



UNITED NATIONS
Office for Outer Space Affairs

10TH UNITED NATIONS WORKSHOP ON SPACE LAW
“Contribution of Space Law and Policy to Space
Governance and Space Security in the 21st Century“
Vienna, 5-8 September 2016

**Enhancing coordination/cooperation
between COPUOS Legal Subcommittee
and Scientific and Technical
Subcommittee**

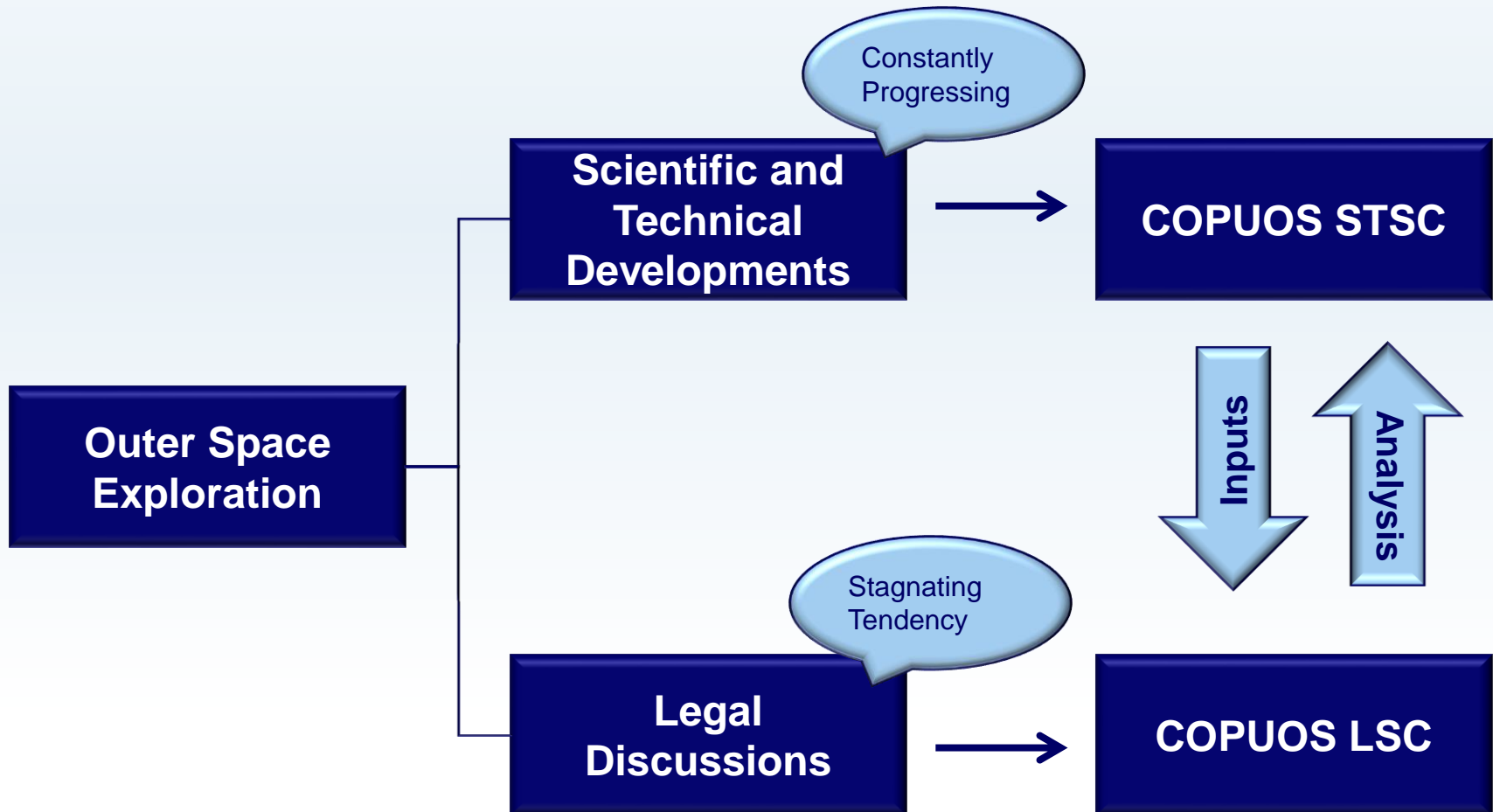
Ms. Teresita Alvarez
Permanent Mission of Chile, Vienna

Thesis

Enhancing the coordination/cooperation between COPUOS Legal Subcommittee and Scientific and Technical Subcommittee is a key element to reach an adequate space legal and space policy framework that can effectively contribute to governance and space security in the 21st century.

Introduction

During the last decades, **scientific and technical developments** on space field have advanced in such a fast way that the **legal discussion** has not been able to adapt accordingly. It is of the utmost importance to conduct legal debates, that would conduce to the establishment of a **legal framework** and an appropriate **international cooperation program regarding space law and space policies**, which can address with the same intensity the progress that have occurred on the technical aspects of the space exploration.



Context

UNISPACE + 50



Thematic Priority II:
*Legal regime of Outer
Space and global space
governance: current and
future perspectives.*

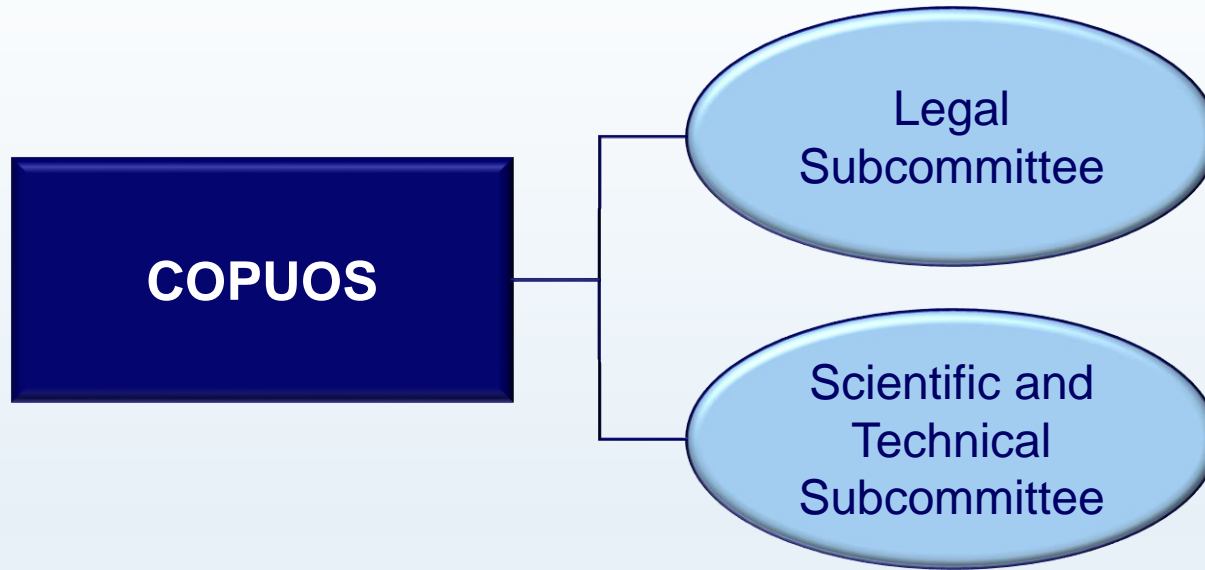
- To promote the **universality of the five UN treaties** on Outer Space.
- Assess the **state of affairs** of those treaties and their relationship with other relevant international instruments governing space activities.
- Analyse the **effectiveness of the legal regime** of Outer Space in the 21st century, with a view to identify areas that may require additional regulation.

UNISPACE + 50

Thematic Priority II

- **Cross discipline perspectives** → innovative ways and means for the progressive development of the Space Law
- **Future regulatory perspectives** → assessment of status of the legal regime
- **Mechanisms for cooperation** and coordination
- **Safety, Security** and **Sustainability** of Outer Space activities
- **Capacity Building**

Background



- 1958, G.A. Res. 1343 (XIII)
- Focal point for international cooperation in the peaceful exploration and utilization of Outer Space
- **Overall mandate:** strengthening the international legal regime governing Outer Space, resulting in improved conditions for expanding **international cooperation** in the peaceful uses of Outer Space

COPUOS Subcommittees

LSC

meets every year for two weeks to discuss legal questions related to the exploration and use of Outer Space



To synchronize the development of Space Law with the main scientific and technical advances on the space field

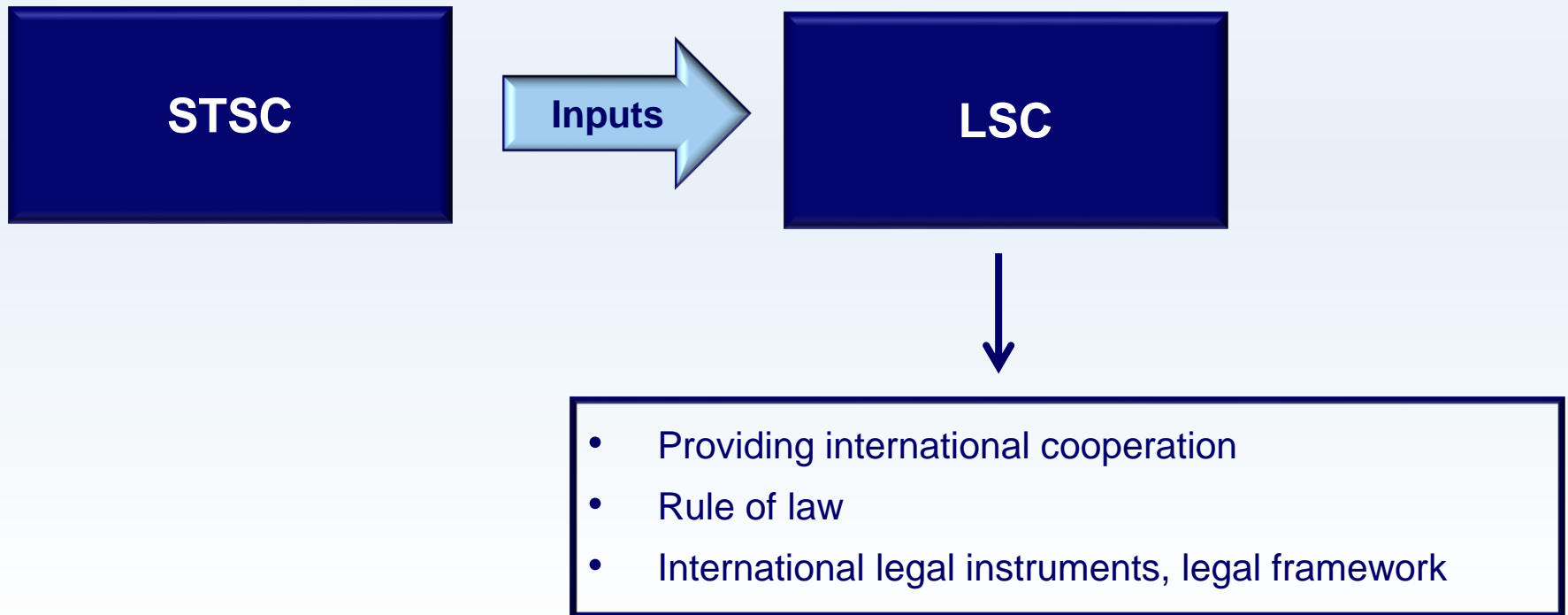


STSC

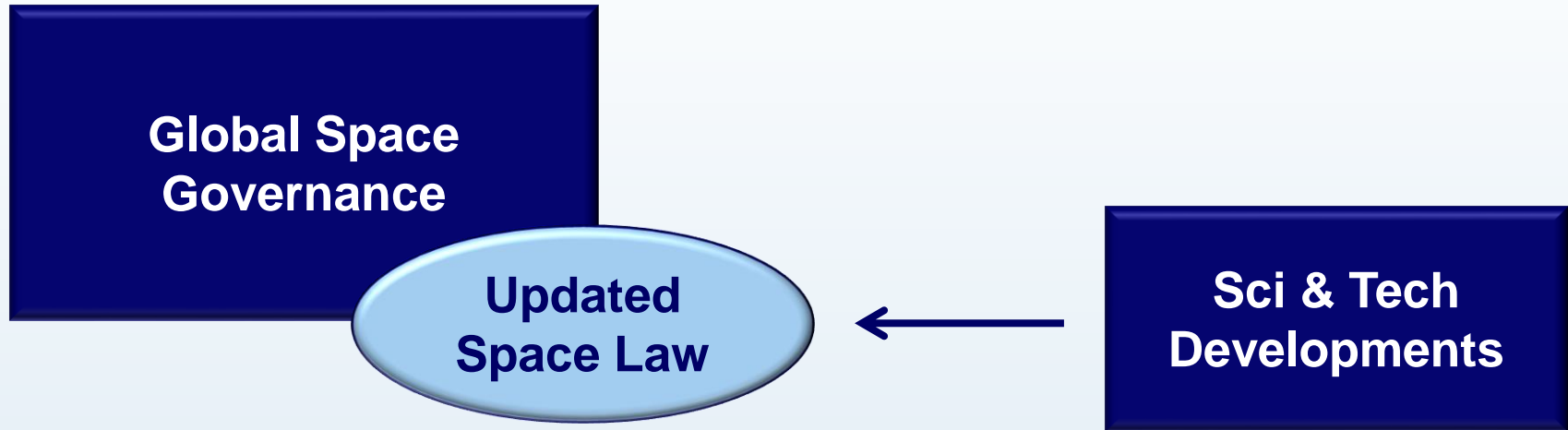
meets every year for two weeks to discuss questions related to the scientific and technical aspects of space activities

COPUOS Subcommittees

The current status of the academic discussions and political debates as well as the current legal framework that regulates space activities are not necessarily updated. This is why they need to be reviewed under the light of the inputs that STSC can provide in the form of reports.



What should be today the role of LSC?

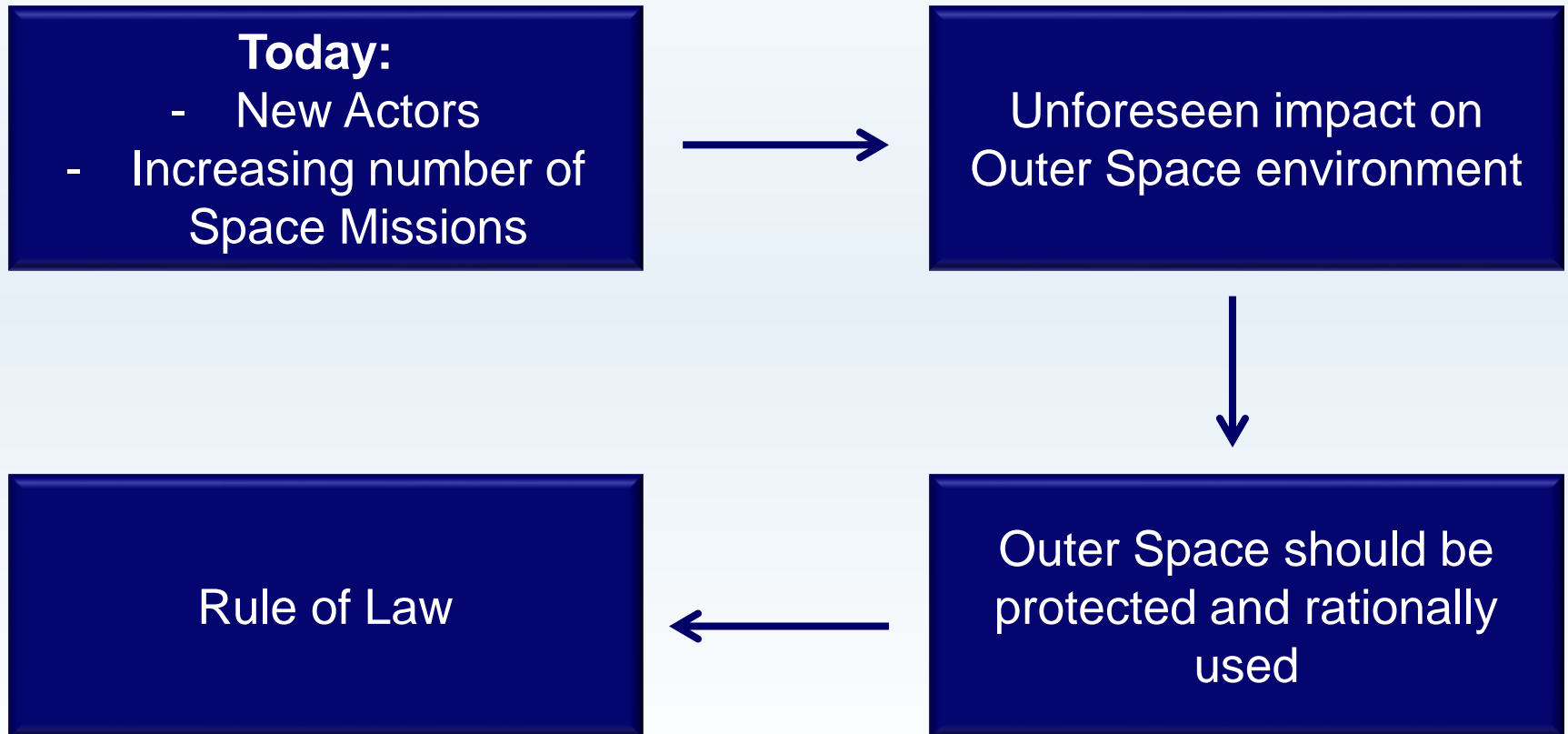


- Address status and scope of application of 5 UN treaties
- Gaps in current legal regime of Outer Space
- Promote international regime of responsibility and liability



Need to strengthen the LSC in the frame of UNISPACE + 50

A reinforced LSC is the key to achieve an adequate space legal framework



A stronger LSC: 2 main aspects

1. The need **to review from a legal point of view the topics that are being discussed in the STSC**: to analyze all the S&T developments and advances in order to provide an adequate answer to the philosophical challenges that they present and to have an adequate legal framework that can take care of each of them.
2. Enhancing the **international cooperation on legal aspects**, considering the need to provide technical assistance in space national legislation and institutions to developing countries.
 - **Guidance Document**
 - **Model Law**

Model Law

- Developed by Secretariat to promote and **assist the efforts of Member States to become party to and to implement the 5 UN Treaties** related to Outer Space and other relevant international instruments. The Secretariat would play a role facilitating technical assistance to States parties facing difficulties in the **implementation of those instruments** and in the **establishment of relevant national institutions**.
- Identify **specific technical assistance needs**: Questionnaires; checklists; information gathering.
- **Harmonization of domestic legislation** with international instruments.

Conclusions



LSC



Main multilateral forum for discussions and analysis of legal instruments regulating Outer Space activities

- Develop new instruments
- Improve Implementation of existing instruments
- New initiatives
- Promoting progressive development of international Space Law and its codification

UNISPACE + 50 as a momentum

- UNISPACE + 50 represents an **appropriate framework**, taking into account the importance to assess further needs for capacity building, assistance and outreach in Space Law and Policy; as well as promoting understanding, acceptance and implementation of the UN Treaties and Principles on Outer Space.
- 2 main **objectives**
 - To update the legal framework
 - To provide adequate international cooperation, capacity building and technical assistance on Space Law and Space Policy in particular to developing countries

Recommendations

- Coordination between STSC and LSC. Results of STSC Working Groups must be officially presented to LSC
- Synchronize progressive development of Space Law with main scientific and technical advances
- Capacity building and technical assistance on legal aspects of Space exploration: Model Law (UN best practices)

Thanks for your attention!

Ms. Teresita Alvarez

Permanent Mission of Chile to the International Organizations in Vienna

talvarez@minrel.gob.cl

