

## **Resolution 1/2002**

### **SPACE LAW**

The 70<sup>th</sup> Conference of the International Law Association held in New Delhi, India, 2-6 April 2002:

**HAVING CONSIDERED** the Final Report on the topic of Review of Space Treaties in View of Commercial Space Activities of the Space Law Committee:

**NOTING** the work carried out by this Committee on this topic and the preliminary conclusions submitted to the London Conference in 2000, the discussion at its working session and ensuing mandate to elaborate “concrete proposals” of amendments of and supplements to the UN space law instruments;

**TAKING INTO ACCOUNT** the results of Unispace III, of Project 2001 on the “Legal Framework for the Commercial Use of Outer Space” conducted by Cologne University, and of the Project on “International Law and Commercial Activities in Outer Space” conducted by the University of Buenos Aires, presently underway, as well as the work carried out in different years by the International Institute of Space Law (IISL) and the contributions of other relevant governmental and private institutions on this subject;

**TAKING INTO ACCOUNT FURTHER** the work carried out by the Legal Subcommittee of the UN Committee on the Peaceful Uses of Outer Space (COPUOS) on this topic;

**CONSIDERING** the different chapters included in the Report of the Space Law Committee submitted to this Conference and the discussion which took place during the working session concerning the concrete proposals submitted by the four Special Rapporteurs;

#### **1. Regarding the 1967 Outer Space Treaty:**

**CONSIDERING FURTHER** that a separate protocol is proposed giving a more precise meaning to certain terms, such as the common benefit clause and the scope and implications of article VI, in light of present commercial space activities;

#### **2. Regarding the 1972 Liability Convention:**

**CONSIDERING FURTHER** that no amendments are proposed to its present text and that the concrete suggestions, in this case, relate to the encouragement of States to accept the binding nature of the Claims Commission decisions and awards, in accordance with Article XIX, paragraph 2 of the Convention and following the proposal made by the Austrian delegation to the Legal Subcommittee of COPUOS in 1998;

#### **3. Regarding the 1975 Registration Convention:**

**CONSIDERING FURTHER** that, to ease identification, a separate protocol or UNGA Resolution is suggested dealing, inter alia, with the unification of national registries and clarification of certain terms, such as “launching state”, while maintaining its text intact,

#### **4. Regarding the 1979 Moon Agreement:**

**CONSIDERING FURTHER** that the common heritage of mankind concept has developed today as also allowing the commercial uses of outer space for the benefit of

mankind, and that certain adjustments are suggested to article X1 of this Agreement concerning the international régime to be set up for the exploitation of moon resources, which will make it more realistic in today's international scenario,

**ENDORSES** the Final Report of the Space Law Committee on this topic and concrete proposals made to the New Delhi Conference;

**COMMENDS** the work of the Space Law Committee which hereby concludes the treatment of this topic;

**REQUESTS** the Secretary-General of the ILA to forward the Report of the Space Law Committee and this Resolution for consideration by the United Nations Secretariat, the Full Committee and the Legal and Scientific and Technical Subcommittees of the UN Committee on the Peaceful Uses of Outer Space (COPOUS), and other relevant governmental and non governmental organisations.