



# General Assembly

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## Committee on the Peaceful

### Uses of Outer Space

Legal Subcommittee

Forty-fourth session

Vienna 4-15 April 2005

## Provisional agenda<sup>1</sup>

1. Opening of the session and adoption of the agenda.
2. Statement by the Chairman.
3. General exchange of views.
4. Status and application of the five United Nations treaties on outer space.
5. Information on the activities of international organizations relating to space law.
6. Matters relating to:
  - (a) The definition and delimitation of outer space;
  - (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union.
7. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

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<sup>1</sup> In paragraph 5 of its resolution 59/116 of 10 December 2004, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that the Legal Subcommittee, at its forty-fourth session, taking into account the concerns of all countries, in particular those of developing countries, should consider items 3, 4, 5 and 6 as regular items of the agenda, should consider items 7 and 8 as single issues and items for discussion and should consider item 9 in accordance with the work plan adopted by the Committee. In paragraph 6 of the same resolution, the Assembly noted that the Subcommittee, at its forty-fourth session, would submit proposals to the Committee for new items to be considered by the Subcommittee at its forty-fifth session, in 2006.



8. Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, opened for signature at Cape Town, South Africa, on 16 November 2001:
  - (a) Considerations relating to the possibility of the United Nations serving as supervisory authority under the future protocol;
  - (b) Considerations relating to the relationship between the terms of the future protocol and the rights and obligations of States under the legal regime applicable to outer space.
9. Practice of States and international organizations in registering space objects.
10. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-fifth session.

## **Annotations**

### **4. Status and application of the five United Nations treaties on outer space**

In paragraph 7 of its resolution 59/116, the General Assembly noted that the Legal Subcommittee would reconvene its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space and review the need to extend the mandate of the Working Group beyond the forty-fourth session of the Subcommittee.

At its fortieth session, in 2001, the Legal Subcommittee agreed that the discussions of the Working Group would include the status of the treaties, review of their implementation and obstacles to their universal acceptance, as well as promotion of space law, especially through the United Nations Programme on Space Applications (A/AC.105/763 and Corr.1, para. 118). At its forty-first session, in 2002, the Subcommittee agreed that the Working Group would review any new, similar issues that might be raised in discussions in the Working Group, provided that those issues fell within its existing mandate (A/AC.105/787, paras. 138 and 140).

### **5. Information on the activities of international organizations relating to space law**

In the discussion of this item, member States may bring to the attention of the Legal Subcommittee any information on the activities of international organizations relating to space law. In accordance with the agreement reached at the forty-third session of the Legal Subcommittee, international organizations were invited to report to the Subcommittee on their activities (A/AC.105/826, para. 38).

In paragraph 48 of its resolution 59/116, the General Assembly agreed that the Legal Subcommittee should, at its forty-fourth session, address the level of participation of the entities having permanent observer status with the Committee on the Peaceful Uses of Outer Space and report to the Committee, at its forty-eighth session, on means of enhancing their participation in the work of the Subcommittee.

**6. Matters relating to:**

- (a) The definition and delimitation of outer space**
- (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union**

In paragraph 8 of its resolution 59/116, the General Assembly noted that the Legal Subcommittee would reconvene its Working Group on this item only to consider matters relating to the definition and delimitation of outer space.

**8. Examination of the preliminary draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, opened for signature at Cape Town, South Africa, on 16 November 2001:**

- (a) Considerations relating to the possibility of the United Nations serving as supervisory authority under the future protocol**
- (b) Considerations relating to the relationship between the terms of the future protocol and the rights and obligations of States under the legal regime applicable to outer space**

In paragraph 9 of its resolution 59/116, the General Assembly agreed that the Legal Subcommittee should reconvene its Working Group to consider the questions reflected in sub-items 8 (a) and (b) separately.

In paragraph 10 of its resolution 59/116, the General Assembly endorsed the recommendation of the Legal Subcommittee to establish an open-ended ad hoc working group to continue, between the forty-third and forty-fourth sessions of the Subcommittee, the consideration of the question of the appropriateness of the United Nations acting as supervisory authority; and noted that the working group would submit a report, including the text of a draft resolution, to the Subcommittee for consideration at its forty-fourth session.

**9. Practice of States and international organizations in registering space objects**

In paragraph 11 of its resolution 59/116, the General Assembly agreed that the Legal Subcommittee should establish a working group in accordance with the work plan adopted by the Committee. In accordance with that plan, the working group would, in 2005, examine reports submitted by Member States and international organizations on their practice in registering space objects.

## Annex

### Organization of work

1. At its forty-third session, in 2004, the Legal Subcommittee agreed that a flexible organization of work should continue to serve as the basis for organizing its work with a view to making fuller use of the conference services available (A/AC.105/826, para. 10).
2. At the close of the afternoon meeting on 4 April 2005, a symposium entitled "Recent developments in remote sensing and the desirability of reviewing 1986 United Nations Principles Relating to Remote Sensing of the Earth from Outer Space", sponsored by the International Institute of Space Law and the European Centre for Space Law, will be held.
3. An indicative schedule of work is provided below.

### Indicative schedule of work<sup>a</sup>

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
<b>Week of 4-8 April 2005</b>		
Monday, 4 April	Item 1. Opening of the session and adoption of the agenda Item 2. Statement by the Chairman Item 3. General exchange of views	Item 3. General exchange of views Symposium: Recent developments in remote sensing and the desirability of reviewing 1986 United Nations Principles Relating to Remote Sensing of the Earth from Outer Space
Tuesday, 5 April	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space <sup>b</sup>	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space <sup>b</sup>
Wednesday, 6 April	Item 4. Status and application of the five United Nations treaties on outer space <sup>b</sup> Item 5. Information on the activities of international organizations relating to space law	Item 4. Status and application of the five United Nations treaties on outer space <sup>b</sup> Item 5. Information on the activities of international organizations relating to space law
Thursday, 7 April	Item 5. Information on the activities of international organizations relating to space law Item 6 (a). The definition and delimitation of outer space <sup>c</sup> Item 6 (b). The character and utilization of the geostationary orbit	Item 5. Information on the activities of international organizations relating to space law Item 6 (a). The definition and delimitation of outer space <sup>c</sup> Item 6 (b). The character and utilization of the geostationary orbit
Friday, 8 April	Item 6 (a). The definition and delimitation of outer space <sup>c</sup> Item 6 (b). The character and utilization of the geostationary orbit Item 7. Nuclear power sources	Item 6 (a). The definition and delimitation of outer space <sup>c</sup> Item 6 (b). The character and utilization of the geostationary orbit Item 7. Nuclear power sources

<i>Date</i>	<i>Morning</i>	<i>Afternoon</i>
<b>Week of 11-15 April 2005</b>		
Monday, 11 April	Item 7. Nuclear power sources Item 8. Draft protocol on matters specific to space assets <sup>d</sup>	Item 7. Nuclear power sources Item 8. Draft protocol on matters specific to space assets <sup>d</sup>
Tuesday, 12 April	Item 8. Draft protocol on matters specific to space assets <sup>d</sup> Item 9. Practice in registering space objects <sup>e</sup>	Item 8. Draft protocol on matters specific to space assets <sup>d</sup> Item 9. Practice in registering space objects <sup>e</sup>
Wednesday, 13 April	Item 9. Practice in registering space objects <sup>e</sup> Item 10. Proposals to the Committee on new agenda items	Item 9. Practice in registering space objects <sup>e</sup> Item 10. Proposals to the Committee on new agenda items
Thursday, 14 April	Item 10. Proposals to the Committee on new agenda items Adoption of the report of the Working Group on agenda item 4 Adoption of the report of the Working Group on agenda item 6 (a)	Item 10. Proposals to the Committee on new agenda items Adoption of the report of the Working Group on agenda item 8 Adoption of the report of the Working Group on agenda item 9
Friday, 15 April	Adoption of the report of the Legal Subcommittee	Adoption of the report of the Legal Subcommittee

<sup>a</sup> At its thirty-eighth session, in 1995, the Committee on the Peaceful Uses of Outer Space agreed that the practice of allocating specific agenda items to particular meetings at a session should be ended and that, to assist in their planning, member States would continue to be provided with an indicative schedule of work, which would be without prejudice to the actual timing of consideration of specific agenda items (*Official Records of the General Assembly, Fiftieth Session, Supplement No. 20 (A/50/20)*, paras. 168 and 169 (b)).

<sup>b</sup> The Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, to be reconvened in accordance with paragraph 7 of General Assembly resolution 59/116, will meet during the time allocated for the consideration of item 4. The Legal Subcommittee will resume its consideration of item 4 on Thursday, 14 April, in order to adopt the report of the Working Group.

<sup>c</sup> The Working Group on the Definition and Delimitation of Outer Space, to be reconvened in accordance with paragraph 8 of General Assembly resolution 59/116, will meet during the time allocated for the consideration of item 6 (a). The Subcommittee will resume its consideration of item 6 (a) on Thursday, 14 April, in order to adopt the report of the Working Group.

<sup>d</sup> The Working Group on the Draft Protocol on Matters Specific to Space Assets, to be reconvened in accordance with paragraph 9 of General Assembly resolution 59/116, will meet during the time allocated for the consideration of item 8. The Legal Subcommittee will resume its consideration of item 8 on Thursday, 14 April, in order to adopt the report of the Working Group.

<sup>e</sup> The Working Group on the Practice of States and International Organizations in Registering Space Objects, to be established in accordance with paragraph 11 of General Assembly resolution 59/116, will meet during the time allocated for the consideration of item 9. The Legal Subcommittee will resume its consideration of item 9 on Thursday, 14 April, in order to adopt the report of the Working Group.