



General Assembly

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**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Forty-eighth session
Vienna, 23 March-3 April 2009

Provisional agenda*

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 intergovernmental and non-governmental 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.

* In paragraph 4 of its resolution 63/90, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that the Legal Subcommittee, at its forty-eighth 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, should consider items 7, 8, 9 and 10 as single issues and items for discussion and should consider item 11 in accordance with the workplan adopted by the Committee. In paragraph 5 of the same resolution, the Assembly noted that the Subcommittee, at its forty-eighth session, would submit proposals to the Committee for new items to be considered by the Subcommittee at its forty-ninth session, in 2010.



8. Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment.
9. Capacity-building in space law.
10. General exchange of information on national mechanisms relating to space debris mitigation measures.
11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space.
12. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-ninth session.

Annotations

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

In paragraph 6 of its resolution 63/90, the General Assembly noted that the Legal Subcommittee, at its forty-eighth session, would reconvene its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space.

At its fortieth session, in 2001, the Subcommittee agreed that the topics addressed in the discussions of the Working Group would include the status of the treaties, the review of their implementation and obstacles to their universal acceptance, as well as the 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 Subcommittee agreed that the Working Group could consider any new, similar issues that might be raised in discussions in the Working Group, provided that those issues fell within its existing mandate (A/AC.105/787, para. 140).

At the forty-sixth session of the Subcommittee, in 2007, the Working Group agreed that during the forty-seventh session of the Subcommittee, in 2008, member States, in addressing the low participation of States in the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (General Assembly resolution 34/68, annex) could (A/AC.105/891, annex I, para. 11):

- (a) Address activities currently being carried out or to be carried out on the Moon and other celestial bodies in the near future;
- (b) Identify the benefits of adherence to the Moon Agreement;
- (c) Identify the international and national rules governing the activities on the Moon and other celestial bodies;
- (d) Assess whether existing international rules adequately addressed activities on the Moon and other celestial bodies.

At the forty-seventh session of the Subcommittee, the Working Group agreed that the Subcommittee, at its forty-eighth session, in 2009, should continue its discussion on the issues referred to above (A/AC.105/917, annex I, para. 26).

At its forty-seventh session, the Subcommittee endorsed the recommendation that the mandate of the Working Group be extended for one additional year. It was agreed and that the Subcommittee, at its forty-eighth session, would review the need to extend the mandate of the Working Group beyond 2009 (A/AC.105/917, para. 44).

5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law

In the discussion of item 5, member States may bring to the attention of the Legal Subcommittee any 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

In paragraph 7 of its resolution 63/90, the General Assembly noted that the Subcommittee would reconvene its Working Group on the Definition and Delimitation of Outer Space.

At its thirty-ninth session, in 2000, the Subcommittee agreed that item 6 (b) should remain as a regular item on its agenda but that the Working Group on the item would consider only matters relating to the definition and delimitation of outer space (A/AC.105/738, para. 108).

9. Capacity-building in space law

At its forty-sixth session, the Subcommittee agreed to include “Capacity-building in space law” as a new single issue/item on its agenda at its forty-seventh session and noted that the deliberations under that item would be aimed at promoting cooperation with and assistance to developing countries. The Subcommittee also agreed to review the possibility of extending that item beyond the forty-seventh session (A/AC.105/891, para. 135).

At its forty-seventh session, the Subcommittee agreed to retain all the single issues/items then on the agenda, including that on capacity-building in space law, for consideration at its forty-eighth session (A/AC.105/917, para. 150). At the same session, the Subcommittee recommended that member States, permanent observers of the Committee and the Office for Outer Space Affairs of the Secretariat should consider the initiatives listed in paragraph 128 of the report of the Subcommittee on its forty-seventh session and inform the Subcommittee, at its forty-eighth session, on any actions taken or planned on a national, regional or international level (A/AC.105/917, para. 129).

10. General exchange of information on national mechanisms relating to space debris mitigation measures

At its forty-seventh session, the Subcommittee agreed to include “General exchange of information on national mechanisms relating to space debris mitigation

measures” as a new single issue/item on the agenda of the Subcommittee at its forty-eighth session (A/AC.105/917, para. 150).

11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space

In paragraph 8 of its resolution 63/90, the General Assembly noted that the Legal Subcommittee would establish a working group to consider this item in accordance with the multi-year workplan agreed by the Subcommittee at its forty-sixth session and endorsed by the Committee at its fiftieth session.¹

At its forty-seventh session, the Subcommittee agreed that Irmgard Marboe (Austria) should act as Chairperson of the working group to be established by the Subcommittee at its forty-eighth session (A/AC.105/917, para. 146).

The working group will examine information provided by Member States on their national legislation relating to space activities in order to develop an understanding of the manner in which Member States have regulated governmental and non-governmental space activities, in accordance with the workplan for the period 2008-2011 contained in the report of the Subcommittee on its forty-sixth session (A/AC.105/891, para. 136).

¹ See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), para. 219; and A/AC.105/891, para. 136.

Annex

Organization of work

1. The work of the Legal Subcommittee has been scheduled so as to afford the working groups that will be reconvened under items 5, 6 (a) and 11 the maximum amount of time available.
2. The Subcommittee, at its forty-seventh session, in 2008, agreed that the International Institute of Space Law and the European Centre for Space Law should be invited to hold a symposium at its forty-eighth session (A/AC.105/917, para. 49). A symposium entitled “Thirtieth Anniversary of the Moon Agreement: Retrospect and Prospects” organized by the International Institute of Space Law and the European Centre for Space Law, will be held on the afternoon of 23 March 2009.
3. An indicative schedule of work is provided below.

Indicative schedule of work^a

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Week of 23-27 March 2009		
Monday, 23 March	Item 1. Opening of the session and adoption of the agenda Item 2. Statement by the Chairman Item 3. General exchange of views	Symposium: Thirtieth Anniversary of the Moon Agreement: Retrospect and Prospects
Tuesday, 24 March	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space ^b Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space ^b Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law
Wednesday, 25 March	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space ^b Item 7. Nuclear power sources	Item 4. Status and application of the five United Nations treaties on outer space ^b Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law Item 7. Nuclear power sources

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Thursday, 26 March	<p>Item 5. Information on the activities of international intergovernmental and non-governmental organizations relating to space law</p> <p>Item 6 (a). The definition and delimitation of outer space^c</p> <p>Item 6 (b). The character and utilization of the geostationary orbit</p> <p>Item 7. Nuclear power sources</p>	<p>Item 6 (a). The definition and delimitation of outer space^c</p> <p>Item 6 (b). The character and utilization of the geostationary orbit</p> <p>Item 7. Nuclear power sources</p> <p>Item 8. Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment</p>
Friday, 27 March	<p>Item 6 (a). The definition and delimitation of outer space^c</p> <p>Item 6 (b). The character and utilization of the geostationary orbit</p> <p>Item 8. Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment</p> <p>Item 9. Capacity-building in space law</p>	<p>Item 6 (a). The definition and delimitation of outer space^c</p> <p>Item 6 (b). The character and utilization of the geostationary orbit</p> <p>Item 8. Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment</p> <p>Item 9. Capacity-building in space law</p>
Week of 30 March-3 April 2009		
Monday, 30 March	<p>Item 8. Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment</p> <p>Item 9. Capacity-building in space law</p> <p>Item 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p>	<p>Item 9. Capacity-building in space law</p> <p>Item 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p>
Tuesday, 31 March	<p>Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures</p> <p>Item 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p>	<p>Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures</p> <p>Item 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p>
Wednesday, 1 April	<p>Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures</p>	<p>Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures</p>

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Thursday, 2 April	Item 12. Proposals to the Committee for new agenda items	Item 12. Proposals to the Committee for new agenda items
	Item 12. Proposals to the Committee for new agenda items	Item 12. Proposals to the Committee for new agenda items
Friday, 3 April	Adoption of the report of the Working Group on agenda item 4	Adoption of the report of the Working Group on agenda item 6 (a)
	Adoption of the report of the working group on agenda item 11	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)*, para. 169 (b)).

^b The Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, to be reconvened in accordance with paragraph 6 of General Assembly resolution 63/90, will meet during the time allocated for the consideration of item 4. The Legal Subcommittee will resume its consideration of item 4 on Thursday, 2 April, in order to adopt the report of the Working Group.

^c The Working Group on the Definition and Delimitation of Outer Space, to be reconvened in accordance with paragraph 7 of General Assembly resolution 63/90, will meet during the time allocated for the consideration of item 6 (a). The Subcommittee will resume its consideration of item 6 (a) on Thursday, 2 April, in order to adopt the report of the Working Group.

^d The working group on general exchange of information on national legislation relevant to the peaceful exploration and use of outer space, to be established in accordance with paragraph 8 of General Assembly resolution 63/90, will meet during the time allocated for the consideration of item 11. The Legal Subcommittee will resume its consideration of item 11 on Friday, 3 April, in order to adopt the report of the working group.