



# General Assembly

Distr.: Limited  
18 June 2003

Original: English

---

## Committee on the Peaceful

### Uses of Outer Space

Forty-sixth session

Vienna, 11-20 June 2003

Agenda item 9

### Report of the Legal Subcommittee on its forty-second session

## Proposal for a draft resolution, for consideration by the General Assembly, on the application of the legal concept of the “launching State”

At the request of the Chairman of the Committee, the delegations of Germany and Greece jointly conducted two rounds of informal consultations on a draft resolution, for consideration by the General Assembly, on the application of the legal concept of the “launching State”, based on the proposal contained in document A/AC.105/C.2/L.242. The revised text of the draft resolution is as follows:

### Application of the legal concept of the “launching State”

*The General Assembly,*

*Recalling* the Convention on International Liability for Damage Caused by Space Objects<sup>1</sup> and the Convention on Registration of Objects Launched into outer Space,<sup>2</sup>

*Bearing in mind* that the term “launching State” as used in the Liability Convention and the Registration Convention is an important concept in space law, that a launching State is responsible for registering a space object in accordance with the Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>3</sup> and the Registration Convention and that the Liability Convention identifies those States

---

<sup>1</sup> General Assembly resolution 2777 (XXVI), annex.

<sup>2</sup> General Assembly resolution 3235 (XXIX), annex.

<sup>3</sup> General Assembly resolution 2222 (XXI), annex.



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 session<sup>4</sup> and the report of the Legal Subcommittee on its forty-first session, in particular the conclusions of the working group on agenda item 9, entitled “Review of the concept of the ‘launching State’”, annexed to the report of the Legal Subcommittee,<sup>5</sup>

*Noting* 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 governmental agencies and non-governmental entities, as well as partnerships formed by non-governmental entities from one or more countries,

*Desirous* of facilitating the 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,

*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,<sup>3</sup> the Convention on International Liability for Damage Caused by Space Objects and the Convention on Registration of Objects Launched into Outer Space, as well as other relevant international agreements, consider enacting national laws authorizing and providing continuing supervision of their national activities in outer space,

*Also recommends* that States consider, following common practice, the conclusion of agreements in accordance with the Liability Convention for each stage of a mission with respect to joint launches or cooperation programmes,

*Further recommends* that States consider harmonizing voluntary practices regarding on-orbit transfer of ownership of spacecraft, in order to increase the consistency between national space laws and help avoid lacunae in the implementation of the above-mentioned treaties,

*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 relevant information and assistance for States seeking to develop national space laws, based on the relevant treaties.

---

<sup>4</sup> *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 20 and corrigendum (A/54/20 and Corr.1).*

<sup>5</sup> A/AC.105/787, annex IV, appendix.