Intra-European Co-ordination in the UN Committee on Peaceful Uses of Outer Space

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Two years after the Soviet Union successfully launched the first Sputnik into space, the General Assembly of the United Nations created the ad-hoc Committee on Peaceful Uses of Outer Space in 1959. This Committee was set up because Member States of the United Nations were worried by the spectre of an arms race in outer space. It later became known as COPUOS, the 'ad-hoc' being removed. In order to carry out its functions, COPUOS in turn set up a Legal and a Scientific and Technical Subcommittee. A Secretariat, Outer Space Affairs Division, was created within the United Nations. This Secretariat is now known as the Office for Outer Space Affairs (OOSA).

COPUOS and its various Subcommittees and activities provide a unique opportunity for Europe's space-faring States to present themselves and their programmes and negotiate in a unified manner on a global stage.

Introduction

Despite the Committee on Peaceful Uses of Outer Space and its two Subcommittees initially proving something of a verbal battleground between East and West, it took less than ten years for COPUOS to produce a treaty of global importance, namely the treaty on 'Principles Governing the Activities of States in the Exploration and Uses of Outer Space including the Moon and other Celestial Bodies', now commonly referred to as the 'Outer Space Treaty'. This treaty constitutes the legal framework for conducting space activities. Since then, several other treaties dealing with specific aspects of space research and or use have been concluded, such as the Agreement on the Rescue and Return of Astronauts and the Registration Convention.

In 1973, ESRO and ELDO were both granted Observer status in COPUOS and its two Subcommittees. In order to co-ordinate the positions at the UN of their respective Member States, they set up the International Relations Advisory Group (IRAG). This Group and the Observer status were subsequently taken over by ESA. As international relations developed, so did the agenda of IRAG, which has since been re-designated the 'International Relations Committee (IRC)'.

One of the International Relations Committee's main roles is to provide an opportunity for Member States to prepare and co-ordinate their positions vis-a-vis the meetings of COPUOS and its two Subcommittees. Over the years, this co-ordination has involved items in both the Legal Subcommittee and the Scientific and Technical Subcommittee, when key issues have been raised that Member States felt they needed to discuss within the European framework.

Pre-UNISPACE III

This co-ordination process was reinforced lately in view of a debate in COPUOS on whether to hold a Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, UNISPACE III. The two previous conferences were held in 1968 and in 1982, respectively. Given the mixed results of UNISPACE II, ESA Member States were very active in COPUOS in debating the reasons for and against holding this event and how it should be structured.

In order to facilitate discussions at the United Nations, the ESA Member States proposed at the IRC meeting in November 1996 that the Executive should prepare a joint position document based on their contributions, which would be supported by all ESA countries and express the European views and positions on the proposed UNISPACE III event. This working document was presented at the 34th Session of the Scientific and Technical Subcommittee meeting by the UK Delegation, in the name of all ESA Member States. Prior to introducing the document, Delegations asked the Executive to consult with those European countries having signed co-operative agreements with the Agency (the Czech Republic, Greece, Hungary, Poland, Portugal and Romania) as to whether they would be prepared to co-sign the document. The European document, finally co-signed by 20 European countries, had a great impact on the work of the 34th Session and proved a model for future European co-ordination.

This first success led to a series of other documents being prepared jointly by the ESA Executive and Member States and co-signed by the above-mentioned European States in view of the UNISPACE III event. This active European preparation and co-ordination included participation in the Preparatory Regional Meetings that were held in Malaysia, Morocco, Chile and Romania. The co-ordination was not limited only to UNISPACE III matters, but included general items relevant to the Scientific and Technical Subcommittee and the Legal Subcommittee.

All of these active preparations by Europe led to a coherent presence at the Conference and strong European participation at the Exhibition (the Conference took place on 19 – 30 July 1999 in Vienna). Given this transparency and co-ordination, the ESA delegations were aware of what the others were going to say and could act accordingly.

It was felt by many delegations that UNISPACE III represented a landmark and that it was a timely opportunity to improve some of the guidelines and actions for the future work of the UN-COPUOS, notably to improve the agenda structure of its Subcommittee meetings.

Post-UNISPACE III

In order to maintain and keep this co-ordination tool effective, the German Delegation proposed to host an Informal IRC Meeting at the DLR Centre in Oberpfaffenhofen on 28/29 November 1999, inviting not only ESA Member States, but also those European countries having signed a co-operative agreement with the Agency (same as above). These countries had often co-signed the European position documents without having had the opportunity to participate in the debates. The first day of the meeting was dedicated to intra-European co-ordination in the light of the COPUOS meetings, as well as European expectations concerning the work of the UN Office for Outer Space Affairs. The newly appointed Director of OOSA and the United Nations Expert for Space Applications had been invited to participate in the second day in order to present their views on the future work of COPUOS and the Office, as well as the future guidelines for the Programme on Space Applications. As regards the Programme itself, three items were of particular interest:

– *The United Nations Regional Centres for Basic Science and Technology Education.* These Centres are located in different parts of the world: India, Morocco, Nigeria, and Brazil alternating with Mexico. Soon, Jordan will set up a centre for the Middle Eastern countries. A Dedicated Network of Space Science and Technology Education and Research Institutions has been set up in Central-, Eastern- and South-Eastern Europe.
– *The training activities of the UN Programme of Space Applications.* Since UNISPACE I in 1969, the Office has had a mandate to promote training activities in order to spread knowledge and support the introduction of space applications in developing countries. This programme is based on the financial contributions of Member States to the United Nations. ESA is its biggest financial contributor.
– *The special fund.* At UNISPACE III, there was a long debate on the pros and cons of the United Nations creating a special fund to support the recommendations of the Conference, many Member States being against the proliferation of funds within the UN system. The compromise solution was to replace the existing fund with a new fund and to transfer the resources to the new fund. It was also suggested that the Secretary General send a letter each year to the UN Member States requesting them to provide voluntary contributions.

Figure 1. Participants in the COPUOS Intra-European Coordination Meeting at DLR in Oberpfaffenhofen (D), on 28/29 November 1999

Another issue that was discussed at the meeting was the future work of COPUOS. As noted above, COPUOS has agreed on a new agenda structure for the Legal Subcommittee and the Scientific and Technical Subcommittee. In Oberpfaffenhofen, delegations discussed what subjects the two Subcommittees should address in the near future.

The UN Programme on Space Applications: Conclusions

Following the first day's discussions, it was decided to continue the ESA contribution to the UN Programme on Space Applications, according to a proposal discussed with the Member States and the representatives from the Office of Outer Space Affairs, i.e. to continue support for the realisation of three or four training activities in developing countries. However, the courses should be accompanied by follow-up

measures. The objective of the Programme should be to stress continuity to enable the training-course participants to be able to apply their knowledge when they go back to their own institutions, through work on pilot projects.

Similarly for the fellowship programme, to stress continuity and increase efficiency, the fellows will be selected not only on the basis of their curriculum vitae, but also of on a project proposal. The idea is that they start working on the project, and when they come to the ESA establishment their training will be specifically related to that project. The duration of their stays will also be reduced to 6 months, from the present 12. This scheme is limited to those fellowships related to Earth-observation applications.

As regards the other training activities that the Office organises, the participants supported the Basic Space Science Course, the ninth of which will be held in Toulouse in June 2000. The importance of the UN/Sweden International Training Course on Remote-Sensing Education for Educators was also reaffirmed.

The above-mentioned activities have been decided upon and will take place in the year 2000. In addition, some other proposals were discussed for future activities to be included in the programme. The Czech delegation proposed to host, together with the OOSA, a workshop in 2001 on remote sensing for environmental monitoring, to which ESA will also contribute.

Disaster Management was discussed at great length at the UNISPACE III Conference and many thought that the OOSA should play a role in the dissemination of space-technology knowledge for the better management of natural disasters. ESA will explore in what ways the ESA/CNES Charter on the provision of data in cases of Natural Disasters that was announced at UNISPACE III could play a role in this work.

Another topic raised in order to ensure continuity in the actions that the Office undertakes in developing countries is to involve the donor organisations. ESA, together with the interested Member States and the UN, will organise a one-day presentation for the regional development banks to inform them of the usefulness of space technology for achieving sustainable development.

COPUOS's future work

Discussions concentrated on the new agendas for the two Subcommittees. Europe having pushed for this change, the question addressed in Oberpfaffenhofen was what new subjects should Europe try to promote. Previously, the Agendas of these meetings were very rigid and it was difficult to get a new subject included and very difficult to stop considering old ones. The idea with the new structure is to avoid this and to introduce greater flexibility into the system.

In Oberpfaffenhofen, the participants suggested several new items for possible future consideration by the Scientific and Technical Subcommittee. One was funding sources. With UNISPACE III having stressed the importance of space applications in developing countries, the question arises of what possibilities exist to attract donor agencies to finance these applications. Another topic proposed was that of Energy Sources and the Use of Solar Panels.

Since strengthening of Inter-Agency co-ordination within the United Nations has always been a priority, it was suggested to propose that the issue be addressed under a three-year work plan. This issue has often been stressed in that the Office must seek to inform other specialised agencies of the United Nations of the potential of space applications to make their work more efficient.

Similarly, topics for the Legal Subcommittee were also addressed. The French delegation presented a working paper at the last session of COPUOS aimed at introducing the space debris issue for Legal Subcommittee consideration. This proposal was based on the fact that the Scientific and Technical Subcommittee had adopted its report on the consideration of space debris. At the time, two major delegations blocked the initiative, but now it seems that only one is still against the proposal. The French delegation, on behalf of several other European and non-European members, will reintroduce the document at the Scientific and Technical Subcommittee's next session, asking it to request that the Legal Subcommittee analyse some legal aspects of space debris in the present treaties.

It was also agreed that the item 'Launching State' as defined by the present treaties needs to be addressed, given the new launch ventures that are emerging. The item will be discussed according to a work plan in the Legal Subcommittee. The first year will include special presentations on new launch systems and ventures. In the second year, there will be a "Review of the Concept of the Launching State as contained in the Liability Convention and the Registration Convention as applied by States and International Organisations". During the third year, the Subcommittee will review measures to Increase adherence to these Conventions and to promote their full application.