appropriate States on the registration of that satellite;

4. *Recommends*, with regard to the transfer of ownership of space objects in orbit, that, following the transfer of ownership or control of a space object in orbit, the State of registry, in cooperation with the appropriate State according to article VI of the Outer Space Treaty, should furnish to the Secretary-General additional information; such additional information might include:

<sup>9</sup> Resolution 2222 (XXII), annex.

- (a) The date of transfer of ownership or control;
- (b) The identification of the new owner or operator;
- (c) Any change of orbital position;
- (d) Any change of function of the space object;

5. *Requests* the Office for Outer Space Affairs:

(a) To make available to all States and international intergovernmental organizations a model registration form, reflecting the information to be provided to the Office for Outer Space Affairs, to assist them in their submission of registration information;

(b) To make public, through its website, the contact details of the focal points;

(c) To establish web links on its website to the appropriate registries that are available on the Internet;

6. *Recommends* that States and international intergovernmental organizations report to the Office for Outer Space Affairs on new developments relating to their practice in registering space objects;

7. *Agrees* that the recommendations in the present resolution shall be opened for review by the Committee on the Peaceful Uses of Outer Space no later than five years after their adoption.

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