



# General Assembly

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## Committee on the Peaceful Uses of Outer Space

### Questions on the definition and delimitation of outer space: replies from Member States

Note by the Secretariat

Addendum

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## **I. Introduction**

1. At the forty-fifth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in 2006, the Working Group on Matters Relating to the Definition and Delimitation of Outer Space agreed to address to Member States the following questions:

(a) Does your Government consider it necessary to define outer space and/or to delimit airspace and outer space, given the current level of space and aviation activities and technological development in space and aviation technologies? Please provide a justification for the answer; or

(b) Does your Government consider another approach to solving this issue? Please provide a justification for the answer (A/AC.105/871, annex II, para. 7 (f)).

2. At the forty-eighth session of the Subcommittee, in 2009, the Working Group again invited Member States to submit their replies to the above questions (A/AC.105/935, annex II, para. 13 (b)).

3. The present document has been prepared by the Secretariat on the basis of replies received from the following Member States: Czech Republic, Estonia and United Kingdom of Great Britain and Northern Ireland.

## **II. Replies received from Member States**

### **Czech Republic**

[Original: English]

[5 February 2010]

The Czech Republic considers it useful to define outer space and/or delimit airspace and outer space. An appropriate resolution of this issue by a regulatory international instrument could avoid an eventual diversity of rules established by domestic legislation of individual States. It could also prevent international disputes that might arise from incidents involving this problem and would help avoid disparity in decisions on such disputes by national and international courts.

### **Estonia**

[Original: English]

[2 November 2009]

The Government of Estonia acknowledges the importance of the subject but does not consider it necessary to define outer space and/or delimit airspace and outer space at the present time. However, given the burgeoning space technology industry, the increasing spectrum of space activities and the growing role of private actors, there will certainly be a greater need for such definition in the future. For the time being, the Government of Estonia does not see the need for immediate action.

**United Kingdom of Great Britain and Northern Ireland**

[Original: English]

[18 December 2009]

The United Kingdom anticipates that the development of space transportation systems functioning seamlessly between airspace and outer space, relying on lift to fly through the air for part of their flight profile, will create uncertainties about the legal regime applicable to them. In particular, the distinct liability regimes applicable to each may be conflicting. The United Kingdom is currently reviewing its licensing process and how it could relate to commercial human spaceflight, where this will likely be an issue. The United Kingdom recognizes the need to avoid hybrid solutions and will seek a regulatory solution which provides seamless consideration and a degree of legal certainty for operators.

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