

**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee**

Unedited transcript

647th Meeting

Monday, 6 April 2001, 3 p.m.

Vienna

Chairman: Mr. Kopal (Czech Republic)

The meeting was called to order at 3.19 p.m.

The CHAIRMAN: Distinguished delegates, I declare open the 647th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

Agenda item 6, 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

Distinguished delegates, we shall now continue our consideration in the Plenary of item 6 on our agenda, matters relation 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.

I do not see any delegation inscribed on the list of speakers on this particular item for the time being but is there any delegation wishing to speak in the Plenary of the Subcommittee on this issue?

I see none. We will continue our consideration of item 6 next Monday morning.

Agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space

Distinguished delegates, we shall now continue consideration of item 7 on our agenda, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

The first speaker on my list on this particular item is the United States of America to whom I give the floor. The distinguished representative of the United States.

Mr. S. MATHIAS (United States of America): Thank you Mr. Chairman and thank you in particular for accommodating our request to make our statement this afternoon.

Mr. Chairman, my delegation would like to offer a few observations regarding the Legal Subcommittee's consideration of the Principles Relevant to the Use of Nuclear Power Sources in Space.

First, we commend the Working Group on Nuclear Power Sources of the Scientific and Technical Subcommittee for the progress it has made under that Subcommittee's multi-year Work Plan on the use of nuclear power sources in outer space.

The objectives of the Work Plan before the Scientific and Technical Subcommittee are to identify current national and international processes and standards pertinent to the use of nuclear power sources in outer space and to develop a relevant database as a source for information concerning nuclear power sources.

The first year of the Work Plan in 2000 focused on identifying processes and technical

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standards that may be relevant to nuclear power sources, including factors that distinguish nuclear power sources in outer space from terrestrial nuclear applications.

The second year of the Work Plan in 2001 focused on identifying national and international processes and standards relevant to the launch and peaceful use of nuclear power sources in outer space. For example, at this year's session of the Scientific and Technical Subcommittee, our delegation submitted a working paper on a database of international documents of potential relevance to nuclear power sources in outer space and made a presentation on our national nuclear safety launch approval process. Work has begun towards drafting a report at the next session of the Scientific and Technical Subcommittee in accordance with the Work Plan.

The United States is committed to supporting the continued implementation of the Scientific and Technical Subcommittee's Work Plan for establishing a firm scientific and technical consensus for any future nuclear power sources deliberations.

In conclusion, Mr. Chairman, while excellent progress has been made, there is more to be done under the Scientific and Technical Subcommittee Work Plan. We do not object to keeping a reference to this agenda item on next year's Legal Subcommittee agenda to track the work of the Scientific and Technical Subcommittee. Thank you.

The CHAIRMAN: Thank you distinguished representative of the United States of America for your statement on item 7.

Are there any other speakers on item 7 at this time? I see none. We have, therefore, concluded our substantive consideration of item 7. *It is so decided.*

Agenda item 9, review of the concept of the launching State

Distinguished delegates, we shall now continue our consideration in the Plenary of agenda item 9, review of the concept of the launching State.

We do not have any speaker inscribed on our list of speakers for the Plenary of the Subcommittee. This is very probably because the work has already been started in the Working Group under the guidance of Dr. Kai-Uwe Schrogl and therefore I believe we need not any further discuss this in the Plenary but we will continue our consideration of this item 9 next Monday morning.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee in order to allow the Working Group on Item 6 to convene its third meeting under the guidance of Ms. Flores Liera of Mexico. Is she present? Yes, I recognize her. It is a great pleasure.

Before adjourning the meeting of the Subcommittee, however, I would like to inform the delegates of our schedule of work for next Monday morning. Next Monday morning, we shall continue our consideration in the Plenary of items 6 and 9. We shall also begin consideration of item 8, 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, and item 10, proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-first session. Thereafter, the Working Group on Agenda Item 6 might convene its fourth meeting under the guidance of Ms. Flores Liera of Mexico, following which the Working Group on Item 9 might also convene its second meeting, if there is, of course, sufficient time available.

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

Finally, distinguished delegates, I would like to draw your attention to two papers which have been distributed by the Secretariat which, first, contain a draft provisional agenda, as well as additional proposals for agenda items, developed on the basis of discussions in the informal consultations conducted yesterday.

And also another paper, that including a proposal from Greece on the establishment of a working group on the review of the status of the five international treaties on outer space and evaluating of the implementation process of outer space law provisions including United Nations General Assembly Declarations of Principles and other relevant resolutions.

I would urge delegations to consider these papers with a view to reaching further consensus on their content next week during the formal consideration of agenda item 10 and in any informal consultations which we might be able to arrange. I leave to the choice of the delegations of our Subcommittee whether in case that we would have some time left this afternoon, whether they might wish to consider in

informal consultations as we did yesterday afternoon or if they would rather prefer to consult among themselves on the questions involved in these documents. Let me know before the end of this afternoon's meeting.

I now declare this meeting adjourned and invite Ms. Flores Liera of Mexico to convene the third meeting of the Working Group on Item 6.

The meeting is adjourned.

The meeting was adjourned at 3.29 p.m.

The meeting was resumed at 5.46 p.m.

The CHAIRMAN: Distinguished delegates, the session of the Subcommittee is still re-opened for the remaining 15 minutes in order to use all the time available for work. We originally intended to continue our informal consultations but since this time is too short for doing any business-like discussion, so I would like to use the remaining time for introducing a document that has been prepared by our distinguished colleague from Greece under the heading "Proposal of Greece on the Establishment of a Working Group on Specific Purposes Related to our present item 4" and it also relates partly to item 10, so I would like to give him the floor now for a short introduction of this document. We will not discuss it today but we will discuss it next week, very probably on Tuesday, when re-opening informal consultations.

And then, of course, during the formal discussion of item 10, that is scheduled for Wednesday. Dear colleague from Greece, you have the floor.

Mr. V. CASSAPOGLOU (Greece): Thank you very much Mr. Chairman. Mr. Chairman, as promised yesterday evening and following the suggestions of our colleagues from the United States and Chile and other colleagues, I prepared this text just to give the Subcommittee the general idea of what will be the task of the proposed Working Group.

The title and the mandate also is to review the status is two main tasks. In view of the status with the five international treaties on outer space and secondly, to evaluate the implementation process of all outer space law provisions including United Nations General Assembly declarations of principles and other relevant resolutions. And the topics that may be discussed and examined will be these mandates are the six categories, if I can say so, as presented in my document.

I do not think I have to say more details about them because all of them are self-explanatory. Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you, distinguished representative of Greece for your introduction of the proposal of your country. I do not intend to open discussion on it now as I have already said. I only would like to draw your attention to another document. It is draft provisional agenda for the forty-first session of the Legal Subcommittee in 2002. This one-page paper has been prepared by our distinguished colleague from Sweden, Dr. Hedman, and these two papers, it means the proposal of Greece and the draft provisional agenda as prepared by Dr. Hedman are at your disposal for your thinking during the weekend and then for coming here again and we will discuss it during the informal consultations and during the formal meeting of the Legal Subcommittee on Wednesday.

Greece once again.

Mr. V. CASSAPOGLOU (Greece): Thank you very much. Just a procedural remark, dear colleague. If, finally, we succeeded to reach consensus about the proposal of Greece concerning the establishment of the Working Group, then rescheduling(?) of point 4 of the regular items should maybe transformed into the scheduling(?) of the Working Group because a part of the content of the Working Group's task is the one mentioned in point 4. That is for the future. That is the reason for which I suggest not to close formally the discussion on the agenda item for exactly to present this idea. Thank you.

The CHAIRMAN: Thank you. put it and we will finalize it next week.

I think that is all what I wanted still to talk now with you and I wish you a happy weekend and please come again early next week for the continuation of our discussion.

I thank you very much for your attendance and good evening.

The meeting closed at 5.54 p.m.