

THE UN COPUOS GUIDELINES ON THE LONG-TERM SUSTAINABILITY OF OUTER SPACE ACTIVITIES

A SECURE WORLD FOUNDATION FACT SHEET

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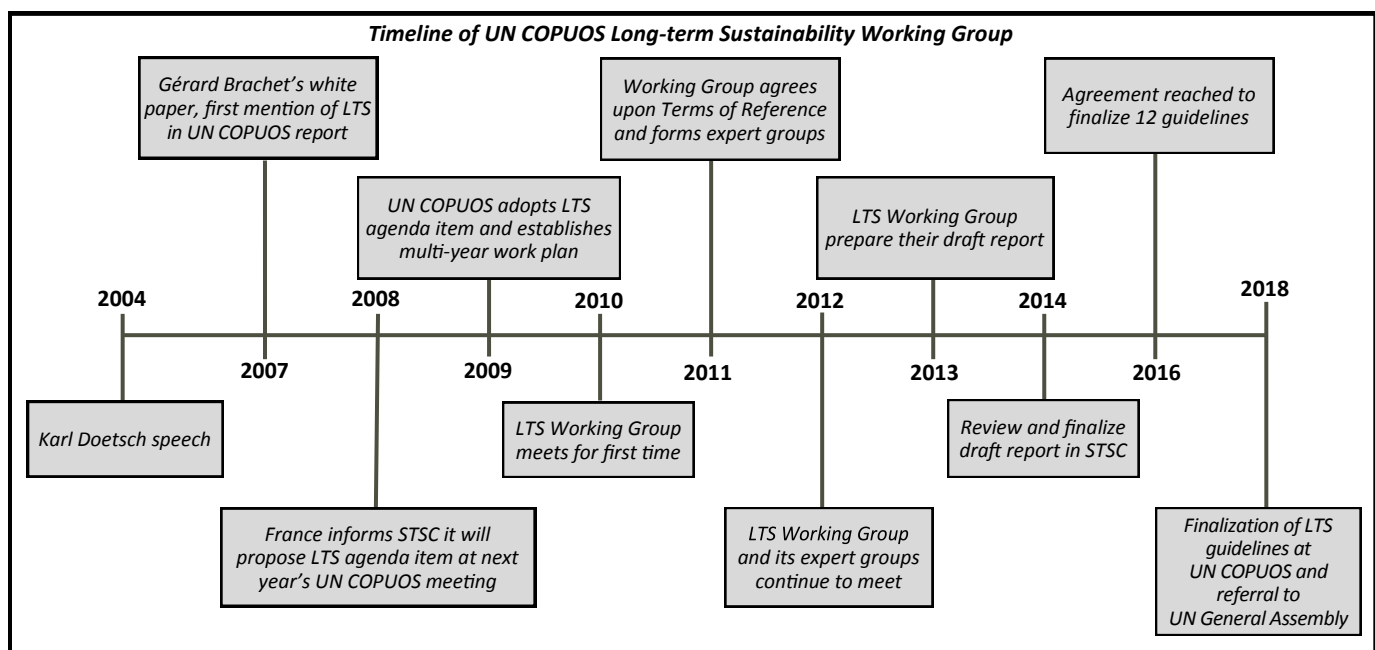
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In 2010, the United Nations Committee on the Peaceful Uses of Outer Space (UN COPUOS) established the Working Group on the Long-Term Sustainability (LTS) of Outer Space Activities. The Working Group is tasked with producing a consensus report containing voluntary best-practice guidelines for all space actors to help ensure the long-term sustainable use of outer space. The draft candidate guidelines are currently under consideration by UN COPUOS Member States. Originally intended to be finalized by 2016, the workplan has been extended to 2018, to be followed by its referral to the United Nations General Assembly.

History and Background

The Working Group on the Long-term Sustainability of Outer Space Activities is an initiative under the Scientific and Technical Subcommittee (STSC) of the UN COPUOS. The Working Group's goal is to examine and propose measures to ensure the safe and sustainable use of outer space for peaceful purposes and for the benefit of all countries. The final product of Working Group is a consensus report containing the voluntary best-practice guidelines.

The topic of long-term sustainability of space activities has been discussed within the UN COPUOS framework since 2004, when Chairman of the Committee Karl Doetsch delivered a speech on the issue.¹ In 2007, then-Chair Gérard Brachet contributed a white paper on the topic. The following year, the French delegation announced its plan to submit an official proposal to UN COPUOS to add a sustainability item to the agenda. This led to its inclusion in the STSC agenda in 2010, and to the establishment of an official Working Group under the chairmanship of South Africa's Peter Martinez.² The Committee finalized the Working Group's Terms of Reference in 2011, and established four expert groups under the Working Group to discuss topics relevant to long-term space sustainability.³



Focus and Structure

The Working Group's Terms of Reference define its objectives, scope and organization. The Working Group examined the long-term sustainability of space activities within the broader context of sustainable development on Earth; considered current practices, operating procedures, technical standards, and policies relevant to space sustainability and safety; and took as its legal framework the existing UN treaties and principles governing space activities. The Working Group identified areas of concern to space sustainability; examined and proposed measures that could enhance all aspects of sustainability; and prepared a report containing a consolidated set of best practices that could be applied voluntarily by States, international organizations, national non-governmental organizations, and the private sector.⁴

Four expert groups were created to discuss specific topics and develop draft guidelines. State delegations and intergovernmental bodies with permanent observer status at UN COPUOS nominated non-governmental experts to the expert groups as a part of their official delegation. Secure World Foundation personnel served in each of the expert groups. The expert groups received input from other UN bodies, such as the Conference on Disarmament and the International Telecommunication Union (ITU), and non-UN intergovernmental bodies, such as the Inter-Agency Space Debris Coordination Committee (IADC) and the International Academy of Astronautics (IAA). Topics of the expert groups were:

- A — Sustainable space utilization supporting sustainable development on Earth
- B — Space debris, space operations and tools to support space situational awareness sharing
- C — Space weather
- D — Regulatory regimes and guidance for new actors in the space arena

The expert groups met multiple times between 2011 and 2013, including formal meetings during UN COPUOS meetings as well as on the margins of UN COPUOS, and informally at space-related conferences. Expert groups A, C, and D finalized their initial reports for STSC 2014, while expert group B worked on the margins of the session to finalize its report.⁵

Draft Guidelines

The reports of the expert groups created guidelines that then must be refined and agreed up by the State delegations to the Working Group. The draft guidelines produced by the expert groups are broken into four major categories:

- Policy and regulatory framework for space activities
- Safety of space operations
- International cooperation, capacity-building, and awareness
- Scientific and technical research and development

The total number of guidelines have fluctuated with ongoing input from expert groups and UN COPUOS member states. The expert group reports initially contained 33 draft guidelines on the long-term sustainability of space activities. Later in 2014, Working Group Chair Peter Martinez assessed these 33 draft guidelines for overlap and combined them into 18 consolidated draft guidelines.⁶ Additional guidelines have been introduced and since refined by input from State delegations bringing the total number back up near 30 total guidelines.

UN COPUOS is a consensus-based organization, so all 84 member States must reach agreement before any of the guidelines can be finalized. Agreement on moving forward with the recommended guidelines has been a challenge to achieve. Through refinement, compromise, and great effort by Chairman Peter Martinez and others, during the 2016 Plenary, delegations finalized 12 of the then 29 guidelines.⁷ Recognizing that the remaining guidelines were at varying levels of maturity, the workplan was extended to be finalized by the 2018 Plenary.⁸

The Way Forward

Progress on the remaining guidelines continues, but after the end of the UN COPUOS Plenary in June 2017, there is still much work to be done. The Secretariat called for a finalization of 11 of the remaining 18 guidelines in June, with the fifth Intersessional in October 2017 completing the last seven.⁹ However, only 12 out of 18 guidelines were discussed, and three set aside prior to finalization.¹⁰ States started submitting alternative wordings for various guidelines and reopening discussions on guidelines that were very close to being finished, both of which complicated progress on the guidelines, since consensus was needed to move forward. As well, there were many discussions about the preamble for the guidelines, which also requires consensus for its completion. To expedite the remaining work, the chair of the Working Group was tasked with streamlining and producing a final preambular text with input from interested delegations by July 31, 2017.¹¹

Large amounts of work remain to be accomplished at the fifth Intersessional meeting of the Working Group scheduled for October 2017.¹² Outstanding guidelines need to be agreed upon, the preambular text needs to be approved, implementation and reviewing mechanisms need to be established, and the manner in which results will be referred to the General Assembly needs to be decided. There is also some time during the STSC meeting in February 2018 and an extremely limited amount of time during the June 2018 plenary to finalize the report, but the schedule is very pressed, given that the Committee also is working to plan its UNISPACE+50 event in June 2018.

The LTS process is the latest example of increased interest and passion in the work of UN COPUOS. 14 States have joined UN COPUOS over the last seven years, and many States are taking part in the LTS process. Some States may disagree about the scope and implementation of the guidelines, but their engagement signifies the common belief in the importance of space activities and that a more sustainable future is necessary. While the desired goal is a set of consensus guidelines, the increased number of States aware of, and knowledgeable about, these issues will be a net positive outcome regardless of the formal output.

Endnotes

1. For a more thorough history of the long-term sustainability guidelines effort, including views from many of the principal actors in the process, see the essays by Karl Doetsch; Gérard Brachet; Peter Martinez; Kenneth D. Hodgkins, Richard Buenneke & Amber Charlesworth; and Theresa Hitchens in *Part I: The Multilateral Effort to Assure Space Sustainability in SPACE FOR THE 21ST CENTURY - DISCOVERY, INNOVATION, SUSTAINABILITY* (Michael Simpson, Ray Williamson & Langdon Morris eds., 2016).
2. Committee on the Peaceful Uses of Outer Space, *Report of the Committee on the Peaceful Uses of Outer Space Fifty-third session*, ¶¶ 150-168, U.N. Doc. A/65/20 (2010) available at http://www.unoosa.org/pdf/qadocs/A_65_20E.pdf.
3. Committee on the Peaceful Uses of Outer Space, *Report of the Committee on the Peaceful Uses of Outer Space Fifty-fourth session*, pp. 51-57, Annex II. *Terms of reference and methods of work of the Working Group on Long-Term Sustainability of Outer Space Activities of the Scientific and Technical Subcommittee*, U.N. Doc. A/66/20 (2011) available at http://www.unoosa.org/pdf/qadocs/A_66_20E.pdf.
4. *Ibid.*
5. Committee on the Peaceful Uses of Outer Space, *Report of the Committee on the Peaceful Uses of Outer Space Fifty-seventh session*, ¶¶ 173-4, U.N. Doc. A/69/20 (2014) available at http://www.unoosa.org/pdf/qadocs/A_69_20E.pdf.
6. Committee on the Peaceful Uses of Outer Space, *Proposal by the Chair of the Working Group on the Long-term Sustainability of Outer Space Activities for the consolidation of the set of draft guidelines on the long-term sustainability of outer space activities*, U.N. Doc. A/AC.105/2014/CRP.5, available at http://www.unoosa.org/pdf/limited/I/AC105_2014_CRP05E.pdf.
7. More information on this breakthrough is available from the records of an SWF event held 21 October 2016 in partnership with the U.S. Department of State, "Progress and Planning Ahead: International Best Practices for Outer Space Sustainability." Event materials, transcripts, and audio and video recordings are available at <https://swfound.org/events/2016/progress-and-planning-ahead-international-best-practices-for-outer-space-sustainability>.
8. Committee on the Peaceful Uses of Outer Space, *Report of the Committee on the Peaceful Uses of Outer Space Fifty-ninth session*, ¶¶ 125-138, U.N. Doc. A/71/20 (2016) available at http://www.unoosa.org/res/oosadoc/data/resolutions/2016/general_assembly_71st_session/ares7190_html/N1642782.pdf.
9. Committee on the Peaceful Uses of Outer Space, *Proposal by the Chair of the Working Group on the Long-term Sustainability of Outer Space Activities for the guidelines for the long-term sustainability of outer space activities*, U.N. Doc. A/AC.105/2017/CRP.23, available at http://www.unoosa.org/res/oosadoc/data/documents/2017/aac_1052017crp/aac_1052017crp_23_0_html/AC105_2017CRP23E.pdf.
10. Committee on the Peaceful Uses of Outer Space, *Draft Report of the Committee on the Peaceful Uses of Outer Space Fifty-ninth session, Addendum one* ¶¶ 114, U.N. Doc. A/AC.105/L.309/Add.1 (2017) available at http://www.unoosa.org/res/oosadoc/data/documents/2017/aac_105/aac_105l_309add_1_0_html/AC105_L309Add01E.pdf.
11. Committee on the Peaceful Uses of Outer Space, *Draft Report of the Committee on the Peaceful Uses of Outer Space Fifty-ninth session, Addendum one* ¶¶ 118, U.N. Doc. A/AC.105/L.309/Add.1 (2017) available at http://www.unoosa.org/res/oosadoc/data/documents/2017/aac_105/aac_105l_309add_1_0_html/AC105_L309Add01E.pdf.
12. United Nations Office for Outer Space Affairs, Fifth Intersessional Meeting of the Working Group on the Long-term Sustainability of Outer Space Activities, http://www.unoosa.org/oosa/en/events/data/2017/fifth_intersessional_meeting_of_the_working_group_on_the_long-term_sustainability_of_outer_space_activities.html (last visited July 21 2017).