

29 March 2018

English only

**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Fifty-seventh session
Vienna, 9-20 April 2018

**Request for observer status with the United Nations
Committee on the Peaceful Uses of Outer Space: application
of the European Union**

Note by the Secretariat

1. At its thirty-third session, in 1990, the Committee considered guidelines for granting observer status with the Committee to international intergovernmental and non-governmental organizations. The possible criteria suggested by the Outer Space Affairs Division to the Committee at that time were the following:

(a) As part of its programme, the organization should be concerned with matters falling within the competence of the Committee on the Peaceful Uses of Outer Space;

(b) The aims and purposes of the organization should be in conformity with the spirit, purposes and principles of the Charter of the United Nations;

(c) The organization should be a recognized international organization and should have an established headquarters, an executive officer, and a constitution, a copy of which is deposited with the Secretary-General of the United Nations. In the case of a non-governmental organization, it should be a non-profit organization.

2. While the Committee's decision did not specifically include the elements referred to in 1(c) above, it has been the practice of the Committee, since its decision in 1990, to have before it the constitution or statutes of the organization or entity requesting observer status.

3. On 19 March 2018 the Office for Outer Space Affairs received an application for observer status with the Committee on the Peaceful Uses of Outer Space from the European Union. The following related correspondence received from the European Union is attached to this document:



(a) Letter from the Delegation of the European Union to the International Organizations in Vienna;

(b) A copy of the General Assembly resolution A/RES/65/276 of 3 May 2011, entitled “Participation of the European Union in the work of the United Nations”.



European Union
Delegation to the International Organisations in Vienna

NV (2018)027

NOTE VERBALE

The Delegation of the European Union to the International Organisations in Vienna presents its compliments to the United Nations Office for Outer Space Affairs and has the honour to present a request by the European Union, based on Resolution 65/276 adopted by the United Nations General Assembly on "Participation of the European Union in the work of the United Nations" (10 May 2011, copy attached),¹ together with Paragraph 3 of the Note by the Secretary-General on "Participation of the European Union in the work of the United Nations" (1 June 2011),² to align the status of the European Union within the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) with the said Resolution.

Resolution 65/276 recalls that "consistent with the relevant legal provisions, the European Union has replaced the European Community and is a party to many instruments concluded under the auspices of the United Nations and an observer or participant in the work of several specialized agencies and bodies of the United Nations". The European Union also participated as an Ad Hoc Observer in sessions of COPUOS and its sub-committees for several years.

Resolution 65/276 notes that EU Member States "have entrusted the external representation of the European Union, previously performed by the representatives of the member State holding the rotating Presidency of the Council of the European Union, to the following institutional representatives: the President of the European Council, the High Representative of the Union for Foreign Affairs and Security Policy, the European Commission, and European Union delegations, which have assumed the role of acting on behalf of the European Union in the exercise of the competences conferred by its member States,"

The EU treaties, the Treaty on the European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),³ set out EU objectives, rules for EU institutions, decision making processes and relations between the EU and its Member States. The treaties are registered with the Secretary General of the United Nations. Title XIX of the TFEU covers 'Research and Technological Development and Space' and more specifically, Article 189 of the TFEU, sets out competence of the European Union in relation to space matters.

The European Union and its Member States have developed significant space capacities, actions and positions. Three flagship space programmes already deliver free of charge services that benefit millions of people. Copernicus provides Earth observation data which help to save lives

¹ Available at: <http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/65/276>.

² Available at: <http://undocs.org/A/65/856>.

³ Available at: http://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF, and at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.

at sea, improve our response to natural disasters and allow farmers to better manage their crops.⁴ Galileo is Europe's global satellite navigation system, which provides accurate and reliable positioning and timing information to public authorities, businesses and citizens.⁵ EGNOS (the European Geostationary Navigation Overlay Service) provides “safety of life” navigation services to aviation, maritime and land-based users in Europe.⁶ In addition, the European Union is funding space-related research through the Horizon 2020 programme,⁷ and also contributes to the space surveillance and tracking support framework (SST).⁸ These European Union space programmes and activities are implemented in close cooperation with EU Member States, the European Space Agency and many other stakeholders.

The European Union is committed to multilateralism, with a strong and effective United Nations at its core. This commitment is rooted in the conviction that to be able to respond to global challenges, the international community needs an efficient multilateral system, founded on universal rules and values. Over the years, the European Union has established a strong relationship with the United Nations and co-operation takes place on a broad range of issues covered by different United Nations bodies. The European Union also participates in the annual UN General Assembly (UNGA) on the basis of the above-mentioned Resolution 65/276 of 10 May 2011.

The European Union makes a request to become a Permanent Observer to the COPUOS, as a key United Nations body dealing with space issues, to be able to better contribute to the ongoing discussions in that Committee and all its subsidiary bodies and to join forces with other members and Permanent Observers to find consensus-based solutions to the space-related challenges which we collectively face. The European Union is ready to cooperate with the United Nations Office for Outer Space Affairs to ensure a smooth implementation of Resolution 65/276 in this regard and confirms its full commitment to contribute to this end.

The Delegation of the European Union to the International Organisations in Vienna avails itself of this opportunity to renew to the United Nations Office for Outer Space Affairs the assurances of its highest consideration.

Vienna, 19 March 2018

Didier LENOIR
Ambassador



⁴ Further information is available at: <http://www.copernicus.eu/>.

⁵ Further information is available at: http://ec.europa.eu/growth/sectors/space/galileo_en.

⁶ Further information is available at: <https://www.gsa.europa.eu/egnos/what-egnos>.

⁷ Further information is available at: <http://ec.europa.eu/programmes/horizon2020/en/area/space-0>.

⁸ Further information is available at: https://ec.europa.eu/growth/sectors/space/security_en.



General Assembly

Distr.: General
10 May 2011

Sixty-fifth session
Agenda item 120

Resolution adopted by the General Assembly on 3 May 2011

[without reference to a Main Committee (A/65/L.64/Rev.1)]

65/276. Participation of the European Union in the work of the United Nations

The General Assembly,

Bearing in mind the role and authority of the General Assembly as a principal organ of the United Nations and the importance of its effectiveness and efficiency in fulfilling its functions under the Charter of the United Nations,

Recognizing that the current interdependent international environment requires the strengthening of the multilateral system in accordance with the purposes and principles of the United Nations and the principles of international law,

Recognizing also the importance of cooperation between the United Nations and regional organizations, as well as the benefits to the United Nations of such cooperation,

Acknowledging that it is for each regional organization to define the modalities of its external representation,

Recalling its resolution 3208 (XXIX) of 11 October 1974, by which it granted observer status to the European Economic Community,

Recalling also that, consistent with the relevant legal provisions, the European Union has replaced the European Community and is a party to many instruments concluded under the auspices of the United Nations and an observer or participant in the work of several specialized agencies and bodies of the United Nations,

Noting that the States members of the European Union have entrusted the external representation of the European Union, previously performed by the representatives of the member State holding the rotating Presidency of the Council of the European Union, to the following institutional representatives: the President of the European Council, the High Representative of the Union for Foreign Affairs and Security Policy, the European Commission, and European Union delegations, which have assumed the role of acting on behalf of the European Union in the exercise of the competences conferred by its member States,

* Reissued for technical reasons on 18 May 2011.

Mindful of the modalities for the participation of observer States and entities, and other observers in the work of the United Nations, as set out in the respective resolutions,

1. *Reaffirms* that the General Assembly is an intergovernmental body whose membership is limited to States that are Members of the United Nations;

2. *Decides* to adopt the modalities set out in the annex to the present resolution for the participation of the representatives of the European Union, in its capacity as observer, in the sessions and work of the General Assembly and its committees and working groups, in international meetings and conferences convened under the auspices of the Assembly and in United Nations conferences;

3. *Recognizes* that, following a request on behalf of a regional organization that has observer status in the General Assembly and whose member States have agreed arrangements that allow that organization's representatives to speak on behalf of the organization and its member States, the Assembly may adopt modalities for the participation of that regional organization's representatives, such as those set out in the annex to the present resolution;

4. *Requests* the Secretary-General to inform the General Assembly during its sixty-fifth session on the implementation of the modalities set out in the annex to the present resolution.

*88th plenary meeting
3 May 2011*

Annex

Participation of the European Union in the work of the United Nations

1. In accordance with the present resolution, the representatives of the European Union, in order to present positions of the European Union and its member States as agreed by them, shall be:

(a) Allowed to be inscribed on the list of speakers among representatives of major groups, in order to make interventions;

(b) Invited to participate in the general debate of the General Assembly, in accordance with the order of precedence as established in the practice for participating observers and the level of participation;

(c) Permitted to have its communications relating to the sessions and work of the General Assembly and to the sessions and work of all international meetings and conferences convened under the auspices of the Assembly and of United Nations conferences, circulated directly, and without intermediary, as documents of the Assembly, meeting or conference;

(d) Also permitted to present proposals and amendments orally as agreed by the States members of the European Union; such proposals and amendments shall be put to a vote only at the request of a Member State;

(e) Allowed to exercise the right of reply regarding positions of the European Union as decided by the presiding officer; such right of reply shall be restricted to one intervention per item.

2. The representatives of the European Union shall be ensured seating among the observers.

3. The representatives of the European Union shall not have the right to vote, to co-sponsor draft resolutions or decisions, or to put forward candidates.
4. A precursory explanation or recall of the present resolution shall be made only once by the President of the General Assembly at the start of each session.