



**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee
Fifty-fifth session
Vienna, 4-15 April 2016****Draft report****VI. National legislation relevant to the peaceful exploration and
use of outer space**

1. Pursuant to General Assembly resolution 70/82, the Subcommittee considered agenda item 8, entitled “National legislation relevant to the peaceful exploration and use of outer space”, as a regular item on its agenda.
2. The representatives of Australia, Chile, Indonesia, Japan, Mexico, the Russian Federation and the United Arab Emirates made statements under agenda item 8. The observer for ESA also made a statement under the item. During the general exchange of views, statements relating to the item were made by the representatives of other member States.
3. The Subcommittee had before it the following:
 - (a) Conference room paper containing information submitted by Austria on its national space legislation (A/AC.105/C.2/2016/CRP.21);
 - (b) Conference room paper containing information submitted by ESA on the promotion of national space legislation (A/AC.105/C.2/2016/CRP.23).
4. The Subcommittee heard the following presentations made under the agenda item:
 - (a) “The approach of the United Arab Emirates on the development of a regulatory framework for outer space”, by the representative of the United Arab Emirates;
 - (b) “Dutch regulation: unguided satellites”, by the representative of the Netherlands.



5. The Subcommittee noted various activities of member States in reviewing, strengthening, developing or drafting their national space laws and policies, as well as in reforming or establishing governance of national space activities. In that connection, the Subcommittee also noted that those activities were aimed at improving management and regulation of space activities, reorganizing national space agencies, making the space activities of governmental and non-governmental organizations more competitive, increasing the involvement of academia in policy formulation, better responding to challenges posed by the development of space activities, in particular challenges relating to the management of the space environment, and better implementing international obligations.

6. The Subcommittee reiterated that it was important to take into account the increased level of commercial and private activities in outer space in the context of developing a national space-related regulatory framework, particularly with respect to the responsibilities of States regarding the authorization and supervision of non-governmental entities conducting space activities.

7. The Subcommittee noted that the development and reformulation of national space policies and their implementation through national space regulation was increasingly aimed at addressing issues raised by the rising number of non-governmental entities conducting space activities. In that regard the Subcommittee noted that national space legislation played a key role in supporting innovation, promoting entrepreneurship and private investment, maintaining and strengthening the space science industry and technological advancement, and fostering general economic development.

8. The Subcommittee noted with satisfaction the increasing number of space-related international cooperation programmes and projects and the development of space legislation by States, as national regulatory frameworks played a significant role in regulating and fostering such cooperative activities. In that regard the Subcommittee noted that international cooperative mechanisms such as ESA could support the delivery of technical legal assistance to States seeking to enact national space legislation.

9. The Subcommittee agreed that the discussions under the item were important and that they enabled States to gain an understanding of existing national regulatory frameworks, share experiences on national practices and exchange information on national legal frameworks.

10. The Subcommittee agreed that it was important to continue to exchange information regularly on developments in the area of national space-related regulatory frameworks. In that regard, the Subcommittee encouraged member States to continue to submit to the Secretariat texts of their national space laws and regulations and to provide updates and inputs for the schematic overview of national regulatory frameworks for space activities.

VII. Capacity-building in space law

11. Pursuant to General Assembly resolution 70/82, the Subcommittee considered agenda item 9, entitled “Capacity-building in space law”, as a single issue/item for discussion.

12. The representatives of Chile, China, Costa Rica, France, Germany, Greece, India, Indonesia, Japan, the Netherlands, and the United Arab Emirates made statements under agenda item 9. The representative of Argentina made a statement on behalf of the Group of 77 and China, and Chile made a statement on behalf of the Group of Latin American and Caribbean States. The observer for ILA also made a statement under the item. During the general exchange of views, further statements relating to the item were made by representatives of other member States.
13. The Subcommittee had before it the following:
 - (a) Conference room paper containing a directory of education opportunities in space law (A/AC.105/C.2/2016/CRP.8);
 - (b) Conference room paper containing information submitted by Austria on its actions and initiatives to build capacity in space law (A/AC.105/C.2/2016/CRP.21).
14. The Subcommittee heard a presentation made by the representative of Japan entitled “Japan’s capacity-building in space law: recent progress”.
15. The Subcommittee agreed that capacity-building, training and education in space law were of paramount importance to national, regional and international efforts to further develop the practical aspects of space science and technology, especially in developing countries, and to increasing knowledge of the legal framework within which space activities were carried out. It was emphasized that the Subcommittee had an important role to play in that regard.
16. The Subcommittee noted with appreciation that a number of national, regional and international efforts to build capacity in space law were being undertaken by governmental and non-governmental entities. Those efforts included encouraging universities to offer modules and seminars on space law; providing fellowships for graduate and postgraduate education in space law; providing financial and technical support for legal research; preparing dedicated studies, papers, textbooks and publications on space law; organizing workshops, seminars and other specialized activities to promote greater understanding of space law, supporting space law moot court competitions; supporting the participation of young professionals in regional and international meetings relating to space law; providing for training and other opportunities to build experience, in particular through internships with space agencies; and supporting entities dedicated to the study of and research relating to space law in order to assist in the development of national space policies and legislative frameworks.
17. The Subcommittee recalled the importance of promoting regional and interregional cooperation and capacity-building through organizations such as APSCO and ESA, and through regional forums such as the Asia-Pacific Regional Space Agency Forum (APRSAF), the Space Conference of the Americas and the African Leadership Conference on Space Science and Technology for Sustainable Development.
18. The Subcommittee noted that some Member States provided financial assistance to enable students to attend the Manfred Lachs Space Law Moot Court Competition, held each year during the International Astronautical Congress.
19. The view was expressed that the constant increase in the number of space actors and space activities made knowledge of space law ever more important.

Capacity-building in space law had as its aim to raise awareness among new space actors of the legal provisions applicable to their activities and to create links between political actors, space agencies and the academic sector.

20. The Subcommittee noted with appreciation that the tenth United Nations workshop on space law would be held at the United Nations Office at Vienna from 5 to 8 September 2016. The workshop would address space law and policy, and cover transparency and confidence-building measures in outer space activities.

21. The Subcommittee noted that the workshops organized by the Office for Outer Space Affairs in cooperation with host countries were a valuable contribution to capacity-building in space law and international cooperation in the peaceful uses of outer space.

22. Some delegations expressed the view that the United Nations played a central role in fostering international cooperation and that it was therefore necessary to strengthen the capacity of the Office for Outer Space Affairs with regard to capacity-building, training and the delivery of legal technical assistance to support institutional and interregional capacity in the area of space law.

23. Some delegations requested the Office for Outer Space Affairs to strengthen its efforts to support capacity-building in space law in the Latin American and Caribbean region, in particular through the organization of seminars or workshops.

24. The Subcommittee noted with satisfaction that the Office for Outer Space Affairs had updated the directory of education opportunities in space law (A/AC.105/C.2/2016/CRP.8), including with information on available fellowships and scholarships, and agreed that the Office should continue to update the directory. In that connection, the Subcommittee invited member States to encourage contributions at the national level for the future updating of the directory.

25. The Subcommittee recommended that States members and permanent observers of the Committee inform the Subcommittee, at its fifty-sixth session, of any action taken or planned at the national, regional or international level to build capacity in space law.