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SPACE TRAFFIC MANAGEMENT: AN ANALYSIS OF THREE YEARS OF DISCUSSIONS AT THE LEGAL SUBCOMMITTEE OF UNCOPUOS

Abstract

At its fifty-fourth session in 2015, the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space decided to add a new single-issue item on "General exchange of views on the legal aspects of space traffic management" to its agenda. Based on a proposal by the German delegation, the purpose of the new agenda item was "to reflect on the concept of [space traffic management], on what it entails and on what consequences it would have for the organization and governance of space activities". Addressing likely concerns over the introduction of such a topic, the proposal also stressed that the envisioned exchange of views "shall in no way lead to the elaboration of any legal text". Following its adoption, the agenda item has been retained at the Legal Subcommittee in subsequent years, giving delegations ample time to offer their preliminary views on, highlight opportunities of and voice concerns over the concept of space traffic management. After three years of discussions, what has been learned? The purpose of this paper is to give an overview of these first three years of discussions on space traffic management at the Legal Subcommittee. It will first look at how delegations approach and define the issue, if and why they consider it necessary and which different aspects they view as part of the concept. The paper will then try to work out where delegations might already be in agreement, while also highlighting those aspects where their views are differing. Finally, it will try to place the issue of space traffic management into a broader context, especially with regard to the ongoing discussions at the Scientific and Technical Subcommittee on the long-term sustainability of outer space activities, with a view to how these two agenda items interact with each other. It is hoped that this paper can make a meaningful contribution to the understanding of the discussions in international fora, thus facilitating efforts to advance the safety and sustainability of outer space activities.