

United Nations/Chile Conference on Space Law and Policy:

Governance and Legal Perspectives on Space Activities in Earth Orbit and Beyond

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The Role of the Legal Subcommittee of COPUOS in the
global governance of outer space activities

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UN Space Law & Policy Conference: The Origins

- ❑ The SLC originated from the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held in Vienna 1999,
 - ❑ to promote the development of space law to meet the needs of the international community.
- ❑ This importance was re-affirmed by the Committee in its report to the General Assembly review of the implementation of recommendations of UNISPACE III, in 2004
- ❑ SLC becomes a series of events jointly held annually by UN and regions of the world started in 2018 in the Russian Federation; Turkey/APSCO (2019);
- ❑ SLCs were preceded by a series of Capacity building in Space Law workshops hosted by OOSA in cooperation with number of countries across the regions of the World.

UN Space Law & Policy Conference: The Origins

- ❑ Netherlands (2002); Republic of Korea (2003); Brazil (2004); Nigeria (2005); Ukraine (2006); Iran (2009); Thailand (2010); Argentina (2012); China (2014); VIC Vienna (2016).
- ❑ The last SLC was for the African Region, held virtually in December 2020 hosted by Economic Commission for Africa/African Union Commission
- ❑ During this last SLC, importance was noted for continuation of the SLC to enhance capacity building in space law & policy for space community.
- ❑ This capacity building is becoming more and more important, as we see an increased number of space actors and space activities, especially for developing countries
- ❑ A need to develop national legislation framework is becoming equally critical
 - to provide operational guidelines and concrete laws based on global space governance
 - to create stability and peaceful use of outerspace by all space operators

Committee on the Peaceful Uses of Outer Space (COPUOS)



- ❑ 1958 ad hoc body. 1959 established as permanent body (GA resolution 1472 (XIV))
- ❑ Principle of Consensus applies to the work of COPUOS

- ❑ Developing international space law
 - Has created 5 treaties (OST, ARRA, LIAB, REG, MOON) and 5 principles (Legal Declaration, Television Broadcasting, Remote Sensing, Benefits Declaration)
 - Space Debris Mitigation Guidelines
 - Safety framework for nuclear power sources (NPS)
 - Guidelines for the Long-term Sustainability of Outer Space Activities (LTS Guidelines)
 - GA resolutions on launching State, registration practice, national space legislation. Study on international frameworks
- ❑ COPUOS has expanded the number of States members from 18 (1958) to 100 (2021). Has 42 permanent observer organizations (IGO and NGO)
- ❑ Two subcommittees: Scientific and Technical Subcommittee (STSC) and Legal Subcommittee (LSC)
- ❑ COPUOS reports annually to GA Fourth Committee – resolution on “international cooperation in the peaceful uses of outer space”

100 States members of COPUOS

Algeria, Angola, Benin, Burkina Faso, Cameroon, Chad, Egypt, Ethiopia, Ghana, Kenya, Libya, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Tunisia

Bahrain, Bangladesh, China, Cyprus, India, Indonesia, Iran, Iraq, Japan, Jordan, Kazakhstan, Kuwait, Lebanon, Malaysia, Mongolia, Oman, Pakistan, Philippines, Qatar, Republic of Korea, Saudi Arabia, Singapore, Sri Lanka, Syrian Arab Republic, Thailand, United Arab Emirates, Viet Nam

Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Hungary, Poland, Romania, Russian Federation, Slovakia, Ukraine

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela

Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States

(Guatemala and Uzbekistan have applied for membership)

COPUOS LEGAL SUB COMMITTEE MANDATE

- ❑ The overall mandate of the Committee and its two Subcommittees
- ❑ aims at strengthening the international legal regime governing outer space, resulting in improved conditions for expanding international cooperation in the peaceful uses of outer space.
- ❑ supports efforts at the national, regional and global levels, including those of entities of the United Nations system and international space-related entities,
- ❑ to maximize the benefits of the use of space science and technology and their applications.
- ❑ to increase coherence and synergy in international cooperation in space activities at all levels.

COPUOS MANDATE

- Promote international cooperation
- Study space-related activities that could be undertaken under United Nations auspices
- Encourage and assist with national space research programmes
- Study legal problems which may arise from the exploration of outer space



UNCOPUOS LEGAL SUB COMMITTEE MANDATE

- ❑ Topics include a range of issues
 - ❑ the status and application of the five United Nations treaties on outer space,
 - ❑ the definition and delimitation of outer space,
 - ❑ national space legislation,
 - ❑ legal mechanisms relating to space debris mitigation, and
 - ❑ international mechanisms for cooperation in the peaceful exploration and use of outer space:
- ❑ The Sub Committee has various working groups that discuss & debate its topical agenda Items as identified
- ❑ they meet continuously on the side-lines and during session until a Report is developed and tabled at the Sub Committee

COPUOS MANDATE

The Sub Committee benefits on new Agenda Items as originated from other Committee: STSC ,

Long-term Sustainability (LTS) of Outerspace which developed in 21 Guidelines & were approved by GA in 2019; through its dedicated W/G

- ❑ objectives included identifying areas of concern for the LTS of outer space activities, proposing measures to enhance sustainability, and producing voluntary guidelines to reduce risks to long-term sustainability.
- ❑ Guidelines provide direction on how to apply/operate space activities in a way to preserve outerspace for future generations.
- ❑ All States are expected to implement these, however capacity building and cooperation amongst States necessary (esp between developed & developing countries) is encouraged

LEGAL SUBCOMMITTEE: New developments

The Sub Committee also tackles new Agenda Items as introduced , latest the

"General exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources"

- ❑ Collect relevant information wrt activities in the exploration, exploitation & utilization of space resources, incl wrt to scientific and technological developments and current practices,
- ❑ taking into account their innovative and evolving nature;
- ❑ Study the existing legal framework for space activities, in particular the Outer Space Treaty and other applicable UN treaties, & other relevant instruments,
- ❑ Assess the benefits of further development of a framework for such activities

LEGAL SUBCOMMITTEE: New developments

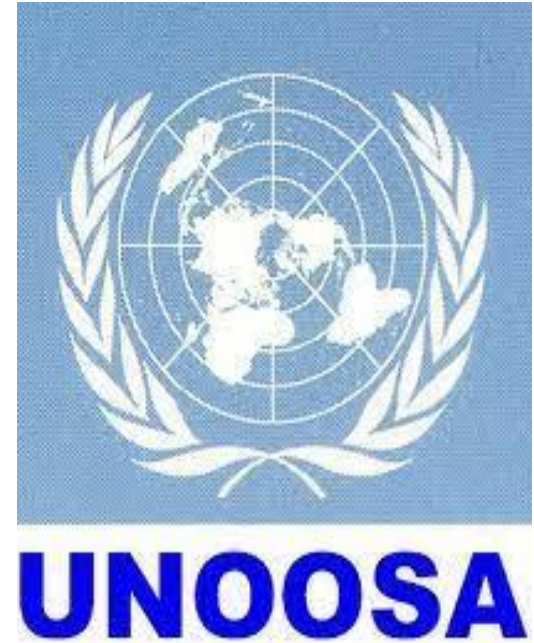
The Sub Committee also tackles new Agenda Items as introduced

- ❑ The developing countries benefit for forming part of these discussions from inception as UN provides a balanced consensus based intergovernmental multilateral platform
- ❑ During sessions, a symposia e.g between legal/diplomatic experts such as the IISL & ECSL etc are hosted that bring robust practical debates
- ❑ delegations share their experiences on their national space governance instruments
- ❑ number of experts from non-governmental organisations as the observers share their perspectives

LEGAL SUBCOMMITTEE:

CONCLUDING REMARKS

- ❑ The LSC is primary forum for international space community to engage in promoting upholding, strengthening the global space governance
- ❑ Enhances international cooperation between regions and countries of the world
- ❑ Provides a stable multilateral forum to discuss and implement legal frameworks , declarations, guidelines and principles.
- ❑ UNOOSA provides Secretariat services for COPUOS and institutional Capacity.





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