



# General Assembly

Distr.: Limited  
7 June 2021

Original: English

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**Committee on the Peaceful  
Uses of Outer Space**  
Legal Subcommittee  
Sixtieth session  
Vienna, 31 May–11 June 2021

## Draft report

### VI. National legislation relevant to the peaceful exploration and use of outer space

1. Pursuant to General Assembly resolution [75/92](#), the Subcommittee considered agenda item 7, entitled “National legislation relevant to the peaceful exploration and use of outer space”, as a regular item on its agenda.
2. The representatives of Brazil, Finland, India, Indonesia, Japan, Luxembourg, Mexico, the Philippines, Ukraine and Venezuela (Bolivarian Republic of) made statements under agenda item 7. During the general exchange of views, statements relating to the item were made by the representatives of other member States.
3. The Subcommittee had before it the following:
  - (a) Report on the status of the national space legislation of countries of the Asia-Pacific Regional Space Agency Forum National Space Legislation Initiative ([A/AC.105/C.2/L.318](#));
  - (b) Membership of the Asia-Pacific Regional Space Agency Forum National Space Legislation Initiative ([A/AC.105/C.2/2021/CRP.7](#)).
4. The Subcommittee heard the following presentations:
  - (a) “Portugal and space: legal and regulatory overview”, by the representative of Portugal;
  - (b) “APRSAF’s initiatives for enhancing space policy and law capacity in the Asia-Pacific region”, by the representative of Japan.
5. The Subcommittee reiterated that it was important to take into account “new space”, or the emerging trend of non-governmental entities engaging in outer space activities and the growing commercialization and democratization of space activities. To ensure the safety and security of those activities, States needed to ensure that they were in compliance with the United Nations treaties on outer space through their national legal frameworks.
6. The Subcommittee noted that the development and reformation of national space policies, and their implementation through national space regulations, were increasingly aimed at addressing issues raised by the rising number of non-governmental entities conducting space activities.



7. The Subcommittee noted various activities of member States to review, strengthen, develop or draft national space laws and policies, as well as reform or establish the governance of national space activities. In that connection, the Subcommittee also noted that those activities were aimed at improving the management and regulation of space activities, reorganizing national space agencies, increasing the competitiveness of governmental and non-governmental organizations in their space activities, increasing the involvement of academia in policy formulation, improving responses to challenges posed by the development of space activities, in particular those relating to the management of the space environment, ensuring robust and resilient communications infrastructure during emergencies, such as natural disasters, and improving the implementation of international obligations.

8. The view was expressed that national legislation had a bridging role between international law and domestic law, and between legal obligations and soft law. In particular, norms of a non-legally binding character were incorporated into national regulatory frameworks as requirements for authorization.

9. Some delegations expressed the view that the Guidelines for the Long-term Sustainability of Outer Space Activities of the Committee on the Peaceful Uses of Outer Space provided valuable and important recommendations to all States and that voluntary implementation of the Guidelines through various national legal instruments and space policies was important.

10. The view was expressed that the five United Nations treaties on outer space and the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water referred to ways and means by which States should govern, register, authorize and, above all, regulate various outer space activities.

11. Some delegations expressed the view that it was important to share and learn from the practices contained in national space legislation. In that connection, the Subcommittee took note of the report on the status of the national space legislation of countries of the Asia-Pacific Regional Space Agency Forum National Space Legislation Initiative (A/AC.105/C.2/L.318) and expressed appreciation for the efforts by the study group.

12. The Subcommittee agreed that the discussions under the agenda item were important and that they enabled States to gain an understanding of existing national regulatory frameworks, share experiences on national practices and exchange information on national legal frameworks.

13. The Subcommittee also agreed that it was important to continue to regularly exchange information on developments in the area of national space-related regulatory frameworks. In that regard, the Subcommittee encouraged member States to continue to submit to the Secretariat texts of their national space laws and regulations and to provide updates and inputs for the schematic overview of national regulatory frameworks for space activities.

## **VII. Capacity-building in space law**

14. Pursuant to General Assembly resolution 75/92, the Subcommittee considered agenda item 8, entitled “Capacity-building in space law”, as a regular item on its agenda.

15. The representatives of Brazil, China, Colombia, France, Germany, Greece, India, Indonesia, Iran (Islamic Republic of), Japan, Luxembourg, Mexico, the Philippines, South Africa and Turkey made statements under agenda item 8. The representative of Costa Rica made a statement on behalf of the Group of 77 and China. A statement was also made under the item by the observer for APSCO. During the general exchange of views, further statements relating to the item were made by representatives of other member States.

16. The Subcommittee had before it the following:

(a) Report on the United Nations/Turkey/Asia-Pacific Space Cooperation Organization Conference on Space Law and Policy held in Istanbul, Turkey, from 23 to 26 September 2019 (A/AC.105/1222);

(b) Report on the United Nations/Economic Commission for Africa Conference on Space Law and Policy held online from 8 to 10 December 2020 (A/AC.105/1242);

(c) Conference room paper containing the directory of educational opportunities in space law (A/AC.105/C.2/2021/CRP.11);

(d) Conference room paper containing information submitted by Albania, Algeria, Jordan, Morocco, Pakistan, the Philippines, Spain, Tunisia and the United Nations Environment Programme on actions and initiatives to build capacity in space law (A/AC.105/C.2/2021/CRP.25).

17. The Subcommittee heard the following presentations:

(a) “Chilean collaboration program for new actors in the national space system”, by the representative of Chile;

(b) “Update on UNOOSA Space Law for New Space Actors project”, by representatives of the Office for Outer Space Affairs.

18. The Subcommittee agreed that capacity-building, training and education in space law were of paramount importance to national, regional and international efforts to further develop the practical aspects of space science and technology, especially in developing countries, and to increasing knowledge of the legal framework within which space activities were carried out. That would encourage States to ratify the five United Nations treaties on outer space and support the implementation of those treaties and the establishment of national institutions and would make international space law more accessible and better known by all sectors of civil society. It was emphasized that the Subcommittee and the Office for Outer Space Affairs had an important role to play in that regard.

19. The Subcommittee noted with appreciation that a number of national, regional and international efforts to build capacity in space law were being undertaken by governmental and non-governmental entities. Those efforts included encouraging universities to offer modules and seminars on space law; providing fellowships for graduate and postgraduate education in space law; providing financial and technical support for legal research; preparing dedicated studies, papers, textbooks and publications on space law; organizing workshops, seminars and other specialized activities to promote greater understanding of space law; supporting space law moot court competitions; supporting the participation of women, students and young professionals in regional and international activities relating to space law; providing for training and other opportunities to build experience, in particular through internships with space agencies; and supporting entities dedicated to the study of and research relating to space law in order to assist in the development of national space policies and legislative frameworks.

20. The Subcommittee noted that some member States had provided financial assistance to enable students to attend the Manfred Lachs Space Law Moot Court Competition, held each year during the International Astronautical Congress.

21. The Subcommittee noted with appreciation the United Nations/Turkey/Asia-Pacific Space Cooperation Organization Conference on Space Law and Policy held in Istanbul, Turkey, from 23 to 26 September 2019 and the United Nations/Economic Commission for Africa Conference on Space Law and Policy held online from 8 to 10 December 2020. It noted that those events had contributed to capacity-building in space law by connecting space law experts, practitioners and representatives from governments, industry and civil society.

22. The Subcommittee welcomed the Space Law for New Space Actors project of the Office for Outer Space Affairs. The project was aimed at providing support to enhance capacity in drafting national space law and policy. In that context, the Chilean technical advisory mission held online from 13 to 16 October 2020 and the introductory technical advisory mission focusing on Africa and space held online on 7 December 2020 were welcomed.
23. Some delegations expressed the view that the project represented an important contribution of the Office in terms of capacity-building among emerging spacefaring nations and would ultimately help to promote a more stable, sustainable and safe space environment.
24. Some delegations expressed the view that the Office for Outer Space Affairs should conduct targeted capacity-building, education and training in space law and policy, building upon the programme of UN-SPIDER, with the objective of establishing a capacity-building platform.
25. Some delegations expressed the view that the development of the “Space2030” agenda might serve as an opportunity to consider special programmes on capacity-building and knowledge management for developing countries.
26. Some delegations expressed the view that international cooperation was important in that regard so that all actors, in particular developing countries, could benefit from sufficient training and capacity-building opportunities.
27. The Subcommittee noted that the Office for Outer Space Affairs had updated the directory of educational opportunities in space law (A/AC.105/C.2/2021/CRP.11), including information on available fellowships and scholarships, and agreed that the Office should continue to update the directory. In that connection, the Subcommittee invited member States to encourage contributions at the national level for the future updating of the directory.
28. The Subcommittee recommended that States members and permanent observers of the Committee inform the Subcommittee, at its sixty-first session, of any action taken or planned at the national, regional or international levels to build capacity in space law.

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