
**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee***Unedited transcript***639th** Meeting

Monday, 2 April 2001, 10 a.m.

Vienna

Chairman: Mr. Kopal (Czech Republic)

The meeting was called to order at 10.38 a.m.

Mr. P. LÁLA (Secretary) : Good morning distinguished delegates. I now declare open the fortieth session and 639th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

As you are all no doubt aware, the Subcommittee will shortly elects its Chairman for the second three-year term in accordance with the agreement reached at the forty-third session of the full Committee in 2000. With the Subcommittee's permission, I will continue to preside over this meeting until the new Chairman has been duly elected, at which time it will be my pleasure to invite him to assume the Chair.

Election of the Chairman

I would inform delegations that in paragraph 10 of its resolution 55/122 of 8 December 2000, the General Assembly noted with satisfaction that consensus decisions had been reached on the members of the bureaux of the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies for their second term of office and agreed that, in accordance with those consensus decisions, the Legal Subcommittee should elect its Chairman at the beginning of its fortieth session. I would also recall for delegations that at its forty-third session in 2000, the Committee agreed that Vladimir Kopal from the Czech Republic should be re-elected Chairman of the Legal Subcommittee for the second three-year term from 2001 to 2003.

Therefore, unless there is any objections, may I take it that the Subcommittee would wish to re-elect Professor Vladimir Kopal of the Czech Republic as its Chairman for the second three-year term from 2001 to 2003?

I see no objection. *It is so decided.*

I warmly congratulate Professor Kopal on his re-election and it is my privilege and honour to invite him to assume the Chair.

Mr. V. KOPAL - CHAIRMAN (Czech Republic): Distinguished delegates, Mr. Secretary to the Legal Subcommittee, Madame Director of the Office of the United Nations Office for Outer Space Affairs, dear colleague and friends, it gives me great pleasure indeed to be elected once again as Chairman of this body, the work of which I have watched with deep interest for years, in fact since the very beginning. I thank you for your confidence and promise to do my best also during this term in order to reach, with your full cooperation, further positive results in the tasks of this Subcommittee.

Before continuing with our work this morning, I would take a moment to note that, in addition to the coinciding with the fortieth anniversary of the first human space flight, this is indeed the fortieth session of the Legal Subcommittee and therefore somewhat of a landmark event. Although in the interests of accuracy, I would remind delegations that it is not the fortieth anniversary of the Legal Subcommittee as it has been only 39 years since the establishment of this body in 1962 at the second session of the Committee on the Peaceful Uses of Outer Space. Those familiar with the history of the

In its resolution 50/27 of 6 December 1995, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that, beginning with its thirty-ninth session, the Committee would be provided with unedited transcripts in lieu of verbatim records. This record contains the texts of speeches delivered in English and interpretations of speeches delivered in the other languages as transcribed from taped recordings. The transcripts have not been edited or revised.

Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, within one week of the date of publication, to the Chief, Translation and Editorial Service, Room D0708, United Nations Office at Vienna, P.O. Box 500, A-1400, Vienna, Austria. Corrections will be issued in a consolidated corrigendum.

Subcommittee will recall that two sessions were held in 1967 resulting in the discrepancy.

Upon consideration of the work of this Subcommittee since its first meeting in Geneva which started on 28 May 1962, one is struck by the significant achievements that have been accomplished in such a relatively short period of time, particularly the development of the five international treaties and five sets of Principles which represent the core of what has become a special branch of the contemporary international law. I believe that it would also be fair to say that the fact that the Subcommittee has now convened for its fortieth session is evidence of the continuing commitment of States to the principle that international cooperation and the rule of law should always govern the exploration and peaceful uses of outer space. For this reason, our efforts for further adequate development should be maintained and still strengthened.

I look forward with eagerness to the continuation of the fine tradition of achievement of the Legal Subcommittee during this fortieth session as well as in those sessions yet to come.

Participation of Non-Members in the Session

Distinguished delegates, as my first task as Chairman of this session of the Subcommittee, I should like to inform the Subcommittee that I have received communications from Algeria, Cuba, the Republic of Korea, Saudi Arabia and the Slovak Republic requesting participation in our meetings. In as much as the granting of observer status is a prerogative of our parent Committee, I feel that we should not take any formal decision on the matter. However, if there is no objection, I would suggest that the representatives of Algeria, Cuba, the Republic of Korea, Saudi Arabia and the Slovak Republic might attend the formal meetings of the Subcommittee and might direct to the Chair a request for the floor if they wish to make a statement.

This is the practice we have observed in past years when States which are not members of the Subcommittee have communicated with the Subcommittee requesting participation in its meetings.

If I hear no objections? *It is so decided.*

Adoption of Agenda

Distinguished delegates, you have before you in document A/AC.105/C.2/L.222 the provisional agenda prepared by the Secretariat in accordance with

the recommendations of the Committee on the Peaceful Uses of Outer Space which were endorsed by General Assembly resolution 55/122. In addition, an indicative schedule of work is set out on pages 4 and 5 of the document. I intend to deal with this schedule in a few minutes. Let us first proceed with the adoption of the agenda.

If I hear no objections, may I take it that the agenda is adopted? The distinguished representative of Greece.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Thank you. Mr. Chairman, first of all I would like to congratulate you for your election to the Chair of our Subcommittee.

On the adoption of the agenda, I have no objections on its structure. However, considering that on the 11th April, we have to move to Moscow for the Conference on Non-Armaments in Space, for some representatives it would be somewhat difficult to be in the Subcommittee and in Moscow at the same time. I might want to address this question again later but on the question of duration of the work of the Subcommittee, I would like to ask if instead of finishing Thursday, could we finish Tuesday, which would mean the 10 April?

The CHAIRMAN: I thank the representative of Greece. Our session was convened for the duration of two weeks however, starting off on 2 April and finishing 12 April. We will, however, do our best to speed things up in our discussions and produce results as soon as possible.

The distinguished representative of Chile has the floor.

Mr. R. GONZALEZ (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. Just briefly. I would like to congratulate you and ask you please not to speed up our work. We are talking about legislation of space. There is a great amount of material and we should not start off with the view that we have to rush to finish by a certain date and I think that Vienna has many attractions besides our meeting to keep us here. Thank you.

The CHAIRMAN: Thank you very much, distinguished representative of Chile, distinguished President of the Committee on the Peaceful Uses of Outer Space, at the same time, for your remark. Thank you.

Does anybody else want to speak? I see none. So if I hear no other objections, I will take it that the agenda is adopted. *It is so decided.*

Programme of Work

Distinguished delegates, I would now like to turn to a more detailed consideration of the programme of work for our present session, as promised. In accordance with the agenda which we have just adopted, the Legal Subcommittee, at this session, taking into account the concerns of all countries, particularly those of the developing countries, should consider the following items as regular agenda items.

“General exchange of views”.

Second, “status and application of the five United Nations treaties on outer space”. Perhaps as far as the second point is concerned, delegates will recall that at its thirty-ninth session in 2000, the Subcommittee agreed that discussion under this item would include the status of the treaties, review of their implementation and obstacles to their universal acceptance.

Third, “information on the activities of international organizations relating to space law”. Delegates will recall that last year under this item, the Subcommittee various written and oral reports from international organizations invited by the Secretariat on their activities relating to space law. The Subcommittee agreed that the Secretariat should again invite such reports from international organizations for the current session.

Fourth, “matters relating to (a) the definition and delimitation of outer space and (b) the character and utilization of the geostationary orbit”, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit, without prejudice to the role of the International Telecommunication Union. Delegations will recall that, in accordance with the agreement reached by the Legal Subcommittee at its thirty-ninth session in 2000 on the question of the character and utilization of the geostationary orbit, the Legal Subcommittee will this year reconvene its Working Group only to consider matters relating to the definition and delimitation of outer space.

The Subcommittee should also consider the following two single issues/items for discussion.

First, review and possible revision of the principles relevant to the use of nuclear power sources in outer space.

Second, consideration of the draft Convention of the International Institute for the Unification of Private Law, UNIDROIT, on International Interests in Mobile Equipment and the Preliminary Draft Protocol Thereto on Matters Specific to Space Property.

Delegations will recall that this is a new single issue/item for discussion added to the agenda by a consensus agreement of the full Committee at its forty-third session in 2000. I am speaking about the International Institute for Unification of Private Law Draft Convention and Protocol.

I would further remind delegations that as single issues/items for discussion, these two items will only continue to be discussed by the Subcommittee for this year, unless renewed by consensus. Delegations should therefore consider *inter alia* the future status of these two items on our agenda but I understand the review and possible, yes, it is correct.

Furthermore, the Subcommittee at this session should consider the “review of the concept of the launching State”, in accordance with the work plan for this item adopted by the Committee at its forty-second session in 1999. This is the second year of the work plan and the Subcommittee should accordingly, through its Working Group, conduct a review of the concept of launching State as contained in the Convention on International Liability for Damage Caused by Space Objects and the Convention on Registration of Objects Launched into Outer Space as applied by States and international organizations.

Finally, the Subcommittee should consider its proposals for submission to the Committee regarding new items for consideration under work plans or as single issues/items for discussion at the Legal Subcommittee’s forty-first session in 2002.

Establishment of Working Groups

Now something about establishment of working groups. Distinguished delegates, as I have already mentioned, the Legal Subcommittee will this year reconvene its Working Group on item 6 only to consider matters relating to the definition and delimitation of outer space in accordance with the agreement reached at last year’s session of the Subcommittee.

May I therefore propose that we re-establish the Working Group for this purpose?

Seeing no objection. *It is so decided.*

As concerns the chairmanship of this Working Group, I have been informed that Mr. Héctor Raúl Pelaez of Argentina who chaired this Working Group at the Legal Subcommittee's thirty-ninth session in 2000, will not be in a position to do so at this year's session. Therefore, the Subcommittee will need to elect a new Chairman for this Working Group.

May I suggest that, unless there are any objections, we postpone a final decision in this regard until interested delegations have had an opportunity to consult one another informally. This would be on the understanding that every effort would be made to identify a suitable candidate who would enjoy the consensus of the Subcommittee as soon as possible, particularly in light of the fact that the Working Group should begin its deliberations early this week.

I see no objections. *It is so decided.*

Distinguished delegates, as I have also mentioned, the work plan adopted for agenda item 9, "review of the concept of the launching State", calls for consideration of the item by a working group during each of the three years of the work plan.

Therefore, may I proposed that we re-establish the Working Group on item 9 of our agenda, under the Chairmanship of Mr. Kai-Uwe Schrogl of Germany, who so ably led the work of this Working Group last year?

Seeing no objection, *it is so decided.*

I extend to Mr. Schrogl my congratulations and warm wishes for another successful session of work this year. I do not see him yet at this session but he will certainly appear later and we are looking forward to welcoming him.

Utilization of Conference Services

Distinguished delegates, I would now like to say a few words concerning the utilization of the conference services made available to our Subcommittee.

As you are all aware, the question of how conference services are utilized by United Nations bodies is of great concern to the General Assembly due to the high cost of these services and the current

financial constraints faced by the entire Organization. In this connection, I am happy to draw your attention to the fact that, for a number of years, our Subcommittee has worked to achieve real and constant savings in this area. We have been able to achieve these savings by adopting certain measures to ensure that the Subcommittee effectively utilizes the conference resources put at our disposal.

You will recall that last year, the Subcommittee agreed that a flexible organization of work based upon these measures should continue to serve as the basis for organizing the work of the Subcommittee. This is reflected in paragraph 9 of the Subcommittee's report, document A/AC.105/738.

Distinguished delegates, I would once again like to propose that the Subcommittee adopt a similar flexible organization of work to serve as the basis for organizing the work of this present session.

Are there any objections to proceeding in this manner?

Seeing none, *it is so decided.*

Schedule of Meetings

Distinguished delegates, as has been the case in previous years, and unless agreed otherwise, we shall meet each day in this Conference Room and begin our work promptly at 10.00 a.m. and 3.00 p.m. Today there has been an exception. We started some minutes past 10.30 a.m. but starting from tomorrow we will try to start at 10.00 a.m. sharp

With regard to the schedule of meetings and the allocation of time among the substantive agenda items, I would now like to draw your attention to the indicative schedule of work set out in the Annex to document A/AC.105/C.2/L.222.

A two-week schedule has been provided on pages 4 and 5 of document L.222 to assist the Subcommittee in its planning. I would request the cooperation of delegations in adopting as flexible an approach as possible to this indicative schedule and urge that close attention be paid to the announcements of the Chairman and published daily journal in this regard. I would also request that, in order to facilitate the optimal utilization of our meetings, those delegations who plan to schedule speakers or presentations on particular items for specific meetings coordinate their plans with the Secretariat.

I would inform delegates that I have been notified that certain delegations will be bringing experts to participate in the discussions under agenda item 8, "consideration of the draft UNIDROIT Convention on International Interests in Mobile Equipment and the Preliminary Draft Protocol Thereto on Matters Specific to Space Property". Therefore, in the interests of accommodation, it is my intention not to begin consideration of this item before the start of the second week of this session. If necessary and appropriate, we could begin consideration of agenda item 9 before beginning item 8 and I would request the cooperation of delegations in this regard.

Having said that, perhaps I might outline a tentative schedule for the next three meetings. This morning, we shall shortly proceed with a general exchange of views. This afternoon, we would continue with the general exchange of views and, time permitting, begin consideration of agenda item 4, "status and application of the five United Nations treaties on outer space". At approximately 3.50 p.m., it means ten minutes to four, we would end our deliberations in order to allow for the commencement of the IISL/ECSL symposium on "Methods of Peaceful Settlement of Space Law Disputes" which will start at 4.00 p.m.

Tomorrow morning, we would again take up the general exchange of views and thereafter continue our work on item 4. Time permitting, we could also begin our consideration of agenda item 5, "information on the activities of international organizations relating to space law".

Distinguished delegates, are there any questions or comments regarding the schedule of work that I have just outlined?

I see none. *We will proceed accordingly.*

Distinguished delegates, before we commence with the general exchange of views, and I have already some delegations which inscribed their names on the list of speakers, I would like to inform you that I have received a request from the Director of the Office of Outer Space Affairs for the opportunity to briefly address the Legal Subcommittee at this morning's meeting. Therefore, if there are no objection, I would like to give the floor at this time to the Director of the Office for Outer Space Affairs, and, on behalf of the Legal Subcommittee, invite her to deliver her statement.

Seeing no objections, I give the floor to the Director of the Office for Outer Space Affairs, Ms. Mazlan Othman. You have the floor, Madam.

Ms. M. OTHMAN (Office for Outer Space Affairs): Mr. Chairman, distinguished delegates, thank you for extending to me the privilege of addressing this Legal Subcommittee. I have requested the opportunity to address this Subcommittee this morning in order to review briefly the role and work of the Office for Outer Space Affairs relating to international space law over the last year and for the future.

As most delegations are aware, since its relocation to Vienna in 1993, the Office for Outer Space Affairs has continued to serve as the Secretariat for the Legal Subcommittee, a role formerly mandated to the Office for Legal Affairs. The successful performance of this role has been made possible by the inclusion within our staff of a number of legally qualified professionals, including associate experts, volunteers and other gratis personnel, and by the continued invaluable support received by our Office from the Office for Legal Affairs.

During the last year, the Office has continued to discharge the responsibilities of the Secretary-General under the 1976 Convention on Registration of Objects Launched into Outer Space by maintaining the United Nations Registry and transmitting to Member States information provided by States Parties in accordance with that Convention. Recent examples of such action were the note verbales containing information relating to the de-orbit of the Mir orbital station, which were received from the Government of the Russian Federation in accordance with Article IV of the Convention and subsequently disseminated by the Office to Member States. In addition, the Office has continued to maintain, and transmit to the Committee on the Peaceful Uses of Outer Space, registration information furnished by Member States on a voluntary basis in accordance with General Assembly resolution 1721 (XVI) B of 20 December 1961.

In response to a request during the forty-third session of the Committee last year, the Office has developed a searchable index to the information maintained by it on objects launched into outer space, which was demonstrated at the last session of the Scientific and Technical Subcommittee. This searchable index is now fully operational and accessible through the Office's home-page.

The Office has also discharged other responsibilities entrusted to the Secretary-General

under the legal regime governing activities in outer space, in particular disseminating information provided by Member States, for example, South Africa and Saudi Arabia, in accordance with the provisions of the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space. Our Office has recently arranged to have copies of notifications received from Member States in accordance with Article 5 of the Rescue Agreement made available online through our home-page.

As in previous years, the Office has continued to produce an annual report on the current status of signatures, ratifications and accessions to the various multilateral international agreements relating to activities in outer space. Such report is produced on the basis of information provided to the Office by the various States and international organizations designated as depositories for such agreements and this year appears as a table included within an insert to the regular publication, "United Nations Treaties and Principles on Outer Space".

The Office has also produced a number of space law-related documents and publications during the past year including:

An update to the publication, "International Agreements and Other Available Legal Documents Relevant to Space-Related Activities";

"Highlights in Space 2000", produced in cooperation with COSPAR, IAF and the IISL;

A report co-authored with the Secretariat of UNIDROIT on the draft UNIDROIT Convention on International Interests in Mobile Equipment and the Preliminary Draft Protocol Thereto on Matters Specific to Space Property;

A review of existing national space legislation illustrating how States are implementing, as appropriate, their responsibilities to authorize and provide continuing supervision of non-governmental entities in outer space; and

A compilation of documents relevant to the agenda item, "Review of the Concept of the Launching State".

The Office was once again this past year invited to provide contributions on developments in international space law and policy to legal journals and to deliver presentations on space law and the work of the Office to numerous groups visiting the Vienna

International Centre from within and outside the host country.

Apart from producing the publications already mentioned, the Office for Outer Space Affairs continues to be called upon to serve as a source of information and substantive advice on international space law and legal issues relating to activities in outer space. During the last year, the Office has fulfilled this role, within the limits of its capacity, in response to various requests and queries from United Nations divisions and specialized agencies, representatives of Member States, intergovernmental and non-governmental international organizations, private companies with space-related activities, academic and educational institutions, representatives of the press and the general public.

One area which has required the increased attention of the Office in this regard has been the numerous queries and requests concerning the legality of activities carried out, particularly over the Internet, by persons and organizations purporting to own, and possess the right to sell to the general public, real estate property on the Moon and other celestial bodies. We note that various other international and national organizations have also been required to deal with this subject in the last year and anticipate that these and similar queries will continue to increase in number in the future.

Mr. Chairman, distinguished delegates, delegations will recall that the Action Plan developed by the Office for the implementation of the recommendations of UNISPACE III, which was submitted to the General Assembly at its fifty-fifth session last year, included proposals to promote the fullest understanding, acceptance and further development of space law through, *inter alia*, the organization of a workshop on the legal aspects of space activities and the creation of a database on national space law and space policies. These are activities which would require additional resources in order to be accomplished, as was indicated in the statement of the programme budget implications of this Action Plan made available in document A/C.4/55/L.9. Upon consideration of these documents, the General Assembly decided to request the Secretary-General to begin to implement those measures and activities contained in the Plan of Action which were currently within the programme of work of the Office. This means that for 2000 and 2001, our Office can only carry out those activities in the Plan of Action which can be done within existing resources. Additionally, as I reported in my statement to the thirty-eighth session of the Scientific and Technical Subcommittee, the

appropriation to the Office for the biennium 2000 to 2001 has been revised downwards. The result is that these new space law-related activities will have to be effectively postponed by our Office until such time as the necessary resources are made available.

These setbacks notwithstanding, our Office is currently investigating the possibility of working together with interested non-governmental organizations with a view to our actively contributing, within our current resources, to the successful convening of a workshop or seminar on international space law during 2001. We look forward to the possibility of being able to provide a positive report in this regard at next year's session of the Legal Subcommittee. Furthermore, convinced of its ultimate value as a resource for States seeking to ensure domestic implementation of, and compliance with, obligations and responsibilities under the existing international treaties governing outer space, our Office will also seek to build on its initial work relating to the development of the database on national space law and space policy, within the limitations of our existing resources.

This work has in the past been greatly assisted by various States and international organizations providing our Office with copies of relevant legal texts, in particular, recently adopted laws, regulations, agreements and resolutions. I would like to express the gratitude of the Office to those States and organizations which have so kindly assisted us in this manner and would encourage others to consider providing us with similar assistance in the future.

The past year has also marked the development of an Action Plan approved by the Secretary-General as part of the Strategy for an Era of Application of International Law. In accordance with this Action Plan, every office, department, programme, fund and agency of the United Nations has been requested to "review its current activities and consider what else it might do, within its existing mandate and given existing resources, to promote the application of international law and to provide technical assistance to help governments implement their commitments under the treaties to which they are or might wish to become parties".

In the context of this request, our Office is in the process of restructuring our website with a consolidated space law section orientated towards providing increased legal technical assistance and related resources and information for the benefit of Member States, including links to various other space law-related websites. This new space law section will

also be linked and accessible through a centralized access page established by the Office for Legal Affairs, for international law technical assistance on the main United Nations website.

Also in connection with this request, and as a result of an exploratory inquiry from a Member State concerning the availability of technical assistance relating to development of regulatory mechanisms for domestic space-related activities, our Office has entered into discussions with the United Nations Office for Project Services, UNOPS, with a view to working together in adequately and appropriately responding to similar requests for space-related legal technical assistance in the future.

Mr. Chairman, distinguished delegates, I would like to conclude by taking this opportunity to re-affirm our Office's commitment to serving the interests of Member States in the area of space law and the continued development, appreciation and understanding of the legal regime governing activities in outer space. I would once again invite the Members of the Subcommittee to reflect on how the Office might provide additional legal services and more actively contribute to meeting the future needs of Member States on matters of space law and regulation. We would welcome the opportunity to discuss with representatives of Member States any views or suggestions that they might have in this regard.

Thank you for your attention.

The CHAIRMAN: I thank the Director of the Office for Outer Space Affairs for her valuable informative statement.

General Exchange of Views

Distinguished delegates, I would now suggest that in the time remaining for this morning's meeting, we begin with item 3 on our agenda, general exchange of views.

As I have already said, we have a number of applicants for the discussion on this particular item and I have the pleasure to give the floor to the first speaker, the distinguished Ambassador of Peru, who will speak on behalf of the GRULAC. Excellency, you have the floor.

Mr. H. PAULINICH (Peru) (*interpretation from Spanish*): Thank you very much Mr. Chairman. Mr. Chairman, to begin with, GRULAC would like to congratulate you on your designation for an additional period as Chairman of this Subcommittee. We are sure

that under your leadership our work will be very successful.

Mr. Chairman, the GRULAC, Latin America and Caribbean countries, would like to reiterate its most unswerving respect for international space law and its commitment to support all initiatives which are implemented with a view to achieving a universal adherence to the five treaties of the United Nations relating to the exploration and peaceful utilization of outer space.

At the same time, GRULAC considers that it is essential to analyze ways of supplementing the regimes established, through these five treaties, in such a way that the legal framework which regulates activities in outer space will respond in a comprehensive way to the current needs of the international community.

Mr. Chairman, on the subject of the holding of regional space conferences, GRULAC considers that these are a satisfactory forum in order to achieve convergence of positions on matters of common interest in space matters. It is for this reason that the Region would like to express its pleasure at seeing the efforts which have been made for holding the fourth Conference of the Americas on Space.

Turning now to the examination of the concept of a "launching State", GRULAC considers that the progress in technology in the area of launching deserves the study of topics that are not fully and comprehensively covered by existing international space law as is the case, for example, of the need to limit the liability of the launching State for damage caused by objects launched into outer space in the case that such State has participated only by making available facilities or making available its territory for space activities.

Mr. Chairman, turning now to the geostationary orbit, GRULAC would like to reiterate its position which is that the exploitation of this limited natural resource must, in addition to being rational, should extend to all countries regardless of their current technical capacity, offering them the possibility of having access to the geostationary orbit in equitable conditions, taking particular account of the needs and interests of the developing countries as well as the geographical position of certain countries.

On this subject, the Region would like to express that it is pleased by the consensus reached within the framework of the Legal Affairs Subcommittee at its thirty-ninth session, pleased in the

sense that it is our understanding that when it is necessary to have coordination among countries with a view to the utilization of the geostationary orbit, concerned countries will have to take into account that access to this geostationary orbit should be achieved in an equitable way and in conformity with the regulations in respect of radiocommunications of the ITU, as was established in the coordination mechanism agreed in the Subcommittee last year. I am talking here about document A/AC.105/738, Annex III, adopted by the COPUOS Report in its forty-third session, document A/55/20 and also adopted by the General Assembly in its resolution 55/122.

GRULAC considers that the agreement achieved is a very important basis in order to be able to boost international cooperation in the field of space technology, the idea being to make available to all States, free access to the geostationary orbit.

Mr. Chairman, lastly. Faced by the programmed de-orbiting of the Mir Space Station, impacting the South Pacific, GRULAC would like to express the concern expressed by the Ministers of Foreign Affairs of the Rio Group on 27 March last in the sense that this means what has happened there means that this common heritage becomes an area where dangerous materials are being dumped, putting at risk the marine environment, the preservation of the marine environment and natural living resources and possibly ships and aircraft, as well as persons and property in populated zones of Latin America and the Caribbean and other regions. This is a situation which should be examined in the light of the principles of the United Nations Charter and the postulates relating to the common heritage of mankind which are mentioned in the first, second and third paragraphs of the Treaty on the Principles which should regulate the activities of States in the exploration and utilization of Outer Space Treaty of 1967.

In this context, every day the examination on the agenda of the Legal Subcommittee of topics relating to space debris is becoming more and more essential in accordance with the technical input which the Scientific and Technical Subcommittee has generated. On this subject, GRULAC considers that one should study the management of space projects which, in some way, in some stage of their existence of the these projects, the development of these projects, they might affect third party States and the needs to have a legal framework which considers the interests of third party States.

GRULAC would like to reaffirm its commitment to working towards perfecting the

international regime which regulates the peaceful uses of outer space in particular as regards the falling back to Earth of space objects with a view to implementing a more comprehensive, effective and preventive legal framework or order which makes it possible to guarantee satisfactorily the preservation of the environment, the safety of persons and property and to strengthen international cooperation. Thank you very much.

The CHAIRMAN: I thank the distinguished Ambassador of Peru who was speaking on behalf of the GRULAC Group for his statement. I now give the floor to the next speaker on my list and it is the distinguished representative of Canada. You have the floor Sir.

Mr. B. LEGEND'RE (Canada) (*interpretation from French*): Mr. Chairman, on behalf of the Canadian delegation, allow me to extend our congratulations to you for the renewal of your chairmanship of this Subcommittee. The Canadian delegation would like to express its satisfaction with the agenda which, we believe, will lead to a particularly productive session of the Subcommittee.

Particularly, the Canadian delegation is pleased that the Subcommittee will consider the draft Convention on International Interests in Mobile Equipment and the Preliminary Draft Protocol Thereto on Matters Specific to Space Property. Canada strongly supports the Convention and, during the second week of this session, the Canadian delegation will be assisted by two Canadian experts who have been closely associated with the development of the Convention. Rich, the wealth of the traditions of both legal systems which are being practiced both in French and in English and both of these are quite familiar with the concept of interests in goods and property. Canada is in a position to make a very unique contribution in the drafting of a possible space protocol.

Mr. Chairman, the Canadian delegation would also like to seize this opportunity to express its support for the United Nations treaty regime which currently govern the space activities of our respective States. It goes without saying that Canada is open to any and all suggestions on ways and means to improve this regime but that Canada would like to reiterate its position which is that this regime, up until now at least, has served well the needs of the international community in the field of space law as Canada supports efforts which have been made, up until this point, to encourage the States of this world to sign and ratify the existing treaties and we believe the Subcommittee should

continue along this line. Thank you very much Mr. Chairman.

The CHAIRMAN: I thank the distinguished representative of Canada for your statement and also for the kind words addressed to the Chair. I would also like to thank the distinguished Ambassador of Peru who congratulated me on behalf of the GRULAC Group at the beginning of his early statement. I forgot it. I apologize but I thank him warmly.

Now the next speaker on my list of speakers for this morning is the distinguished representative of China to whom I give the floor.

Mr. H. HUIKANG (China) (*interpretation from Chinese*): Mr. Chairman, first of all, please accept the congratulations of the Chinese delegation on your re-election as Chairman of the Legal Subcommittee. We are confident that under your leadership, and with joint efforts of the representatives of all the participating countries, this session will surely accomplish the tasks assigned to it.

The Chinese delegation will continue to take part actively in the consideration of all the agenda items so as to contribute to the smooth running of the Subcommittee's work.

Mr. Chairman, this year marks the fortieth anniversary of the first human cosmonaut entering outer space. It is also the fortieth anniversary of the United Nations General Assembly decision to establish its Legal Subcommittee and Scientific and Technical Subcommittee of the Outer Space Committee.

Over the past 40 years, with the rapid development of space technology and science, international space legislation work has also achieved significant development, establishing a series of principles and rule governing the activities of various States in the exploration and peaceful uses of outer space constituting a space law system with the 1967 Outer Space Treaty at its core.

This is indispensable with the work and contribution of the Legal Subcommittee. This Subcommittee has every reason to feel proud of this achievement. We are convinced that in the new century, space law will see a new era of development.

Mr. Chairman, the new century and new millennium have already arrived. The twenty-first century will be a century which will see greater development in space science and technology. It will be a new century where space applications will bring

humankind into a totally new information society. It is also a century where the resources on the Moon(?) and other space resources will be considerably explored and utilized. So space science and technology have brought with us a lot of opportunities, at the same time, also challenges. Insofar as this Legal Subcommittee is concerned, the primary challenge comes from the fact that how we can from a legal point of view to ensure the peaceful uses of space technology to prevent militarization and weaponization in outer space and to prevent the outer space arms race.

In defiance of strong opposition on the part of the international community, a particular country which has advanced space capabilities continues to intensify the development of an outer space weapons system including an anti-missile system and an anti-satellite weapons system. This challenge is becoming more grim. Every since human entry into outer space, non-militarization of outer space has been the focus of attention of the international community and also a goal to be achieved by it. Certain improvements have been achieved in that regard. However, an international legal mechanism that can effectively comprehensively prevent outer space militarization is yet to be developed.

In view of this, this Subcommittee should take immediate action to intensify the legal regulations to prevent outer space militarization. In this aspect, we note with appreciation that from 11 to 14 April this year, there will be an International Conference on Prevention of Outer Space Militarization to be held in Moscow. This undoubtedly will contribute further to the process of non-outer space militarization and international cooperation in the peaceful uses of outer space. We appeal to all the Member States of COPUOS to participate actively in that Conference and to ensure its success. We also suggest that the host country of the Conference should report the results of the Conference to the forty-fourth session of COPUOS.

Mr. Chairman, we are faced with another big challenge, namely the development of a space law is actually lagging behind the rapid changing development of space science and technology. Many legal problems governing the human activities in outer space have not been solved yet and new legal problems are emerging constantly, for instance, the issue of commercialization of space activities, the protection of the space environment, the problems associated with the International Space Station, etc., all of which need to be regulated through international legislation.

In recent years, some delegations have proposed some new items to be considered by the

Legal Subcommittee. The Chinese delegation warmly welcomes all the attempts which are aimed to enhance the role of the Subcommittee and we hope that this session will also arrive at agreement on any new item. And also in view of the complexities of outer space activities, it is now an appropriate time that we should put on our agenda the issue of considering a comprehensive outer space treaty.

At the forty-third session of COPUOS last year, the following countries, Bulgaria, China, Colombia, Greece, Iran and Russia jointly put forward a working paper A/AC.105/L.228 and its addendum 1 and 2 entitled "Discussion of the Desirability of Developing a Comprehensive Universal Convention on International Space Law". So we suggest that this session should continue to consider the proposals contained in that working paper.

Finally, Mr. Chairman, I would like to thank the work done by the Secretariat headed by the Director, Ms. Othman. Their excellent work has laid a good foundation for the running of this session of the work. Thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of China for your statement. The next speaker on my list is the distinguished Ambassador of Brazil to whom I give the floor.

Mr. S. DUARTE (Brazil): Thank you Mr. Chairman. May I first express my delegation's appreciation in seeing you presiding over this session. My delegation believes that under your able guidance, during the next three-year term, the Legal Subcommittee of COPUOS will reach its important objectives of developing and strengthening international space law.

The Brazilian delegation fully supports the statement made by the distinguished Ambassador of Peru, Mr. Javier Paulinich, on behalf of the Latin American and Caribbean countries. I would now like to make some additional comments on behalf of my own delegation.

Mr. Chairman, in our view, the Legal Subcommittee of COPUOS is the forum by excellence to establish and review the necessary adequate and up-to-date legal framework to regulate human activities in outer space as well as the activities related thereto. Such work deserves to be performed according to the commonly identified set of rules but it is necessary that international regulation of space take into particular account the needs and demands of developing countries.

The exploration of outer space and its development affects humanity and should be carried out in a way which takes into account the full implementation of the Plan of Action agreed upon at UNISPACE III. It is, therefore, essential to strengthen the role of COPUOS and its subsidiary bodies.

Along with the general trend of commercialization of space activities, Brazil is working currently on the commissioning of the Alcântara Launching Center which will provide, due to its favourable geographical location, a commercially competitive option for cost-effective launches. The Brazilian Government is particularly interested in the discussions on the "Review of the Concept of the Launching State", item 9 of our agenda, and wish to participate actively on the clarification of some aspects related to the liability of States in case of damages caused by objects launched into space. In this connection, due regard should be paid to the different level of participation of each State on launch activities realized by international consortia. I thank you Mr. Chairman.

The CHAIRMAN: Thank you very much, distinguished Ambassador of Brazil for your statement and also for your kind words addressed to the Chair.

Ladies and gentlemen, this ends the list of speakers of the delegations to the Legal Subcommittee who inscribed their names on this list this morning but before adjourning, I still have here on my list the name of the observer for the International Astronautical Federation, Professor Ramirez de Arellano to whom I give the floor. You have the floor, Madam.

Ms. R. DE ARELLANO (International Astronautical Federation): Thank you very much. Mr. Chairman, I am very thankful that I am able to take the floor for various reasons. First of all, I am extremely pleased to be here under your chairmanship in the Legal Subcommittee and the second reason is that the International Astronautical Federation is particularly pleased that its Legal Advisor, you Sir, have been elected as Chairman of this Legal Subcommittee. I shall read out my text in English because, as you are already aware, English is the official language of the International Astronautical Federation. So if I may, I would like to switch to English now.

It is a pleasure for me to speak in this forum in order to give you a message from Mr. Marcio Nogueira Barbosa, President of the International Astronautical Federation, IAF, who was recently elected at the International Astronautical Congress, held in Rio de

Janeiro, Brazil in October 2000. I want to mention that Mr. Marcio Nogueira Barbosa is the first President of the IAF coming from a Latin American country, Brazil.

The Fifty-First Congress gave us the opportunity to discuss topics of great interest for all the Federation members and we also adopted decisions to point out new activities in order to continue making stronger our tasks.

We had 106 Technical Sessions at which 970 papers were presented and 10 Plenary events. In the 10 Plenary events, current and exciting space-related themes were discussed by recognized leaders and scientists from the main international organizations of government and the private sector. Attendance was higher than expected. Almost 2,000 people participated in the Congress from which 329 were students. This is a very relevant fact due to the importance that space law matters are having among the student community.

Also, I want to mention that the Tenth United Nations/IAF Workshop was successfully held in Sao José dos Campos, Brazil, immediately preceding the Fifty-First Congress in Rio de Janeiro. The Workshop was organized in six sessions, at which 19 papers on the use of space technology in tropical regions to monitor deforestation, semi-arid areas and urban issues were presented. A separate session addressed funding and financing strategies. In addition, 17 participants from developing countries provided an insight into the status of space technology applications in their respective countries. The Workshop was attended by 50 participants.

IAF has started with Marcio Nogueira Barbosa, its new President, a new period of activities with new energy and with the strong desire to enhance our collaboration with United Nations-COPUOS. Thank you Mr. President.

The CHAIRMAN: I thank the distinguished observer for the International Astronautical Federation for her statement and also for the kind words addressed to me in her statement.

Are there any other speakers on general exchange of views at this time, either delegations or observers? I see none. We will continue the general exchange of views this afternoon.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee. Before doing so, I would like to remind delegates of our schedule of work this afternoon. This afternoon we shall resume with

agenda item 3, “general exchange of views”. Thereafter, time permitting, we will begin consideration of agenda item 4, “status and application of the five United Nations treaties on outer space”. At approximately 3.50 p.m., we will end our deliberations in order to allow for the commencement of the IISL/ECSL symposium on “Methods of Peaceful Settlement of Space Law Disputes” which will begin at 4.00 p.m. in this room.

Are there any questions or comments on this proposed schedule? I see none.

Then, finally, I have received a request from the Secretary for the floor to make a brief announcement before we adjourn this meeting. Sir, you have the floor.

Mr. P. LÁLA (Secretary) : Thank you Mr. Chairman. I have two announcements. The first one is that on the occasion of the election, the Chairman of the Legal Subcommittee of COPUOS, Professor Vladimir Kopal, requests the pleasure of the company of all delegations to the COPUOS Legal Subcommittee for a glass of wine or beer. You have got the invitation already so it will be ready at 12.45 p.m. So quarter to one it will be ready in the Mozart Room if you go to the Restaurant on the Ground Floor, you go to Building ‘G’, you go to the Restaurant area and then at the end of the Restaurant area, on the left side, there is a big room, the Mozart Room. There a small refreshment will be prepared at quarter to one.

The second announcement is that there will be a meeting of members of Western European and Others Group and the like-minded group from maybe 1.30 p.m. to 3.00 p.m. this afternoon in Conference Room C0713 which is on this floor, Room C0713. Thank you very much for your attention.

The CHAIRMAN: Thank you very much Mr. Secretary. If there are no further interventions, this meeting is adjourned.

The meeting closed at 4.25 p.m.