

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

Unedited transcript

658th Meeting

Wednesday, 3 April 2002, 10 a.m.

Vienna

Chairman: Mr. Kopal (Czech Republic)

The meeting was called to order at 10.23 a.m.

The CHAIRMAN: Good morning distinguished delegates. I bring this court to order and I declare open the 658th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

General Exchange of Views (Agenda Item 3)

Distinguished delegates, we will now continue our consideration of item 3 on our agenda, General Exchange of Views, and I have on my list of speakers several delegations which want to speak this morning and I give the floor the first one, to the distinguished representative of Peru.

Mr. M. ALVAREZ ESPINAL (Peru) (*interpretation from Spanish*): Thank you very much Mr. Chairman. Mr. Chairman, to begin, my delegation would like to greet you as well as the members of the Office for Outer Space Affairs at the table with you and we would like to wish you every success in the management of this meeting.

Likewise, my delegation would like to join in the statement made yesterday by the Ambassador of Venezuela on behalf of the GRULAC countries.

Mr. Chairman, my delegation would like to reiterate Peru's commitment with effective and efficient application of international space law both to renew its support to initiatives that are being developed in order to achieve universal adherence to the five treaties of the United Nations in the area of the exploration and peaceful use of outer space. We would also like to renew our support for the measures put in

place in order to broaden the current legal regime in areas that are in constant evolution such as commercialization of space activities, delimitation of geostationary orbits and the control of space debris.

I am very pleased to announce in this regard that the Convention on International Responsibility for the Damage Caused by Space Objects and the agreement that governs activities of States on the Moon and other celestial bodies is currently before the Congress of Peru for ratification and my country is a party to the other three instruments in the area of space adopted within the context of the United Nations.

Finally, Mr. Chairman, to end this very brief presentation, with regard to geostationary orbit, my delegation believes that to understand this orbit as a resource that should be taken advantage of in equitable conditions is the basis for being able to articulate criteria efficiently that would regulate international cooperation and technical assistance in the area of space. Thus, Peru would like to once again express its pleasure for the consensus achieved in the context of the Legal Subcommittee during its thirty-ninth session. Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of Peru for your statement and also for your kind words addressed to the Chair and to the Office for Outer Space Affairs.

The next speaker on my list is the distinguished representative of Germany to whom I give the floor.

Mr. F. RICHTER (Germany): Thank you Mr. Chairman. Mr. Chairman, on behalf 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.

delegation of the Federal Republic of Germany, I would like to express our pleasure in seeing you presiding this forty-first session of the Legal Subcommittee of COPUOS. We are fully convinced that your long diplomatic experience and your comprehensive knowledge will ensure that much will be accomplished during the next two weeks. Let me assure you that the delegation of the Federal Republic of Germany will spare no effort to assist you.

Mr. Chairman, the agenda for this forty-first session of the Legal Subcommittee looks very promising. Several of the items that we are going to discuss were the subject of intensive inter-sessional work. I am confident that the results of those deliberations will greatly enhance the productivity of this meeting. They are also proof that the impetus set at UNISPACE III has clearly been translated into our work and transformed into considerable and meaningful progress.

May I now touch upon some of the issues we have before us this year.

The inter-sessional consultations in Paris and in Rome on the draft convention of the International Institute for the Unification of Private Law on international interests in mobile equipment and the preliminary draft protocol thereto on matters specific to space property have led to tangible results. The delegation of the Federal Republic of Germany has been actively involved in the ad-hoc consultative mechanisms and is convinced that the discussions on this agenda item during this session will bring us even further. The importance of creating a sound legal framework for the commercial uses of outer space can hardly be underestimated. It is of a crucial importance to increase the legal security for investments in space objects and to promote the possibilities of asset-based financing of space projects. The task ahead is to ensure that both private and public international space law are interlinked in a way to avoid contradictions.

May I point out that regarding the commercial use of outer space, an international conference organized by the Institute for Air and Space Law of the University of Cologne, in cooperation with the German Aerospace Center, took place in Cologne in May 2001. It yielded new and valuable insights. The proceedings of that conference on the "Legal Framework for the Commercial Use of Outer Space" will be available in the next couple of weeks.

Finally, let me draw your attention to the item "Review of the Concept of the Launching State" for which a working group has been established during the

thirty-ninth session of the Legal Subcommittee of COPUOS. Under the able chairmanship of Dr. Kai-Uwe Schrogl, the working group now reaches the final year of its three-year Work Plan, in which it will undertake a review of measures to increase the adherence to and promote the full application of the Liability Convention and Registration Convention. It follows the review of the concept of the launching State which was undertaken last year and the presentations on new launch systems and ventures done in 2000. I am of the firm conviction that the contributions of this working group will be as valuable as those of the last two years.

Those were the comments I wanted to offer you on some of the agenda items. I thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of the Federal Republic of Germany for your statement and I also thank you for your kind words addressed to the Chair and to the Office and, of course, I appreciate your promise that you would spare no efforts to assist all of us, including all delegations in trying to reach the aims of this session.

The next speaker on my list is the distinguished representative of Indonesia, to whom I give the floor.

Mr. H. PURWANTO (Indonesia): Mr. Chairman, allow me first to express my delegation's sincere pleasure at seeing you presiding over the forty-first session of the Legal Subcommittee. We are confident that under your guidance our deliberations will come to a successful conclusion. My delegation also expresses its appreciation to the Director of the Office for Outer Space Affairs, Dr. Othman, for the comprehensive and informative report she made yesterday and for the hard work done by her and her team at the Secretariat in preparing and facilitating the work of this Subcommittee.

Mr. Chairman, we all have been listening with great attention to your opening statement, which we consider not only highlights the progress of space activities but most importantly constitutes guidance for our work. Furthermore, my delegation wishes to see that, in anticipating the progress of technology and the increasing activities and players in outer space, the work of the Legal Subcommittee of the United Nations COPUOS will continue to develop and evolve to address the international cooperation in maintaining outer space for peaceful purposes by strengthening the legal content of its work.

Mr. Chairman, in recognizing the common interest of all mankind in the progress of the exploration and the use of outer space and motivated by the desire to actively contribute to the enhancement of international cooperation in the exploration and the use of outer space for peaceful purposes, Indonesia, after long contemplation and taking some efforts in implementing and harmonizing itself with the principles contained in the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, or Space Treaty 1967, last month, on 18 March 2002, finalized its ratification process to the Space Treaty of 1967 at the national level, through the adoption of the bill of ratification by the Parliament. Consequently, the instrument of ratification of this Treaty will be deposited to the depositary governments concerned in due course. Besides this Treaty, Indonesia has also been party to the Rescue Agreement 1968, the Registration Convention 1975 and the Liability Convention 1972.

Along these lines, Indonesia supports the decision by the Legal Subcommittee at its fortieth session in 2001 to establish a working group to review the implementation of and obstacles to the universal acceptance of the treaties, as well as to promote space law through the United Nations Programme on Space Applications, to be convened for three years from 2002 to 2004 with the terms of reference as agreed upon by the Subcommittee.

With regard to the issue of the definition and delimitation of outer space, my delegation has noted with appreciation the work performed by the Secretariat in preparing document A/AC.105/769 concerning the "Historical Summary on the Consideration of the Question on the Definition and Delimitation of Outer Space" to fulfil the task that has been agreed upon by the fortieth session of the Legal Subcommittee. My delegation is of the view that this document is a good reference to facilitate further discussion on the matter in the Legal Subcommittee sessions. In this regard, Indonesia reiterates the significance of the definition and delimitation of outer space in facing the increasing space activities not only from legal considerations but also for practical reasons. As we are all aware, the number of space objects and activities is continually increasing. In which case, the absence of a definition and delimitation of outer space would bring about legal uncertainty with regard to space law and air law. It is my delegation's view that the matters concerning State sovereignty and a boundary of the two legal regimes need to be clarified to reduce the possibility of disputes between States.

Mr. Chairman, we are pleased to note that the character and utilization of the geostationary orbit, including ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunications Union are being considered. Recognizing the fact that the geostationary orbit, or GSO, is a limited natural resource with a number of *sui generis* characteristics and is now facing the risk of saturation, Indonesia is pleased to note that the General Assembly, in paragraph 15 (c) of its resolution 56/61, endorsed the Committee's recommendation that the Subcommittee consider this item as a single issue and item for discussion, and would like to reiterate that assurances should be given that the benefits of exploration of the geostationary orbit will be extended to and for the benefit of all nations, taking in particular account the needs and interests of developing countries as well as the geographical situations of certain countries.

Mr. Chairman, with regard to the review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, my delegation concurs with the agreement reached at the thirty-ninth session of the Scientific and Technical Subcommittee this year that, at the present time, revision of the Principles is not warranted. While recognizing the need to stress the safe use of nuclear power sources and urging all Parties to their utmost to prevent any accident which would endanger other space as well as countries and the environment below it, Indonesia would like further to call on States making use of nuclear power sources to conduct their activities in full compliance with the Principles and the spirit referred to in the United Nations Charter and the Space Treaty 1967.

In connection with the review of the concept of the launching State, my delegation notes with appreciation the efforts undertaken by the Secretariat in preparing the report in document A/AC.105/768 on the review of the concept of the launching State. Even though it does not contain or constitute an authoritative interpretation of the concept of the launching State, it would contribute as reference to the endeavours in achieving general agreement and understanding on the concept and application of the launching State, particularly in reviewing measures to increase adherence to the Convention on Liability and the Convention on Registration. Indeed, the review of this notion is useful in response to the development of space activities to improve the legal regime concerning this issue. However, in the absence of such general agreement and understanding, the principles regarding

this concept that had been embodied in the prevailing treaties should be respected.

Mr. Chairman, to conclude, I assure you of my delegation's full cooperation with a view to bringing out the success of our deliberations. Thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of Indonesia for your statement including your assurance of your delegation's readiness to fully cooperate with the Chair. I also appreciate your kind words addressed to the Chair and also to the Director, Mazlan Othman, and her team.

(Continued in French): The next speaker will be the distinguished Ambassador of France. You have the floor Excellency.

Mr. VILLEMUR (France) *(interpretation from French):* Mr. Chairman, my delegation would like to begin by joining preceding speakers in expressing its gratitude for having been willing to lead the work of this Subcommittee. The efficiency with which you have presided over the discussions of this session and, once again, paying tribute to our language for that matter and your expertise which is acknowledged in the area of public international law in space have all contributed to the progresses that we can but applaud. This year, for the first time, Mr. Chairman, we will have an opportunity to here raise the issue of space debris. It is not on the agenda *per se*, that is true, however, under item 5 on information on international organizations' activities, the European Space Agency had hoped that the European Centre for Space Law could present its research in this area. The French delegation would like to applaud this initiative. Indeed, it will contribute to enriching our debates and discussions in a very appropriate manner.

The very nature of space activity, be it private or government, involves, as we all know, the strewing about of residuals in space regions where these activities take place. These debris are potentially very dangerous and they are increasing in number exponentially. We, therefore, should, Mr. Chairman, for ethical reasons and also to respect the work and efforts of our Committees in order to ensure the endurance of space activities, we should, therefore, grant this issue the treatment it deserves in every manner. The French delegation has on several occasions stated that we attach a great deal of importance to the coordination of the technical work between the Interagency Committee, to which we belong to, in this process. This process would allow our Committee to specify which means would best

ensure the implementation of recommendations that have been made and we would accept within the Technical Subcommittee in order to decrease production of degree.

My delegation, therefore, proposes that we should revisit these issues particularly with regard to the importance issue of ethics with regard to space debris and the idea of launching States. Indeed, we looked at this in the context of the working group for three years and the working group pleaded, we thought, for adherence of the greatest number of States to the 1972 Convention on Responsibility.

The study by our Subcommittee of item 8 on the agenda of the draft space protocol on UNIDROIT conventions regarding international guarantees with regard to mobile equipment will follow the advisory mechanism set in place in the meetings in Paris in September 2001 and Rome in January 2002. Belgium, indeed, took the initiative last year to formulate a very innovative working method and France, with the help of the European Space Agency and the Office for Outer Space Affairs, had the honour of inaugurating that. This enabled us, Mr. Chairman, between two sessions of the Subcommittee, to accomplish a great deal.

Indeed, due to these consultations, a number of issues that had been raised here last year, particularly with regard to the way in which the draft protocol will work with the standards of international space law, are now in place and should be taken into consideration by UNIDROIT, as appropriate. The Board of the Institute decided, as of next fall, to convene a meeting of government experts. These experts will be involved in drafting the definitive version of the protocol and the French delegation would like to underscore the interest of this text which we appreciated before during the draft phase, the interest this text has for all States and private enterprises who wish to be involved in space activities because it contributes to making financing more assured. It further would like to applaud the high degree of competency demonstrated in this specific area of international space law by UNIDROIT, which fully deserves the endorsement of our Subcommittee. The members of the United Nations who have mandated experts to take part in drafting the protocol must encourage them further. This is the message that our Subcommittee should send.

The importance attached to this issue by the international community and to the endeavours of this Subcommittee, Mr. Chairman, should be borne in mind, particularly with regard to the substantial nature

of its contribution to space law. This Subcommittee, if it wishes to preserve its authority, must remain to the side of all issues which are not part of its competency but which are of crucial interest to all States. It is particularly true in the area of legal issues with regard to, for example, space debris. And thus we think that the time has arrived to study this issue, along with other issues, which are priority in nature with as much efficiency and economy of resources as possible.

And on this last item, we all note that a very large majority of delegations with the Technical Subcommittee, and in a view to improving our debates, organizations have endorsed this idea. Our Subcommittee has for its part shown last year that in studying the draft protocol on UNIDROIT space law, that it is capable of being very innovative. The French delegation, Mr. Chairman, would like us to go even further. We see nothing but advantages in having a discussion and, for that matter, the Office for Outer Space Affairs could share its experience in this regard, by rationalizing the agenda which might involve reducing the length of the session by just a few days and in this way, we could promote greater participation of developing countries in our endeavours.

Thank you Mr. Chairman.

The CHAIRMAN (*interpretation from French*): Thank you distinguished Ambassador of France for your statement which also included very kind words addressed to the Chair.

(*Continued in English*) I give the floor now to the Islamic Republic of Iran. Iran has the floor.

Mr. A. H. SARYAZDI (Islamic Republic of Iran): Thank you Mr. Chairman. Mr. Chairman, my delegation is very pleased to see you presiding over the forty-first session of this Subcommittee. We are sure that under your able chairmanship, this session will achieve its objectives. I would also like to express my appreciation to the staff of the Office for Outer Space Affairs, especially Dr. Othman, the Director of the Office for Outer Space Affairs, for their efforts in preparing this session.

Mr. Chairman, allow me now to offer my delegation's observations and views on the different matters contained in the agenda of the current session.

Regarding Agenda item 4, the five United Nations treaties on the peaceful uses of outer space were evolved for over a long time they will serve the purpose. Of course, since then great progress has been made in science and technology, of space exploration.

New developments have taken place in terms of growth of commercial activities relating to space and increased role of private entities, in addition to activities of developments. Therefore, my delegation would consider new suggestions or measures which can strengthen the existing law and legal norms, taking into account all the developments.

Mr. Chairman, regarding agenda item 6, the issue of definition and delimitation of outer space. We would like to reiterate our position in favour of the need to clearly define outer space which is common to all States and the need to delimit from aerospace which falls within the sovereignty of each territorial States.

In this respect, due regard should be paid to establishing a delicate balance between the principle of State sovereignty over its territorial aerospace and the principle of freedom of exploration and use of outer space.

Mr. Chairman, regarding the issue of the geostationary orbit, GSO, it is our firm view that in light of the special characteristics of the orbit, its utilization should be based upon the principles of rational and equitable utilization for all countries, taking into account the special needs of developing countries.

Mr. Chairman, regarding agenda item 7, which, of course, was mentioned by some other delegations, the use of nuclear power sources, NPS, space objects. Regarding this subject, we would like to draw the attention to the possible dangers caused by nuclear power sources. It is not just a possibility but a reality that a collision between space debris and a space object with nuclear power sources might cause serious damages to people and the environment. However, there is a view that the use of nuclear power sources should be allowed only in cases of exploring deep space under proper safety controls which this matter can be subject to further discussion.

Mr. Chairman, in conclusion, my delegation wishes to assure its full cooperation in the course of our deliberations with the hope that this session of the Legal Subcommittee will reach a successful conclusion. Thank you Mr. Chairman.

The CHAIRMAN: I thank you distinguished representative of the Islamic Republic of Iran for your statement including the greetings addressed to the Chair.

I now give the floor to the distinguished representative of the Russian Federation.

Mr. V. TITUSHKIN (Russian Federation) (*interpretation from Russian*): Thank you Mr. Chairman. Our delegation would like to join the other delegations present here in expressing gratitude to you and the Secretariat for the work accomplished to organize and hold this session of the Legal Subcommittee. The Russian Federation comes out for continuing dialogue on all the issues regarding the outer space legal regime and legal regulation of outer space activities. We would like this dialogue to be more productive. We would like the Legal Subcommittee to regain the reputation of one of the most active auxiliary bodies of the United Nations General Assembly in the matter of the progressive development of international law and its codification under Article 13 of the United Nations Charter.

It is in the spirit of this requirement of the United Nations Charter that our delegation has come out and continues to come out for developing a comprehensive United Nations Convention on International Space Law. As a first step, we would be prepared to discuss the matter of the expediency of developing of such a unique and comprehensive convention on outer space law. It is with satisfaction that the delegations of Bulgaria, Greece, Iran, China and Colombia have already expressed their readiness to take part in this work. We hope that the number of the allies of this idea will grow at this current session. Our delegation believes that, sooner or later, the Legal Subcommittee will reach consensus on this matter. There is an explanation for that. It is only in the framework of developing a unique and comprehensive convention that generally acceptable solutions can be found for problems that have not yet met with a consensus-based resolution. In the course of this work, a legally binding status could be conferred on the principles that the United Nations has accepted as recommendations at this stage.

Finally, developing such a convention would bring further precision into a number of treaties on outer space and this is something that many delegations have mentioned, especially members of the European Space Agency. This work would lend specific substance and legal significance to our discussion on the item of the agenda entitled The Status and Application of the Five United Nations Treaties on Outer Space.

Mr. Chairman, in the course of the recent thirty-ninth session of the Scientific and Technical Subcommittee of COPUOS, the Russian delegation suggested that we get back to a discussion on establishing a world space organization. Specifically,

it was noted that the terms in the development of international cooperation in the use of outer space and space research do call for a specific consideration of the matter. The results of UNISPACE III reflected in the Vienna Declaration on Space Activities and the Development of Human Society reflect the scale of the challenges that the international community is faced with in this area. Furthermore, solving these problems has to be for the long-term and it requires a day-to-day organizational control.

What kind of problems could a world space organization address? What statutory functions could it perform without duplicating or substituting for other international organizations? First of all, a world space organization could ensure an integral approach to the regulation and the use of a unique and indivisible outer space environment. It could perform a coordinating function and the function of centralized monitoring, *inter alia*, in the field of the proliferation of missile and rocket technologies, with the active participation of all States regardless of the level of their economic and technological development. Such an organization could make sure that all States, with no exception, have access to the benefits of the use of outer space.

A world space organization could become a centre for coordinating cooperation among States in their work to meet new challenges and threats that mankind has run into. A symposium held here yesterday on Space Traffic Management could be considered as clear evidence of the fact that a world space organization is a matter we need to think about now. Yesterday, at the symposium, most speakers mentioned the need to develop new regulatory instruments to control space traffic and this can only be done within the framework of a special agency. Therefore, we should not wait, as our United States colleagues suggested yesterday, for one or two major accidents before we start working on such norms and regulations.

Clearly, initially, the world space organization could be a fairly compact organization with modest resources. Subsequently, it could turn into a United Nations special agency. Its control functions could be somewhat similar to those of the IAEA. In that context, the matter arises as to the fate of the United Nations Space Committee and its two Subcommittees. We believe that the United Nations must continue to be a centre for international cooperation in space research and the peaceful uses of outer space as stipulated by the United Nations General Assembly No. 17/21 of 20 December 1961. COPUOS must remain an auxiliary body of the United Nations General Assembly. It must prepare for the General Assembly drafts of principled

political recommendations and help the General Assembly in the exercise of its functions towards the progressive development of codification of international law. I am referring to Article 13 of the United Nations Charters.

The United Nations Committee on the Peaceful Uses of Outer Space could also, at this stage, act as a preparatory committee for convening an international conference for the establishment of a world space organization, and for developing a comprehensive convention on space law. This would not require further financial resources.

Mr. Chairman, the international community increasingly faces new threats and challenges. Outer space must not become a source of new threats to mankind. Rather the opposite, it can and must be made to serve the work against the new challenges and threats.

In April 2001, an international conference was held in Moscow on Preventing the Militarization of Outer Space. The United Nations Secretary-General, Mr. Kofi Annan, sent a message to the participants in that Conference. In this message he noted, and I quote, "We must not allow the use of outer space for the wrong purpose, specifically for starting an arms race in outer space". The Conference, and it is well known, was held under the motto, "Space Without Weapons: An Arena for Peaceful Cooperation in the Twenty-First Century". Our country wants this motto to become a reality. Therefore, we are prepared to go on to the first practical steps towards their purpose today. Preventing the militarization of outer space will become a reality if all space powers show a good will and start practical steps along that route.

Russia suggests that the international community start preparing a comprehensive agreement on the non-deployment of weapons in outer space, non-use of force or the threat of force, with regard to space objects. This agreement could contain specifically the following elements.

First, the use of outer space in accordance with international law in the interests of maintaining peace and security.

Two, an obligation not to launch into outer space orbit any objects carrying any types of weapons, not to deploy such weapons on celestial bodies, and not to deploy such weapons in outer space in any other fashion whatsoever.

Three, the commitment not to resort to the use of force or the threat of its use with regard to space objects.

Four, establishing a control mechanism to monitor the adherence to such an agreement on the basis of confidence-building measures and openness in outer space.

The first practical step towards this objective could be introducing a moratorium on the deployment of combat material in outer space, up until such time when an international agreement be reached by the international community on that matter. Russia would be prepared to make this commitment immediately, if the other space powers join such a moratorium.

Mr. Chairman, I would also like to state that my delegation will take part in discussing every item on the agenda throughout this session. Thank you very much.

The CHAIRMAN (*interpretation from Russian*): Thank you distinguished representative of the Russian Federation for your statement on the matters included in the agenda of the Subcommittee's session. I would also like to thank you for your gracious words about the presidium of this session.

(*Continued in English*) The next speaker on my list of speakers is the distinguished representative of India, to whom I give the floor.

Mr. P. K. CHAUDHARY (India): Mr. Chairman, my delegation is pleased to see you presiding our deliberations. Your long and wide experience is an asset and we are sure that the Subcommittee will make good progress under your continued and able guidance and leadership. I assure you the participation of the Indian delegation in the deliberations of the Subcommittee in a spirit of cooperation and understanding.

Mr. Chairman, the Legal Subcommittee has been doing excellent work since its inception which has resulted in the adoption of the five very important fundamental treaties and various other sets of international principles governing outer space. These treaties have served the purpose well. Since then, new developments have taken place in terms of growth of commercial activities relating to space and increased role of private entities in addition to activities of the governments. All this has been made possible through great progress achieved in science and technology. My delegation is open to suggestions or measures which can strengthen the existing laws and legal norms

relating to the peaceful uses of outer space, taking into account these developments.

My delegation supports the idea of promotion of space law especially through the United Nations Programme on Space Applications. The involvement of space scientists, industry, young professionals and university students in this programme would produce a breed of a future generation of space leaders committed to the welfare of the whole of mankind.

Mr. Chairman, my country is fully committed to promoting and expanding exploration and use of outer space for peaceful purposes in the common interest of mankind. In this context, the role of international cooperation is very crucial in order to develop the relevant rules and standards for the peaceful use and exploration of outer space and for ensuring benefits to all countries, particularly the developing countries.

Regarding the issue of the definition and delimitation of outer space, my delegation would reiterate that there is need to clearly define outer space, which is common to all, differentiating it from air space, which falls within the sovereignty of individual States. This exercise is necessary to reach a clear understanding of the legal principles involved in the definition of space vehicles, medium of transit and in the further development of rules governing responsibility and liability for aerospace systems.

Regarding the character and utilization of the geostationary orbit, we feel that the geostationary orbit is an integral part of outer space and thus is governed by the fundamental law of outer space and the Outer Space Treaty.

Mr. Chairman, the Principles Relevant to the Use of Nuclear Power Sources were finalized by consensus in this Subcommittee in 1992 and later adopted by the General Assembly at its forty-seventh session. We share the feeling that the time is not ripe to consider a revision of these Principles. Any possible revision of these Principles could be undertaken only if it is agreed that the protection provided under the existing Principles is inadequate.

On the consideration of the UNIDROIT Convention on International Interests in Mobile Equipment and the preliminary draft protocol on matters specific to space assets, Mr. Chairman, there is a need to closely examine these instruments in the light of the presentations made and issues raised by the delegations in the past.

Mr. Chairman, the field of space has grown many-fold over the last four decades. This growth brought in technological, economical, managerial and organizational changes in conducting outer space activities. Naturally, the legal aspects, their development, interpretation and implementation have also become a complex task. The Legal Subcommittee had contributed significantly in the past towards developing an internationally acceptable legal regime for outer space. The Indian delegation expects the Legal Subcommittee to maintain its leading role in the future also in the regulation of all the important aspects of outer space activities for peaceful purposes. Thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of India for your statement on behalf of your country and I would like to thank you also for your kind words in the beginning of your statement.

Ladies and gentlemen, my list of speakers of the delegations for agenda item 3, General Exchange of Views, has been now exhausted. Are there any other representatives wishing to speak? I recognize the distinguished representative of Argentina.

Mr. S. SAYÚS (Argentina) (*interpretation from Spanish*): Thank you very much Mr. Chairman. I would like to begin by expressing my delegation's enormous satisfaction for your presiding over our endeavours and, no doubt, we believe that our work will be crowned with success. You can count on the support and contributions of my delegation and likewise. We would like to join in the statement made by the Director of the Office for Space Affairs and we would like to express our acknowledgement of the work of the Office as a whole.

Mr. Chairman, my delegation would like to join in the statement made by the representative of Venezuela on behalf of GRULAC.

Argentina continues to support the legal framework set to regulate space activity beyond the technological and scientific abilities which some countries have access to for their own use. Development and research and promoting international coordination in this area is of the utmost importance.

For Argentina, the basic objective of standards to be drafted and that are drafted in this Subcommittee should be to ensure that space activities take place on the basis of the respect of the following principles.

Exploration and peaceful use of outer space should be to the benefit of all States in keeping with

that which is established in Article 1 of the Treaty of Principles Governing States Activities in the Peaceful Use of Space of 1977, and our country is a party to it.

To ensure equitable use and access to space activities for all States of the international community and the right of developing countries to equitable and non-discriminate access to knowledge, know-how and technologies of the most advanced States in the area of space, as well as the development of training of its own scientists and technical staff. These are crucial.

As a crucial element in any space programme, cooperation should take place in a non-discriminatory manner, without restrictions, and based on ample technological assistance. The Republic of Argentina pays particular attention to the development and promotion of technical cooperation, scientifically and internationally in the area of space.

The full responsibility of States and international organizations for the damages caused by any incidents that take place in space or by physical or legal persons subject to its jurisdiction.

Lastly, there is the need to strengthen the coordinating role of the United Nations particularly to benefit the developing nations.

Mr. Chairman, Argentina has followed the work of this Subcommittee with interest, especially with regard to codification of progressive development of international space law. Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you very much distinguished representative of Argentina for your statement and also for the kind words that you used in the beginning of your statement addressed to the Chair and to the Office for Outer Space Affairs.

I still have on my list of speakers the distinguished representative of Chile who has the floor.

Mr. G. GONZALEZ (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. The Chilean delegation would like to first congratulate you for presiding over the work of this Subcommittee during this session. We are convinced that under your leadership, our work will bear fruit. Likewise, we would also like to greet and thank the Office for Outer Space Affairs for its work carried out since the last session. You can count on our full support to see our work crowned with success. We would also like to thank Ms. Othman specially for the very well prepared report delivered yesterday.

Mr. Chairman, Chile shares and subscribe to the statement presented by the Ambassador of Venezuela on behalf of GRULAC and we would like to emphasize a couple of aspects which our delegation believes are particularly relevant.

Our country has maintained its commitment to the consolidation of the international legal regime. The best proof of this lies in the fact that Chile has subscribed and ratified the five legal instruments which govern our activities in outer space and this provides us with the situation to urge all States to make every effort in order to, in a reasonable period of time, achieve universal acceptance and ratification of these conventions.

Also, while acknowledging that one of the priorities of this meeting is precisely the universal acceptance of all the conventions as a whole, we should, however, acknowledge that it is necessary to focus on the analysis and study of all issues which will complement the existing legal regime. Advances in science and technology in recent years, as well as the varied number of issues such as space debris, commercialization of space activity, and new factors which come into play such as the private sector, all of these issues mean that it is necessary to perfect and complement international space law, in keeping with the new imperatives of modern reality. And, thus, we believe that the proposal put forth by some countries is very worthy and we should study the possibility of a broad and universal convention on international space law.

With regard to this, we think it is very interesting to look at the proposal of the World Commission on Scientific Ethics, COMEST. The purpose would be to put the highest priority on space activity and grant it international authority, such as we see for maritime issues, while acknowledging the differences between maritime and space law. However, it does warrant our careful study and, thus, my delegation would like to see in the close future, the establishment of a working group to look at this issue in the context of the Subcommittee.

Mr. Chairman, from a regional point of view, we would like to once again congratulate the Government of Colombia. It took on the responsibility of organizing and serving as host for the Fourth Space Conference of the Americas which will take place in Cartagena, Colombia, next month in May.

We believe that meetings of this type make it possible to bring about a convergence of positions on

areas of common interest and they are an adequate and appropriate opportunity to look at ways to strengthen and perfect the international regime which governs the peaceful use of outer space. In this context, we would like to hereby report that currently in the context of the International Fair of Space which will be held in Santiago, Chile, a preparatory meeting of experts has taken place in order to prepare the way for the Fair and to prepare the way for the afore-mentioned Conference of the Americas on Space.

In keeping with paragraph 26 of resolution 55/122 of the General Assembly of the United Nations, my delegation would like to endorse the proposal of the President of COPUOS. This would encourage other regions to hold meetings of the same type similar to the Conference of the Americas. And, likewise, we believe there should be periodic meetings at a regional level.

Finally, this would promote an exchange of information and promote a common agenda which would strengthen interregional cooperation and horizontal cooperation amongst all States which are members of the United Nations.

Mr. Chairman, my delegation will participate in all the discussions on the items of the agenda and these are our first comments for item 3 of this agenda. Thank you.

The CHAIRMAN: Thank you distinguished representative of Chile for your statement on behalf of your country and I also am grateful for your kind words addressed to the Chair and to the Office for Outer Space Affairs.

I now recognize the distinguished representative of Colombia.

Mr. C. R. BOCANEGRA (Colombia) (*interpretation from Spanish*): Thank you very much Mr. Chairman. I would like to first indicate my delegation's great pleasure at seeing you preside over this session of the Legal Subcommittee of COPUOS. With your permission, I would also like to express our satisfaction and gratitude of our delegation to Ms. Othman for her very current report presented yesterday on the Office's activities and we would like to also congratulate the entire team and the Secretariat for all of the preparatory work which was put in in order to make this meeting possible.

Mr. Chairman, as was indicated by other delegations in their general statements on item 3 of the agenda, Colombia supports the proposal referring to

the need of a single convention on outer space. We believe that, based on the technical and scientific development and the subsequent development of rights in space, COPUOS' Legal Subcommittee should make it possible to discuss procedures and methods to articulate existing treaties and put them together in a single treaty called the single outer space treaty and thus codify them in a harmonized and innovative manner.

With regard to the geostationary orbit, my delegation would like to reiterate its position. This is a natural resource which is limited. It has very special characteristics and, therefore, it should be guaranteed to all States to have equitable access to it, while taking into account the special needs of developing countries, particularly those that are on the Equator and given the special nature of their geographic position.

Finally, Mr. Chairman, you may count on the entire collaboration and support of our delegation in order to ensure our work's success under your skilled leadership. Thank you Mr. Chairman.

The CHAIRMAN: Thank you very much distinguished representative of Colombia for your statement on behalf of your country and I also thank you very much for your kind words addressed to the Chair and to the Director of the Office for Outer Space Affairs and to her team.

Ladies and gentlemen, are there any other speakers on behalf of the delegations on general exchange of views at this time? I see none, but we still have on our list of speakers, the observer for the International Astronautical Federation, Professor Rosa-Maria Ramirez de Allerano y Haro, who is Vice-President of the Federation and I will gladly give her the opportunity to speak on behalf of the Federation. You have the floor Madam.

Ms. R.-M. RAMIREZ DE ALLERANO Y HARO (International Astronautical Federation) (*interpretation from Spanish*): Thank you Mr. Chairman. Thank you for giving me the floor, given that the subject that I will be touching upon is actually item 5 of the agenda related to information on the activities of international organizations related to space law.

As you know, Mr. Chairman, we have been now in Vienna for three weeks on this wonderful continent and yet I unfortunately have to go back to my country. The past three weeks have been exhausting and due to the International Astronautical Federation's work so if there is no problem for you, I would like to

send the Federation's message to you and its report of activities, the International Space Law Institute, as well in writing. Since I have the floor, I would like to say that it is truly a pleasure to be once again here an observer in the Subcommittee and I think that under your skilled leadership, I can see the progress that you are making and I see the commitment that you have as a perfectionist, particularly in the area of space law. And, therefore, I will now read the text that I have in English, that is the official language of the International Astronautical Federation.

(Continued in English) ... for me to transmit on behalf of Dr. Marcio Nogueira Barbosa, President of the International Astronautical Federation, IAF. His greeting and best wishes for a great success in this forty-first session of the Legal Subcommittee, who saw the opportunity of valuable exchanges of information on the activities relating to space law and development of a legal regime governing the exploration and use of outer space. According to the invitation extended to the Federation to attend this session, a report on activities relating to space law, I am glad to present a brief of this report of activities developed by the International Institute of Space Law that was founded by the International Astronautical Federation in 1960 with the purpose of carrying out activities for fostering the development of space law and studies of legal and social science aspects of the exploration and use of outer space. The Institute presently has individual and institutional elected members from over 40 countries, who are distinguished for their contributions to space law development.

Recent activities, participating in the meetings of COPUOS. The IAF was represented at the meetings of the Legal Subcommittee of COPUOS in Vienna from 2 to 12 April 2001 by Dr. van Fenema, he is here, Dr. Fasan for Austria, myself, Dr. Arvide Dosal from Mexico, Professor Impallomeni, Dr. Ferrajolo and Mrs. Javicoli from Italy acted as observers.

A space law symposium on "Dispute Resolution Mechanisms", organized by the Institute and ECSL for COPUOS, was considered very useful and thus the Committee has invited the Institute to undertake such an activity again, we did it yesterday.

The forty-fourth Colloquium on the Law of Outer Space in Toulouse, France. It was held successfully in Toulouse. The papers were presented on the topics related to the following sessions:

One, emerging issues of interpretation and application of space treaties;

Two, emerging legal issues in satellite telecommunications;

Three, legal issues arising from the commercial availability of high quality remote sensing imagery; and

Four, other legal matters, including the teaching of space law at the dawn of the new millennium.

The Tenth Manfred Lachs Space Law Moot Court Competition. It was held during the Forty-Fourth Colloquium on the Law of Outer Space in Toulouse, France. The National University of Singapore was victorious and took the trophy home and the United States team won the awards for the best brief and best speaker, Chip Kyles. The case, dealing with remote sensing, was written by Dr. Franz von der Dunk.

The Singapore Regional Space Law Conference. The First Regional Space Law Conference on the theme "Space Law Conference 2001: Legal Challenges and Commercial Opportunities for Asia" was jointly organized by the Institute and the Society of International Law, Singapore, from 11 to 13 March 2001 in Singapore. The Conference was sponsored by Singapore Technologies and Singapore Telecommunications. Over 120 participants from more than 20 countries participated in the event. At the Conference, five sessions were held with the following topics:

One, space law and the expanding role of private enterprise, with particular attention for launching activities;

Two, safeguarding the concept of public service in view of increasing commercialization and privatization of space activities, with particular attention to the global public interest and the needs of developing countries;

Three, the legal regulation of remote sensing in view of the commercial availability of very high quality remote sensing imagery; the need to safeguard the right to privacy and the principle of non-discriminatory access to data;

Four, the development of effective mechanisms for the settlement of disputes arising in relation to space commercialization, taking into account existing arbitration rules used in international practice for dispute settlement; and

Five, legal issues expanding global satellite communications services and global navigation satellite services, with special emphasis on the development of telecommunications and e-commerce in Asia.

Cooperation with other organizations. Cooperation with other organizations is being continued, among other, with the United Nations COPUOS, the European Space Agency, the European Centre for Space Law, the International Law Association, the International Bar Association, and several national institutions and universities.

Awards. The Institute Distinguished Service Award was awarded to Ms. Tanja Masson-Zwaan, the Institute's Secretary, during the closing banquet of the 2001 IAF Congress. Ms. Masson-Zwaan, who is an author, lecturer and expert consultation on space law and policy, was given this award for her hard work and dedication to the Institute. She is considered as a pillar of the Institute.

The first Dr. I.H.Ph. Diederiks-Verschoor Award for the best paper was awarded at the Toulouse Colloquium to Mr. Alvaro Fabricio Dos Santos of INPE, Brazil, for his paper on "Brazil and the Registration Convention".

Publications. The proceedings of the Forty-Third Colloquium, Rio de Janeiro 2000, were published by the American Institute of Aeronautics and Astronautics, AIAA, in May 2001.

New Initiatives. New initiatives by the Institute, as recommended by the Committee chaired by Dr. Schrogl, contain three topics for studies or papers on various topics. Members of the Institute have been invited to be involved in the task groups that will write the papers. The papers may ultimately be approved by the Board as IISL reports.

Future activities. Regional space law conferences/workshops. As a follow-up of the Singapore Space Law Regional Workshop, a similar event is being planned for China that will be held in 2003 in Beijing. Shows of interest for such regional workshops have been received from Africa, Nigeria, and South America, Brazil and Argentina. Another could be held in Scandinavia.

The Forty-Fifth Colloquium on the Law of Outer Space in Houston, United States of America. The Forty-Fifth Colloquium on the Law of Outer Space will be held in Houston, United States of America,

between 14 to 18 October 2002. The Colloquium will concentrate on the following session topics.

Space Assets: Legal Aspects of Financing and Risk Management;

ISS and the Law: papers will address issues related to the legal procedures for national implementation of the 1998 Intergovernmental Agreement on the International Space Station, partners' obligations related to the facilitation of the movement of persons and goods into or out of national territory, the protection of the exchanged technical data, the granting of intellectual property rights, the responsibility and liability, including cross-waiver of liability of each partner State, etc.;

International Security and Military Uses of Outer Space: Legal Implications;

Other Legal Matters, Including Legal Aspects of Launch Services. In this case, papers could address legal matters related to the definitions of "launching State" and "appropriate State", the export of satellites for launch, the export of components for satellites and launch vehicle, launches from sea-based and air-based platforms, international agreements governing launch services, space debris, national licensing for satellites services, etc.

The Institute will be co-sponsoring an all-day joint session with COSPAR and IAA-Life Science Symposium on Issues for Planetary Protection where issues associated with contamination of other planets, as part of our exploration beyond Earth, will be discussed.

In addition, the Institute sponsored plenary for the Houston IAF Congress will focus on "space as a business".

The Eleventh Manfred Lachs Space Law Moot Court Competition 2002. The finals of the next Manfred Lachs Space Law Moot Court Competition will be held on 17 October 2002 during the Forty-Fifth Colloquium on the Law of Outer Space in Houston, United States of America. The case for this Moot Competition deals with legal issues relating to liability and definitions of terms like "spacecraft", "outer space", etc., and was written by Ram Jakhu, with John Gantt and Bill Wirin. Preliminaries will be held again in Europe, the United States of America and the Asia-Pacific.

Mr. Michael Davis and Mr. Ricky Lee from Australia will write the 2003 Moot Court case.

COPUOS Programme. The space law symposium to be organized by the IISL/ECSL for the COPUOS took place yesterday in this meeting room, Mr. President, and the topic was "Traffic Management for Space Operations", and Dr. Fasan was the Coordinator for this activity.

(Continued in Spanish) Mr. Chairman, I will continue in Spanish as I have a bit of time to explain our work to this Legal Subcommittee but I would like to extend an invitation to you all to attend the Second World Congress on Space that will take place in Houston, Texas, in the United States. It will be held from 10 to 19 October of this year and there you will have an opportunity to participate in the Forty-Fifth Colloquium on Space Law and it will be held by the International Institute on Space Law.

Mr. Chairman, Thank you very much and I would like to thank all of you here present for listening. This is an issue which will, no doubt, be one that you will be looking at on Monday. Thank you.

The CHAIRMAN: Thank you very much distinguished observer for the International Astronautical Federation, Professor Ramirez y Haro and I believe that your statement also covered partly item 5 of our agenda, it means information on the activities of international organizations relating to space law, particularly the part that you have read in English.

Ladies and gentlemen, as I already said, the list of speakers for this morning, both of delegations and of different observer organizations, is now exhausted but we still have here to reply to the question that was raised yesterday and addressed to the Director of the Office for Outer Space Affairs and I give now the opportunity to the Director, Dr. Mazlan Othman, to present her answers.

Ms. M. OTHMAN (Director, Office for Outer Space Affairs): Thank you Mr. Chairman. This is in response to the query by the distinguished delegate from Greece.

Mr. Chairman, distinguished delegates, as I announced yesterday, OOSA will soon begin a series of legal workshops, with the first workshop to be held later this year. Now planning for this activity started in the year 2000 when the Office proposed to begin a capacity-building programme in space law as part of its programme to implement the recommendations of the UNISPACE III Conference. Delegations might recall that this plan was issued as document A/AC.105/L.224,

which was approved by the Committee on the Peaceful Uses of Outer Space at its session in the year 2000.

The organization of a single annual workshop on legal aspects of space activities was included as a new item in the United Nations proposed programme budget for the biennium 2002-2003. Delegations might like to refer to document A/56/6, Section 6, for details.

Following discussions at various General Assembly committees, this new activity, including the necessary budget increase, was approved. As a result of the invitation in my speeches at the Legal Subcommittee and the main Committee in 2001, some countries expressed their interest in hosting a United Nations Workshop on Space Law. The Office is currently in discussions with these countries, located in different regions, for possible workshops in 2002, 2003 and 2004. We would, of course, very much welcome interest from other countries or other organizations wanting to host such a workshop in the future.

The Office will be able to announce the details of the 2002 Workshop by the time COPUOS meets in June. Thank you Mr. Chairman.

The CHAIRMAN: Thank you very much, Dr. Mazlan Othman, for your answering the question that was raised yesterday by the distinguished representative of Greece.

I now recognize the distinguished observer for ESA, the European Space Agency, Dr. Gabriel Lafferranderie, to whom I give the floor.

Mr. G. LAFFERRANDERIE (European Space Agency) *(interpretation from French)*: Thank you Mr. Chairman. With your permission, I will make a few comments as a follow-up to the report submitted by the Office for Outer Space Affairs. And I am obviously anticipating a little bit. I am also going to touch up on the report on the activities of the European Centre for Space Law. The European Centre for Space Law, ECSL, Mr. Chairman, is intensely involved in promoting space law. It is a really important aspect of our Charter and for 12 years now, we have worked in this field in a very substantial and significant manner regarding a number of important specific issues. We established contacts with the various national agencies, international agencies, and have assisted non-Member States of the agencies that requested such help to promote space law and develop its various aspects.

With regard to what the distinguished representative of ECSL mentioned just recently, one

should refer to the Workshop in Scandinavia. In Scandinavia, of course, we have several Member States and Member States of the European Space Agency there and it would be very interested indeed to know which specific Member States in Scandinavia are involved here because we have national contacts with 10 Member States in that part of the world and we support them in their various activities in the matter of promoting space law. So once again, I would be very interested to know which part of Scandinavia, which Member States in Scandinavia she referred to because we need to coordinate our activities. The better our work is coordinated, the more everybody benefits because space law is a matter that needs to be comprehensive and apply to as many States as possible.

Now I will refer to the presentation made by Madam Othman. Again, I wanted to share a few comments and specifically refer to the Workshop that was held in February of this year in Rabat in the Kingdom of Morocco at the request of the Moroccan authorities. And, of course, COPUOS has shown an increased interest in the various activities relating to space law in developing countries and this is part of that activity. Thus, we organized this Workshop or Colloquium in Rabat in February. I think it was an excellent effort, just excellent in every way. Very active participation by members and it was not a classical academic colloquium at all. It was a true conversation, a discussion, interaction, and towards the end we even changed the title. I do not want to call it a workshop. I call it a meeting, "rencontre" in French. I think a meeting is what it was, a meeting of the minds, interaction of those interested, a true exchange of opinions.

So in the area of space law, we should involve everybody, including developing countries and this is something that we have become aware of in the recent past and something that we promote, very consciously and very deliberately, and I would be very interested in receiving specific information from the Office for Outer Space Affairs as to the various activities it is organizing or planning with regard to developing countries and in all States in the matter of space law. I think we should be very well coordinated, much better coordinated in our activities than we have been. For example, we are planning an event in Tunisia in September and I am not going to list the various other meetings, colloquia or workshops that we are planning for the coming months involving Member States of the Agency and non-Member States of the Agency.

Two I wanted to mention specifically the one just held in Rabat and the one planned for Tunisia in

September and something that the Office for Outer Space Affairs needs to be aware of and we are at your disposal and we need to coordinate our efforts. Thank you Mr. Chairman.

The CHAIRMAN (*interpretation from French*): Thank you distinguished observer on behalf of the European Space Agency for your statement. Now I think I will call upon Professor Ramirez who will respond to the question raised by Dr. Lafferranderie.

Ms. R.-M. RAMIREZ DE ALLERANO Y HARO (International Astronautical Federation) (*interpretation from Spanish*): Thank you Mr. Chairman. As regards the question raised here, I would like to say that with regard to Scandinavia, we did mention that event in a general way but I will, having had a consultation with Madam, return to respond to the specific question regarding the countries involved. Thank you.

The CHAIRMAN: Thank you very much Professor Ramirez for your answer and (*continued in French*) I am calling upon the distinguished representative of the Kingdom of Morocco.

Mr. A. SAADI (Morocco) (*interpretation from French*): Thank you Mr. Chairman. Mr. Chairman, first of all, I have to join the observer on behalf of the European Space Agency in the sense that we are going to address issues under agenda item 4. First of all, we are thankful for the gracious remarks regarding my country. Indeed, the Kingdom of Morocco did host on 14 and 15 February, a meeting or a colloquium of Francophone African countries to discuss matters relating to space law. I was involved in the organization and the event was hosted by the Royal Centre for Space Activities of the Kingdom of Morocco in collaboration with the French Space Agency, the German Centre on Outer Space and a number of other organizations. It was attended by 10 African Francophone countries and several regional and international organizations. The Arab Organization of Civil Uses of Outer Space and various African groups and the focus of the event was the legal aspects of the use of outer space and the legal principles controlling the use by States of manmade satellites.

The results of the Workshop will be published in a special issue of the *Revue Scientifique*, published by the Centre for Space Law. The African countries participating in the Colloquium showed remarkable interest and initiative and particularly they were interested in getting more closely involved in

international activities with regard to space law, integration in the worldwide process of promoting space law, with regard to Africa and the rest of the developing world and expressed gratitude to the various agencies involved in preparing this event.

COPUOS needs to be commended for its efforts in that regard and, of course, greater coordination is necessary. A lot of work needs to be done to promote greater sensitivity to legal issues and greater knowledge of the matters pertaining to international space law. The Kingdom of Morocco suggests that the Office for Outer Space Affairs take up this activity and include similar events in its programme for the near future.

Thank you very much and I apologize to the interpreters for not having submitted the written text of my speech.

The CHAIRMAN (*interpretation from French*): Thank you distinguished representative of the Kingdom of Morocco for your contribution. I now call upon the distinguished representative of Greece.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Thank you Mr. Chairman. First of all, through you, I would like to heartily thank Madam Othman for the information she has provided in response to our question regarding the activities of the Office for Outer Space Affairs to disseminate knowledge of international space law and related matters.

Two comments in that context. First of all, I think we need to be better organized and better coordinated. There are a number of organizations that pursue activities in outer space without the involvement or the knowledge of interested countries, countries that need to be part of the distribution lists for all information regarding the legal aspects of the peaceful uses of outer space.

The European Centre for Space Law is not a mere appendix to the Space Agency. It is an organization in its own right, a powerful and far-reaching organization and the work its doing, first of all, covers all of Europe, from the Atlantic to the Ural and the Mediterranean Sea to the South. It is an enormous territory and, of course, the implications of what it does goes well beyond Europe as such. It is very appropriate to talk about organizing meetings rather than workshops or colloquia as my colleague representing the European Centre for Space Law has suggested.

The events we talk about are true meetings, “rencontre” in French, a meeting of the minds, a point where these countries can interact, share information and make suggestions.

The commercialization of outer space activities, some people refer to the liberalization of outer space activities, some people talk about privatization, all of this raises new legal challenges and requires a new unity of approach and transparency and very intensive exchange of information. Obviously, the Office for Outer Space Affairs needs to be part and parcel of this process, it needs to be involved and it needs to identify and address the various weaknesses it has had in the past, in terms of personnel, in terms of financial resources and so forth and re-address that situation.

In conclusion, Mr. Chairman, and, of course, I will be coming back to these issues in my general statement in due course but, in conclusion of this intervention, the various workshops or meetings organized by the European Centre for Space Law, throughout Europe, needs to be attended not by Europeans only but non-Member States as well. There was just a meeting held at the Law Department of the University of Andalusia and it devoted a half a day to matters related to space law. It was very successful and very well attended. It is just an example. More cohesion, more coordination in the future is needed. Thank you Mr. Chairman.

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

(*Continued in English*) Ladies and gentlemen, are there any other speakers on general exchange of views or any other questions relating to this particular item at this time? I see none. Therefore, I can advise you that we intend to continue the general exchange of views this afternoon. I should like to inform delegations that it is my intention to conclude the general exchange of views at this afternoon’s session. So this afternoon’s session will be the last opportunity for speaking on the item, General Exchange of Views and I would like to urge those delegations who wish still to make statements under this item to inscribe their names on the list of speakers with the Secretariat as soon as possible.

Status and Application of the Five United Nations Treaties on Outer Space (Agenda Item 4)

Distinguished delegates, we shall now continue our consideration of agenda item 4, Status and

Application of the Five United Nations Treaties on Outer Space. Before opening the floor to delegations wishing to speak to this item, I would like to briefly consider the issue of the chairmanship of the Working Group on this item. Yesterday, we agreed on the establishment of this Working Group. This was already adopted but the question of the chairmanship has remained open. My understanding is that informal consultations on the matter have taken place amongst interested delegations. As a matter of fact I asked the delegations to do so yesterday, and that a possible candidate who might enjoy the consensus of the Subcommittee has been identified.

If I see no objections, may I take it that the Subcommittee would wish to decide on this question now? I would be eager to hear the suggestions by the delegations concerned by representatives of different regional groups within our Subcommittee so that we could decide this question.

I saw that there was some consultation, bilateral consultation, between Morocco and Greece. *(Continued in French)* I am giving the floor to the distinguished representative of Morocco.

Mr. A. SAADI (Morocco) *(interpretation from French)*: Thank you Mr. Chairman. These were not just bilateral consultations. These were consultations involving several delegations and I have initiated these consultations to know who is being suggested for the chairmanship of the Working Group. Having said that, my delegation would like to propose Professor Vassilios Cassapoglou of Greece as Chairman of the Working Group. I think this is something that we can achieve consensus on. This gentleman is very well known internationally. He is an eminent lawyer, particularly an expert on space law. Thank you Mr. Chairman.

The CHAIRMAN *(interpretation from French)*: Thank you distinguished representative of Morocco for your suggestion that the distinguished representative of Greece, Vassilios Cassapoglou, be nominated for the position of Chairman of the Working Group. Any other nominations?

(Continued in English) I recognize the distinguished representative of Italy.

Mr. C. MORENO (Italy) *(interpretation from French)*: Thank you Mr. Chairman. The Italian delegation would like to commend the delegation of the Kingdom of Morocco and support the nomination of Professor Vassilios Cassapoglou for the position of Chairman of the Working Group on Space Law. We

are familiar with Professor Cassapoglou. We admire his experience and we definitely support his nomination and a number of other delegations are supportive of this nomination as well. Thank you.

The CHAIRMAN *(interpretation from French)*: Thank you distinguished representative of Italy for your statement regarding the nomination of the distinguished representative of Greece for the chairmanship of the Working Group on Item 4 of the agenda. Do we have any other statements or any other nominations? I do not see any other suggestions. Do I then assume that the proposed nomination of Professor Vassilios Cassapoglou meets with the approval of all delegations? I do not see any objections. Therefore, I believe that Professor Vassilios Cassapoglou has just been elected Chairman of the Working Group on Item 4 of the agenda.

(Continued in English) Now I would like to extend to Dr. Cassapoglou my warmest congratulations and, since I see him applying for the discussion, I give him the floor.

Mr. V. CASSAPOGLOU (Greece) *(interpretation from French)*: Thank you very much Mr. Chairman. My throat is suffering so I may not speak as much as I might have liked to but I would like to express my sincere gratitude to all my colleagues here and most particularly to my colleague from the Kingdom of Morocco and I would like to thank my colleague from Italy who nominated me on behalf of the European Group. Moreover, I would like to assure you, as I did in 1999, during my short chairmanship of the same group, as I did at that time, I would like to assure you that I will do my very best to make way for an in-depth study of the reasons for which universality which touches all of us, our assets and our property, this universality should reach all and is particularly important with regard to the five treaties on space. Thus, I thank you, and, through you, I would like to thank all the delegations present here today for having elected me to this very prestigious post. Thank you.

The CHAIRMAN: Thank you very much distinguished representative of Greece and now Chairman of the Working Group on Agenda Item 4. As I mentioned yesterday afternoon, the Working Group will convene its first meeting this morning, following the conclusion of deliberations in the plenary. And I take this opportunity to wish the distinguished representative of Greece every success in guiding the Working Group in its endeavours.

We shall now continue our consideration in the plenary of item 4. Is there any delegation wishing

to speak on item 4 of the agenda now in the plenary at this level? Are there any speakers on this issue? I see none. We will continue our consideration of item 4, Status and Application of the Five United Nations Treaties on Outer Space, this afternoon. It means the discussion in the plenary will be again this afternoon after the discussion on the general exchange of views.

Distinguished delegations, I will shortly adjourn this meeting of the Subcommittee to allow for the convening of the first meeting of the new Working Group on Item 4, Status and Application of the Five United Nations Treaties on Outer Space. Before doing so, I would like to inform delegates of our schedule of work for this afternoon. This afternoon, we shall continue and hopefully conclude our consideration of agenda item 3, General Exchange of Views. Thereafter, we shall also continue our consideration in the plenary of agenda item 4, Status and Application of the Five United Nations Treaties on Outer Space, and perhaps begin consideration of item 7, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, and maybe also item 9, Review of the Concept of Launching State.

Following adjournment of the Subcommittee's meeting, the Working Group on Item 4 might convene its second meeting and thereafter, time permitting, the Working Group on Item 9, Review of the Concept of Launching State, might also convene its first meeting under the guidance of the Chairman of this Working Group, Dr. Kai-Uwe Schrogl of Germany.

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

Ladies and gentlemen, before adjourning this meeting of the Subcommittee, I would like to repeat the invitation of His Excellency, Ambassador Pavel Vacek of the Czech Republic, and myself, to a cocktail party that should be held this evening. I apologize for a late announcement of this cocktail party but it happened so that still I believe it does not diminish the warm character of this invitation and I would like to see, and I think Ambassador Vacek as well, all delegations at this cocktail this evening at 7.00 p.m. This cocktail will be held at Pensingerstrasse 11, 30 and 13, here in Vienna. It is rather distant. It is in the area of Heizing and Schönbrunn but still there is a good connection either by car, if you have it, or by metro, direct line, and I will be very happy to see you all there, including, of course, the observers for this particular session. And I can assure you that there will be not only alcoholic drinks but also soft drinks, mineral waters and juices available for those who do

not wish just to drink the wine or other alcoholic beverages.

Thank you very much for the time being and this meeting is now adjourned.

The meeting closed at 12.05 p.m.