International Civil Aviation Organization

WORKING PAPER

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LEGAL COMMTITEE — 40th SESSION

(Montréal, 26 to 30 October 2026)

Agenda Item 3 : Review of the General Work Programme of the Legal Committee

STUDY OF INTERNATIONAL LEGAL ISSUES RELATING TO GLOBAL SATELLITE SYSTEMS AND SERVICES SUPPORTING INTERNATIONAL AIR NAVIGATION SERVICES

(Presented by the Secretariat)

1. BACKGROUND

1.1 This Working Paper presents in its Appendix a summary of the responses to the legal survey on the need for and scope of further work within the Legal Committee on Item 6 of its General Work Programme, titled "Study of international legal issues relating to global satellite systems and services supporting international air navigation services", which was issued on 11 June 2026 to all ICAO Member States as well as selected International Organizations.

2. ACTION BY THE LEGAL COMMITTEE

2.1 The Legal Committee is invited to:

a) consider the information provided in this Working Paper including the outcome of the survey presented in the Appendix; and

b) review the need for and scope of further work within the Legal Committee on Item 6 of its General Work Programme titled "Study of international legal issues relating to global satellite systems and services supporting international air navigation services".

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APPENDIX

SURVEY ON THE NEED FOR AND SCOPE OF FURTHER WORK WITHIN THE LEGAL COMMITTEE ON ITEM 6 OF ITS WORK PROGRAMME TITLED: STUDY OF INTERNATIONAL LEGAL ISSUES RELATING TO GLOBAL SATELLITE SYSTEMS AND SERVICES SUPPORTING INTERNATIONAL AIR NAVIGATION SERVICES

1. INTRODUCTION

1.1 Following the 42nd Session of the Assembly (Montréal, 23 September to 3 October 2025), at which Item 6 of the General Work Programme of the Legal Committee titled "Study of international legal issues relating to global satellite systems and services supporting international air navigation services" was retained, the Secretariat issued a legal survey to assess the need for and scope of further work within the Legal Committee on that Item.

1.2 The survey questionnaire was issued to all Member States of the International Civil Aviation Organization (ICAO) and selected International Organizations by State letter LM 2/25, LE 4/49.4 of 11 June 2026 soliciting responses by 31 July 2026. Additional time was allowed for completion of the survey up to 31 August 2026 (Electronic Bulletin EB 2026/29, dated 6 August 2026 refers). A copy of the survey questionnaire is provided in **Annex A** to this Working Paper.

2. RESPONSES TO THE SURVEY

2.1 69 ICAO Member States, one Special Administrative Region (SAR) and one International Organization responded to the survey (see the list in **Annex B** to this Working Paper) as of 24 September 2026. A summary of the responses is set out below.

2.1.1 Some States and the IO (15% of the responses to the survey) indicated that they provide global satellite systems supporting international air navigation services. Among those respondents, one reported encountering international legal issues in the provision of global satellite systems supporting international air navigation. These issues relate to the legal coordination between different air navigation service providers, and the legal coordination between different global satellite system providers.

2.1.2 A majority of States who responded to the survey, as well as the SAR and the IO (92% of the responses) reported that they employ global satellite systems and/or satellite-based services supporting international air navigation services, including one or more of the following:

(a) Global Navigation Satellite Systems (GNSS) (such as GPS, GLONAS, Galileo, BeiDou or GNSS based services);

(b) Satellite-based aircraft tracking systems;

(c) Satellite-based meteorological systems;

(d) Satellite-based communication systems;

(e) Space weather information systems; and

(f) Wide area augmentation systems.

2.1.3 A few States who responded to the survey (7%) reported encountering international legal issues in the provision of global satellite systems supporting international air navigation. Examples of such issues include the restriction or unavailability of access to satellite services, and the lack of certification of service providers in contravention of applicable laws.

2.1.4 Most States who responded to the survey (77%) considered that it is necessary for the Legal Committee to undertake further work on Item 6 of its General Work Programme, *Study of international legal issues relating to global satellite systems and services supporting international air navigation services*. Some issues identified for potential study include:

(a) space object re-entry;

(b) higher altitude operations;

(c) the liability, responsibility and accountability of States, air navigation service providers and satellite service providers;

(d) the continuity, availability, resilience and reliability of satellite/GNSS services;

(e) GNSS interference and radio-frequency interference;

(f) the oversight of private satellite service providers;

(g) Cybersecurity and cyber incidents; and

(h) Data protection and access to data for investigations.

2.1.5 A few States who responded to the survey (11%) proposed that any such future work be clearly defined, focused on identifiable legal issues, resource-efficient and coordinated with other ICAO technical bodies / panels and bodies of the United Nations, such as the United Nations Office for Outer Space Affairs (UNOOSA) and the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS).

2.1.6 Some States and the SAR who responded to the survey (23%) considered that it was not necessary for the Legal Committee to undertake further work on this Item due to the following reasons:

(a) global satellite systems and/or satellite-based services supporting international air navigation are not exclusive to international civil aviation;

(b) the Legal Committee’s mandates and working methods are better suited to addressing previously identified and clearly defined international legal issues;

(c) existing legal and policy frameworks remain adequate; and

(d) already effective measures have been suggested, which need to be implemented by States.

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ANNEX A

QUESTIONNAIRE OF THE SURVEY ON THE NEED FOR AND SCOPE OF FURTHER WORK WITHIN THE LEGAL COMMITTEE ON ITEM 6 OF ITS WORK PROGRAMME TITLED: STUDY OF INTERNATIONAL LEGAL ISSUES RELATING TO GLOBAL SATELLITE SYSTEMS AND SERVICES SUPPORTING INTERNATIONAL AIR NAVIGATION SERVICES

1. Does your State provide any global satellite systems supporting international air navigation services?

   Yes

   No

2. If the answer to Question 1 is Yes, what specific global satellite systems supporting international air navigation does your State provide?

   (a) Global Navigation Satellite Systems (GNSS) (such as GPS, GLONASS, Galileo, BeiDou or GNSS based services)
   (b) Satellite-based aircraft tracking systems
   (c) Satellite-based meteorological systems
   (d) Satellite-based communication systems
   (e) Space weather information systems
   (f) A combination of any of the answers in (a) – (e) above. Please specify: _____
   (g) Other. Please specify:
   _____
   _____

3. If the answer to Question 1 is Yes, has your State encountered any international legal issues in the provision of global satellite systems supporting international air navigation? [*Please note in this regard that, incidents involving Global Navigation Satellite Systems Radio Frequency Interference (GNSS-RFI) or global cost recovery mechanism for space weather information services should not be reported as international legal issues relating to global satellite systems supporting international air navigation since they may be covered under existing aviation security instruments or relevant Assembly Resolutions*].

   Yes

   No

4. If the answer to Question 3 is Yes, could you briefly describe the international legal issue(s) your State has encountered in providing global satellite systems supporting international air navigation?

   _____
   _____

5. Does your State employ the use of any global satellite systems and/or satellite-based services supporting international air navigation services?

   Yes

   No

6. If the answer to Question 5 is Yes, what specific global satellite systems and/or satellite-based services supporting international air navigation services does your State use?
   (a) Global Navigation Satellite Systems (GNSS) (GPS, GLONASS, Galileo, BeiDou)
   (b) Satellite-based aircraft tracking systems or services
   (c) Satellite-based meteorological systems or services
   (d) Satellite-based communication systems or services
   (e) Space weather information systems or services
   (f) A combination of any of the answers in (a) – (e) above. Please specify: _____
   (g) Other. Please specify:
   _____
   _____

7. If the answer to Question 5 is Yes, has your State encountered any international legal issues in either accessing or using global satellite systems and/or satellite-based services supporting international air navigation? [*Please note in this regard that, incidents involving Global Navigation Satellite Systems Radio Frequency Interference (GNSS-RFI) or global cost recovery mechanism for space weather information services should not be reported as international legal issues relating to global satellite systems and services supporting international air navigation since they may be covered under existing aviation security instruments or relevant Assembly Resolutions*]

   Yes

   No

8. If the answer to Question 7 is Yes, could you briefly describe the international legal issue(s) your State has encountered in either accessing or using global satellite systems and/or satellite-based services supporting international air navigation?
   _____
   _____

9. Considering the existing legal and policy frameworks adopted by the Assembly and the Council of ICAO in relation to global satellite systems and satellite-based services supporting international air navigation, does your State consider that it is necessary for the ICAO Legal Committee to undertake further work on the Item: *Study of international legal issues relating to global satellite systems and services supporting international air navigation services*?

[Note that the existing legal and policy frameworks include:

- Standards and Recommended Practices (SARPs) contained in Annex 10 to the *Convention on International Civil Aviation – Aeronautical Telecommunications*, Volume I – *Radio Navigation Aids*;
- *Statement of ICAO Policy on CNS/ATM Systems Implementation and Operation* (approved by the Council on 9 March 1994 – C-DEC 141/13);
- *Charter on the Rights and Obligations of States Relating to GNSS Services* (Assembly Resolution A32-19);
- *Development and Elaboration of an Appropriate Long-term Legal Framework to Govern the Implementation of GNSS* (Assembly Resolution A32-20);
- *A Practical Way Forward on Legal and Institutional Aspects of Communications, Navigation, Surveillance/Air Traffic Management (CNS/ATM) Systems* (Assembly Resolution A35-3; presently Appendix F to Assembly Resolution A42-5); and
- *Consolidated statement of continuing ICAO policies and practices related to a global air traffic management (ATM) system and communications, navigation, and surveillance/air traffic management (CNS/ATM) systems* (Assembly Resolution A42-8)].

Yes

No

10. If the answer to Question 9 is No, could you identify any reasons why your State considers that further work in the Legal Committee on the Item Study of international legal issues relating to global satellite systems and services supporting international air navigation is not warranted?

    (a) Global satellite systems and/or satellite-based services supporting international air navigation are typically not exclusive to international civil aviation and therefore any international legal issues that may arise in connection with such systems cannot be resolved by ICAO.
    (b) Any international legal issues relating to global satellite systems and/or satellite-based services supporting international air navigation are best resolved bilaterally between provider States and user States, rather than multilaterally through ICAO.
    (c) The Legal Committee's mandate and working methods are better suited to addressing previously identified and clearly defined international legal issues. They are not suitable for studying technical subjects to identify international legal issues that may emerge from evolving technology.
    (d) Other reasons. Please specify:

    _____
    _____

11. If the answer to Question 9 is Yes, could you identify specific international legal issues relating to global satellite systems and/or satellite-based services supporting international air navigation that the Legal Committee should study as part of its further work?

    _____
    _____

12. In line with the decision of the 42nd Session of the Assembly urging the Legal Committee to consider whether certain proposed elements would fit within a broader scope of Item 6 of its Work Programme, does your State consider that the Legal Committee's further work on Item 6: Study of international legal issues relating to global satellite systems and services supporting international air navigation should address:

    (a) the potential impacts posed by increasing space object re-entries?

    Yes

    No

    (b) higher altitude operations?

    Yes

    No

13. Please provide any additional comments you may have in connection with the Legal Committee's conduct of further work on the Item Study of international legal issues relating to global satellite systems and services supporting international air navigation:

    _____
    _____
    _____
    _____
    _____
    _____
    _____

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ANNEX B

LIST OF RESPONSES TO STATE LETTER LM 2/25, LE 4/49.4 OF11 JUNE 2026

States

1. Albania
2. Algeria
3. Angola
4. Argentina
5. Armenia
6. Australia
7. Azerbaijan
8. Bahamas
9. Belarus
10. Benin
11. Bolivia (Plurinational State of)
12. Bosnia and Herzegovina
13. Brazil
14. Bulgaria
15. Burundi
16. Cabo Verde
17. Colombia
18. Costa Rica
19. Côte d'Ivoire
20. Chile
21. Cuba
22. Czechia
23. Democratic Republic of the Congo
24. Ecuador
25. Eswatini
26. Ethiopia
27. France
28. Germany
29. Greece
30. Iceland
31. India
32. Iran (Islamic Republic of)
33. Italy
34. Japan
35. Kenya
36. Kuwait
37. Kyrgyzstan
38. Lao People's Democratic Republic
39. Latvia
40. Luxembourg
41. Mauritania
42. Mauritius
43. Republic of Moldova
44. Mongolia
45. Namibia
46. Nepal
47. Nicaragua
48. Niger
49. Netherlands
50. Norway
51. Paraguay
52. Philippines
53. Romania
54. Russian Federation
55. Senegal
56. Seychelles
57. Sierra Leone
58. Singapore
59. South Africa
60. Spain
61. Sweden
62. Switzerland
63. Togo
64. Ukraine
65. United Kingdom
66. United States
67. Uruguay
68. Venezuela (Bolivarian Republic of)
69. Viet Nam

Special Administrative Region (SAR)

1. China (Hong Kong, SAR)

International Organization

1. European Commission

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