



# General Assembly

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

**Legal Subcommittee**

**Fifty-second session**

Vienna, 8-19 April 2013

Item 13 of the provisional agenda\*

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

### **New agenda item on general exchange of information on practices in relation to non-legally binding instruments for outer space activities**

#### **Working paper submitted by Japan, and co-sponsored by Austria, Canada, France, Nigeria and the United States of America**

1. The Legal Subcommittee has been engaged since the early 1980s in formulating a number of principles and declarations related to space activities, adopted by the General Assembly in resolutions to supplement four of the United Nations treaties on outer space. The Scientific and Technical Subcommittee has also played an important role in adopting technical guidelines and frameworks, which were endorsed by the Assembly as part of the reports of the Committee on the Peaceful Uses of Outer Space.<sup>1</sup>
2. The practical effect of such General Assembly resolutions, guidelines and frameworks is not necessarily evident or clear, as it is not currently known in many cases what States are doing, if anything, in relation to those non-legally binding

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\* A/AC.105/C.2/L.288.

<sup>1</sup> Examples of such legally non-binding rules would include the Principles Relevant to the Use of Nuclear Power Sources in Outer Space (resolution 47/68), the recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects (resolution 62/101) and the space debris mitigation guidelines of the Science and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space (A/62/20, annex). See also "United Nations Treaties and Principles on Outer Space, related General Assembly resolutions and other documents" (ST/SPACE/61).



instruments. This tends to lead to difficulty in evaluating how those resolutions and guidelines have been implemented both in the domestic sphere and on the international plane.

3. The increasing use of space by various non-governmental entities worldwide has been a predominant phenomenon for more than a decade, one example being the use of small and nanosatellites by universities, research institutions and small companies. The next decade will show us further emerging operations using space vehicles by a wider variety of entities. In this regard, it should be recalled that in the Declaration on the Fiftieth Anniversary of Human Space Flight and the Fiftieth Anniversary of the Committee on the Peaceful Uses of Outer Space (General Assembly resolution 66/71, annex), Member States acknowledged that significant changes had occurred in the structure and content of the space endeavour, reflected in the emergence of new technologies and the increasing number of actors at all levels. There is an increasing need for consideration of the safe and sustainable use of outer space.

4. As Member States consider how best to address contemporary challenges in the peaceful exploration and use of outer space, and as Member States and international society as a whole do not have adequate or effective information on how other States and international organizations implement United Nations principles, declarations, guidelines and frameworks, it would be valuable to assess to what extent and how those instruments have been put into practice by individual States in their domestic dealings and in international activities.

5. Thus, Japan has proposed a new agenda item on the collection of information concerning practices in relation to non-legally binding United Nations instruments for outer space activities and the exchange of that information on a voluntary basis. The title of the new agenda item would be "General exchange of information on practices in relation to non-legally binding instruments for outer space activities".

6. The following three-year workplan is suggested:

(a) In the first year, information about the practices of governments, international organizations and non-governmental entities in furtherance of the relevant instruments will be provided, presented and exchanged through statements or special presentations during the session of the Legal Subcommittee. States Members of the United Nations will be invited to provide information prior to the session of the Legal Subcommittee;

(b) In the second year, a further exchange of information on a voluntary basis about practices and the practical effect of non-legally binding instruments will be conducted. In addition, the Legal Subcommittee will begin preparing a set of reference materials with concrete examples of the practices of States in relation to the non-binding United Nations instruments. The expected outcome is the publication of an information package on the website of the Office for Outer Space Affairs;

(c) In the third year, it is proposed that a summary of the work carried out during the three years be adopted and incorporated into the report of the Legal Subcommittee.