

QUESTIONNAIRE ON POSSIBLE LEGAL ISSUES WITH REGARD TO AEROSPACE OBJECTS

List of questions as revised by the working group on agenda item 6 (a), "Matters relating to the definition and delimitation of outer space" at the forty-first session of the Legal Subcommittee

Replies received from Member States have been published in document A/AC.105/635 and Adds.1 to 10

Question 1. Can an aerospace object be defined as an object which is capable both of travelling through outer space and of using its aerodynamic properties to remain in airspace for a certain period of time?

Question 2. Does the regime applicable to the flight of aerospace objects differ according to whether it is located in airspace or outer space?

Question 3. Are there special procedures for aerospace objects, considering the diversity of their functional characteristics, the aerodynamic properties and space technologies used, and their design features, or should a single or unified regime be developed for such objects?

Question 4. Are aerospace objects while in airspace considered as aircraft, and while in outer space as spacecraft, with all the legal consequences that follow therefrom, or does either air law or space law prevail during the flight of an aerospace craft, depending on the destination of such a flight?

Question 5. Are the take-off and landing phases specially distinguished in the regime for an aerospace object as involving a different degree of regulation from entry into airspace from outer space orbit and subsequent return to that orbit?

Question 6. Are the norms of national and international air law applicable to an aerospace object of one State while it is in the airspace of another State?

Question 7. Are there precedents with respect to the passage of aerospace objects during take-off and/or re-entry into the Earth's atmosphere and does international customary law exist with respect to such passage?

Question 8. Are there any national and/or international legal norms with respect to the passage of aerospace objects during take-off and/or re-entry into the Earth's atmosphere?

Question 9. Are the rules concerning the registration of objects launched into outer space applicable to aerospace objects?

Question 10. What are the differences between the legal regimes of airspace and outer space?