



# General Assembly

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## Committee on the Peaceful Uses of Outer Space

### Information on national legislation relevant to the peaceful exploration and use of outer space

#### Note by the Secretariat

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## **I. Introduction**

1. At its forty-sixth session, in 2007, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space agreed to include under its four-year workplan an item entitled “General exchange of information on national legislation relevant to the peaceful exploration and use of outer space” (A/AC.105/891, para. 136). In accordance with that workplan, the Subcommittee will consider at its forty-eighth session presentations by Member States of reports on their national legislation.
2. In a note verbale dated 31 October 2008, the Secretary-General invited Governments to submit information on their national legislation by 5 January 2009.
3. The present document was prepared by the Secretariat on the basis of information received by 26 January 2009 from China, the Czech Republic, Germany, Mongolia, the Republic of Korea and Turkey.

## **II. Replies received from Member States**

### **China**

[Original: Chinese]

1. China gives a great deal of importance to space legislation and, since 1998, has carried out deep research, studies and discourse in this area, which has built up a theoretical basis for the continuing promotion of space legislation.
2. China has yet to enact an integrated law on outer space, and the rules on the peaceful exploration and use of outer space are found in the regulations of various Government departments.
3. In February 2001, China laid down the Rules of Administration on the Registration of Space Objects in an effort to strengthen the State’s regulation of space activities and to establish a registration system for space objects, and to implement effectively the obligations of a State party to the Convention on Registration of Objects Launched into Outer Space. In November 2002, China issued provisional regulations on the administration of licences for civilian space launch projects.
4. China has initiated the drafting of regulations on space activities. One of its main tasks over the next period will be to strengthen outer space legislation. The eleventh Five-Year Plan for the Development of Aerospace, issued in July 2007, made it even clearer that the development of State policy and regulations on aerospace will be sped up to guide and regulate aerospace activities. In order to create a legal environment for administration by law, the priorities will be to push forward the drafting and promulgation of the regulations for space activities and the policies for the aerospace industry and to initiate work on aerospace legislation.

## Czech Republic

[Original: English]

1. The Czech Republic is aware of one of the present trends in the development of space law under which a growing number of States have been adopting national norms relating to the regulation of their activities in the peaceful exploration and use of outer space. The delegation of the Czech Republic also follows with great attention the discussions on the above item within the Legal Subcommittee, which will now establish a special working group to examine the responses from individual countries submitting information on their respective legislation and regulatory framework applicable to their space activities.
2. To date, the Czech Republic does not have any special national law or any other special regulation to be applied to its space activities. In these endeavours, the Czech Republic adheres to the principles and rules included in the United Nations space treaties and other international agreements to which it is a State party. According to the national constitutional order, international treaties ratified by the Czech Republic are a part of the Czech legal order and have priority over domestic laws. The Czech Republic also observes the relevant resolutions of the General Assembly and of some other international organizations of which it is a member. In domestic relations, our space activities have been governed by general legal rules set up by our national legislation and competent administrative authorities.
3. Nevertheless, the Czech Republic will consider in the near future the question of whether the time has become ripe for initiating a legislative process that would lead to the adoption of a national space law or the establishment of another special regulatory framework for outer space activities. For deciding on this question, the expected results of the consideration of the agenda item entitled “General exchange of information on national legislation relevant to the peaceful exploration and use of outer space” in the Legal Subcommittee and its special working group will certainly be helpful.

## Germany

[Original: English]

1. The Federal Republic of Germany is committed to implementing its international obligations in its national legislation. It has specialized legislation linked to space activities. In 2008, the German act safeguarding security interests in the distribution of high-resolution satellite data (the Satellite Data Security Act) of 1 December 2007 was implemented in practice.
2. The need for specific legislation regarding the authorization and licensing of satellite-based remote sensing systems and the distribution of data acquired through those means has arisen from the evolution of the structures of investments in space-related projects. The increased participation of private actors in the newest remote sensing projects and in particular the huge amounts of private capital invested through public-private partnerships require a clear and transparent legal framework.

3. The Act implements a licensing procedure for the distribution of remote sensing satellite data generated by high-grade remote sensing satellite systems in order to ensure national security and foreign policy interests.
4. Principle XII of the Principles Relating to Remote Sensing of the Earth from Outer Space (General Assembly resolution 41/65, annex), as well as the maintenance of international peace and security, are taken into account through the sensitivity check and the authorization procedure.
5. The provisions of the Satellite Data Security Act, favourable to commercial dissemination, create de facto a wide database accessible to all third parties on a non-discriminatory basis.
6. An article on the subject, which was made available during the last session of the Legal Subcommittee, has been published in the *Journal of Space Law*, volume 34: No. 1, 2008.

## **Mongolia**

[Original: English]

The following definitions have been stipulated and are going to be included in the Mongolian domestic legislation:

(a) Definitions related to the actions and the geodesy and cartographic issues stipulated in the revised law on communication of 2001, the law on geodesy and cartography of 1997 and the law on public radio and television of 2005;

(b) Mongolia has acceded to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. In article II of the Convention, the term “environmental modification techniques” refers to any technique for changing – through the deliberate manipulation of natural processes – the dynamics, composition or structure of the Earth, including its biota, lithosphere, hydrosphere and atmosphere, or of outer space. According to the Constitution of Mongolia, all international instruments to which Mongolia is a party are implemented in the same way as national legislation is implemented throughout the Mongolian territory.

## **Republic of Korea**

[Original: English]

The Republic of Korea has submitted the text of the following acts: the Space Development Promotion Act and the Space Liability Act. These acts are contained in the National Space Law Database that can be found on the United Nations Office for Outer Space Affairs website: <http://www.unoosa.org/oosa/en/SpaceLaw/national/index.html>.

## Turkey

[Original: English]

1. Turkey attaches importance to space law and takes into account relevant international legal instruments in designing its space-related activities. Becoming party to international agreements prepared under the auspices of the United Nations is among Turkey's policy objectives in this domain.
2. In this respect, Turkey became party to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (1967) in 1967 and ratified the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (1968), the Convention on International Liability for Damage Caused by Space Objects (1972) and the Convention on Registration of Objects Launched into Outer Space (1975) in 2004. Ratification of the Agreement Governing the Activities of States on the Moon and other Celestial Bodies (1979) is under way in the Turkish Grand National Assembly.
3. Turkey is developing its national legislation and regulatory framework on the basis of these primary instruments. The initial target, in this context, is the establishment of the Turkish Space Agency (TUK), to be followed by the eventual adoption of a national space policy. The draft law concerning the establishment of TUK and preparations for the national space policy have been finalized and submitted to the Government to start the ratification process.
4. The essentials and priorities of Turkey's national space policy in the context of these documents are as follows:
  - (a) Harmonizing national legislation with international law and finalizing the national regulatory framework in a short time;
  - (b) Developing training programmes on the subject of space law to provide expert education;
  - (c) Monitoring the implementation of United Nations agreements and conventions in international forums on a regular basis;
  - (d) Actively participating in all space-related international activities, in particular those organized within the United Nations framework.