

5 April 2016

English only

**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Fifty-fifth session
Vienna, 4-15 April 2016


**Proposal for a UNISPACE+50 thematic priority to be
considered by the Legal Subcommittee**

Introduction

1. In accordance with the note by the secretariat, entitled “Fiftieth anniversary of the United Nations Conference on the Exploration and Peaceful Uses of Outer Space: theme of the sessions of the Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and its Legal Subcommittee in 2018” (A/AC.105/L.297) the Committee, its Scientific and Technical Subcommittee and its Legal Subcommittee, at their respective sessions in 2018, are to address UNISPACE+50 as the overarching theme under their respective agendas, within the framework of the thematic priorities identified in 2016, and building upon the cross-cutting areas already identified. In doing so, they are to take into consideration contributions by States members of the Committee and permanent observers of the Committee, contributions by UN-Space received through the Office, and contributions from other relevant conferences and activities addressing global space governance, such as the series of the High-Level Forum organized by the Office (see A/AC.105/L.297, para. 29).

2. Building upon the identified cross-cutting areas consideration should also be given to governance structures such as national space-based data infrastructures, national regulatory frameworks, international mechanisms for space cooperation and regional and interregional coordination mechanisms; to already established or potential new mechanisms and processes for resiliency and interoperability such as in the fields of disaster risk reduction and coordination of efforts relating to the near-Earth object impact threat; and to transparency and confidence-building measures and mechanisms for the long-term sustainability of outer space activities within the broader context of space security (see A/AC.105/L.297, para. 17).

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3. In the identification of a core set of thematic priorities, the work carried out by the Committee and its subsidiary bodies should be taken into account, including processes under related agenda items, the role of symposiums being held regularly during the sessions of the two Subcommittees in the period leading up to 2018, as well as the programme of work of the Office for Outer Space Affairs (see A/AC.105/L.297, para. 18).

4. In addition, the High-Level Forum (HLF): Space as a Driver for Socioeconomic Sustainable Development, to be organized by the Office for Outer Space Affairs, in a series of three Forums 2016-2018, should be considered in this context. The Forums will address the pillars: space economy, space society, space accessibility and space diplomacy (see A/AC.105/L.297, para. 19).

5. With this in mind, the Steering Committee of UNISPACE+50, established by the Committee on the Peaceful Uses of Outer Space at its fifty-eighth session (A/70/20, para. 351) and acknowledged by the General Assembly in its resolution 70/82 of 9 December 2015, operative paragraph 14, presented its suggested thematic priorities for consideration to the Scientific and Technical Subcommittee.

6. The Scientific and Technical Subcommittee at its fifty-third session, considered those suggested thematic priorities and upon recommendation of its Working Group of the Whole, endorsed the following thematic priorities:¹

- (1) Global partnership in space exploration and innovation
- (2) International framework for space weather services
- (3) Strengthened space cooperation for global health
- (4) International cooperation towards low-emission and resilient societies
- (5) Enhanced information exchange on space objects and events
- (6) Capacity-building for the 21st Century

7. Those suggested thematic priorities are interlinked to a certain extent and it is therefore recommended that connection between the respective objectives be observed in the progress of work. It is foreseen that the Committee and its Scientific and Technical Subcommittee and Legal Subcommittee should coordinate and cooperate in arriving at a common output through the UNISPACE+50 process.

8. The Working Group of the Whole of the Scientific and Technical Subcommittee also noted that the Legal Subcommittee's Working Group on the Status and Application of the Five United Nations Treaties on Outer Space could be an appropriate venue to further consider inputs by the Legal Subcommittee to the thematic priorities listed above. The Working Group agreed that those thematic priorities constituted a good basis for the UNISPACE+50 process and that it was pertinent to combine them with relevant legal perspectives.

9. The Working Group of the Whole of the Scientific and Technical Subcommittee took note of suggestions for other areas that could be considered by the Legal Subcommittee, as appropriate, for inclusion in the list of thematic

¹ As contained in the Report of the Scientific and Technical Subcommittee at its fifty-third session, document A/AC.105/1109, Annex I.

priorities, such as (a) space traffic management, with possible connection to international law perspectives on small and very small satellite activities and suborbital flights; and (b) addressing legal gaps in the existing treaties on outer space, including in the areas of definition and delimitation of outer space, and commercial mining of resources in outer space.

Suggested thematic priority

The legal regime of outer space and global space governance

Objective: To promote universality of the Outer Space Treaty. Assess the state of affairs of the five United Nations treaties on outer space and their relationship with other instruments, such as principles, resolutions and guidelines governing space activities. Develop the questionnaire of the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space to encompass an assessment of the legal regime of outer space as founding pillar of global space governance. The questionnaire should be used in the period up to 2018 to assist the Legal Subcommittee in addressing the status, gaps, and range of treaties, principles, resolutions and other instruments on outer space activities and their relation to global space governance. In this overall context, follow progress under the thematic priority for enhanced information exchange on space objects and events, and study perspectives of management of space traffic and operations to promote the safety, security and sustainability of outer space activities. Identify by 2018 the criteria for developing by 2020 a compendium of the Committee on the Peaceful Uses of Outer Space with basic information on the range of the instruments constituting the legal regime of outer space. The compendium should serve as a guidance to States wishing to accede to the five United Nations treaties on outer space, and should also address the application of the treaties through national regulatory frameworks and international mechanisms for cooperation. Identify cooperation mechanisms to support these objectives.

Cross-cutting areas: Governance/interoperability/resiliency/capacity-building/space for sustainable development

HLF pillars: Economy/society/accessibility/diplomacy
