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The Legal Regime of Outer Space and Global Space Governance

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Membership of COPUOS

AG: Algeria, Benin, Burkina Faso, Cameroon, Chad, Egypt, Ghana, Kenya, Libya, Morocco, Niger, Nigeria, Senegal, Sierra Leone, South Africa, Sudan, Tunisia

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

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

GRULAC: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Mexico, Nicaragua, Peru, Uruguay, Venezuela

WEOG: Australia, Austria, Belgium, Canada, France, Germany, Greece, Israel, Italy, Luxembourg, Netherlands, New Zealand, Portugal, Spain, Sweden, Switzerland, (Turkey), United Kingdom, (United States)

New members upon GA plenary adoption in December 2018: Bahrain, Denmark, Norway

Five UN Treaties and Principles on Outer Space

Outer Space Treaty, 1967 (105 States parties/25 signatories)
Rescue Agreement, 1968 (95/24)
Liability Convention, 1972 (94/20)
Registration Convention, 1975 (63/4)
Moon Agreement, 1979 (17/4)
(*status as of 1 January 2017*)

- Declaration of Legal Principles Governing the Activities of States in the Exploration and Uses of Outer Space *(1963)*
- Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting *(1982)*
- Principles Relating to Remote Sensing of the Earth from Outer Space *(1986)*
- Principles Relevant to the Use of Nuclear Power Sources in Outer Space *(1992)*
- Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interests of All States, Taking into Particular Account the Needs of Developing Countries *(1996)*

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African COPUOS MS and Ratification Status

Algeria: OST, LIAB, REG

Benin: OST, LIAB

Burkina Faso: OST

Cameroon: OST (S), ARRA

Chad: -

Egypt: OST, ARRA, LIAB (S)

Ghana: OST (S), ARRA (S) LIAB (S)

Kenya: OST, LIAB

Libya: OST, ARRA, LIAB, REG

Morocco: OST, ARRA, LIAB, REG, MOON

Niger: OST, ARRA, LIAB, REG

Nigeria: OST, ARRA, LIAB, REG

Senegal: ARRA (S), LIAB

Sierra Leone: OST, ARRA (S), LIAB (S)

South Africa: OST, ARRA, LIAB, REG

Sudan: -

Tunisia: OST, ARRA, LIAB

Outer Space Treaty

Exploration and use of outer space – “province of all mankind” *(Article I)*
Principle of non-appropriation *(Article II)*
International law and UN Charter *(Article III)*
Weapons of mass destruction *(Article IV)*
International responsibility for national activities in outer space *(Article VI)*
International liability for damage *(Article VII)*
Jurisdiction and control *(Article VIII)*
Cooperation and mutual assistance, planetary protection, avoidance of harmful interference *(Article IX)*
Information and notification (*Article XI*)

Rescue Agreement

Provisions on notification, assistance and return of personnel of a spacecraft, as well as space objects and their component parts

Liability Convention

Absolute liability *(Article II)*
Fault liability *(Article III)*
Claims Commission *(Articles XIV-XX)*

Registration Convention

Registration requirements for space objects launched into Earth orbit or beyond - national registry and United Nations Register *(Articles II-IV)*

Moon Agreement

Use exclusively for peaceful purposes *(Article 3)*
Freedom of scientific investigation *(Article 6)*
Environmental consideration *(Article 7)*
Principle of “Common Heritage of Mankind” *(Article 11)*

- Application of the concept of the ”launching State” (resolution 59/115 of 10 December 2004)
- Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects (resolution 62/101 of 17 December 2007)
- Recommendations on national legislation relevant to the peaceful exploration and use of outer space (resolution 68/74 of 11 December 2013)
- Space debris mitigation guidelines of the Committee on the Peaceful Uses of Outer Space (annexed to 2007 COPUOS report A/62/20)
- Safety framework for nuclear power source applications in outer space (contained in A/AC.105/934 from 2009)

New items on the LSC agenda

- General exchange of views on the legal aspects of space traffic management (2016)
- General exchange of views on the application of international law to small satellite activities (2016)
- General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources (2017)

UN Register on Objects Launched into Outer Space

- To make provision for the national registration by launching States of objects launched into outer space;
- To serve as a central register of objects launched into outer space;
- To provide for State parties additional means and procedures to assist in the identification of space objects;
- To provide data needed for the implementation and application of other treaties

Some Registration Data

Central repository of official information provided by States on space objects in accordance with the Registration Convention or, on a voluntary basis, under General Assembly resolution 1721 B of 1961

Since 1957, over 40,000 space objects have been tracked in Earth orbit or beyond

Over 6,700 are “functional”, (satellites, probes, manned spacecraft and space station components). Remaining are spend rocket boosters, shrouds and detached components or other residual non-functional components resulting from the launch, operation or termination of the space object. These types of objects are collectively known as “non-functional”

Presently, approximately 3,700 functional or previously functional space objects remain in Earth orbit or beyond (about 1,500 functional space objects)

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Online Index of Objects Launched into Outer Space

- Web-based treaty monitoring/verification tool developed by UNOOSA in 2001 allowing States to identify whether a space objects has been registered and who is the State of registry
- Fusion of official and unofficial data. Includes all registered and unregistered satellites/probes/spacecraft/space station flight elements from 1957 to present
- Functional space objects only. Space debris and non-functional objects are not included.
- Each space object record contains (when available) information from the State of registry:
  - Initial registration document (Article IV, para. 1)
  - Documents containing additional information (Article IV, para.2)
  - Document containing date of decay/re-entry/deorbit (Article IV, para.3)
- Links to documents by other States containing information related to the space object are also provided (i.e. mentioned in a State providing launch services)
- Links to documents provided by States under other treaties and principles (Outer Space Treaty, Rescue Agreement, NPS Principles)
- Search could be performed using different parameters (name, international designator, launching State, date of launch, orbital status, etc.)

http://www.unoosa.org/oosa/osoindex/index.jspx

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Compendium of space debris mitigation standards


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Our Work > Topics > Space Debris > Space Debris Compendium

Compendium of space debris mitigation standards adopted by States and international organizations

The compendium of space debris mitigation standards adopted by States and international organizations has been developed as a contribution of Canada, the Czech Republic and Germany to the Committee on the Peaceful Uses of Outer Space, and in reference to the agenda item of its Legal Subcommittee on "General exchange of information and views on legal mechanisms relating to space debris mitigation measures, taking into account the work of the Scientific and Technical Subcommittee". The aim of the compendium is to inform States of the current instruments and measures that have been implemented by States and international organizations.

The initial version of the Compendium has been made available to the Legal Subcommittee at its fifty-third session held in Vienna from 24 March to 4 April 2014 under agenda item 11 of the provisional agenda of the session (A/AC.105/C.2/L.292) as a conference room paper A/AC.105/C.2/2014/CRP.15, supplemented by a contribution to the Compendium, contained in A/AC.105/C.2/2014/CRP.15/Add.1.

At that session, the Legal Subcommittee noted with appreciation the development of the Compendium by Canada, the Czech Republic and Germany, and requested those delegations to continue their work on the compendium with a view to increasing the number of States and international organizations included therein. The Subcommittee further requested that the compendium be provided to the Secretariat prior to the fifty-seventh session of the Committee, in June 2014 (A/AC.105/1067, para 154).

An updated Compendium was provided to the Committee on the Peaceful Uses of Outer Space at its fifty-seventh session held in Vienna from 11 to 20 June 2014 as a conference room paper A/AC.105/2014/CRP.13. Editorial support in compiling and finalizing the Compendium was provided to Canada, the Czech Republic and Germany by the Legal Services Department of the European Space Agency (ESA).

The Committee expressed its appreciation to Canada, the Czech Republic and Germany for the development of the compendium and requested the Secretariat to maintain the compendium on a dedicated page of the website of the Office for Outer Space Affairs (A/69/20, para. 261).

The Committee agreed that member States of the Committee and international intergovernmental organizations with permanent observer status with the Committee should be invited to provide or update the information on any legislation or standards adopted with regard to space debris mitigation, using the template provided for that purpose. The Committee also agreed that all other States Members of the United Nations should be invited to contribute to the compendium, encouraging States with such regulations or standards to provide information on them.

An updated compendium was distributed as a conference room paper (A/AC.105/C.1/2015/CRP.9) to the 52nd session of the Scientific and Technical Subcommittee held in Vienna from 2 to 13 February 2015. The fully-updated compendium will be made available to the Legal Subcommittee at its fifty-fourth session, in 2015 (A/69/20, para. 262).

Note: Files are presently available in PDF format in English only unless indicated otherwise.

Part 1: National mechanisms (as of 8 September 2015)

- Developed as a contribution of Canada, the Czech Republic and Germany to the Committee, and in reference to the LSC agenda item on General exchange of information and views on legal mechanisms relating to space debris mitigation measures (2014)
- Content:
  - **Part 1: National mechanisms**
    (Algeria, Argentina, Australia, Austria, Belgium, Canada, Chile, Czech Republic, France, Germany, Italy, Japan, Mexico, Netherlands, Nigeria, Poland, Slovakia, Spain, Switzerland, Ukraine, UK, and USA)
  - **Part 2: International mechanisms**
    (European Code of Conduct for Space Debris Mitigation, ESA Space Debris Mitigation Guidelines for Agency Projects, IADC Space Debris Mitigation Guidelines, ITU Recommendation ITU-R S.1003.2, Space Debris Mitigation Guidelines of the Committee)
- Hosted by the Office on its website at: http://www.unoosa.org/oosa/en/ourwork/topics/space-debris/compendium.html

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TP2 “Legal regime of outer space and global space governance: current and future perspectives”

- Complex set of objectives identified by COPUOS in 2016, including on assessing the state of affairs of the legal regime of outer space; identification of possible gaps; progressive development of international space law etc.
- LSC WG on Status of treaties in 2017 agreed to a multi-year working method 2017-2020 on the basis of 3 “clusters” (*cluster 1*: questionnaire of the WG as basis for analysing the effectiveness of the legal regime of outer space, and addressing the status and scope of, and assessing and, as appropriate, addressing possible gaps in, the legal regime of outer space; *cluster 2*: enhanced information exchange on space objects and event (TP3 and LTS): and *cluster 3*: promoting the universality of the five UN treaties on outer space, including by identifying approaches and possible criteria for developing a guidance document, as well as promoting the increase in membership of COPUOS. Progress and outcome of past WGs to be observed (launching State, registration practice, national legislation, international mechanisms). **See A/AC.105/1122, annex I, paras. 6-8, and appendix I. See also A/AC.105/1169 (TP 2 report)**


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