

17 June 2013

English only

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

Fifty-sixth session

Vienna, 12-21 June 2013

**Report of the Legal Subcommittee on its
fifty-second session**

**New agenda item on general exchange of information on
non-legally binding United Nations instruments on outer
space**

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

1. A number of non-legally binding instruments such as declarations, principles, resolutions, guidelines and frameworks on outer space have been developed by the Committee on the Peaceful Uses of Outer Space and its Subcommittees. Those instruments support the existing United Nations treaties on outer space, and have been adopted or recognized by the General Assembly in its various resolutions. With development of space technology and increase and diversification of space actors, it is a pressing necessity to consider safe and sustainable use of outer space. To address contemporary challenges in the peaceful exploration and use of outer space, it is necessary to gain a better understanding of non-legally binding United Nations instruments and related practices thereto. Hence, Japan has proposed a new agenda item on general exchange of information on non-legally binding United Nations instruments on outer space and the related practices thereto.

Objective and scope

2. The objective of this agenda item is to (1) facilitate exchange of views on this topic and sharing of information on specific measures taken by States and international organizations in relation to non-legally binding United Nations instruments of declarations, principles, resolutions, guidelines and frameworks on

* This conference room paper contains a revised version of the proposal for a new agenda item which was made available in document A/AC.105/C.2/L.291 during the fifty-second session of the Legal Subcommittee in 2013.



outer space as well as facilitate discussions on the contribution of these instruments to the exploration and use of outer space, and (2) undertake a cross-cutting study based on information gathered with a view to develop recommendations on how to promote those instruments to address contemporary challenges in the exploration and use of outer space.

3. While the scope of this agenda item is limited to 11 non-legally binding United Nations instruments on outer space,¹ this agenda item is not intended to focus on any specific instrument, as long as the Legal Subcommittee or the Scientific and Technical Subcommittee are addressing the issues relating to these instruments.

Method of work

4. It is proposed that in accordance with the multi-year workplan, a Working Group open to all member States and permanent observers of the Committee should be established to support the work under this agenda item. The Working Group should avail itself of the progress made under other relevant agenda items and by other Working Groups of the Subcommittees, and vice versa, and avoid duplication of work.

The multi-year workplan and expected outcome

5. The following three-year workplan is suggested:

(a) In the first year, member States and permanent observers of the Committee will be invited to provide information on their practices, experiences, and views in relation to non-legally binding United Nations instruments. A questionnaire to be used as a template for submission (see Annex) will be made

¹ The 11 non-legally binding United Nations instruments are contained in “United Nations Treaties and Principles on Outer Space, related General Assembly resolutions and other documents” (ST/SPACE/61):

- (1) Declaration of Legal Principles Governing the Activities of States in Exploration and Use of Outer Space (General Assembly resolution 1962 (XVIII) of 13 December 1963);
- (2) Principles governing Use by States of Artificial Earth Satellites for International Direct Television Broadcasting (General Assembly resolution 37/92 of 10 December 1982);
- (3) Principles relating to Remote Sensing of the Earth from Outer Space (General Assembly resolution 41/65 of 3 December 1986);
- (4) Principles relevant to the Use of Nuclear Power Sources in Outer Space (General Assembly resolution 47/68 of 14 December 1992);
- (5) Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Need of Developing countries (General Assembly resolution 51/122 of 13 December 1996);
- (6) General Assembly resolution 1721 A and B of 20 December 1961: International cooperation in the peaceful uses of outer space;
- (7) Paragraph 4 of General Assembly resolution 55/122 of December 2000: International cooperation on the peaceful uses of outer space;
- (8) General Assembly resolution 59/115 of 10 December 2004: Application of the concept of the launching state;
- (9) General Assembly resolution 62/101 of 17 December 2007: Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects;
- (10) Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space; and
- (11) Safety Framework for Nuclear Power Source Applications in Outer Space.

available on the website of the Office for Outer Space Affairs prior to the session with a view to facilitate the information gathering. A Working Group Chair shall be elected during the session of the Legal Subcommittee;

(b) In the second year, a further exchange of information will be conducted. In addition, the Working Group will begin undertaking a cross-cutting study, and prepare a compilation of the information received which will be made available on a dedicated page of website of the Office for Outer Space Affairs;

(c) In the third year, conclusions including any possible recommendations on how to promote those instruments to address contemporary challenges shall be adopted and incorporated into the report of the Legal Subcommittee.

Annex

Questionnaire

(The general exchange of information on practices in relation to non-legally binding United Nations instruments for outer space activities)

We kindly ask you to fill in the blank of the template or provide in the free format. Attachment of any relevant documents or summary thereof would be deeply appreciated. Please refer also to the sample of filling the template as attached.

(template)

Name of Document		
Name of State or Permanent Observer		
Name of Ministries/Entities (including international organization, space agencies, private actors, universities, other research institutions) conducting the practice		
Please specify the principle/guideline number(s) reflected in municipal/international measures, e.g., Principle X and XI of the United Nations Remote Sensing Principles		
Please describe the form in which the non-binding United Nations documents are reflected in the measures	Title	Year of adoption/revision
a. National law		
b. Ordinance/decreed		
c. Policy		
d. Internal regulation of a specific entity		
e. Others		
f. Practice conducted in absence of specific regulations specified in a-e above		
Please provide a brief background and content of regulations/practice described in a-f above		
Please provide a description of the extent of application to actual space missions and applications		
Conclusion/Remarks		

(free format)

Please provide the information in any manner under the box below if the format above does not precisely fit the content of information to be submitted.

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(sample)

Name of Document	United Nations Space Debris Mitigation Guidelines	
Name of State or Permanent Observer	Japan	
Name of Ministries/Entities (including international organization, space agencies, private actors, universities, other research institutions) conducting the practice	JAXA	
Please specify the principle/guideline number(s) reflected in municipal/international measures, e.g., Principle X and XI of the United Nations Remote Sensing Principles,	Guideline 1~7	
Please describe the form in which the non-binding United Nations documents are reflected in the measures	Title	Year of adoption/revision
	a. National law	
b. Ordinance/decree		
c. Policy		
d. Internal regulation of a specific entity	NASFA Space Debris Mitigation Standard/JMR 003	1996 later amended in 2011
e. Others		
f. Practice conducted in absence of specific regulations specified in a-e above	N/A	
Please provide a brief background and content of regulations/practice described in a-f above	Contractors to launch spacecrafts need to respect debris standard as a part of Payload Safety Requirements and to develop Space Debris Mitigation Management Plan to be authorized by JAXA	
Please provide a description of the extent of application to actual space missions and applications	JAXA applies the standard too all of its space projects	
Conclusion/Remarks		