United Nations A/AC.105/C.2/L.305



Distr.: Limited 15 March 2018

Original: English

## Draft resolution as at 17 April AM

Committee on the Peaceful Uses of Outer Space Legal Subcommittee Fifty-seventh session Vienna, 9–20 April 2018

> Draft resolution entitled "Fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space: space as a driver of sustainable development"

Working paper submitted by Canada

### I. Introduction

- 1. At the fifty-fifth session of the Scientific and Technical Subcommittee, held in Vienna from 29 January to 9 February 2018, the Working Group of the Whole noted that in order to advance the work on the preparation of a draft resolution on the outcomes of UNISPACE+50, the delegation of Canada would take the lead and organize an informal meeting before the fifty-seventh session of the Legal Subcommittee that would be open to participation by all States members of the Committee on the Peaceful Uses of Outer Space (A/AC.105/1167, annex I, para. 9).
- 2. The Working Group also noted that the aim of that meeting would be to jointly prepare the text of a draft resolution based on the existing text (A/AC.105/C.1/2018/CRP.16/Rev.1). The result of the work of that informal meeting would be presented in a working paper that could be considered by the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space at the fifty-seventh session of the Legal Subcommittee, to be held in Vienna from 9 to 20 April 2018.
- 3. The informal meeting was held in Vienna from 5 to 9 March 2018. It was chaired by the delegation of Canada and was facilitated by the Secretariat.
- 4. The annex to the present document contains the draft text of the resolution prepared by representatives of States members of the Committee during that informal meeting, based on the existing text contained in A/AC.105/C.1/2018/CRP.16/Rev.1. The draft text is the consensus-based result of the informal meeting, unless otherwise indicated in square brackets in the text.







### Annex

# Draft resolution entitled "Fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space: space as a driver of sustainable development"

The General Assembly,

- 1. Recalling its resolutions 2453 A (XXIII) of 20 December 1968, 37/90 of 10 December 1982, 54/68 of 6 December 1999, 59/2 of 20 October 2004 and 72/79 of 7 December 2017,
- 2.Recognizing that the fiftieth anniversary of the United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE+50) offers a unique opportunity for Member States to reflect on more than 50 years of achievement in space exploration and use [and to chart the future contribution of the Committee to the global governance of outer space activities], at a time when [actors]/[more participants, representing both governmental agencies and non-governmental entities, including the industry and private sector]/both governmental, and non-governmental, and private sector are increasingly becoming involved in ventures to explore and use space and carry out space activities,
- 3. Convinced that UNISPACE+50 also offers a unique opportunity for Member States to look toward the future by strengthening the mandates of the Committee on the Peaceful Uses of Outer Space, its subsidiary bodies and the Office for Outer Space Affairs of the Secretariat as unique platforms for international cooperation in the peaceful uses of outer space,
- 4.[6] Emphasizing that, for the past 50 years, the Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and its Legal Subcommittee, supported by the Office for Outer Space Affairs, have provided a unique and fundamental platform at the global level to promote international cooperation in space activities at all levels, foster dialogue among spacefaring and emerging space nations, increase capacity-building efforts for developing countries and shape the space governance framework to benefit people and the planet,
- 5.[7] Convinced, therefore, that the fulfilment of the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction 2015–2030 and of the commitments by States parties to the Paris Agreement requires stronger coordination of and support by those States at all international levels, including through improved access to space-based data, applications and space infrastructure.
- 5bis. [7bis] Noting with satisfaction the activities carried out under and the valuable support provided to Member States [and the potential of] / [by] the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN SPIDER) and the UN-affiliated regional centres for space science and technology, [in further contributing to global sustainable development]]
- 6.[4] Recognizing that space science and technology and their applications have and will continue to have a significant role in achieving the goals and targets of the comprehensive 2030 Agenda for Sustainable Development, 1 particularly in areas of critical importance for humankind and the planet,
- 7.[16] Emphasizing the need to build stronger partnerships and international cooperation and coordination in the exploration and peaceful uses of outer space at all levels and among the participants representing the broader space community, in order to enhance the contribution of space activities for the realization of the

<sup>1</sup> General Assembly resolution 70/1.

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- 2030 Agenda for Sustainable Development and the Sustainable Development Goals and targets contained therein,
- 8. [5] Reiterating that all countries, irrespective of their degree of economic or scientific development, are participants in, contributors to and beneficiaries of the exploration and peaceful uses of outer space,
- 9. [10] Deeply concerned about the fragility of the space environment and the challenges to the long-term sustainability of outer space activities, in particular the impact of space debris, and recognizing the need to use space science and technology to preserve the Earth and the space environment, as well as the role of international cooperation in this regard,
- 10. [Note: 13a option 2] [Mindful [that the long-term sustainability of outer space activities is [defined as] the ability to maintain the conduct of space activities indefinitely into the future in a manner]/[of the need] [to realize]/[that realizes] the objectives of [equitable]/[enhanced] access to the benefits of the exploration and use of outer space for peaceful purposes, in order to meet the needs of the present generations while preserving the outer space environment for future generations in the interest of all humankind,]
- 11.[8] Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>2</sup>
- 12.[9] Recognizing that all Member States, in particular those with major space capabilities, should contribute actively to the prevention of an arms race in outer space, with a view to promoting and strengthening international cooperation in the exploration and use of outer space for peaceful purposes,
- 13.[Note:13a option 1][Mindful of the need to promote universal and safe [and equitable] access to the scientific, technological, economic, social, environmental and cultural benefits of space activities,]
- 14. Mindful of the importance of increasing knowledge of outer space, including through enhanced access to astronomy and space science data for the benefit of humankind.
- 15. Convinced of the need for the Committee and its subcommittees to continue to address the emergence of commercial activities in outer space and consider how commercial actors might support the achievement of the Sustainable Development Goals,
- 16. [11] Acknowledging that significant changes have occurred in the structure and content of space activities, as reflected in the emergence of new technologies and the increasing number of participants in such activities and, in this regard, recognizing the benefit of strengthening regulatory frameworks, [including through national mechanisms], / [enacting and] strengthening [national regulatory framework to be consistent with international obligations] / [[national] / [and international] regulatory frameworks, [at the national level] / [whether national or international],
- 17. [12] Reiterating, in that regard, the role of the Outer Space Treaty as the cornerstone of the international legal regime governing outer space activities, reiterating also that the Treaty manifests the fundamental principles of international space law, and convinced that the Treaty will continue to provide an indispensable framework for the conduct of outer space activities,

18.Noting with satisfaction that the Committee, in preparation for UNISPACE+50, has analysed the impact of the three UNISPACE conferences, held in 1968, 1982 and 1999, as well as the review undertaken in 2004, and assessed its past, present and future role, as well as those of its subcommittees and the Office for

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<sup>&</sup>lt;sup>2</sup> United Nations, *Treaty Series*, vol. 610, No. 8843.

Outer Space Affairs, within the five identified cross-cutting areas of governance, capacity-building, resiliency, interoperability and space for sustainable development, and noting with satisfaction also that that assessment provided the basis for the selection of seven thematic priorities of UNISPACE+50,<sup>3</sup>

19.Noting with appreciation the outstanding work of the Committee and its subcommittees and the Office for Outer Space Affairs carried out under the seven thematic priorities of UNISPACE+50,4 the related objectives and mechanisms in that regard, all background documents in preparation for UNISPACE+50 [ref. to all relevant prep. documents in a footnote], / [including a proposal for a "Space2030" [ref. to 1166 in the footnote] agenda [and its implementation plan],] and the work carried out within the framework of the four identified pillars, namely space economy, space society, space accessibility and space diplomacy,5

20.Emphasizing that the seven thematic priorities of UNISPACE+50 represent a comprehensive strategy for addressing key areas that together determine core objectives for the future work of the Committee and its subcommittees and the Office in the areas of global partnership in space exploration and innovation, current and future perspectives of the legal regime of outer space and global governance, enhanced information exchange on space objects and events, international framework for space weather services, strengthened space cooperation for global health, international cooperation towards low-emission and resilient societies, and capacity-building for the twenty-first century,

21. Welcoming the UNISPACE+50 high-level segment, held in Vienna on 20 and 21 June 2018, that commemorated the fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space and marked a significant step towards charting the future contribution of the Committee to the global governance of outer space activities including on a "Space2030" agenda and implementation plan in the ongoing development of a comprehensive strategy, based on the preparatory process, to for strengthening the contribution of space activities and space tools to the achievement of the global agendas addressing long-term [sustainable] development concerns of humankind based on the peaceful exploration and use of outer space,

#### [[OPTION 1 (paras. 1-3)]

- 1. Notes with appreciation that the UNISPACE+50 process resulted in documents aimed at articulating a cross-cutting and strategic vision to strengthen international cooperation in the exploration and peaceful uses of outer space, in which space is seen as, inter alia, a major driver and contributor to the Sustainable Development Goals for the benefit of all countries;
- 2. Invites the Committee on the Peaceful Uses of Outer Space to continue to develop, based on the results of the UNISPACE+50 process, a "Space2030" agenda and implementation plan and to provide the General Assembly with the outcome of its work for consideration by the Assembly at its seventy-fifth session;
- 3. *Invites* Member States and other donors to provide voluntary extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

[OPTION 2, paras.1-15]

1. Notes with appreciation that the preparatory process and the high-level segment of UNISPACE+50 resulted in documents aimed at articulating a comprehensive, inclusive and strategically-oriented vision to strengthen international

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<sup>&</sup>lt;sup>3</sup> See A/AC.105/L.297 and A/AC.105/1137.

<sup>&</sup>lt;sup>4</sup> Official Records of the General Assembly, Seventy-first Session, Supplement No. 20 (A/71/20), para. 296.

<sup>&</sup>lt;sup>5</sup> See A/AC.105/L.297 and A/AC.105/1137.

cooperation in the exploration and peaceful uses of outer space, in which space is seen as a major driver and contributor to the Sustainable Development Goals for the benefit of all countries;

2. Invites the Committee on the Peaceful Uses of Outer Space to continue to develop, based on the results of the UNISPACE+50 process, a "Space2030" agenda and implementation plan and to provide the General Assembly with the outcome of its work for consideration by the Assembly at its seventy-fifth session;

[2bis. In developing the "Space2030" agenda and implementation plan, the Committee on the Peaceful Uses of Outer Space should consider [what]/[whether] additional [support, through infrastructural contribution and/or,] resources may be needed by the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN SPIDER) and the UN-affiliated regional centres for space science and technology to effectively respond to the increasing demand for support, in particular from developing countries;]

- 3. Acknowledges the importance of global partnership and strengthened cooperation among Member States, intergovernmental and non-governmental organizations, industry and private sector entities in fulfilling the "Space2030" agenda and its implementation plan;
- 4. Encourages all States to continue to contribute actively to and promote and strengthen international cooperation in the peaceful use of outer space, for the objective of [realizing the 2030 Agenda] / [shaping a shared future for humankind], taking into account the particular needs of developing countries;

4bis.[or to be re-positioned]. Encourages all States to continue to contribute actively to and promote and strengthen international cooperation in the peaceful use of outer space and the global governance of outer space activities, [to address challenges to humanity and sustainable development, protecting the space environment] and ensuring the long-term sustainability of outer space activities, taking into account the particular needs of developing countries;

5. Further encourages member states to actively conduct bilateral, multilateral, regional and international space cooperation in various forms, including capacity building, information and infrastructure sharing, development of joint projects, and when appropriate, to integrate space cooperation with economic and development cooperation, in order to promote increased participation in space activities for emerging spacefaring nations and to assist countries in the achievement of the Sustainable Development Goals;

[OPTION 1] [5bis Agrees to strengthen the implementation of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) of the Office for Outer Space Affairs, in order to assist UN-SPIDER and its network of regional support offices in fully delivering under its established mandate and be able to adequately act in response to the needs of developing countries;

[OPTION 2] [5bis Notes with satisfaction the activities carried out under the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) and encourages Member States, on a voluntary basis, to provide the programme with the additional support, through infrastructural contribution and/or [other] resources necessary to address the increasing demand for support successfully and in a timely manner;]

[6. Emphasizes the importance of capacity building, education and training, undertaken by regional centers for space science and technology, affiliated to the United Nations, particularly for developing countries, and in this regard, encourages the enhancement of these regional centers as well as their alliance to improve their overall capacity;]

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- 7. Emphasizes the need to promote international cooperation and take further coordinated action to ensure that space science, technology and their applications serve the goals of sustainable development and the betterment of humankind;
- [8: Recognizes [the Committee as the major United Nations platform] / [the [unique] role of the Committee [with its] / [and its] / [including its] subcommittees [as [the] / [a] unique platform[s]] to promote the increased involvement of emerging spacefaring nations [and other developing countries]/ [and late-comer countries] in space activities, particularly through the promotion of international cooperation and capacity-building initiatives in cooperation with all stakeholders in the space field;]

[OPTION 1: paras. 9 and 10] [9. [Recognizes]/[Notes]/[Acknowledges], in that regard, the need for [to align the unique role and mandate of] the Committee on the Peaceful Uses of Outer Space and its subcommittees, supported by the Office for Outer Space Affairs, [to fulfil]/[with a view to aligning the mandate with] / [invigorate efforts with a view to fulfil] the "Space2030" agenda and provide for its implementation plan [once agreed];]

[10. [Reaffirms]/[Reiterates] the unique role of the Committee on the Peaceful Uses of Outer Space and its subcommittees, supported by the Office for Outer Space Affairs, as the [primary United Nations body] / [prime intergovernmental platform]/[forum] for the discussion and resolution of issues affecting outer space activities, the promotion of international cooperation in the exploration and peaceful uses of outer space and [in negotiation of regulatory instruments pertaining to space activities] / the [negotiation of instruments pertaining to space activities] [development of space law], and, to this end, emphasizes the importance of strengthening the [mandates]/ [and] [activities] of the Committee on the Peaceful Uses of Outer Space and its subcommittees and the Office for Outer Space Affairs, while encouraging Member States of the United Nations to become members of the Committee;]

[OPTION2: merging paras. 9 and 10 above, adding 10bis:] [9. [Decides, in that regard, to reaffirm the [role of the]]/ [Reaffirms/Confirms that the] Committee on the Peaceful Uses of Outer Space and its subcommittees, supported by the Office for Outer Space Affairs, as a unique platform for international cooperation in the [exploration and] peaceful uses of outer space [and the development of global governance of outer space activities] / [and development of instruments pertaining to space governance] / [including the development of international space law], and recognises the need to strengthen the mandates of the Committee on the Peaceful Uses of Outer Space and its subcommittees and the Office for Outer Space Affairs with the view to aligning them with the "Space2030" agenda and its implementation plan, [as] / [once] agreed;]

[OPTION 3: alternative to 8-10 above] <u>8. Reaffirms the unique role of the Committee on the Peaceful Uses of Outer Space and its subcommittees, supported by the Office for Outer Space Affairs, as the prime intergovernmental platform for international cooperation in the exploration and peaceful uses of outer space, for the global space governance and the development of international space law, and for the promotion of the increased involvement of all countries in space activities, including through capacity-building initiatives;</u>

- 9. Emphasizes the need to [strengthen] / [consider strengthening] the mandate and the activities of the Committee on the Peaceful Uses of Outer Space and its subcommittees, and supported by the Office for Outer Space Affairs, [particularly with the view to aligning them with the "Space2030" agenda and its implementation plan] once agreed;
- 10. Expresses its conviction that the Committee on the Peaceful Uses of Outer Space, its subcommittees and the Office for Outer Space Affairs should continue to coordinate efforts to strengthen the implementation of the United Nations treaties and principles on outer space as a means of promoting the universality of the United Nations treaties on outer space;

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10bis. *Encourages* Member States of the United Nations to consider becoming members of the Committee;

- 11. Invites the Committee on the Peaceful Uses of Outer Space and the Office for Outer Space Affairs to [explore ways to] enhance [engage, where necessary in] cooperation and coordination with other relevant entities within the United Nations system on space-related activities [within [allocated] [existing] resources] / [within existing regular budget resources of the United Nations];
- 12. Emphasizes the need to strengthen the coordination and interrelationship between the Committee and its subcommittees, assisted by the Office for Outer Space Affairs, in addressing their respective agenda items in a comprehensive, cross-cutting manner, combining scientific, technical, legal and policy dimensions, so as to and, inter alia, to foster through [its]/[their respective] agendas the use and utility of space as a driver of global sustainable development towards 2030 and beyond;
- [13. Calls upon the Secretary-General to consider ways to reprioritize resources in this regard to enable the Office for Outer Space Affairs to support the Committee and its subcommittees to fulfil their mandate;]

[Note: Re-positioned as 10bis] [14. Encourages Member States of the United Nations to become members of the Committee;]

15. *Invites* Member States and other donors to provide voluntary extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

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