Global Governance of Outer Space Activities - Multilateralism and the Role of COPUOS

AGC, NUS CIL, OSTIN webinar

”Outer Space and International Law”

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UNITED NATIONS
Office for Outer Space Affairs

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Committee on the Peaceful Uses of outer Space (COPUOS)

1959: COPUOS established by Resolution 1472 (XIV).

COPUOS reports annually to UNGA Fourth Committee – resolution on "international cooperation in the peaceful uses of outer space"

- **Reviews peaceful use** of outer space, **encourages space research** programmes, and **studies legal issues** arising from space exploration
- Forum for developing of **international space law.**
  - Has created **5 treaties and 5 principles** of outer space
  - Space Debris Mitigation Guidelines
  - Safety framework for nuclear power sources (NPS)
  - Guidelines for the Long-term Sustainability of Outer Space Activities (LTS Guidelines)
  - GA resolutions on launching State, registration practice, national space legislation. Study on international frameworks
- COPUOS has expanded the number of States **members** from 18 (1958) to 95 (2020). Has 42 permanent observer organizations (IGO and NGO)
- **Two subcommittees**: Scientific and Technical Subcommittee (STSC) and Legal Subcommittee (LSC)
- Joint meetings of UNGA First and Fourth Committees on safety, security and sustainability of outer space activities

Five UN Treaties and Principles on Outer Space

status as of 1 January 2020

Outer Space Treaty (OST), 1967 (110 States parties/23 signatories)

Rescue Agreement (ARRA), 1968 (98/23)

Liability Convention (LIAB), 1972 (98/19)

Registration Convention (REG), 1975 (69/3)

Moon Agreement (MOON), 1979 (18/4)

Declarations of acceptance by:

EUMETSAT (ARRA, LIAB, REG)

ESA (ARRA, LIAB, REG)

EUTELSAT-IGO (LIAB, REG)

INTERSPUTNIK (ARRA, LIAB, REG)

- 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)*

Governance phases of COPUOS

1960 – 1980: Treaties

1980 – 2000: Principles

2000 – 2020: Resolutions, Guidelines

2020 - …

Governance regimes in comparison

Air (ICAO)

Sea (UNCLOS - IMO)

Frequencies/GSO (ITU)

Deep Sea Bed (UNCLOS/ISBA)

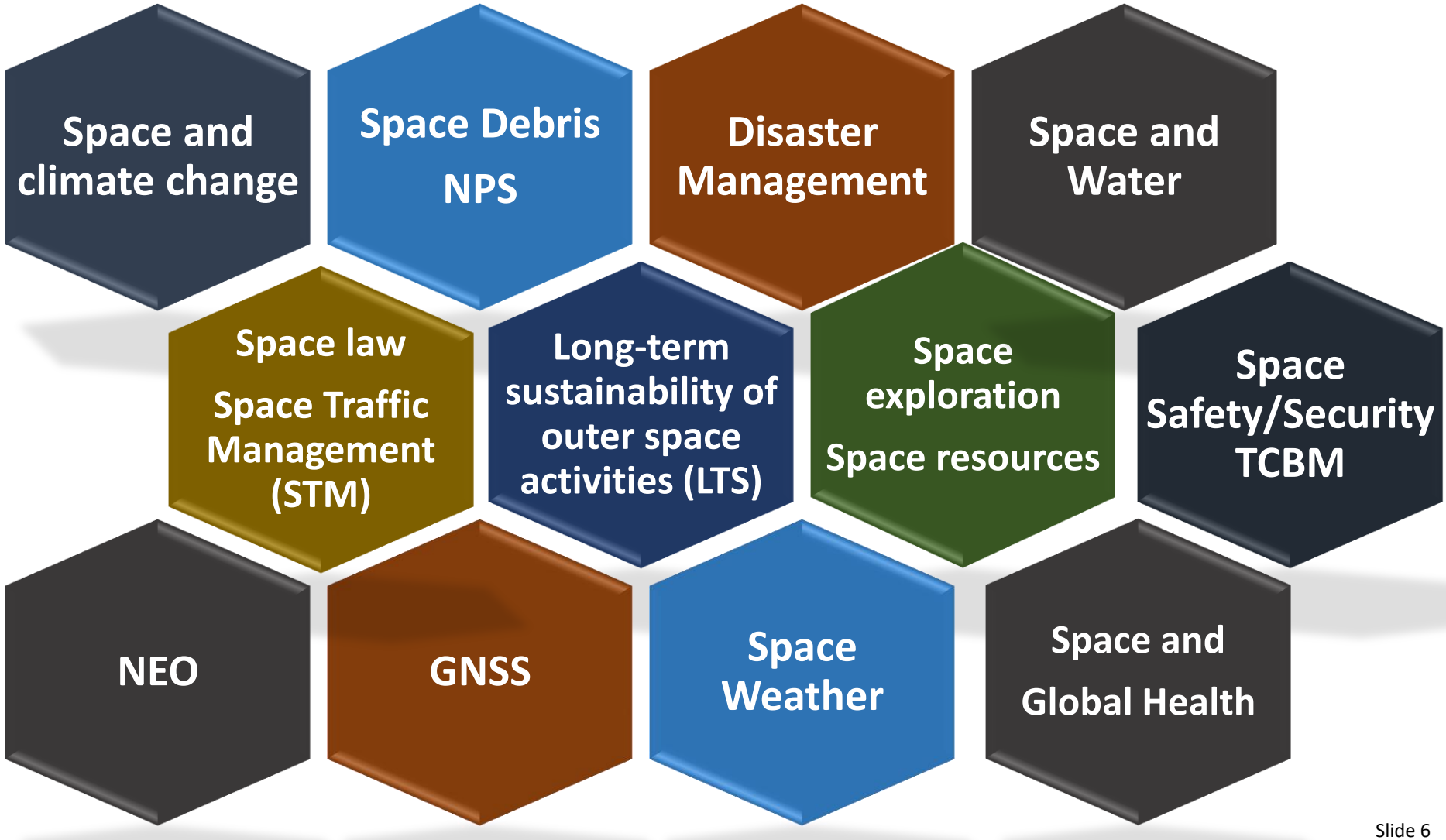
Antarctic Treaty System

Cyber

COPUOS mandate

1959: UN General Assembly resolution 1472 (XIV) reaffirmed the role of COPUOS and mandated the Committee to:

- Review international co-operation
- Study space-related activities that could be undertaken under United Nations auspices
- Encourage and assist with national space research programmes
- Study legal problems which may arise from the exploration of outer space


Space and climate change
Space Debris
NPS
Disaster Management
Space and Water
Space law
Space Traffic Management (STM)
Long-term sustainability of outer space activities (LTS)
Space exploration
Space resources
Space Safety/Security
TCBM
NEO
GNSS
Space Weather
Space and
Global Health

95 States members of COPUOS

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

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

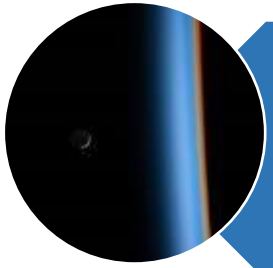
Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Hungary, Poland, Romania, Russian Federation, Slovakia, Ukraine

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Mexico, Nicaragua, Paraguay, Peru, Uruguay, Venezuela

Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States

(Bangladesh has formally applied for membership in 2020)

UNOOSA: supporting Member States



CAPACITY BUILDER: UNOOSA carries out specialized, targeted and cross-sectorial capacity-building activities in space science, technology, law and policy

CONVENER: UNOOSA facilitates the inter-governmental process. Brings stakeholders together (governments, IGOs, NGOs, private sector, academia, civil society)

GATEWAY: UNOOSA - the sole UN entity dedicated to comprehensive space affairs. Fosters access to space. Builds public-private partnerships

UNOOSA discharging responsibilities under space law

Maintaining the Register of Objects Launched into Outer Space (Registration Convention and GA resolution 1721 B)

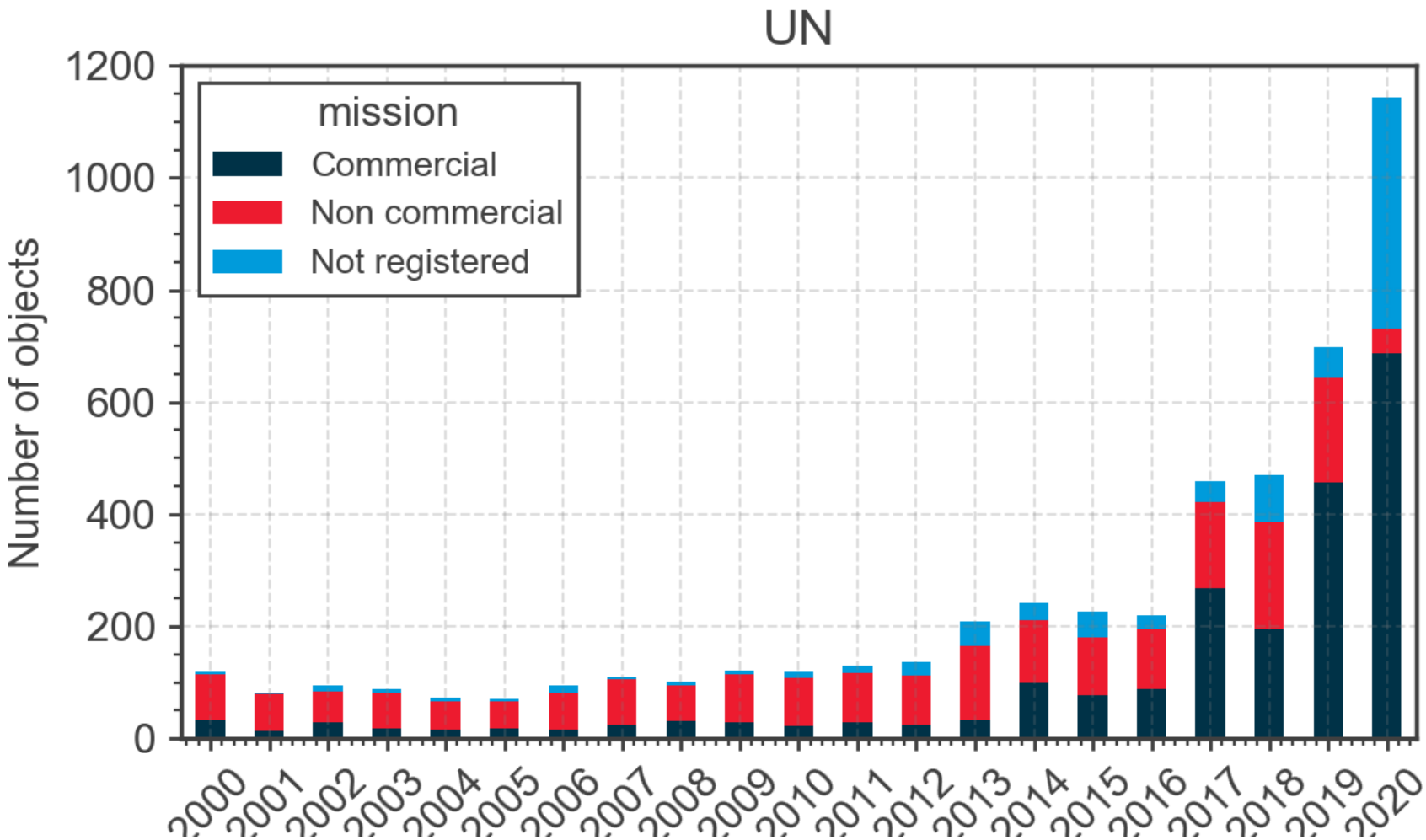
Dissemination of information relating to outer space activities (including discovery of harmful phenomena) provided by States (Outer Space Treaty)

Dissemination of information relating to the recovery of “foreign” astronauts in distress and/or space objects by States within their territory and their return (Rescue Agreement)

Dissemination of information relating to lunar exploration and habitation (Moon Agreement)

Dissemination of information under the Nuclear Power Source Principles (NPS-principles)

UN Register 2000-2020: A Comparison



Preamble and 21 LTS Guidelines (A/74/20, annex II)

Guidelines for the Long-term Sustainability of Outer Space Activities of the Committee on the peaceful Uses of Outer Space

Not legally binding under international law

Any action taken towards their implementation should be consistent with the applicable principles and norms of international law

Nothing in the Guidelines should constitute a revision, qualification or reinterpretation of those principles and norms

Nothing in the Guidelines should be interpreted as giving rise to any new legal obligation for States

Reference to GGE-report on TCBM (safety, security and sustainability)

21 LTS Guidelines - key areas

National regulatory frameworks, supervision of national space activities, enhance registration practice

Safety of space operations (information exchange on space objects and events), improve accuracy of orbital data, sharing of space debris monitoring information, conjunction assessments (all orbital phases of controlled flight/pre-launch)

Sharing of space weather data and forecasts/develop space weather models

Design and operation of space objects (including small satellites), uncontrolled re-entry of space objects (risk assessment and consultation)

Capacity-building, scientific and technical research and development

Governance projection (promoting safety of space operations)

- Enhanced capacity-building and awareness
- Increased dialogue with private space actors
- Organized reporting on the implementation of the LTS guidelines and further development
- Structured information exchange on space objects and events

➢ STM…

Space multilateralism – a cross-cutting projection

- Space environment – celestial bodies: exploration and innovation, utilization and presence, space resources - environmental and cultural/heritage protection - planetary protection (COSPAR) (forward contamination) →

- Space environment - orbits: LTS Guidelines and projection for the sustainability of space operations - SSA - fabrics of STM →

- Earth environment: planetary defence, planetary protection (back contamination), space weather (also orbits), dark and quiet skies, sustainable development →

➢ Order - interests of space actors (governance, commercial, scientific)

THANK YOU

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