

Part three

Related resolutions adopted by the General Assembly

A. Resolution 1721 A and B (XVI) of 20 December 1961

International cooperation in the peaceful uses of outer space

The General Assembly,

Recognizing the common interest of mankind in furthering the peaceful uses of outer space and the urgent need to strengthen international cooperation in this important field,

Believing that the exploration and use of outer space should be only for the betterment of mankind and to the benefit of States irrespective of the stage of their economic or scientific development,

1. *Commends* to States for their guidance in the exploration and use of outer space the following principles:

(a) International law, including the Charter of the United Nations, applies to outer space and celestial bodies;

(b) Outer space and celestial bodies are free for exploration and use by all States in conformity with international law and are not subject to national appropriation;

2. *Invites* the Committee on the Peaceful Uses of Outer Space to study and report on the legal problems which may arise from the exploration and use of outer space.

The General Assembly,

Believing that the United Nations should provide a focal point for inter-national cooperation in the peaceful exploration and use of outer space.

1. *Calls upon* States launching objects into orbit or beyond to furnish information promptly to the Committee on the Peaceful Uses of Outer Space, through the Secretary-General, for the registration of launchings;

2. *Requests* The Secretary-General to maintain a public registry of the information furnished in accordance with paragraph 1 above;

3. *Requests* the Committee on the Peaceful Uses of Outer Space, in cooperation with the Secretary-General and making full use of the functions and resources of the Secretariat:

(a) To maintain close contact with governmental and non-governmental organizations concerned with outer space matters;

(b) To provide for the exchange of such information relating to outer space activities as Governments may supply on a voluntary basis, supplementing but not duplicating existing technical and scientific exchanges;

(c) To assist in the study of measures for the promotion of international cooperation in outer space activities;

4. *Further requests* the Committee on the Peaceful Uses of Outer Space to report to the General Assembly on the arrangements undertaken for the performance of those functions and on

such developments relating to the peaceful uses of outer space as it considers significant.

B. Paragraph 4 of resolution 55/122 of 8 December 2000

International cooperation in the peaceful uses of outer space

The General Assembly,

. . .

4. *Notes with satisfaction* the agreement reached by the Legal Subcommittee on the question of the character and utilization of the geostationary orbit and the subsequent endorsement of that agreement by the Committee;¹⁸

. . .

Some aspects concerning the use of the geostationary orbit

Paper adopted by the Legal Subcommittee at its thirty-ninth session (A/AC.105/738, annex III)

1. In its related resolutions, the General Assembly has regularly endorsed the recommendations of the Committee on the Peaceful Uses of Outer Space that its Legal Subcommittee continue its examination of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of this orbit, without prejudice to the role of the International Telecommunication Union (ITU).

2. In 1996, Colombia submitted to the Legal Subcommittee at its thirty-fifth session a working paper entitled “Some considerations concerning the utilization of the geostationary orbit” (A/AC.105/C.2/L.200 and Corr.1), recommending certain principles that could be applied to the management of frequencies and orbital positions relating to the geostationary satellite orbit.

3. Following the presentation and ensuing discussion, it did not prove possible for the Legal Subcommittee to endorse the paper. At the thirty-eighth session of the Legal Subcommittee, in 1999, after an impressive presentation made by the representative of Colombia, the outcome of the discussion was that Colombia’s standpoint should secure agreement on a text that would address the concerns expressed, without leading to implementation difficulties with ITU.

4. The Legal Subcommittee must find a way to reach an agreement on this important question. With this in mind and taking into account all of the points of view that have been expressed, the Legal Subcommittee adopts the recommendations made in paragraph 8 below.

5. Article 44, paragraph 196.2, of the ITU Constitution as amended by the Plenipotentiary Conference, held in Minneapolis, United States of America, in 1998, states:

“In using frequency bands for radio services, Member States shall bear in mind that radio frequencies and any associated orbits, including the geostationary satellite orbit, are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to those orbits and frequencies, taking into account the special needs of the developing countries and the geographical situation of particular

countries.”

6. Access to frequency bands other than those which are planned is at present governed by the principle of “first come, first served”. That approach, while suited to developed countries, may disadvantage developing countries, especially those yet to have access to that orbit. The existing coordination procedures that apply to the non-planned bands are designed to overcome that difficulty, but they are not necessarily capable of giving full satisfaction. There is therefore a need to facilitate access to the orbit/spectrum resource by developing countries or countries yet to have access to that orbit/spectrum resource in relation to those already using it, that is, to ensure equitable access between those countries already having access to the orbit/spectrum resource and those seeking it.

7. In conclusion, the Legal Subcommittee considers that:

(a) In accordance with article 44 of the ITU Constitution, the satellite orbits and radio frequency spectrum are limited natural resources, which must be used rationally, efficiently, economically and equitably;

(b) It is necessary to facilitate equitable access to the orbit/spectrum resource;

(c) ITU has planned the use of certain frequency bands and services for the geostationary orbit;

C. Resolution 59/115 of 10 December 2004

Application of the concept of the “launching State”

The General Assembly,

Recalling the Convention on International Liability for Damage Caused by Space Objects³ and the Convention on Registration of Objects Launched into Outer Space,⁴

Bearing in mind that the term “launching State” as used in the Liability Convention and the Registration Convention is important in space law, that a launching State shall register a space object in accordance with the Registration Convention and that the Liability Convention identifies those States which may be liable for damage caused by a space object and which would have to pay compensation in such a case,

Taking note of the report of the Committee on the Peaceful Uses of Outer Space on its forty-second session¹² and the report of the Legal Subcommittee on its forty-first session, in particular, the conclusions of the Working Group on the agenda item entitled “Review of the concept of the ‘launching State’” annexed to the report of the Legal Subcommittee,²⁰

Noting that nothing in the conclusions of the Working Group or in the present resolution constitutes an authoritative interpretation of or a proposed amendment to the Registration Convention or the Liability Convention,

Noting also that changes in space activities since the Liability Convention and the Registration Convention entered into force include the continuous development of new technologies, an increase in the number of States carrying out space activities, an increase in international cooperation in the peaceful uses of outer space and an increase in space activities carried out by non-governmental entities, including activities carried out jointly by government agencies and non-governmental entities, as well as partnerships formed by non-governmental entities from one or more countries,

Desirous of facilitating adherence to and the application of the provisions of the United Nations treaties on outer space, in particular the Liability Convention and the Registration Convention,

1. *Recommends* that States conducting space activities, in fulfilling their international obligations under the United Nations treaties on outer space, in particular the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,¹ the Convention on International Liability for Damage Caused by Space Objects³ and the Convention on Registration of Objects Launched into Outer Space,⁴ as well as other relevant international agreements, consider enacting and implementing national laws authorizing and providing for continuing supervision of the activities in outer space of non-governmental entities under their jurisdiction;

2. *Also recommends* that States consider the conclusion of agreements in accordance with the Liability Convention with respect to joint launches or cooperation programmes;

3. *Further recommends* that the Committee on the Peaceful Uses of Outer Space invite Member States to submit information on a voluntary basis on their current practices regarding on-orbit transfer of ownership of space objects;

4. *Recommends* that States consider, on the basis of that information, the possibility of harmonizing such practices as appropriate with a view to increasing the consistency of national space legislation with international law;

5. *Requests* the Committee on the Peaceful Uses of Outer Space, in making full use of the functions and resources of the Secretariat, to continue to provide States, at their request, with relevant information and assistance in developing national space laws based on the relevant treaties.

D. Resolution 62/101 of 17 December 2007

Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects

The General Assembly,

Recalling the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies¹ (Outer Space Treaty), in particular articles VIII and XI,

Recalling also the Convention on Registration of Objects Launched into Outer Space,⁴

Recalling further its resolution 1721 B (XVI) of 20 December 1961,

Recalling its resolution 41/66 of 3 December 1986,

Taking note of the relevant parts of the report of the Committee on the Peaceful Uses of Outer Space on its fiftieth session²¹ and the report of the Legal Subcommittee on its forty-sixth session, in particular the conclusions of the Working Group on the Practice of States and International Organizations in Registering Space Objects, annexed to the report of the Legal Subcommittee,²²

Noting that nothing in the conclusions of the Working Group or in the present resolution constitutes an authoritative interpretation of or a proposed amendment to the Registration Convention,

Bearing in mind the benefits for States of becoming parties to the Registration Convention and that, by acceding to, implementing and observing the provisions of the Registration Convention, States:

(a) Enhance the utility of the Register of Objects Launched into Outer Space established under Article III of the Registration Convention, in which information furnished by States and international intergovernmental

organizations conducting space activities that have declared their acceptance of the rights and obligations under the Registration Convention is recorded;

(b) Benefit from additional means and procedures that assist in the identification of space objects, including, in particular, in accordance with article VI of the Registration Convention,

Noting that States parties to the Registration Convention and international intergovernmental organizations conducting space activities, having declared their acceptance of the rights and obligations under the Convention, shall furnish information to the Secretary-General in accordance with the Convention and shall establish an appropriate registry and inform the Secretary-General of the establishment of such a registry in accordance with the Convention,

Considering that universal accession to and acceptance, implementation and observance of the provisions of the Registration Convention:

(a) Lead to increased establishment of appropriate registries;

(b) Contribute to the development of procedures and mechanisms for the maintenance of appropriate registries and the provision of information to the Register of Objects Launched into Outer Space;

(c) Contribute to common procedures, at the national and international levels, for registering space objects with the Register;

(d) Contribute to uniformity with regard to the information to be furnished and recorded in the Register concerning space objects listed in the appropriate registries;

(e) Contribute to the receipt of and recording in the Register of additional information concerning space objects on the appropriate registries and information on objects that are no longer in Earth orbit,

Noting that changes in space activities since the Registration Convention entered into force include the continuous development of new technologies, an increase in the number of States carrying out space activities, an increase in international cooperation in the peaceful uses of outer space and an increase in activities carried out by non-governmental entities, as well as partnerships formed by non-governmental entities from more than one country,

Desirous of achieving the most complete registration of space objects,

Desirous also of enhancing adherence to the Registration Convention,

1. *Recommends*, with regard to adherence to the Registration Convention,⁴ that:

(a) States that have not yet ratified or acceded to the Registration Convention should become parties to it in accordance with their domestic law and, until they become parties, furnish information in accordance with General Assembly resolution 1721 B (XVI);

(b) International intergovernmental organizations conducting space activities that have not yet declared their acceptance of the rights and obligations under the Registration Convention should do so in accordance with Article VII of the Convention;

2. *Also recommends*, with regard to the harmonization of practices, that:

(a) Consideration should be given to achieving uniformity in the type of information to be provided to the Secretary-General on the registration of space objects, and such information could include, inter alia:

- (i) The Committee on Space Research international designator, where appropriate;
- (ii) Coordinated Universal Time as the time reference for the date of launch;
- (iii) Kilometres, minutes and degrees as the standard units for basic orbital parameters;
- (iv) Any useful information relating to the function of the space object in addition to the general function requested by the Registration Convention;

(b) Consideration should be given to the furnishing of additional appropriate information to the Secretary-General on the following areas:

- (i) The geostationary orbit location, where appropriate;
- (ii) Any change of status in operations (inter alia, when a space object is no longer functional);
- (iii) The approximate date of decay or re-entry, if States are capable of verifying that information;
- (iv) The date and physical conditions of moving a space object to a disposal orbit;
- (v) Web links to official information on space objects;

(c) States conducting space activities and international intergovernmental organizations that have declared their acceptance of the rights and obligations under the Registration Convention should, when they have designated focal points for their appropriate registries, provide the Office for Outer Space Affairs of the Secretariat with the contact details of those focal points;

3. *Further recommends*, in order to achieve the most complete registration of space objects, that:

(a) Due to the complexity of the responsibility structure in international intergovernmental organizations conducting space activities, a solution should be sought in cases where an international intergovernmental organization conducting space activities has not yet declared its acceptance of the rights and obligations under the Registration Convention, and a general backup solution should be provided for registration by international intergovernmental organizations conducting space activities in cases where there is no consensus on registration among the States members of such organizations;

(b) The State from whose territory or facility a space object has been launched should, in the absence of prior agreement, contact States or international intergovernmental organizations that could qualify as “launching States” to jointly determine which State or entity should register the space object;

(c) In cases of joint launches of space objects, each space object should be registered separately and, without prejudice to the rights and obligations of States, space objects should be included, in accordance with international law, including the relevant United Nations treaties on outer space, in the appropriate registry of the State responsible for the operation of the space object under article VI of the Outer Space Treaty;¹

(d) States should encourage launch service providers under their jurisdiction to advise the owner and/or operator of the space object to address the appropriate States on the registration of that space object;

4. *Recommends* that, following the change in the supervision of a space object in orbit:

(a) The State of registry, in cooperation with the appropriate State according to article VI of the Outer Space Treaty, could furnish to the Secretary-General additional information, such as:

- (i) The date of change in supervision;
- (ii) The identification of the new owner or operator;
- (iii) Any change of orbital position;
- (iv) Any change of function of the space object;

(b) If there is no State of registry, the appropriate State according to Article VI of the Outer Space Treaty could furnish the above information to the Secretary-General;

5. *Requests* the Office for Outer Space Affairs:

(a) To make available to all States and international intergovernmental organizations a model registration form reflecting the information to be provided to the Office for Outer Space Affairs, to assist them in their submission of registration information;

(b) To make public, through its website, the contact details of the focal points;

(c) To establish web links on its website to the appropriate registries that are available on the Internet;

6. *Recommends* that States and international intergovernmental organisations should report to the Office for Outer Space Affairs on new developments relating to their practice in registering space objects.

E. Resolution 68/74 of 11 December 2013

Recommendations on national legislation relevant to the peaceful exploration and use of outer space

The General Assembly,

Emphasizing the importance of appropriate means of ensuring that outer space is used for peaceful purposes and that the obligations under international law and those specifically contained in the United Nations treaties on outer space²³ are implemented,

Recalling its resolutions 59/115 of 10 December 2004 on the application of the concept of the “launching State” and 62/101 of 17 December 2007 on recommendations on enhancing the practice of States and international inter-governmental organizations in registering space objects,

Taking note of the work of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space and the report of its Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space on the work conducted under its multi-year workplan,²⁴

Noting that nothing in the conclusions of the Working Group or in the present recommendations constitutes an authoritative interpretation or a proposed amendment to the United Nations treaties on outer space,

Observing that, in view of the increasing participation of non-governmental entities in space activities, appropriate action at the national level is needed, in particular with respect to the authorization and supervision of non-governmental space activities,

²³Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 610, No. 8843); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 672, No. 9574); Convention on International Liability for Damage Caused by Space Objects (United Nations, *Treaty Series*, vol. 961, No. 13810); Convention on Registration of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 1023, No. 15020); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 1363, No. 23002).

²⁴A/AC.105/C.2/101.

Noting the need to maintain the sustainable use of outer space, in particular by mitigating space debris, and to ensure the safety of space activities and minimize the potential harm to the environment,

Recalling the provisions contained in the United Nations treaties on outer space with respect to providing information, to the greatest extent feasible and practicable, on the activities carried out in outer space, in particular through registration of objects launched into outer space,

Noting the need for consistency and predictability with regard to the authorization and supervision of space activities and the need for a practical regulatory system for the involvement of non-governmental entities to provide further incentives for enacting regulatory frameworks at the national level, and noting that some States also include national space activities of a governmental character within that framework,

Recognizing the different approaches taken by States in dealing with various aspects of national space activities, namely by means of unified acts or a combination of national legal instruments, and noting that States have adapted their national legal frameworks according to their specific needs and practical considerations and that national legal requirements depend to a high degree on the range of space activities conducted and the level of involvement of non-governmental entities,

Recommends the following elements for consideration, as appropriate, by States when enacting regulatory frameworks for national space activities, in accordance with their national law, taking into account their specific needs and requirements:

1. The scope of space activities targeted by national regulatory frameworks may include, as appropriate, the launch of objects into and their return from outer space, the operation of a launch or re-entry site and the operation and control of space objects in orbit; other issues for consideration may include the design and manufacture of spacecraft, the application of space science and technology, and exploration activities and research;
2. The State, taking into account its obligations as a launching State and as a State responsible for national activities in outer space under the United Nations treaties on outer space, should ascertain national jurisdiction over space activities carried out from territory under its jurisdiction and/or control; likewise, it should issue authorizations for and ensure supervision over space activities carried out elsewhere by its citizens and/or legal persons established, registered or seated in territory under its jurisdiction and/or control, provided, however, that if another State is exercising jurisdiction with respect to such activities, the State should consider forbearing from duplicative requirements and avoid unnecessary burdens;
3. Space activities should require authorization by a competent national authority; such authority or authorities, as well as the conditions and procedures for granting, modifying, suspending and revoking the authorization, should be set out clearly within the regulatory framework; States might employ specific procedures for the licensing and/or for the authorization of different kinds of space activities;
4. The conditions for authorization should be consistent with the inter-national obligations of States, in particular under the United Nations treaties on outer space, and with other relevant instruments, and may reflect the national security and foreign policy interests of States; the conditions for authorization should help to ascertain that space activities are carried out in a safe manner and to minimize risks to persons, the environment or property and that those activities do not lead to harmful interference with other space activities; such conditions could also relate to the experience, expertise and technical qualifications of the applicant and could include safety and technical standards that are in line, in particular, with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space;²⁵
5. Appropriate procedures should ensure continuing supervision and monitoring of authorized space activities by applying, for example, a system of on-site inspections or a more general reporting requirement; enforcement mechanisms could include administrative measures, such as the suspension or revocation of the authorization, and/or penalties, as appropriate;
6. A national registry of objects launched into outer space should be maintained by an appropriate national authority; operators or owners of space objects for which the State is considered to be the launching State or the State responsible for national activities in outer space under the United Nations treaties on outer space should be requested to submit information to the authority to enable the State on whose registry such objects are carried to submit the relevant information to the Secretary-General of the United Nations in accordance with applicable international instruments, including the Convention on Registration of Objects Launched into Outer Space,⁴ and in consideration of General Assembly resolutions 1721 B (XVI) of 20 December 1961 and 62/101 of 17 December 2007; the State may also request information on any change in the main characteristics of space objects, in particular when they have become

8. Continuing supervision of the space activities of non-governmental entities should be ensured in the event of the transfer of ownership or control of a space object in orbit; national regulations may provide for authorization requirements with regard to the transfer of ownership or obligations for the submission of information on the change in status of the operation of a space object in orbit.