



## Legal Subcommittee reaches agreement on draft resolution on the concept of the “launching State”

At its forty-third session, held in Vienna from 29 March to 8 April 2004, the Legal Subcommittee reached agreement on a draft General Assembly resolution on the concept of the ‘launching State’. Following several rounds of informal consultations among delegations, the working group on the Status and application of the five United Nations treaties on outer space was able to finalize and reach agreement on the text of the draft resolution, which was subsequently endorsed by the Subcommittee.

The draft resolution is the result of the work conducted by the working group on the review of the concept of the ‘launching State’, concluded in 2002, as well as subsequent discussions and negotiations in the Legal Subcommittee and the Committee in 2003.

The draft resolution aims at facilitating adherence to and the application of the provisions of the United Nations outer space treaties, in particular the Liability and Registration Conventions, and recommends that States consider enacting and implementing national laws authorizing and providing for continuing supervision of the activities in outer space of non-governmental entities under their jurisdiction. It also recommends that States consider concluding agreements in accordance with the Liability Convention with respect to joint launches or cooperation programmes, that the Committee invite Member States to submit information on a voluntary basis on their current practices regarding on-orbit transfer of ownership of space objects and that States consider, on the basis of that information, the possibility of harmonizing such practices as appropriate with a view to increasing the consistency of national space legislation with international law.

In a drive to increase the number of ratifications to the United Nations Treaties on Outer Space, the Legal Subcommittee, through its working group on the status and application of the five United Nations treaties on outer space, agreed upon the text of a letter to be sent by the Secretary-General of the United Nations to the Ministers of Foreign Affairs of those States that have not yet ratified the Treaties as well as an

accompanying list of benefits to, and rights and obligations of, parties to those Treaties.

Under the examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, the working group on this item agreed that a number of practical and fundamental issues remained to be resolved before the Subcommittee could make a decision on the question whether the United Nations could serve as the supervisory authority under the future protocol.



The working group further agreed to establish an open-ended ad hoc working group, made of representatives from each of the regional groups, to continue considering this question between the 2004 and 2005 sessions of the Subcommittee with a view to preparing a report, including the text of a draft resolution, to be submitted to the Subcommittee at its 2005 session. The ad hoc working group will work by electronic means and will be coordinated by the delegation of The Netherlands.

With regard to the UNISPACE III+5 review by the General Assembly, which will take place this year, the Subcommittee considered its contribution to the report that the Committee is preparing for the General Assembly on the progress made in the implementation of UNISPACE III recommendations in the past five years.

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Under the item on Practice of States and international organizations in registering space objects, the Subcommittee was informed on the practice of China, the Czech Republic, France, India, Italy, Japan, the Republic of Korea, Spain, Sweden and the United States as well as the observers for the European Space Agency, among others.

Other items considered by the Legal Subcommittee included activities of international organizations relating to space law, the definition and delimitation of outer space and character and utilization of the geostationary orbit and the review and possible revisions of the Nuclear Power Sources Principles.

## Committee on the Peaceful Uses of Outer Space 2 to 11 June 2004



The forty-seventh session of the Committee on the Peaceful Uses of Outer Space will be held in Vienna from 2 to 11 June 2004.

At this year's session, the Committee will consider the following items: ways and means of maintaining outer space for peaceful purposes, the report of the Scientific and Technical Subcommittee on its 41st session, the report of the Legal Subcommittee on its 43rd session, the current status of spin-off benefits of space technology, space and society, space and water, the composition of the bureaux of the Committee and its Subcommittees for 2006-2007 as well as other matters.

The Committee will also continue to consider the implementation of the recommendations of UNISPACE III. Under this agenda item, the Working Group established by the Committee to draft its report on the implementation of the recommendations of UNISPACE III for submission to the General Assembly will be reconvened. The Committee will finalize its report at this session, in order for the Assembly to review and appraise, at its fifty-ninth session, in 2004, the implementation of the outcomes of UNISPACE III and to consider further actions and initiatives. The report will include the contributions made by the Legal Subcommittee.

Under the item on space and society, the Committee will consider space and education in accordance with a work plan agreed upon at its session, in 2003. In 2004, the first year of the work plan, the Committee will hear presentations by member States and intergovernmental and non-governmental entities on their efforts to bring space into education, identify elements of success and impediments to those efforts and discuss possible solutions to elimi-

nate those impediments.

Space and water is a new item on the agenda of the Committee in 2004. Based on the work accomplished at this year's session, the Committee will decide whether to retain this item on the agenda or not.

With regard to the bureaux, the Committee should reach agreement on all the officers of the bureaux of the Committee and its two Subcommittees for the 2006 and 2007 period. Under other matters, the Committee will consider the applications for membership of the Committee by the Libyan Arab Jamahiriya and Thailand.

## Education Opportunities in Space Law

The directory of institutions offering courses in space law, presented to the Legal Subcommittee at its forty-third session, has been made available on the website of the Office at <http://www.oosa.unvienna.org/SpaceLaw/educationdirectory/>

The directory currently contains information on education programmes and courses offered by more than 30 universities and institutions in Australia, Austria, Belgium, Brazil, Canada, China, Finland, France, Germany, Indonesia, Italy, Japan, Malaysia, The Netherlands, Russian Federation, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland and the United States of America.

Educators and Institutions interested in submitting information or updating existing information are requested to consult the website for the necessary forms or contact the United Nations Office for Outer Space Affairs.

## National laws governing space activities

A number of States have promulgated national space-related laws. While collectively strengthening the international legal regime governing activities in outer space, these instruments also seek to authorize and provide for continuing supervision of activities in outer space.

Selected examples of national laws relating to space activities have been made available on the website of the Office for Outer Space Affairs at <http://www.oosa.unvienna.org/SpaceLaw/national/index.html>.

Some of those national laws serve to give the United Nations Treaties on Outer Space that States the force of law in those countries. Other laws domestically implement the obligations in those international treaties, including by means of establishing national space agencies.

Examples of laws that implement international obligations

under the United Nations treaties on outer space include Argentina's National Decree No. 125 of 1995 and Spain's Royal Decree No. 278 of 1995, which establish their national registry of objects launched into outer space, as well Australia (Space Activities Act 123 of 1998), Russian Federation (Presidential Edict 185 of 1992), Sweden (Act on Space Activities of 1982), Ukraine (Law on Space Activity of 1996), the United Kingdom (Outer Space Act of 1986) and the United States of America (the National Aeronautics and Space Act of 1958) which have more general and comprehensive laws on outer space activities.

Examples of the laws establishing national space agencies, institutions or authorities include Argentina, Brazil, Canada, Chile, France, Japan, South Africa, Russian Federation and Ukraine.

Examples of laws regulating specific space activities include Brazil, Norway, Russian Federation and the United States.

## United Nations/Brazil Workshop on Space Law Rio de Janeiro 22-25 November 2004

Photo credit: Riotur



The third United Nations Workshop on Space Law will be held in Rio de Janeiro, Brazil, from 22 to 25 November 2004. The workshop is being organized together with the Govern-

ment of Brazil and the Associação Brasileira de Direito Aeronáutico e Espacial. Information on the workshop arrangements, venue and programme will be made available as soon as possible on the website of the Office for Outer Space Affairs.

## Information provided by States under the Outer Space Treaties and GA resolution 1721 B (XVI)

Since 1 January 2004, the following States and Organizations have registered space objects in accordance with the Registration Convention:

- United Kingdom of Great Britain and Northern Ireland (ST/SG/SER.E/441)
- Russian Federation (ST/SG/SER.E/442 & 448)
- European Space Agency (ST/SG/SER.E/443 & 447)
- United States of America (ST/SG/SER.E/444 & 449)
- France (ST/SG/SER.E/445)
- Greece (ST/SG/SER.E/446)

The following State informed the Secretary-General of the establishment of its national registry, in accordance with the Registration Convention:

- France (ST/SG/SER.E/INF.16)

The following State provided information on a space object recovered within its territory in accordance with the Rescue Agreement:

- Argentina (A/AC.105/825)

The following State provided voluntary information on a space object launched into outer space in accordance with General Assembly resolution 1721 B (XVI):

- Turkey (A/AC.105/INF.410, to be issued)

## Status of the United Nations Treaties on Outer Space

The status of the United Nations Treaties on Outer Space is as follows:

	<i>Ratifications/ Signatures</i>
Outer Space Treaty	98/27
Rescue Agreement	88/25
Liability Convention	82/25
Registration Convention	45/4
Moon Agreement	10/5

## New on the Web

### Unedited transcripts of the 2003 session of the Legal Subcommittee

<http://www.oosa.unvienna.org/COPUOS/Legal/transcripts/index.html>

### Education Opportunities in Space Law: a Directory

<http://www.oosa.unvienna.org/SpaceLaw/educationdirectory/index.html>

### Proceedings of the United Nations/Republic of Korea Workshop on Space Law

Daejeon, Republic of Korea, from 3-6 November 2003  
<http://www.oosa.unvienna.org/SpaceLaw/workshops/index.html>

### Law on Japan Aerospace Exploration Agency (No. 161 of 13 December 2002)

<http://www.oosa.unvienna.org/SpaceLaw/national/index.html>

## Legal studies and background documents on space law

Analytical summary of the replies to the questionnaire on possible legal issues with regard to aerospace objects (A/AC.105/C.2/L.249 and Corr.1)

Historical summary on the consideration of the question on the definition and delimitation of outer space: report of the Secretariat (A/AC.105/769)

<http://www.oosa.unvienna.org/SpaceLaw/studies/index.html>

## Provisional Agenda for the 2004 session of the Committee

<http://www.oosa.unvienna.org/COPUOS/2004/index.html>

## UN Reference Documents

### Reports of the Legal Subcommittee

<i>Year</i>	<i>Session</i>	<i>Document Symbol Number</i>
2004	43rd session	A/AC.105/826
2003	42nd session	A/AC.105/805
2002	41st session	A/AC.105/787
2001	40th session	A/AC.105/763
2000	39th session	A/AC.105/721

### Reports of the Committee on the Peaceful Uses of Outer Space

<i>Year</i>	<i>Session</i>	<i>Document Symbol Number</i>
2003	46th session	A/58/20
2002	45th session	A/57/20
2001	44th session	A/56/20
2000	43rd session	A/55/20
1999	42nd session	A/54/20

## UNISPACE III

<i>Title</i>	<i>Document Symbol Number</i>
UNISPACE III Report (including the Vienna Declaration)	A/CONF.184/6
Report of the Chairman of the Legal Subcommittee to UNISPACE III	A/CONF.184/4

## Annual Publications

<i>Title</i>	<i>Document Symbol Number</i>
Highlights in Space 2003	ST/SPACE/21
United Nations Treaties and Principles on Outer Space	ST/SPACE/11 and Add.1/Rev.1
Proceedings: UN/Republic of Korea Workshop on Space Law: United Nations Treaties on Outer Space: actions at national level Daejeon, Republic of Korea 3-6 November 2003	ST/SPACE/22

## Other information on the Web

The full texts of the following documents are available on the website of the Office for Outer Space Affairs:

- General Assembly Resolutions (1958 to present)
- United Nations Treaties and Principles on Outer Space
- Unedited transcripts of the Legal Subcommittee (2000-2002)
- Notifications from States and Organizations of objects launched into outer space (from 1976 to present)



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The United Nations Office for Outer Space Affairs (OOSA) implements the decisions of the General Assembly and of the Committee on the Peaceful Uses of Outer Space and its two Subcommittees, the Scientific and Technical Subcommittee and the Legal Subcommittee. The Office is responsible for promoting international cooperation in the peaceful uses of outer space, and assisting developing countries in using space science and technology. Located in Vienna, Austria, OOSA maintains a website at <http://www.oosa.unvienna.org>.