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English only

**Committee on the Peaceful
Uses of Outer Space**

Legal Subcommittee

Fifty-seventh session

Vienna, 9–20 April 2018

**UNISPACE+50 thematic priority 2, entitled “Legal regime
of outer space and global space governance: current and
future perspectives” - proposed outline of the key points for
the guidance document under cluster 3**

**Proposal submitted by the Chair of the Working Group on the
Status and Application of the Five United Nations Treaties on
Outer Space**

This conference room paper contains a proposed outline of the key points for the guidance document, and should be read together with the thematic priority 2 report in document [A/AC.105/1169](#).

The outline of the guidance document is proposed as follows:

A. Introduction and overview

Give a brief introduction to the guidance document and its rationale, including an overview of its sections and the interlinkages between the substantive areas. This introductory section should provide guidance to policy- and decision makers on the content of the document. It should be noted that the guidance document is voluntary and that its content is of awareness increasing nature and not binding under international law.

**B. Elements to assess when considering becoming Party to the United
Nations treaties on outer space**

Provide a concerted presentation of the benefits of becoming a party to the five United Nations treaties on outer space, building upon the previous work by the Legal Subcommittee. This overview should also include a review of the rights and obligations under each the five United Nations treaties on outer space. Other instruments such as principles, resolutions and other documents, should also be addressed.

There should be made an explanatory overview of the legal regime on outer space. This presentation should connect to the elements covered in the subsequent sections



of the guidance document on elements to consider when becoming party to the United Nations treaties on outer space and in implementing and applying the legal regime on outer space.

This section may also include a presentation of a matrix addressing the interlinkages between the Guidelines on the Long-term Sustainability of Outer Space Activities and the treaties, principles and other instruments under the legal regime of outer space.

C. Work done by the Legal Subcommittee related to the operation of space activities

This presentation should relate to the interlinkages between the United Nations instruments on space law, including the United Nations treaties and principles on outer space, related General Assembly resolutions and other documents. It should in particular address the outcomes of the working groups of the Legal Subcommittee, including on the concept of the launching State, registration practice, national space legislation and international frameworks for cooperation, including by listing relevant background documents in a systematic manner.

A summary of findings and outcomes to be presented on:

- (a) Working Group on the concept of the “launching State”;
- (b) Working Group on registration practice;
- (c) Working Group on national space legislation;
- (d) Working Group on international mechanisms for cooperation.

This section should also contain an overview of existing documentation of relevance to the objectives of the guidance document, including on contributions of Member States to the work of the Legal Subcommittee through the related working groups under multi-year workplans to support further consideration at the national level, as appropriate.

D. Development of national space policy, strategy and regulatory frameworks

Description of elements for consideration in development of national space policy, strategy and regulatory frameworks, including indicative areas for further assessment at national level, such as:

- (a) National perspectives (space economy, space society, space accessibility, space diplomacy); national security;
- (b) Integration of a wider range of national activities; overarching national coordination;
- (c) To fulfil obligations under treaties to which a State has become a party;
- (d) To achieve consistency and predictability in the conduct of space activities under the jurisdiction of the State;
- (e) To provide a practical regulatory system for non-governmental and private sector involvement;
- (f) Serve as a basis for regional and international cooperation.

This presentation should contain a schematic overview of indicative elements for consideration, in accordance with national law and taking into account country-specific needs and requirements, in acceding to the space law treaties, enacting national regulatory frameworks and entering into bilateral cooperation agreements, as appropriate. This analysis could target, in particular, elements related to jurisdiction and control over national space activities, international responsibility, international

liability, continuous supervision, registration of objects launched into outer space, as well as indicative elements for international mechanisms for cooperation in the peaceful exploration and use of outer space, as appropriate.

E. Specific considerations in implementing and applying the legal regime on outer space

In this section, there should be outlined specific operative areas of consideration when conducting space activities, such as:

- (a) Licensing and authorization of national space activities;
- (b) Registration procedures;
- (c) Space debris mitigation;
- (d) Operation of small satellites.

F. Elements for consideration in international cooperation

This overview should provide elements for consideration in international cooperation, including:

- (a) Multilateral agreements, bilateral agreements, regional mechanisms;
 - (b) Government-to-Government framework agreements, Agency-to-Agency memorandums of understanding, and related implementing arrangements;
 - (c) Overview of coordination mechanisms, regional space organizations and mechanisms;
 - (d) Relevance of being active member of the Committee on the Peaceful Uses of Outer Space, and of participating in capacity-building activities of the Office for Outer Space Affairs.
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