



General Assembly

Distr.: Limited
15 December 2010

Original: English

**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee
Fiftieth session
Vienna, 28 March-8 April 2011**

Provisional agenda*

1. Adoption of the agenda.
2. Statement by the Chair.
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.
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.

* In paragraph 4 of its resolution 65/97, the General Assembly agreed that the Legal Subcommittee, at its fiftieth session, should consider the substantive items recommended by the Committee on the Peaceful Uses of Outer Space at its fifty-third session (A/65/20, paras. 228-231), taking into account the concerns of all countries, in particular those of developing countries.



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 fifty-first session.

Annotations

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

In paragraph 4 of its resolution 65/97, the General Assembly agreed that the Legal Subcommittee, at its fiftieth session, should reconvene the working groups recommended by the Committee on the Peaceful Uses of Outer Space (A/65/20, paras. 228-231), which included the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space.

During the forty-ninth session of the Subcommittee, in 2010, the Working Group agreed to consider in 2011 the following specific themes and issues related to the status, application and/or implementation of the United Nations treaties on outer space (A/AC.105/942, annex I, para. 6):

(a) Issues relating to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, including possible points of consensus or of concern among States about the Agreement and its implementation;

(b) Issues relating to the implementation of the mechanisms of responsibility and liability of the States parties as provided for by the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and by the Convention on International Liability for Damage Caused by Space Objects;

(c) Issues related to the registration of space objects, notably in the case of transfer of space activities or space objects in orbit, and the related possible legal solutions for the States involved.

The Working Group also agreed that the list above was not exhaustive and would be open to further discussion by the Working Group during the fiftieth session of the Subcommittee (A/AC.105/942, annex I, para. 7).

The Subcommittee at its forty-ninth session agreed that at its fiftieth session, in 2011, it would review the need to extend the mandate of the Working Group beyond 2011 (A/AC.105/942, paras. 40 and 165).

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.

The Subcommittee will have before it a note by the Secretariat containing information on activities of international organizations relating to space law (A/AC.105/C.2/L.281 and Add.1).

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 4 of its resolution 65/97, the General Assembly agreed that the Legal Subcommittee should reconvene the working groups recommended by the Committee (A/65/20, paras. 228-231), which included the Working Group on the Definition and Delimitation of Outer Space.

At its thirty-ninth session, in 2000, the Subcommittee agreed that the Working Group would consider only matters relating to the definition and delimitation of outer space (A/AC.105/738, para. 108).

The Subcommittee will have before it a note by the Secretariat containing replies received by the Secretariat from Member States to questions on the definition and delimitation of outer space (A/AC.105/889/Add.7-9) and the information received by the Secretariat from member States concerning national legislation and practice relating to the definition and delimitation of outer space (A/AC.105/865/Add.8-10).

7. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space

The Legal Subcommittee at its forty-ninth session noted with satisfaction the adoption of the Safety Framework for Nuclear Power Source Applications in Outer Space (A/AC.105/934) by the Scientific and Technical Subcommittee at its forty-sixth session (A/AC.105/933, para. 130) and the endorsement of the Safety Framework by the Committee on the Peaceful Uses of Outer Space at its fifty-second session (A/64/20, para. 138), in 2009.

The Legal Subcommittee welcomed the agreement on the new multi-year workplan of the Working Group on the Use of Nuclear Power Sources during the forty-seventh session of the Scientific and Technical Subcommittee, in 2010 (A/AC.105/958, annex II, para. 8), and noted that the workplan aimed to promote and facilitate the implementation of the Safety Framework (A/AC.105/942, para. 79).

The Legal Subcommittee agreed that it was necessary to continue examining the issue and that the item should remain on its agenda (A/AC.105/942, para. 87).

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

The Legal Subcommittee at its forty-ninth session expressed its satisfaction with the participation of the Office for Outer Space Affairs of the Secretariat as an observer in the negotiating sessions of the International Institute for the Unification of

Private Law (Unidroit) and agreed that the Office should continue participating in those sessions (A/AC.105/942, para. 104).

The Subcommittee also agreed that this item should remain on its agenda (A/AC.105/942, para. 105).

9. Capacity-building in space law

The Legal Subcommittee at its forty-ninth session recommended that member States and permanent observers of the Committee on the Peaceful Uses of Outer Space inform the Subcommittee, at its fiftieth session, of any action taken or planned at the national, regional or international level to build capacity in space law (A/AC.105/942, para. 117).

At its fiftieth session, the Subcommittee will have before it the report on the United Nations/Thailand/European Space Agency Workshop on Space Law, held in Bangkok from 16 to 19 November 2010 (A/AC.105/989). The proceedings of the Workshop (ST/SPACE/54) will also be made available to the Subcommittee.

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

The Legal Subcommittee at its forty-ninth session noted that this item of its agenda would assist States in understanding the different measures, including development of national regulatory frameworks, that States had taken to mitigate and prevent the increase in space debris (A/AC.105/942, para. 128).

The Subcommittee noted with satisfaction that some States were implementing space debris mitigation measures consistent with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space and/or the Space Debris Mitigation Guidelines of the Inter-Agency Space Debris Coordination Committee (IADC) and that other States had developed their own space debris mitigation standards based on those guidelines. The Subcommittee also noted that other States were using the IADC Guidelines and the European Code of Conduct for Space Debris Mitigation as references in the regulatory framework established for national space activities (A/AC.105/942, para. 133).

The Subcommittee urged States to continue to implement the Space Debris Mitigation Guidelines of the Committee and to study the experience of States that had already established national mechanisms governing space debris mitigation (A/AC.105/942, para. 147).

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

In paragraph 4 of its resolution 65/97, the General Assembly agreed that the Legal Subcommittee, at its fiftieth session, should reconvene the working groups recommended by the Committee (A/65/20, paras. 228-231), which included the Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

The Working Group will continue to examine responses received from Member States on their national legislation relating to space activities (A/AC.105/957/Add.1) and will begin drafting its report, including conclusions, 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).

During the forty-ninth session of the Subcommittee, the Working Group agreed that Member States should be invited during the intersessional period to provide to the Secretariat information for the completion of the schematic overview of national regulatory frameworks for space activities (A/AC.105/942, annex III, para. 22).

The Working Group agreed that, upon completion of its multi-year workplan, it should issue a comprehensive report on its work. The Working Group also agreed that the Secretariat, in consultation with the Chair, should prepare the draft report on the work of the Working Group, for consideration and finalization by the Working Group in 2011 (A/AC.105/942, annex III, paras. 19-20). The Working Group will have before it for consideration a first draft of the report.

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

At its fiftieth session, the Legal Subcommittee will submit its proposal to the Committee for the draft provisional agenda for the fifty-first session of the Subcommittee, in 2012.

Symposium

At its fifty-third session, in 2010, the Committee agreed that the International Institute of Space Law and the European Centre for Space Law should be invited to organize a symposium on space law during the fiftieth session of the Subcommittee (A/65/20, para. 231). A symposium on the theme “A new look at the delimitation of airspace and outer space” will be held on the afternoon of 28 March 2011.

Organizational matters

At its fifty-third session, the Committee requested the Secretariat to present to the Subcommittee at its fiftieth session and the Committee at its fifty-fourth session, for their consideration, a detailed proposal to discontinue the use of unedited transcripts. It was noted that the use of digital recordings should be assessed (A/65/20, para. 320). The Subcommittee will have before it a proposal by the Secretariat on that matter.

Annex

Organization of work

1. In preparing the organization of work of the Legal Subcommittee at its fiftieth session, the Secretariat followed the request by the Committee on the Peaceful Uses of Outer Space and, in close consultation with the members of the bureaux of the Committee and its subsidiary bodies, implemented measures to rationalize and optimize the use of time of the Committee and its Subcommittees, taking into account the need for maximum flexibility in organizing the work of their sessions in 2011, including the possibility of scheduling symposiums in the second week of a session (A/65/20, para. 315).
2. The work of the Subcommittee has been scheduled so as to afford the working groups that will be reconvened under items 4, 6 (a) and 11 the maximum amount of time available.
3. In order to enable the Subcommittee to commence its consideration of all the items of the agenda in a timely and balanced manner, the discussion of the item entitled "General exchange of views" has been scheduled over a longer period of time during the session. At each meeting, the number of statements to be made under the item entitled "General exchange of views" may be limited, as necessary, in order to allow sufficient time for other agenda items to be considered as planned. The statements under the item "General exchange of views" should be no longer than 10 minutes.
4. Technical presentations by delegations will be scheduled by the Secretariat on the basis of requests received prior to the session. A maximum of three presentations per meeting, each limited to 20 minutes, will be scheduled with a view to optimizing the use of time.
5. An indicative schedule of work is provided below. The indicative schedule of work is a general guide to the dates and times when items will be addressed during the session. The consideration of any item may be moved forward, extended or delayed, depending on the requirements of the members of the Subcommittee and any organizational constraints that may develop in the course of the session.

Indicative schedule of work^a

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Week of 28 March-1 April 2011		
Monday, 28 March	Item 1. Adoption of the agenda Item 2. Statement by the Chair Item 3. General exchange of views	Symposium on the theme “A new look at the delimitation of airspace and outer space”
Tuesday, 29 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 Technical presentations	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 Technical presentations
Wednesday, 30 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 Technical presentations	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 Technical presentations
Thursday, 31 March	Item 3. General exchange of views Item 6 (a). The definition and delimitation of outer space ^c Item 6 (b). The character and utilization of the geostationary orbit Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures Technical presentations	Item 3. General exchange of views Item 6 (a). The definition and delimitation of outer space ^c Item 6 (b). The character and utilization of the geostationary orbit Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures Technical presentations
Friday, 1 April	Item 3. General exchange of views Item 6 (a). The definition and delimitation of outer space ^c Item 6 (b). The character and utilization of the geostationary orbit Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures Technical presentations	Item 3. General exchange of views Item 6 (a). The definition and delimitation of outer space ^c Item 6 (b). The character and utilization of the geostationary orbit Item 10. General exchange of information on national mechanisms relating to space debris mitigation measures Technical presentations

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
Week of 4-8 April 2011		
Monday, 4 April	<p>Item 3. General exchange of views</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>Technical presentations</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 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p> <p>Technical presentations</p>
Tuesday, 5 April	<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>Technical presentations</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 11. General exchange of information on national legislation relevant to the peaceful exploration and use of outer space^d</p> <p>Technical presentations</p>
Wednesday, 6 April	<p>Item 7. Nuclear power sources</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 12. Proposals to the Committee on new items for consideration by the Subcommittee</p> <p>Technical presentations</p>	<p>Item 7. Nuclear power sources</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 12. Proposals to the Committee on new items for consideration by the Subcommittee</p> <p>Technical presentations</p>
Thursday, 7 April	<p>Item 7. Nuclear power sources</p> <p>Item 12. Proposals to the Committee on new items for consideration by the Subcommittee</p> <p>Adoption of the report of the Working Group on agenda item 4</p> <p>Technical presentations</p>	<p>Item 7. Nuclear power sources</p> <p>Item 12. Proposals to the Committee on new items for consideration by the Subcommittee</p> <p>Adoption of the report of the Working Group on agenda item 6 (a)</p> <p>Technical presentations</p>
Friday, 8 April	<p>Adoption of the report of the Working Group on agenda item 11</p> <p>Adoption of the report of the Legal Subcommittee</p>	<p>Adoption of the report of the Legal Subcommittee</p>

^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 (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 4 of General Assembly resolution 65/97, will meet during the time allocated for the consideration of item 4. The Legal Subcommittee will resume its consideration of item 4 on Thursday, 7 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 4 of General Assembly resolution 65/97, will meet during the time allocated for the consideration of item 6 (a). The Legal Subcommittee will resume its consideration of item 6 (a) on Thursday, 7 April, in order to adopt the report of the Working Group.

^d The Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, to be reconvened in accordance with paragraph 4 of General Assembly resolution 65/97, will meet during the time allocated for the consideration of item 11. The Legal Subcommittee will resume its consideration of item 11 on Friday, 8 April, in order to adopt the report of the Working Group.
