



## SECURE WORLD FOUNDATION

### Statement under Agenda Item 6. *Status and application of the five United Nations treaties on outer space, and ways and means, including capacity-building, to promote their implementation.*

Sixty-third Session of the Legal Subcommittee of the  
United Nations Committee on the Peaceful Uses of Outer Space

April 2024

Mister Chairman, distinguished delegates, the Secure World Foundation takes the floor under this agenda item to offer some observations on the status and applications of the five UN treaties on outer space.

COPUOS now has 102 Member States, with Uzbekistan and Guatemala as its newest members. What are the implications of the growth of COPUOS membership for the universalization of the existing United Nations treaties on outer space?

In terms of space law, one such implication deals with the list of States Parties to the various UN treaties.<sup>1</sup> In the past calendar year, both Panama<sup>2</sup> and Croatia<sup>3</sup> have joined the States Parties to the Outer Space Treaty, bringing the updated total number to 114 States Parties to the Outer Space Treaty, with an additional 22 States which have signed but not yet ratified the Outer Space Treaty.

There is significant overlap between the States which are, on the one hand, party to the Outer Space Treaty, and on the other hand, members of COPUOS.

In fact, according to our count, there are 84 States which are both Members of COPUOS and are States Parties to the Outer Space Treaty.<sup>4</sup>

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<sup>1</sup> Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space, *Status of International Agreements relating to activities in outer space as at 1 January 2023*, A/AC.105/C.2/2023/CRP.3 (20 March 2023), [https://www.unoosa.org/res/oosadoc/data/documents/2023/aac\\_105c\\_22023crp/aac\\_105c\\_22023crp\\_3\\_0\\_html/AC105\\_C2\\_2023\\_CRP03E.pdf](https://www.unoosa.org/res/oosadoc/data/documents/2023/aac_105c_22023crp/aac_105c_22023crp_3_0_html/AC105_C2_2023_CRP03E.pdf)

<sup>2</sup> Panama – Depository Notification, 11 Aug. 2023, <https://www.state.gov/wp-content/uploads/2023/08/Space-Outer-Space-Treaty-Notification-of-Deposit-of-Instrument-Panama-Aug-9-2023.pdf>.

<sup>3</sup> Croatia – Depository Notification, 13 Mar. 2023, <https://www.state.gov/wp-content/uploads/2023/03/Space-Outer-Space-Treaty-Notification-of-Deposit-of-Instrument-Croatia-Mar-10-2023.pdf>.

<sup>4</sup> There are an additional ten (10) States which have *signed but not yet ratified the Outer Space Treaty*, and are *Members of COPUOS*. Which means a total of 94 States with *COPUOS Membership* and with *obligations under the Outer Space Treaty*. The ten (10) States which have *signed but not yet ratified the Outer Space Treaty*, and are *COPUOS Members* are: Bolivia (Plurinational State of), Cameroon, Colombia, Ethiopia, Ghana, Iran (Islamic Republic of), Jordan, Malaysia, Philippines, and Rwanda.

There remain 30 States which are party to the Outer Space Treaty which are NOT members of COPUOS. Therefore, we are likely a long way away from a meeting of COPUOS seeing all the States Parties to the Outer Space Treaty in attendance.<sup>5</sup>

The situation is markedly different in regards to the 1975 *Convention on Registration of Objects Launched into Outer Space*. With the most recent accessions, last year, to the Registration Convention by Paraguay<sup>6</sup> and Romania,<sup>7</sup> there are now 75 States Parties to the Registration Convention, with an additional 3 signatory States.

Here there is significant overlap between, on the one hand, members of COPUOS, and, on the other hand, States Parties to the treaty in question. There are 66 States which are Members of COPUOS and are party to the Registration Convention. With an additional 3 COPUOS Members which have signed but *not yet ratified the treaty*, there are a total of 69 States with COPUOS membership and obligations under the Registration Convention.

This is the closest overlap between COPUOS membership and a State's status as a State Party to one of the five UN Treaties on outer space. In fact, there are only 9 remaining States which are **States Parties to the Registration Convention** who have **yet to join this Committee**.<sup>8</sup>

With the accelerating growth of this Committee, we may only be a few years away from a situation where all the States Parties to the Registration Convention are also COPUOS members. Those nine remaining States Parties to the Registration Convention may soon wish to join this Committee.

We note that the Principality of Liechtenstein, which is a Party to the Registration Convention, has recently submitted a letter to be an *ad hoc* observer to this session of the Subcommittee.<sup>9</sup> If they were to join COPUOS, there would only be eight remaining parties of the Registration Convention who are not yet members of COPUOS.

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<sup>5</sup> This would require thirty (30) States which are party to the Outer Space Treaty to become Members of COPUOS:

<sup>6</sup> Paraguay – Depository Notification, 19 Jan. 2023, <https://treaties.un.org/doc/Publication/CN/2023/CN.18.2023-Eng.pdf>.

<sup>7</sup> Romania – Depository Notification, 10 Feb. 2023, <https://treaties.un.org/doc/Publication/CN/2023/CN.44.2023-Eng.pdf>.

<sup>8</sup> *Antigua and Barbuda, Democratic People's Republic of Korea, Djibouti, Liechtenstein, Lithuania, Montenegro, Saint Vincent and the Grenadines, Serbia, and Seychelles.*

<sup>9</sup> Permanent Mission of the Principality of Liechtenstein, *Note Verbale*, 4 Apr. 2024, [https://www.unoosa.org/documents/pdf/copuos/lsc/2024/NV\\_Registration\\_Liechtenstein\\_LSC\\_20240404.pdf](https://www.unoosa.org/documents/pdf/copuos/lsc/2024/NV_Registration_Liechtenstein_LSC_20240404.pdf).

Every State Party of the Registration Convention meeting here at COPUOS would be historically significant, and significant under the Vienna Convention on the Law of Treaties and the provisions it contains regarding subsequent agreements of the States Parties of a treaty.

The 1975 Registration Convention is one of the most important treaties on outer space – requiring a national registry of space objects, and the international registration of a launching state’s launched space objects. Its provisions are significant mechanisms for enhancing transparency and confidence in, and about, space activities, which serve as public notice as to the extent and scope of a State’s national space activities.

We also take note of Article IX of the Registration Convention, which contains a process for amending the Convention. According to Article IX, any State Party to the Registration Convention can propose amendments which enter into force for each State Party accepting those amendments, upon their acceptance by a majority of States Parties to the Convention.

Additionally, Article X contains provisions on the review and a conference of the States Parties to Convention. We ask delegations to reflect on the question of whether some emerging and pressing issues in space governance might be addressed along these avenues.

A more thorough breakdown of treaty ratification and COPUOS membership is contained in a conference room paper submitted to the Secretariat. The Secure World Foundation looks forward to continuing to support this Subcommittee’s discussions under this agenda item.

Mister Chairman, distinguished delegates, thank you for your kind attention.



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