



# General Assembly

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**Committee on the Peaceful  
Uses of Outer Space**  
Legal Subcommittee  
Sixty-second session  
Vienna, 20–31 March 2023

## Draft report

### Annex II

#### Report of the Chair of the Working Group on the Definition and Delimitation of Outer Space

1. At its 1034th meeting, on 20 March 2023, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space reconvened its Working Group on the Definition and Delimitation of Outer Space, with Ian Grosner (Brazil) as its new Chair.
2. The Chair of the Working Group expressed his appreciation for the tireless efforts of the previous Chair, José Monserrat Filho (Brazil).
3. The Chair recalled that, pursuant to the agreement reached by the Subcommittee at its thirty-ninth session and endorsed by the Committee at its forty-third session, both in 2000, and pursuant to General Assembly resolution [75/92](#), the Working Group had been reconvened to consider only matters relating to the definition and delimitation of outer space.
4. The Chair also recalled that, at the sixtieth session of the Legal Subcommittee, in 2021, the Working Group had agreed that it would be reconvened only every second year ([A/AC.105/1243](#), annex II, para. 6).
5. The Working Group had before it the documents listed in paragraph [...] of the report of the Subcommittee on its sixty-second session.
6. The view was expressed that document [A/AC.105/C.2/L.139](#) of 1983 contained an approach to the delimitation of airspace and outer space that remained relevant, that there was a need for a related international legal instrument of a binding nature and that there were clear interconnections between space traffic management and the definition and delimitation of outer space.
7. The view was expressed that information related to a practical case that would warrant the definition and delimitation of outer space would be presented at a future meeting of the Working Group.



8. The Working Group requested that the secretariat, on a biennial basis, in preparation for the meetings of the Working Group in the years when it was to be reconvened:

(a) Continue to invite States members of the Committee to submit information on national legislation or any national practices that may exist or were being developed that related directly or indirectly to the definition and/or delimitation of outer space and airspace;

(b) Continue to invite States members and permanent observers of the Committee to submit concrete and detailed proposals regarding the need to define and delimit outer space, or justifying the absence of such a need, or to provide the Working Group with specific cases of a practical nature relating to the definition and delimitation of outer space and the safety of aerospace operations. Such structured, consistent and grounded contributions would be considered by the Working Group at its future meetings;

(c) Continue to invite States Members of the United Nations and permanent observers of the Committee to provide their replies to the following questions:

(i) Is there a relationship between plans to establish a system of space traffic management and the definition and delimitation of outer space?

(ii) Is there a relationship between suborbital flights for scientific missions and/or for human transportation and the definition and delimitation of outer space?

(iii) Will the legal definition of suborbital flights for scientific missions and/or for human transportation be practically useful for States and other actors with regard to space activities?

(iv) How could suborbital flights for scientific missions and/or for human transportation be defined?

(v) Which legislation applies or could be applied to suborbital flights for scientific missions and/or for human transportation?

(vi) How will the legal definition of suborbital flights for scientific missions and/or for human transportation impact the progressive development of space law?

(vii) Please propose other questions to be considered in the framework of the legal definition of suborbital flights for scientific missions and/or for human transportation;

(d) Continue to invite States Members of the United Nations and permanent observers of the Committee to provide information relating to any practical case known to them that would warrant the definition and delimitation of outer space.

9. In that connection, the Chair noted that new documentation would not be prepared by the secretariat for the sixty-third session of the Legal Subcommittee, to be held in 2024, but would be prepared for the sixty-fourth session in 2025, and biennially thereafter.

10. On [...] March 2023, the Working Group considered and adopted the present report.