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English only

**Committee on the Peaceful
Uses of Outer Space**
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Matters relating to the definition and delimitation of outer space: replies of Pakistan

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Matters relating to the definition and delimitation of outer space and the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union

(a) Information on national legislation or any national practices that might exist or were being developed that related directly or indirectly to the definition and/or delimitation of outer space and airspace.

Outer space is the common heritage of all humankind. It could only be possible through the commitment of all nations that space science and technology are utilized in achieving sustainable socio-economic development on global basis. Pakistan has ratified five United Nations treaties on International Space Law. In addition to these treaties, Pakistan has also ratified Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (NTB) 1963, Agreement Relating to the International Telecommunications Satellite Organization (ITSO) 1971, Convention on the International Mobile Satellite Organization (IMSO) 1976 and International Telecommunication Constitution and Convention (ITU) 1992.

Pakistan supports the idea of having further discussions on the issue of defining outer space and/or delimiting airspace. However, the underlying principle presented in Article II of the Treaty on "Principles Governing the Activities of States in the Exploration and use of outer space, including the moon and other celestial bodies" regarding non-appropriation of outer space, including the moon and other celestial bodies, by claim of sovereignty, by means of use or occupation, or by any other means should not be ignored. Pakistan further believes that discussions among Member States on the issue should continue as it would contribute towards providing clarity in the implementations of outer space law and airspace law.

Furthermore, geostationary orbit, a natural limited resource if not utilized rationally is in danger of being saturated. Therefore, equitable access to the geostationary orbit to all nations needs to be guaranteed.



(b) 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;

Pakistan is party to all core multi-lateral treaties governing the peaceful use of outer space and supports the consensus report and recommendation of the UN Group of Governmental Experts (GGE) on Transparency and Confidence Building Measures (TCBMs) in outer space. Pakistan would like to express serious concern over development of advanced military technologies capable of being deployed in outer space. Therefore, there is a need to address these concerns by defining and delimiting outer space and/or airspace in a legally binding framework.

Pakistan supports a consensus based approach as this would be acceptable to most of the States due to their involvement and inputs in the deliberations on the issue.

(c) A response to the following questions:

- (i) Is there a relationship between suborbital flights for scientific missions and/or for human transportation and the definition and delimitation of outer space?**
- (ii) 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? ·**
- (iii) How could suborbital flights for scientific missions and/or for human transportation be defined?**
- (iv) Which legislation applies or could be applied to suborbital flights for scientific missions and/or for human transportation?**
- (v) How will the legal definition of suborbital flights for scientific missions and/or for human transportation impact the progressive development of space law?**
- (vi) Please propose other questions to be considered in the framework of the legal definition of suborbital flights for scientific missions and/or human transportation.**

Consensus on Part A of the draft guidelines on Long Term Sustainability of outer space Activities has been reached at Scientific and Technical Subcommittee and endorsed by COPUOS in 2016. Deliberations on the remaining guidelines would be continued to achieve a consensus in order to build a full compendium of draft guidelines by 2018 for voluntary implementation by all States. These guidelines may be considered as an option in the context of a mission carried out by an object in both airspace and outer space.

Pakistan would take into consideration the outcomes of the deliberations at the LSC before legislation on national space policy including definition and/or delimitation of outer space and airspace.