



# General Assembly

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## Committee on the Peaceful Uses of Outer Space

### Questions on the definition and delimitation of outer space: replies from Member States

Note by the Secretariat

Addendum

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## I. Introduction

1. At the forty-fifth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in 2006, the Working Group on Matters Relating to the Definition and Delimitation of Outer Space agreed to address to Member States the following questions:

(a) Does your Government consider it necessary to define outer space and/or to delimit airspace and outer space, given the current level of space and aviation activities and technological development in space and aviation technologies? Please provide a justification for the answer; or

(b) Does your Government consider another approach to solving this issue? Please provide a justification for the answer (A/AC.105/871, annex II, para. 7 (f)).

2. At the forty-eighth session of the Subcommittee, in 2009, the Working Group again invited Member States to submit their replies to the above questions (A/AC.105/935, annex II, para. 13 (b)).

3. The present document has been prepared by the Secretariat on the basis of replies received from the Netherlands and Tunisia in March 2010.

## II. Replies received from Member States

### Netherlands

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[3 March 2010]

The Kingdom of the Netherlands has not, as yet, considered it necessary to define outer space or to delimit airspace and outer space, or to follow another approach to solving any issues.

The current level of space and aviation activities in the Kingdom of the Netherlands and neighbouring countries has not given rise to the need to exercise jurisdiction over objects that travel through the Kingdom's airspace on their way to or return from outer space. Such a need may arise in the future as a result of technological developments in space and aviation technologies, in particular the development of private commercial space flight and space tourism.

Consideration may then have to be given to the question of whether it is necessary to define outer space or to delimit airspace and outer space, or to follow another approach, in order to adequately regulate these activities. Since the precise nature and circumstances of these activities are not known at present, the Kingdom of the Netherlands does not consider it necessary to identify and address scenarios for their regulation.

## Tunisia

[Original: English]

[25 March 2010]

The National Commission for Outer Space Affairs (CNEEA), which resumed its activities in February 2010, believes it is appropriate to consider the delimitation of airspace. However, it is worth noting that the complete and exclusive sovereignty exercised by any State over the airspace above its territory should be recognized by other States in accordance with the principles of international law.

Outer space should be explored and used freely by all States without discrimination under conditions of equality and in accordance with international law.

Given the possible evolution of space activities (such as industry, transport or exploitation of space) in Tunisia, the activities of CNEEA are as follows:

- Proposal and implementation of measures to protect the environment and natural resources within the framework of space applications;
  - Promotion and development of scientific and technological skills through the training of specialized staff as well as the development of research and studies in this field;
  - Finding the best practices for the development of means of industrial and agricultural production using space applications.
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