



STATEMENT BY THE REPUBLIC OF SOUTH AFRICA

**LEGAL SUBCOMMITTEE OF THE COMMITTEE ON THE
PEACEFUL USES OF OUTER SPACE: 64th SESSION**

AGENDA ITEM: 6 A

DEFINITION AND DELIMITATION OF OUTER SPACE

05-16 MAY 2025

Check Against Delivery

Thank you Chair,

The South African delegation affirms its commitment to contributing constructively to ongoing efforts aimed at reaching consensus on the definition and delimitation of outer space.

The definition and delimitation of outer space intersect with various space-related domains, including airspace and outer space, and have a direct impact not only on the work of this Subcommittee but also on that of other relevant international bodies, such as the International Civil Aviation Organization (ICAO) and the International Telecommunication Union (ITU).

In this regard, my delegation believes that discussions on this matter would greatly benefit from being conducted in close coordination with ICAO. We would therefore support establishing collaborative framework comprising representatives from both UNOOSA and ICAO.

Chair,

At the national level, the South African National Space Agency (SANSa) continues to maintain 24/7 operational capabilities at its space weather centre, providing vital services and information on space weather impacts. These efforts are aimed at supporting African states in implementing space weather provisions, which are mandatory for all civilian flights, including sub-orbital flights.

Chairperson,

With rapid advancements in science and technology—particularly the emergence of sub-orbital flights for space tourism—the distinction between airspace and outer space is becoming increasingly important. These developments raise critical questions about which legal frameworks apply, who sets the relevant standards and regulations, and who holds responsibility for ensuring safety. As commercial operators move closer to launching manned spaceflights, it is clear we should have a clear definition and delimitation of outer space. In this context, and in line with the recommendations of the Working Group of the Legal Subcommittee, South Africa has submitted information on relevant national legislation and practices to support this important work.

Chair,

South Africa distinguishes between national airspace and outer space activities through separate legislative frameworks, Airspace activities are governed by the Civil Aviation Act, while outer space activities fall under the Space Affairs Act, which is currently under review.

In South Africa, the applicable law is determined by the nature of the activity rather than altitude. However, with rapid technological advancements—such as unmanned autonomous vehicles and supersonic aircraft—the boundaries between airspace and outer space are becoming increasingly blurred, underscoring the urgent need to clearly define and delimit outer space in the South African context.

Chairperson,

South Africa is working towards adhering certain provisions of the Chicago Convention, particularly in differentiating between civilian and military airspace while considering the emerging concept of flexible airspace through harmonised planning.

This approach aims to address current challenges while preparing for future participation in sub-orbital flights and space tourism. The country envisions using designated upper airspace—locked above a proposed flight level—to accommodate sub-orbital activities. This approach can be realized through the clear definition and delimitation of outer space in relation to civilian airspace.

South Africa looks forward to discussions in the Working Group as we seek legal certainty and uniformity in the conduct of space activities across the relevant bodies.

Thank you