



International Civil Aviation Organization

WORKING PAPER

A42-WP/617
TE/237
11/9/25
(Information paper)
English only

ASSEMBLY — 42ND SESSION

TECHNICAL COMMISSION

Agenda Item 24: Aviation Safety and Air Navigation Priority Initiatives

DEFINITION AND DELIMITATION OF OUTER SPACE

(Presented by the United States)

EXECUTIVE SUMMARY

This paper presents the United States' position on the definition and delimitation of outer space.

<i>Strategic Goals:</i>	This information paper relates to Strategic Goal <i>Every Flight is Safe and Secure</i> .
<i>Financial implications:</i>	None.
<i>References:</i>	Doc 10209, <i>Fourteenth Air Navigation Conference (AN-Conf/14)</i> – Report of the Committee on Agenda Item 3 (AN-Conf/14-WP/213)

1. INTRODUCTION

1.1 As acknowledged by the Fourteenth Air Navigation Conference (AN-Conf/14) in the report from the third agenda item¹ space transportation operations and higher airspace operations are distinct. This distinction is not due to the altitude that they operate at, rather it is the vehicle type and mission intent that separate these two types of operations because, as the Conference also noted “space vehicles do not meet the definition of “aircraft”.

2. DISCUSSION

2.1 The U.S. continues to hold the view that there is no need to seek a legal definition or delimitation for outer space.² Currently, there is no international consensus on where such a boundary would

¹ AN-Conf/14-WP/213

² It is worth noting that some federal states within the United States have adopted or proposed definitions of “outer space” or related concepts for their own purposes, such as regulatory compliance or tax laws. These actions do not relate or, and are not evidence of, the existence of a definition of outer space under international law.

be and no agreed-upon operational or safety benefits to defining such a boundary with respect to airspace integration.

2.2 Given the lack of international consensus, an attempt to define or delimit outer space would be an unnecessary theoretical exercise that could unintentionally complicate existing activities and that may not be able to adapt to future technological developments.

2.3 Some States have suggested the Kármán line, 100 kilometers, as the legal delimitation between airspace and outer space. However, there is no basis in aerodynamics or physical significance of a line at the Kármán line or any other altitude.³

3. **CONCLUSION**

3.1 The U.S. is opposed to seeking to develop a legal or operational definition for outer space until there is a demonstrated need and practical basis for developing a definition or delimitation.

3.2 The Assembly is invited to note the information contained in this paper.

— END —

³ Gangle, Tom, “The Non Karman Line: An Urban Legend of the Space Age,” The Journal of Space Law, Volume 41, Number 2, 2017, p 151-177.