

28 March 2017

English only

**Committee on the Peaceful
Uses of Outer Space**
Legal Subcommittee
Fifty-sixth session
Vienna, 27 March-7 April 2017
Item 5 of the provisional agenda*
**Status and application of the five
United Nations treaties on outer space**

**Responses to the set of Questions provided by the Chair of
the Working Group on the Status and Application of the
Five United Nations Treaties on Outer Space**

Note by the Secretariat

In accordance with the recommendations of the Working Group at the fifty-fifth session of the Subcommittee in 2016 ([A/AC.105/1113](#), Annex I, para. 17), member States of the Committee and international intergovernmental and non-governmental organizations having permanent observer status with the Committee were invited to provide comments and responses to the questionnaire, as contained in the Report of the Legal Subcommittee in its fifty-fifth session, held in Vienna from 4-15 April 2016 ([A/AC.105/1113](#), Annex I, Appendix) and the Report of the Chair of the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space ([A/AC.105/C.2/2016/TRE/L.1](#), Appendix).

The present conference room paper contains a replies by Greece to the set of questions.

* [A/AC.105/C.2/L.299](#).



Greece

[Original: English]
[Received on 27 February 2017]

Set of questions provided by the Chair of the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, taking into account the UNISPACE+50 process

1. The legal regime of outer space and global space governance

1.1 What is the main impact on the application and implementation of the five United Nations treaties on outer space of additional principles, resolutions and guidelines governing outer space activities?

1.2 Are such non-legally binding instruments sufficiently complementing the legally binding treaties for the application and implementation of rights and obligations under the legal regime of outer space? Is there a need for additional actions to be taken?

1.3 What are the perspectives for the further development of the five United Nations treaties on outer space?

Common Answer to 1.1, 1.2 and 1.3

The main body of space law consists mainly of the five space treaties. Following the adoption of the Moon Agreement in 1979, no other conventional document saw the light of day. Instead, numerous soft law instruments merged, such as, for example, the Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting,¹ the Principles relating to remote sensing of the Earth from space,² the Principles Relevant to the Use of Nuclear Power Sources in Outer Space³ or the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space.⁴

In general, these soft law instruments particularize and complement the five Treaties. For instance, the COPUOS Space Debris Mitigation Guidelines can be regarded, to a certain extent, as specifying the scope of application of Articles I and IX of the Outer Space Treaty of 1967. In addition, the agreement of States on said legally non-binding instruments can contribute to the development and strengthening of international cooperation in the field.⁵

It is in this spirit that the continued engagement of the international community with soft legal tools can effectively encourage States to further strengthen the existing conventional arsenal. Nevertheless, this is not the case for space law, for the time being. Given that non-binding provisions cannot contradict the “hard” law in force, the persistence of the international community to the adoption of “Principles”, “Guidelines”, “Practices” and “Codes of conduct” adversely affect the progressive development of space law.

Notwithstanding the current unwillingness for fresh, strong international commitment, the radical changes in the space community and the emergence of the so-called “New Space” activities will seek for an updated legal framework, sooner or later. There is, therefore, a clear need either for an effective revision of the existing space treaties or for the creation of a new, updated contractual framework for the regulation of outer space activities.

¹ A/RES/37/92 of 10 December 1982.

² A/RES/41/65 of 3 December 1986.

³ A/RES/47/68 of 14 December 1992.

⁴ A/RES/62/217 of 22 December 2007.

⁵ Both A/RES/37/92 and A/RES/41/65 refer to their “belief” that the adoption of the relevant principles “will contribute to the strengthening of international co-operation in this field”.