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**Committee on the Peaceful
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Legal Subcommittee
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Draft report

Addendum

VII. Capacity-building in space law

1. Pursuant to General Assembly resolution 68/75, the Subcommittee considered agenda item 9, entitled “Capacity-building in space law”, as a regular item on its agenda.
2. The representatives of Canada, China, Germany, Japan, South Africa, the United States and Venezuela (Bolivarian Republic of) made statements under agenda item 9. A statement was also made by the representative of Chile on behalf of the Group of Latin American and Caribbean States. During the general exchange of views, statements relating to the item were also made by representatives of other member States.
3. The Subcommittee had before it the following:
 - (a) Conference room papers on actions and initiatives to build capacity in space law containing information submitted by Austria (A/AC.105/C.2/2014/CRP.9), Japan (A/AC.105/C.2/2014/CRP.10), Uruguay (A/AC.105/C.2/2014/CRP.11), the Russian Federation (A/AC.105/C.2/2014/CRP.12), Canada (A/AC.105/C.2/2014/CRP.19) and Armenia (A/AC.105/C.2/2014/CRP.20);
 - (b) Conference room paper containing the contribution of Turkey to the fifty-third session of the Legal Subcommittee (A/AC.105/C.2/2014/CRP.26);
 - (c) Conference room paper containing a directory of educational opportunities in space law (A/AC.105/C.2/2014/CRP.8).



4. The Subcommittee heard the following presentations made under the agenda item:

(a) “Education curriculum on space law”, by the Office for Outer Space Affairs;

(b) “Japan’s capacity-building in space law: recent progress”, by the representative of Japan;

(c) “United Nations/China/APSCO workshop on space law: an invitation”, by the representative of China.

5. The Subcommittee agreed that capacity-building, training and education in space law were of paramount importance to national, regional and international efforts to further develop the practical aspects of space science and technology, especially in developing countries, and to increase knowledge of the legal framework within which space activities were carried out. It was emphasized that the Subcommittee had an important role to play in that regard.

6. The Subcommittee noted with appreciation that a number of national, regional and international efforts to build capacity in space law were being undertaken by governmental and non-governmental entities. Those efforts included encouraging universities to offer modules on space law; providing fellowships for graduate and postgraduate education in space law; assisting in the development of national space legislation and policy frameworks; organizing workshops, seminars and other specialized activities to promote greater understanding of space law; providing financial and technical support for legal research; preparing dedicated studies, papers and publications on space law; supporting space law moot court competitions; supporting the participation of young professionals in regional and international meetings relating to space law; providing for training and other opportunities to build experience; and supporting entities dedicated to the study of and research relating to space law.

7. The Subcommittee noted that some Member States had provided financial assistance to enable students to attend the Manfred Lachs Space Law Moot Court Competition, held each year during the International Astronautical Congress. The Subcommittee further noted that the world finals of the 2014 Competition would be held in Toronto, Canada, from 30 September to 2 October 2014, during the annual Colloquium on the Law of Outer Space organized by IISL.

8. The Subcommittee noted with satisfaction the completion of the education curriculum on space law, which was timely in the light of the increasing interest of universities and other institutions to include courses on space law in their education programmes. The Subcommittee further concluded that the curriculum constituted a dynamic educational tool that could be easily used by educators from different professional backgrounds.

9. The Subcommittee also welcomed the web-based compilation of reading materials, accessible on the website of the Office for Outer Space Affairs, which would be updated as new or additional materials were identified.

10. The Subcommittee noted that the next step would be to work with the regional centres for space science and technology education, affiliated to the United Nations,

to facilitate the introduction of the curriculum in their respective education programmes.

11. The Subcommittee requested the Office for Outer Space Affairs to have the curriculum translated into all official languages of the United Nations, in order to facilitate the use of the curriculum by the regional centres and developing countries and to strengthen capacity-building in space law.

12. The Subcommittee noted that the agenda item on the review of international mechanisms for cooperation in the peaceful exploration and use of outer space had great potential to further the contribution of the Subcommittee to capacity-building, as the discussions and exchange of information would be of practical value to States in setting up their space activities.

13. The Subcommittee noted that the regional centre for space science and technology education, affiliated to the United Nations, under development at Beihang University in Beijing, would provide countries in the Asia-Pacific region with further space law teaching and training opportunities.

14. The Subcommittee noted that the African Leadership Conference on Space Science and Technology for Sustainable Development had taken place in Accra from 3 to 5 December 2013, with a space law session focusing on capacity-building, legal aspects of space debris, obligations of States under international treaties on outer space and national legislation relevant to the peaceful exploration and use of outer space from an African perspective.

15. The Subcommittee noted with appreciation the support and contribution of the Office for Outer Space Affairs to the organization of the African Leadership Conference.

16. The Subcommittee noted with appreciation that the Office for Outer Space Affairs, together with the Government of China, the China National Space Administration and APSCO, had begun preparations for the United Nations workshop on space law, to be held in Beijing from 17 to 21 November 2014.

17. The Subcommittee noted that the workshops organized by the Office for Outer Space Affairs in cooperation with host countries were a valuable contribution to capacity-building in space law and international cooperation in the peaceful uses of outer space.

18. Some delegations expressed the view that the Office for Outer Space Affairs should continue exploring avenues of cooperation with national institutions and interregional organizations in order to promote capacity-building in space law.

19. Some delegations expressed the view that the Office for Outer Space Affairs should strengthen its efforts to support capacity-building in space law in the Latin American and Caribbean region, in particular through the organization of seminars or workshops.

20. The Subcommittee noted with satisfaction that the Office for Outer Space Affairs had updated the directory of education opportunities in space law (A/AC.105/C.2/2014/CRP.8), including with information on available fellowships and scholarships, and agreed that the Office should continue to update the directory. In that connection, the Subcommittee invited member States to encourage contributions at the national level for the future updating of the directory.

21. The Subcommittee recommended that member States and permanent observers of the Committee should inform the Subcommittee, at its fifty-fourth session, of any action taken or planned at the national, regional or international level to build capacity in space law.

IX. General exchange of information and views on legal mechanisms relating to space debris mitigation measures, taking into account the work of the Scientific and Technical Subcommittee

22. Pursuant to General Assembly resolution 68/75, the Subcommittee considered agenda item 11, entitled “General exchange of information and views on legal mechanisms relating to space debris mitigation measures, taking into account the work of the Scientific and Technical Subcommittee”, as a single issue/item for discussion.

23. The representatives of Brazil, Canada, Chile, the Czech Republic, Germany, Japan, Mexico, the Netherlands, the United States and Venezuela (Bolivarian Republic of) made statements under agenda item 11. A statement was made by the representative of Chile on behalf of the Group of Latin American and Caribbean States. During the general exchange of views, statements relating to the item were also made by representatives of other member States. A statement was also made under the item by the observer for ESA.

24. The Subcommittee had before it conference room papers containing a compendium of space debris mitigation standards adopted by States and international organizations, presented by Canada, the Czech Republic and Germany (A/AC.105/C.2/2014/CRP.15), and a contribution to the compendium by the United States (A/AC.105/C.2/2014/CRP.15/Add.1).

25. The Subcommittee recalled with satisfaction that the endorsement by the General Assembly, in its resolution 62/217, of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space was an important step in providing all spacefaring nations with guidance on how to mitigate the problem of space debris.

26. The Subcommittee noted with satisfaction that some States were implementing space debris mitigation measures consistent with the Space Debris Mitigation Guidelines of the Committee and/or the Inter-Agency Space Debris Coordination Committee (IADC) Space Debris Mitigation Guidelines and that other States had developed their own space debris mitigation standards based on those guidelines. The Subcommittee also noted that some States were using the IADC Space Debris Mitigation Guidelines, the European Code of Conduct for Space Debris Mitigation and International Organization for Standardization (ISO) standard 24113 (Space systems: space debris mitigation requirements) as references in their regulatory frameworks for national space activities.

27. The Subcommittee noted with satisfaction that some States had taken measures to incorporate internationally recognized guidelines and standards related to space debris into relevant provisions in their national legislation.

28. The Subcommittee noted that some States had strengthened their national mechanisms governing space debris mitigation through the nomination of governmental supervisory authorities, the involvement of academia and industry and the development of new legislative norms, instructions, standards and frameworks.
29. Some delegations expressed the view that the Subcommittee should undertake a legal analysis of the Space Debris Mitigation Guidelines of the Committee.
30. Some delegations expressed the view that the Subcommittee should aim to develop legally binding rules relating to space debris, including debris derived from space platforms with nuclear power sources on board, the collision of such objects with space debris, and technology for monitoring space debris.
31. Some delegations expressed the view that the legally binding rules should take into account the historical responsibility of spacefaring nations for the problem, and should neither limit access to outer space by developing countries with emerging space capabilities nor impose undue costs on the space programmes of those countries.
32. The view was expressed that the transformation of technical debris mitigation guidelines into a legally binding instrument was not necessary, as spacefaring nations were motivated to reduce space debris by their self-interest in preserving the safety and sustainability of space activities.
33. The view was expressed that the Legal Subcommittee should cooperate with the Scientific and Technical Subcommittee in developing binding rules for space debris mitigation.
34. Some delegations expressed the view that the removal of large pieces of debris was necessary to prevent the proliferation of space debris, and that the legal issues related to active removal of space debris should be addressed.
35. Some delegations expressed the view that information on actions to reduce the creation of space debris should be made available to the Subcommittee, in particular by those States which were largely responsible for creating space debris and by the States that had the capacity to take action with regard to space debris mitigation.
36. The view was expressed that reporting on the status of implementation of the Space Debris Mitigation Guidelines of the Committee would contribute to improving transparency and developing confidence-building measures among States.
37. The view was expressed that it was important to pay attention to the problem of space debris not only in outer space, but also in cases of its uncontrolled return to the Earth's surface, and therefore to deepen corresponding international norms and standards in order to strengthen the safety of both people and the environment.
38. The view was expressed that all relevant information related to the re-entry of space debris into the Earth's atmosphere should be reported diligently and expeditiously to countries that might be affected.
39. The view was expressed that entering into an agreement with the United States to share space situational awareness would facilitate the provision of such information and services to governmental, intergovernmental and commercial entities so as to improve safety and sustainability for space flights.

40. Some delegations expressed the view that the outcome of the work of the Working Group on the Long-term Sustainability of Outer Space Activities of the Scientific and Technical Subcommittee and its expert groups to develop a set of technical guidelines could be integrated into the future work of the Legal Subcommittee.

41. The view was expressed that the voluntary draft guidelines dealing with space debris, space operations and tools to support collaborative space situational awareness, which will be included in the report of expert group B of the Working Group to be submitted by the expert group to the Working Group for its consideration, could serve as a basis for the development of normative standards to reduce the risk posed by space debris to space operations.

42. The Subcommittee noted with appreciation the development, by Canada, the Czech Republic and Germany, of a compendium of space debris mitigation standards adopted by States and international organizations, and requested those delegations to continue their work on the compendium with a view to increasing the number of States and international organizations included therein. The Subcommittee requested that the compendium be provided to the Secretariat prior to the fifty-seventh session of the Committee on the Peaceful Uses of Outer Space, in June 2014, so that it could be made available to the Committee at that session.

43. The Subcommittee requested the Secretariat to maintain the compendium thereafter on a dedicated page of its website.

44. The Subcommittee agreed that member States of the Committee and international intergovernmental organizations with permanent observer status with the Committee should be invited to provide or update the information on any legislation or standards adopted with regard to space debris mitigation, using the template provided for that purpose. The Subcommittee also agreed that all other Member States of the United Nations should be invited to contribute to the compendium, encouraging States with such regulations or standards to provide information on them. The updated compendium should be made available to the Subcommittee at its fifty-fourth session, in 2015.