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**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Sixtieth session
Vienna, 31 May–11 June 2021

Draft report

Annex II

Report of the Acting Chair of the Working Group on the Definition and Delimitation of Outer Space

1. At its 995th meeting, on 31 May 2021, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space reconvened its Working Group on the Definition and Delimitation of Outer Space, with André Rypł (Brazil) as Acting Chair in the absence of the Chair, José Monserrat Filho (Brazil).
2. The Acting Chair drew the attention of the Working Group to the fact that, pursuant to the agreement reached by the Subcommittee at its thirty-ninth session and endorsed by the Committee at its forty-third session, both in 2000, and pursuant to General Assembly resolution [75/92](#), the Working Group had been convened to consider only matters relating to the definition and delimitation of outer space.
3. The Working Group had before it the documents listed in paragraph [...] of the report of the Subcommittee on its sixtieth session.
4. The Acting Chair of the Working Group welcomed the large number of responses to the sets of questions of the Working Group since the fifty-eighth session of the Subcommittee, in 2019, and noted that those responses had been made available to the Subcommittee at its present session owing to the cancellation of the fifty-ninth session as a result of the situation arising from the coronavirus disease (COVID-19) pandemic.
5. The Working Group welcomed the addendum to the report of the Secretariat containing a historical summary on the consideration of the question on the definition and delimitation of outer space (A/AC.105/769/Add.1) and requested the Secretariat to continue updating the dedicated web page of the Working Group on the website of the Office for Outer Space Affairs.
6. The Working Group agreed that it would be reconvened only every second year, which meant that it would not be reconvened at the sixty-first session of the Subcommittee, in 2022, but at the sixty-second session of the Subcommittee, in 2023, and on a biennial basis thereafter. It was noted that the Subcommittee could revise the pattern of meetings of the Working Group at any time, as deemed appropriate.



7. The Working Group agreed that the information and responses to the questions set out in paragraph 9 below would still be requested on an annual basis, and that the Working Group, when reconvened every second year, would consider all responses received since its previous meeting.
8. The Working Group invited the regional groups to voluntarily study the positions of their respective members and to identify any shared opinions on the definition and delimitation of outer space.
9. On the basis of its deliberations, the Working Group agreed:
 - (a) To continue to invite States members of the Committee to submit information on national legislation or any national practices that may exist or were being developed that related directly or indirectly to the definition and/or delimitation of outer space and airspace;
 - (b) To continue to invite States members and permanent observers of the Committee to submit concrete and detailed proposals regarding the need to define and delimit outer space, or justifying the absence of such a need, or to provide the Working Group with specific cases of a practical nature relating to the definition and delimitation of outer space and the safety of aerospace operations. Such structured, consistent and grounded contributions would be considered by the Working Group at its future meetings;
 - (c) To continue to invite States Members of the United Nations and permanent observers of the Committee to provide their replies to the following questions:
 - (i) Is there a relationship between plans to establish a system of space traffic management and the definition and delimitation of outer space?
 - (ii) Is there a relationship between suborbital flights for scientific missions and/or for human transportation and the definition and delimitation of outer space?
 - (iii) Will the legal definition of suborbital flights for scientific missions and/or for human transportation be practically useful for States and other actors with regard to space activities?
 - (iv) How could suborbital flights for scientific missions and/or for human transportation be defined?
 - (v) Which legislation applies or could be applied to suborbital flights for scientific missions and/or for human transportation?
 - (vi) How will the legal definition of suborbital flights for scientific missions and/or for human transportation impact the progressive development of space law?
 - (vii) Please propose other questions to be considered in the framework of the legal definition of suborbital flights for scientific missions and/or for human transportation;
 - (d) To continue to invite States Members of the United Nations and permanent observers of the Committee to provide information relating to any practical case known to them that would warrant the definition and delimitation of outer space.
