

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

*Unedited transcript*

653<sup>rd</sup> Meeting

Wednesday, 11 April 2001, 3 p.m.

Vienna

*Chairman:* Mr. Kopal (Czech Republic)

*The meeting was called to order at 3.22 p.m.*

**The CHAIRMAN:** Distinguished delegates, the Legal Subcommittee is again in session. I declare open to the 653<sup>rd</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

Agenda 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

Distinguished delegates, we shall now continue and hopefully conclude our consideration of agenda 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. Would any delegation like to make a statement on this item in the more formal context of the Plenary of the Subcommittee because in an informal context, there has been already an exchange of views but now we are in formal discussions and, therefore, I would appreciate your statements, your introduction of eventual new items and so on.

I now recognize the distinguished representative of the United States of America, Mr. Mathias.

**Mr. S. MATHIAS** (United States of America): Thank you Mr. Chairman. At this point, Mr. Chairman, I would simply like to introduce for the first time in a Plenary session the proposal of the United States that the Subcommittee take up the issue of obtrusive space advertising as a one-year agenda item. The purpose of this item would be to discuss the legal aspects of the problem in light of the work done by relevant international scientific organizations

including the Scientific and Technical Subcommittee at its next session.

In addition, we would propose that the Legal Subcommittee invite relevant international organizations to submit reports or make special presentations to the Legal Subcommittee on this topic. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you very much distinguished representative of the United States of America for your introduction of a new point.

Any other speaker who wants to speak about this item at this stage? I recognize the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you. Since you have various views before you, this sheet which contains a rather formal presentation of the three proposals of Greece, firstly, the amendment of agenda item 4 of the agenda. In the English text you will see underlined what has been added that is new and, if I might explain, the words "and applications" are substituted by the words "and evaluation of the implementation process, etc."

(*Continued in English*) A more comfortable explanation of what we mean "and applications" show, in fact, nothing changes in the substance and the content we can give to the agenda item 4. What we really newly put is the words "review of the status" and then including the principles and other relevant resolutions adopted by the United Nations General Assembly which is we mean by outer space law provision. That is for the proposal concerning the amendment of agenda item 4.

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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.

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*(Continued in French)* As concerns the establishment of a working group on the self-same agenda item, *(continued in English)* ... item 4 as amended.

*(Continued in French)* As for the third proposal which is actually a repetition of something that we first saw in 1995 or 1996 and which has surfaced every so often since then, that is the introduction into the new agenda item of the transformation into treaties of the principles governing direct broadcasting and remote sensing principles. Thank you.

**The CHAIRMAN** *(interpretation into French)*: Thank you very much distinguished representative of Greece for your re-tabling this in a new form.

*(Continued in English)* I now recognize the distinguished representative of Morocco.

**Mr. A. SAADI** (Morocco) *(interpretation from French)*: Mr. Chairman, a point of clarification to Mr. Cassapoglou. What are we to do with his former proposal? Has everything in the former proposal been put into the new proposal?

**The CHAIRMAN** *(interpretation from French)*: Thank you distinguished representative of the Kingdom of Morocco. So the question has been addressed to Greece. You can reply.

**Mr. V. CASSAPOGLOU** (Greece) *(interpretation from French)*: Thank you. I would like to thank Morocco, I would like to reassure him. He might not be fully aware of what happened this morning because of his other commitments because there are some States which do not have as many resources, they have fewer staff, so the delegates have more commitments than others. So the delegate of Morocco was not here this morning so he was not able to follow what I said. All of the items in my former proposal have been put here. Basically, it is the heading of agenda item 4.

As for the content and the substance of the proposals which indicatively, not exhaustively but indicatively have been mentioned in the 6 April text remain as they were. So do not worry dear colleague, you have this brilliant idea of including your idea through the regional centre angle and I would like to say that Greece, as well as other countries, I believe, is ready to contribute to the training in international space law and United Nations outer space practices in the centre in Morocco, as well as that in Nigeria and

elsewhere as well. There is a centre in India as well and that on a gratuitous basis, free of charge, as a contribution part of my country to the nestable(?) efforts made by the Office for Outer Space Affairs. Thank you.

**The CHAIRMAN** *(interpretation from French)*: Thank you very much. Now who wishes to speak?

*(Continued in English)* I do not see any other speaker. Yes, I recognize the distinguished representative of China to whom I give the floor.

**Mr. LIU YINGHAI** (China) *(interpretation from Chinese)*: Thank you Mr. Chairman. With regard to the new proposal made by our United States colleague on obtrusive advertising in outer space, at yesterday's meeting, our delegation already stated its principle position. Here, in the Plenary, the United States representative made his formal proposal. Our position remains unchanged from what it was yesterday and that is we agree with the principle of the United States and that is where legal issues, where the scientific and the technological issues are concerned should be first discussed by the Scientific and Technical Subcommittee and then we consider whether they should be discussed by this Subcommittee. And, therefore, we are of the view that at this stage, it is not appropriate to decide, to include, that agenda item on the agenda of the next session of the Legal Subcommittee. Thank you Mr. Chairman.

**The CHAIRMAN**: Thank you distinguished representative of China for your contribution to our discussion. Any other speaker wants to speak at this formal exchange of views on item 10 of our agenda? I see none.

Gentlemen, let us now proceed point by point on the basis of the draft provisional agenda for the forty-first session of the Legal Subcommittee as has been elaborated during the informal discussions and distributed to all delegations.

This list consists of two parts so we will now concentrate on the first part. It means that part of the draft provisional agenda after the informal consultations seem to be non-controversial, or at least less controversial. Then we will continue still about additional proposals and thus we will then complete our business on this item.

First of all, opening of session and adoption of the agenda. I think this is usual and it should remain.

Statement by the Chairman, that is also such a practice.

Then, three, general exchange of views. I believe that general exchange of views, if made in reasonable limits, it means if it does not take too much of the time that would be available for the session of the Subcommittee is also non-controversial.

Four. Status and applications of the five United Nations treaties on outer space. We have had a discussion on it and this discussion has not yet resulted in final conclusions and, therefore, I would welcome your proposals or your position on this particular item. It is now spelt out as status and application of the five United Nations treaties on outer space but we have here a proposal of the distinguished representative of Greece on a new heading of this item, including two additional points about the content of work that should be made by this Working Group.

So first of all, we have the change of the agenda heading and of this item. And second, we have also a principle decision on the establishment of a working group. And finally, we have the third part of the discussion, the precise content of the work of this Working Group. So now the floor is open for the delegations to present their views on this item.

Yes. The distinguished representative of Chile has the floor.

**Mr. J. M. CONCHA** (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. First of all, we would like to congratulate the distinguished representative of Greece for the new proposal. It has a commitment with all the initiatives aiming at universal implementation of the five treaties. However, we also believe that item 4 is not being tackled in an efficient way. This would boil down to declarative and informative work alone. Therefore, we believe something more should be added and, accordingly, the establishment of a working group, in our view, could deal with the question in more practical terms.

We furthermore regret some of the points made by delegations regarding the apprehension that the Subcommittee would be dealing with generalities. We have a dual role. Specific questions have to be examined but we also have to have a macro view of the matter. Thank you.

**The CHAIRMAN**: Thank you very much distinguished representative of Chile. Any other delegation wishing to speak on this proposal? May I take it that you agree with new heading of this point of

our agenda or not? I recognize the distinguished representative of the United States of America.

**Mr. S. MATHIAS** (United States of America): Thank you Mr. Chairman. I think it is probably appropriate in light of your last question to mention in this Plenary session some of the concerns that we have previously identified with respect to the proposed change in the subject of item 4. I realize that the current proposal has a new revised subject of item 4 but I would note that the previous Greek proposal also involved revised item 4.

The view of my delegation, Mr. Chairman, is that item 4 is fine the way it is. I have in mind in reaching this conclusion, for example, the resolution of the General Assembly at its most recent session which talked about encouraging States that have not yet become Parties to the treaties to give consideration to ratifying those treaties. I think our focus should be on the treaties and only the treaties for this item and I think that the current formulation of our focus, that is, on the status and application of the treaties is a very satisfactory formulation. It is one that provides the Subcommittee with both some structure and some flexibility because, as the distinguished representative of Greece noted in introducing his most recent proposal, within the concept of application, it is possible to address many subjects such as the manner in which the treaties are being applied to current problems being arising in connection with space activities.

So item 4, in our view, Mr. Chairman, provides the Subcommittee with the flexibility to have the sort of generalized discussion that our colleague from Chile just observed is so important, as well as, at the time, providing some necessary structure for the work of the Subcommittee. So we would suggest that it remain as it currently is stated. Thank you.

**The CHAIRMAN**: Thank you very much distinguished representative of the United States of America. Are there any other views to be expressed here during this consultation on point 4? The distinguished representative of Brazil.

**Mr. S. LEITE DA SILVA** (Brazil): Thank you Mr. Chairman. At the beginning, on the considering of item 3, exchange of views, the Group of Latin American countries and Caribbean on their statements we stressed that the current general(generic?) framework that exists for the consideration of the space activities, they are very un\_\_\_\_\_(?), they are not covering all the necessities that exist today and these necessities have been

exhausted, considered and mentioned by several delegations. As we are sufficiently aware, the developments that the space activities have been facing during the last decades changed sharply the approach of countries and of mankind towards space activities.

We have also recognized by several statements the needs of the private sector to take part on what refer to space activities but besides recognizing the existing of private enterprises, we also have to remind us that we exist as human beings and there are several difficulties that have been referred by different delegations. Most of all the natural disasters that represent a great source of preoccupation for mankind and for all the countries concerned both developed and non-developed countries. Even in Europe, we have floods, earthquakes, everywhere. So we have to try to divert our present efforts in order to cover in the juridical legal framework of space activities or the real needs of mankind and when I refer to real needs of mankind, I refer to what? I have said, and to several aspects I cannot remember now, but space activities comprise a lot of different interests, so complex are complex the society inside themselves and the international society.

So I think that we should try not to limit the approach when we consider the legal framework. We should try to make this approach more open in order to respond to our real needs and the way it is going to be done. Unfortunately, the Brazilian delegation has not sufficient experience. I would say, I, myself personally, I do not have the necessary to propose but I see that the experience that the distinguished delegate of Greece, his proposal to broaden the scope of the consideration of the five treaties, it would be, perhaps, a positive step in order to try to make a first step in the direction of the needs we have already recognized. We have recognized that the present framework is not responding in a good way to our needs and COPUOS, as a United Nations organ, we expect that this organ will be able to help the countries to respond to these general needs. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of Brazil for your contribution to our discussion. I recognize the distinguished representative of Argentina.

**Mr. M. VERGARA** (Argentina) (*interpretation from Spanish*): Thank you Mr. Chairman. Our delegation would just like to support what was just said by the representative of Brazil agreeing with many other comments made by other delegations as well that the session begins with Plenary. And we would like to add that the

Subcommittee, and the Legal Subcommittee has noted new situation derived from technology unforeseen under the original treaties, call for adequate legal regulation and thus going by what my delegation has said in preliminary remarks, we would like to add, there is a duty of this Subcommittee to look at the needs of the international community calling for solutions that are practical, but, at the same time, legally based solutions.

In the light of rapid technology changes and the added space activities, the Legal Subcommittee is the only legal and political forum that is specific for this purpose within the United Nations system for the formulation of new international instruments preserving the interests of the whole community in relation with the use of outer space for peaceful purposes. Thank you.

**The CHAIRMAN:** Thank you distinguished representative of Argentina for your contribution. Any other delegation wishing to speak? Yes, the distinguished representative of Morocco has the floor.

**Mr. A. SAADI** (Morocco) (*interpretation from French*): Thank you Mr. Chairman. I just wanted to give my delegation's support to the statement made by the representative of Brazil and the additional remarks made by Argentina. Thank you.

**The CHAIRMAN** (*interpretation from French*): I thank the distinguished representative of the Kingdom of Morocco for that contribution.

(*Continued in English*) I have now on my list of speakers the distinguished representative of the Russian Federation.

**Mr. P. G. DZIUBENKO** (Russian Federation) (*interpretation from Russian*): Thank you very much Mr. Chairman. Firstly, I would like to say that, on the whole, as we have already indicated in the Working Group, we agree with the general thrust of the ideas of the distinguished representative of Greece, as supported here by ever so many other delegations, Brazil, Argentina, Morocco. With respect to the fact that, at this juncture, we should broader expand the framework of the issues discussed in our Committee so as to more flexibly respond and react to changing situation, in the light of the evolution of new technologies, given the fact that new players are emerging on the international scene. As we all know, new problems arising. And all of this, of course, requires our attention.

We consider that given this fact, certainly, item 4 needs to have its adaptability, appropriateness and scope somewhat expanded. At the preceding stage, we also did not object to having a special working group set up, an ad hoc group for this purpose and, as we have already indicated on the second point, what can we, as of today, put into this by way of nourishing the working group on this matter?

What we wish to actually say is as following. If we take a look at the proposed draft agenda as a whole, one gets the impression, possibly wrong, of course, but nevertheless, one does get the impression that, on the whole, apart from the status of the conventions, and status, after all, is something which does not make any sense to dwell on for too long. It is something which remains the way it is. It is beautifully presented in this brochure that the Secretariat that the Secretariat always treats us too. What are the new issues in our agenda? Definition, delimitation of outer space, this is something which has been with us for decades. Even though we do not believe that we should wrap this up without deciding on things, that was a little strange.

And then there is the GSO issue which has also been with for at least a decade which probably now has to be taken from various new angles and only two, or rather actually one new issue is here and that is the UNIDROIT draft convention on mobile equipment in outer space. It is a very important convention, as we have all seen but, of course, does open up new aspects in outer space but that is just one aspect of everything that has emerged that has been new in recent times and this opens the possibility of a new universal list, an inventory, a register that would comprise a listing of the property rights or titles for various outer space objects or property.

So this is very important. It is very topical, very significant, but it is just one aspect, whereas there has been a whole series of delegations here who have been highlighting ever so many other new issues that have appeared over the past 10 years or more. So I think that we need some agenda items where these items can be broached and debated and we thought that under item 4, we could most felicitously open this door. Possibly, we could somehow re-word this title heading under 4 and refer this to the working group on that matter.

At this stage, we feel that, since for the time being, no-one has stated that there are principle objections to the approach of the Greek delegation and since we do have expressions on the substance of the Greek proposal before us, possibly we could somewhat

expand for, make that very clear, that it could be amended and expanded and, under item 4, we could broach all of the new topical issues which have accrued more recently in the course of reviewing the status of the five United Nations treaties on outer space and the five documents containing the principles, the declarations of principles, principles and other appropriate or relevant resolutions adopted by the United Nations General Assembly. That would straightaway significantly expand the scope of this agenda item.

As we see it, we hope that this would not encounter any serious objections in the room. Thank you.

**The CHAIRMAN** (*interpretation from Russian*): Thank you very much distinguished representative of the Russian Federation for your input.

(*Continued in English*) Is there any delegation wishing to speak? I see the name of the Islamic Republic of Iran is included on the list of speakers.

**Mr. A. H. SARYAZDI** (Islamic Republic of Iran): Thank you Mr. Chairman. Mr. Chairman, my delegation would like to give its support to the proposal tabled by the distinguished representative of Greece on item 4. My delegation would also like to lend its support to the statement made by the distinguished representative of Brazil on this subject which was supported by some other delegation. Thank you Mr. Chairman.

**The CHAIRMAN**: Thank you distinguished representative of the Islamic Republic of Iran for your contribution. Any other speaker? I recognize the distinguished representative of Ecuador to whom I give the floor.

**Mr. S. MARTÍNEZ** (Ecuador) (*interpretation from Spanish*): Thank you Mr. Chairman. My delegation would also like to support the Greek proposal on item 4 and we endorse what was said by Brazil and Argentina. Thank you.

**The CHAIRMAN**: Thank you very much distinguished representative of Ecuador and I now give the floor to the distinguished representative of India.

**Mr. R. M. ROY** (India): Thank you Mr. Chairman. And the broadening is the central theme, the broadening of the agenda item. I think it is much more reasonable to broaden the agenda at this time because the implementation of the principles and the other relevant resolutions if it is added, it will provide

more scope for discussion in this forum. That is why we support the Greece proposal along with all other countries like Morocco, Brazil, Argentina, Russian Federation, Iran and Ecuador. Thank you.

**The CHAIRMAN:** Thank you distinguished representative of India for your contribution. The next speaker on my list is the distinguished representative of Colombia, to whom I give the floor.

**Mr. C. ARÉVALO YEPES** (Colombia) (*interpretation from Spanish*): Thank you Mr. Chairman. On this question, my delegation would like to give a position on principle and that is for the Colombian State, the five international instruments are irrefutably the base and legal framework regulating outer space and Colombia is promoting ratification of the main treaties governing this legal framework. This is important for my delegation to mention because that is the cornerstone of the *corpus jura spatios*(?) mentioned earlier.

We would also like to say that the Greek proposal does have the very virtue of opening space that could reflect the need to have a dynamic approach because of the well-expressed needs mentioned by the representative of Brazil, Argentina and others, Ecuador, who spoke just before me.

So that is the position of Colombia on this. Thank you.

**The CHAIRMAN:** Thank you very much distinguished representative of Colombia. The distinguished representative of Nigeria has the floor.

**Mr. T. BRISIBE** (Nigeria): Thank you very much Mr. Chairman. Quite simply, my delegation wishes to express its support for the proposal which has been presented to the Subcommittee by the distinguished delegate of Greece. Thank you Sir.

**The CHAIRMAN:** Thank you distinguished representative of Nigeria. I now give the floor to the distinguished representative of China.

**Mr. LIU YINGHAI** (China) (*interpretation from Chinese*): Thank you Mr. Chairman. The Chinese delegation supports this proposal of Greece concerning item 4 which has been supported by Brazil and a lot of other delegations. We support this new theme of item 4. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of China for your contribution to our

discussion. Any other delegation wishing to speak on this particular item? I see none.

Ladies and gentlemen, it seems to me that the best way how to continue this discussion would be a form of informal consultations among those delegations which have participated in this discussion. It means including all delegations that are interested in this particular point and supported and also the delegations which have some concerns or different views on this point. So I believe that we should now suspend the consideration of this point, continue on other points on our proposed agenda for the next session of the Subcommittee and then, during the break, which I intend to make, this small consultation group could meet, could still try to find a common language, a common denominator for this proposal and bring it back to the Chair for further discussions. This seems to me to be the best way how to handle it because we cannot vote. It is out of the question. We act on the basis of consensus and we have not exhausted yet all ways that might lead to a consensus on this point.

Yes, the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you Mr. Chairman. First of all, I would like to warmly thank, I am very moved by the contributions. I am grateful for the support of the countries who have openly and frankly expressed their views in favour of our modest proposal.

If I may, I have noted three words, actually qualifiers, that speak in favour of the logic behind this proposal. It is a dynamic approach. It is a great challenge, including commercialization, privatization of space activities and the needs created by the new situation.

However, to stress further the need for this, for those who fear the dialogue, I would like to say the following. Article 15 in the Treaty, Article 8 in the Agreement on Rescue, Articles 25 and 26 in the Convention on Liability, Articles 9 and 10 of the Convention on Registration and Articles 17 and 18 of the Moon Agreement, after 10 years of implementation, recognize the right of States to propose amendments or revision, not review but revision. We are not asking to follow that process because we have argued strongly for the observance of the entirety of the existing system, although, or albeit, compartmentalized. All we have asked for here is a

minimum, a minimalis(?). So bearing that in mind, you should have a second thought on that.

**The CHAIRMAN** (*interpretation from French*): I thank the distinguished representative of Greece for that explanation of the proposal and access to these problems.

(*Continued in English*) Ladies and gentlemen, any other view? May we proceed as I propose? It means to try to reconcile the positions of delegates and to come then to the Chair and to the Subcommittee, of course, to discuss the outcome of these informal consultations of the most interested delegations during the break. *It is so decided.*

We will now continue point 5 of the draft provisional agenda, information on the activities of international organizations relating to space law. I believe this is a point that has not been opposed by anybody and I believe that our experience with this point, which has received a new content because, indeed, the presentations of the representatives of international organizations, at least of those of them which have been present at our session, have been valuable, have been substantive and helped us to understand the present issue which are under our consideration.

So unless I hear any opposition, I take it that point 5, information on the activities of international organizations relating to space law, is adopted as one of the regular items for the next session of the Legal Subcommittee. *It is so decided.*

Now point 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.

Again, it is proposed as a regular item for our next agenda. The distinguished representative of Greece has the floor.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you Mr. Chairman. I quite agree that we should retain the subject as you have worded it already and we should re-establish the working groups of these points as we had last year and because the discussion that we had, especially on air space, which was very useful, very constructive indeed. So I suggest that we should

propose that the General Assembly should re-establish working groups on these issues. Thank you.

**The CHAIRMAN** (*interpretation from French*): Thank you distinguished representative of Greece.

(*Continued in English*) Are there any other speakers on this item? I see none but my understanding is that you proposed the working group that would deal only with (a) because last year we decided to limit the discussions in the working group only to problems of definition and delimitation of outer space, including, of course, the nature of the aerospace object and so on, while the other sub-point would be heard only at the level of the Subcommittee. Yes?

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Yes, I am still referring to small (a). Thank you.

**The CHAIRMAN**: Is this proposal acceptable for all delegations? I see no objection. *It is so decided.*

Now we have the category of single issue items for discussion. It is point 7, review and possible revision of the principles relevant to the use of nuclear power sources in outer space. Yes? It is my understanding that this question has been considered in the Scientific and Technical Subcommittee and as reflected in its report, the Scientific and Technical Subcommittee works on this particular item on the basis of a work plan that should still continue next year. So we should certainly be eager how the results of this consideration in the Scientific and Technical Subcommittee would be concluded and act on the basis of these conclusions but maybe that already next spring or next February when the session of the Scientific and Technical Subcommittee should be held, there would be already some conclusions of this work. So on the basis of this work, we could resume our substantive consideration of this issue. If there are no results in the Scientific and Technical Subcommittee, then we will still maintain this point on our agenda for general exchange of views on this topic but, of course, without opening a detailed consideration that would be, in that case, premature.

I recognize the distinguished representative of the Russian Federation.

**Mr. P. G. DZIUBENKO** (Russian Federation) (*interpretation from Russian*): Thank you. We have nothing against the conclusions that you have just drawn. I just want to draw your attention to the

fact that if we change the wording of item 4, as has been suggested by Greece, by ever so many other delegations, including ours, that we could also refer there to the application of the principles of the other resolutions of the United Nations General Assembly, then this 7 would automatically fall within the purview of 4 actually.

*(interpreter not clear – not sure whether this is Russian Federation or the Chairman as Chairman spoke Russian but was indicated as speaking)* Possibly we could refer to this question once we have decided what we are going to do with the proposed item 4.

**The CHAIRMAN:** Is the opinion of the Subcommittee that again we should suspend the final decision on this point 7, review and possible revision of the principles relevant to the use of nuclear power sources in outer space until the results of our consultations on point 4 are known to us? And then to consider these two points in conjunction. Yes, I believe it is reasonable. *It is so decided.*

Now, point 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. This question, I believe, was sufficiently discussed in our Subcommittee and we reached a compromised solution on further procedure, how to handle with this item and, therefore, I believe that we, of course, must retain this point of our agenda because it is an essential part of the procedure that we have agreed upon.

Now agenda items considered under work plans. We have review of the concept of the launching State. Next year should be the third year of the consideration of this concept under the work plan that was approved and which is going on. It means that we should keep this item on our agenda, of course, including the establishment of the Working Group, because the Working Group will act also for the third year. Then, we will decide whether to extend this item or to finalize it. So it will be on our agenda for the next year.

Now we have, of course, point 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-second session. This, we have had also now during this session and it was agreed upon that such a point should be a part of the agendas of the Legal Subcommittee so that I believe

that this, too, should remain on our agenda for the next session of the Legal Subcommittee next year.

Thus, we have exhausted, except the two points, point 4 and point 7, to which we will still return after the break. We have exhausted the first part of the draft provisional agenda. Now we have the four additional proposals which are listed on the bottom of this document, review of existing norms of international law applicable to space debris, discussion on the appropriateness and desirability of drafting a universal comprehensive convention on international space law, international cooperation in limiting obtrusive commercial space advertising that could interfere with astronomical observations, and here is again establishment of a working group for agenda item 4 listed but this particular point has become part of the proposal made by Greece. So that, in fact, we have now here only three items but the appropriateness of including these points in our agenda was discussed at length during the informal consultations and I would not be inclined to repeat this whole exercise again because, unfortunately there has not been a consensus on any of these three additional proposals. But if you wish, if any delegation wants to propose it once again here on this formal level of our Subcommittee or bring some new arguments in favour of the inclusion of these papers, I am open-minded in this respect.

Does any delegation want to speak in favour of one of these three items? I see none and, therefore, I will limit myself on the repeating that unfortunately there has not been a consensus on these three additional proposals to be included in the agenda of the next session of the Legal Subcommittee in 2002. This does not diminish the reason why these items were proposed and we will shall certainly maintain them on the list of possible topics to be considered again next year.

Ladies and gentlemen, my understanding is that some documents are now distributed. It is the Chinese version of everything. The distinguished Secretary has the floor.

**Mr. P. LÁLA** (Secretary): Thank you Mr. Chairman. This is just to confirm your statement that the report of the Working Group on the launching State is now distributed in all languages and so delegates will have some time to look at it before considering the report in the formal session. Thank you.

**The CHAIRMAN:** Thank you very much Mr. Secretary. I saw the distinguished representative of Greece who applied for the discussion.



**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Mr. Chairman, thank you. In our paper we also have our third proposal in this being transformation into treaties of two sets of principles. So if you would be so kind as to re-introduce these two points into the agenda under one item or two, I do not know how you would prefer, to accommodate this into this list that you have already mentioned of possible additional topics that could be introduced into the Subcommittee's agenda for next year. Thank you.

**The CHAIRMAN** (*interpretation from French*): Thank you. So if I have correctly understood, you would like to incorporate item 3 from your proposals into the list of topics as being additional proposals. In that fashion, possibly we will not have to mention this in any other way, that would be helpful for us in working to a compromise solution. Fine, thank you, I appreciate your cooperation.

(*Continued in English*) Ladies and gentlemen, I will now suspend the session of the Subcommittee in order to enable you, first of all, to read the text of the report of the Working Group on the concept of the launching State and also for the informal consultations of the interested delegations which should try to reach a compromise solution on point 4 of the next agenda and also on point 7 in conjunction with the solution of the issue relating to point 4. Yes, Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): I know that you have ever so many concerns but could I ask you to be so kind as to coordinate or to chair these informal consultations?

**The CHAIRMAN** (*interpretation from French*): It is very difficult, my friend. I am ready to participate in such consultations. Thank you.

(*Continued in English*) So the meeting is now suspended until 4.45 p.m. Well, we will try to do it at 4.45 p.m. Thank you. The meeting is suspended.

*The meeting was suspended at 4.26 p.m.*

*The meeting resumed at 5.28 p.m.*

**The CHAIRMAN**: This meeting is resumed and all delegations are kindly requested to order.

Ladies and gentlemen, I am happy to advise you that after a longer consultation than we originally had expected, we reached a compromise solution and I will report on this compromise solution in precise

terms tomorrow morning because we to give the floor to our distinguished colleague from Germany, Dr. Schrogl, in order to consider the report on the work of his Working Group.

However, to satisfy a little bit your possible curiosity, I would only say, not in precise language, but the elements of this compromise and solution and I will report to you the exact language tomorrow morning.

First of all, we will keep the heading of item 4 as it has been up to now. It means status and application of the five United Nations treaties on outer space. There will be also an agreement on the establishment of a working group on this item and the terms of reference of this working group would be in accordance with the decision that we had already made last year and which is reflected in the report from the Legal Subcommittee that it means that this working group should consider the status of the treaties, review their implementation and also discuss the obstacles that might hinder the promotion of these treaties, universality of these treaties.

And, one of the tasks of this working group will also be to consider promotion of space law through the space application programme and related issues.

So this is for the time being. I now adjourn the session of the Subcommittee and kindly request Dr. Kai-Uwe Schrogl to resume his work.

*The meeting was adjourned at 5.31 p.m.*