
**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee***Unedited transcript*713th Meeting

Tuesday, 5 April 2005, 10 a.m.

Vienna

*Chairman: Mr. S. Marchisio (Italy)**The meeting was called to order at 10.17 a.m.*

The CHAIRMAN: Good morning distinguished delegates. I now declare open the 713th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This morning, we will continue consideration of item 3, General Exchange of Views, and agenda item 4, Status and Application of the Five United Nations Treaties on Outer Space.

As it is my intention to close the list of speakers on agenda item 3 at 1.00 p.m., I would urge all delegates still wishing to make statements under this item to inscribe their names on the list by that time.

Time permitting, we will also begin consideration of agenda item 5, Information on the Activities of International Organizations Relating to Space Law.

General exchange of views (agenda item 3)

Distinguished delegates, I would now like to continue consideration of agenda item 3, General Exchange of Views.

The first speaker on my list this morning is the distinguished Ambassador of Japan. Japan, you have the floor.

Mr. S. MORIMOTO (Japan): Mr. Chairman, distinguished delegates, on behalf of the

Japanese delegation, I am honoured to address the forty-fourth session of the Legal Subcommittee of COPUOS. I would like to express our sincere gratitude and respect for the efforts of Mr. Marchisio, the Chairman of the Subcommittee, and to congratulate Mr. Kopal and Mr. Hedman on their election.

I would also like to thank Mr. Sergio Camacho-Lara, Director of the Office for Outer Space Affairs, and his staff for their preparation work.

Mr. Chairman, let me start by mentioning some of the noteworthy events that have occurred since the last session of this Subcommittee and that will occur this year.

First, taking a central role in investigating a policy for space development and utilization in Japan, the Council for Space and Technology Policy last September adopted the report "Basic Strategy for Space Development and Utilization". This report, which provides a framework for the next 10 years, confirms the importance of space development and utilization in national strategic terms and proposes that we should place the highest priority on ensuring technological reliability and sustaining, developing and strengthening fundamental technologies.

Furthermore, this report states three objectives, namely: to ensure national security; to develop the economy and improve the quality of life for our citizens; and to increase scientific knowledge and promote sustainable development for humanity. It also states priority fields such as national security and

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, Conference Management Service, Room D0708, United Nations Office at Vienna, P.O. Box 500, A-1400, Vienna, Austria. Corrections will be issued in a consolidated corrigendum.



crisis management, the positioning of the H2-A rocket as Japan's mainstay rocket, and the long-term promotion of an independent human space programme.

In addition, the Japan Aerospace Exploration Agency, JAXA, as the core organization for R&D and application in the aerospace area, has been reviewing concepts and measures to be undertaken by the Japanese aerospace industry over the next two decades. This process has been called "JAXA's long-term vision" and a final report will be completed this month.

Second, we would like to report on the resumed launches of Japan's mainstay rocket, the H-2A. After the H-2A No. 6 launch failure in 2003, we investigated its cause and have been taking thorough and ongoing measures to improve both engineering and management. Recently, technical measures and the establishment of a responsible management structure have been completed and the H2-A was successfully launched.

The MTSAT-1R, the so-called Himawari No. 6, which executes meteorological observation and air traffic control, was put into the orbit last February. In this fiscal year, three H2-A launches are planned, including the Advanced Land Observing Satellite which contributes to Earth observation through disaster monitoring. Japan will continue to strive for successful launches and to improve the reliability of our national rocket technology.

Third, at the United Nations World Conference on Disaster Reduction, held last January in Kobe, Japan, we proposed, and actively contributed to, holding the special session on the Indian Ocean Disaster and, in relation to the field of space development and utilization, JAXA held a session on "Reducing Risk Through Effective Use of Earth Observations" and the "Asian Workshop on Satellite Technology Data Utilization for Disaster Monitoring". We will also contribute to making a hazard map and to detecting disaster threats promptly via data provided by the Advanced Land Observing Satellite, which will be launched in this fiscal year.

Fourth, as some delegates mentioned yesterday, this October, the Fifty-Sixth International Astronautical Congress, IAC, will be held in Fukuoka, Japan. We expect the results of this Congress to contribute to the development of academic research and to the promotion of international cooperation on space development. As the host country, we intend to contribute actively to the success of the IAC. In addition, prior to the IAC, the UN/IAF Workshop will be held in Kitakyushu, Japan. The theme of the

Workshop is "Space Education and Capacity-Building for Sustainable Development". We also expect an active discussion on how to overcome problems commonly faced by participating countries and organizations in the field of space education.

Mr. Chairman, let me now turn to some of the topics we will discuss during the session.

First, Japan is a party to four space treaties: the Outer Space Treaty, the Rescue Agreement, the Liability Convention and the Registration Convention. Japan consistently undertakes space activities in compliance with these treaties. These treaties, which form the legal framework for our current outer space activities, are important in the sense that they provide a basis for the expanding scope of space activities. Although we will discuss this point in detail in the coming days, I would like to briefly state here that in order to strengthen the legal framework for global space activities, it is desirable that, first and foremost, countries commit to these treaties rather than discussing a comprehensive United Nations Convention on Space Law.

In this context, and in accordance with its mandate to undertake educational activities, which includes space law, JAXA sends experts to participate in forums on space law that are regularly held for students interested in space activities. Japan will continue to promote many activities focusing on legal aspects related to space activities in the future.

Second, the Protocol on matters specific to space assets to the Convention on international interests in mobile equipment, which was preliminarily drafted, will promote financing for space assets by establishing international security interests in them. It will also have a positive effect on commercial activities and should, therefore, be a subject for discussion. Japan has contributed to the development of the preliminary draft Protocol by sending Japanese experts to the meetings to discuss this matter. Japan also organized a domestic study group consisting of legal specialists and relevant persons mainly from industry. The group is primarily concerned with the security interests of space assets. Japan will continue to be engaged in this discussion.

Third, during the forty-second session of the COPUOS Scientific and Technical Subcommittee, which was held this past February, the Working Group on Space Debris agreed to develop a document on space debris mitigation under the chairmanship of Mr. Portelli. Japan intends to continue its contribution to the development of the document and also to examine

legal aspects in this respect of space debris mitigation in the future.

Mr. Chairman, the Legal Subcommittee of COPUOS is charged with the important task of examining legal aspects in order to ensure free and fair space activities. Japan intends to help the Legal Subcommittee achieve its distinguished goals by promoting efficient and productive discussions.

Thank you for your attention.

The CHAIRMAN: I thank the distinguished Ambassador of Japan for his statement and for the kind words to the Chairman.

I now give the floor to the Chinese delegation. China, you have the floor.

Mr. W. SU (China) (*interpretation from Chinese*): Thank you Mr. Chairman. Mr. Chairman, the Chinese delegation is also very pleased to see you continue to chair the Legal Subcommittee of COPUOS. We are confident that under your able leadership, and through the joint efforts and cooperation of participating countries, the tasks set out for this session will be accomplished in a smooth manner. We assure you of our cooperation and will actively take part in the consideration of various items, thus contributing to the progress of the work of the Legal Subcommittee.

Mr. Chairman, last year, new progress was registered in China's space technology and scientific research. From July to October 2004, China successfully launched CT-2 satellite into the polar orbit under the Double Star Programme. China also launched into preset orbit, FY2C satellite, which is for weather monitoring, the image data from that satellite will be provided globally free of charge.

Mr. Chairman, in order to strengthen and expand exchanges and cooperation with countries in the field of peaceful uses of outer space, the Chinese Government has established cooperation relations with space agencies of Argentina, Chile, Peru, India, Nigeria, Malaysia, under the principle of mutual respect, mutual cooperation, peaceful utilization and common development. Our cooperation with Brazil in developing Earth resources satellite and satellite data products have been intensified and broadened.

The Chinese Government will continue to promote regional cooperation in the peaceful uses of outer space. It is prepared to sign the Convention on Asia-Pacific Space Cooperation Organization, which is designed to promote the cooperation among Asia-

Pacific countries in space technology and applications and enhance the capabilities of countries in the peaceful uses of outer space and their space scientific research.

Mr. Chairman, we believe that the ultimate goal of mankind's exploration and use of outer space is to create a better environment for living and development. The activities of countries in outer space should be conducive to the friendly cooperation among the peoples of all countries and social progress conducive to the security, existence and development of humankind. Based on this recognition, China is always opposed to the militarization and weaponization of outer space and an arms race in outer space.

Last month, from 21 to 22, a national conference entitled "Safeguarding Space Security: Prevention of an Arms Race in Outer Space" was held in Geneva under the joint sponsorship of China, Russia and the United Nations Institute for Disarmament Research. Government officials from 65 countries participated in this Conference. The Conference expressed a serious concern over the danger of outer space militarization and appealed to all sides to maintain the security and prevent the weaponization of outer space, through, in particular, legal means. We believe this is a proposal worthy of the attention of this Subcommittee. We are of the view that the Legal Subcommittee should discuss, from a legal perspective, how to ensure the use of space technology for peaceful purposes and how to play a part in preventing militarization and the weaponization of, and an arms race in, outer space through the establishment of a comprehensive and effective legal mechanism. China is ready to work tirelessly with the rest of the international community towards creation of a peaceful and a tranquil environment of outer space.

Thank you Mr. Chairman.

The CHAIRMAN: I thank the distinguished representative of China for his statement and I give now the floor to the Brazilian delegation, Ambassador de Souza. You have the floor please.

Mr. C. M. VIERA DE SOUZA (Brazil): Thank you Mr. Chairman. Since this is the first time that I take the floor, allow me to convey, on behalf of the Brazilian delegation, my sincere appreciation for seeing you chairing the forty-fourth session of the Legal Subcommittee. You can be certain, Mr. Chairman, to rely on the full support of my delegation in your task to preside over the activities of this Subcommittee.

Mr. Chairman, my delegation fully endorses the statement made on behalf of the Latin American and Caribbean Group by the distinguished Ambassador of Bolivia.

My delegation believes, Mr. Chairman, that the tragic events which have effected areas around the Indian Ocean in December 2004 have highlighted, to a never seen extent, the gap between space-faring nations in their ability to make use of space technologies and the gross majority of developing nations which still lack the human, technical and financial resources to do so.

That tragedy also called the attention to the important work to be carried out by the Committee on the Peaceful Uses of Outer Space and its Subcommittees, in order to bridge this gap.

International cooperation, coupled with appropriate legal and institutional frameworks, can and must play an essential role in helping developing countries to benefit from the use of space-based technologies.

The work to be done by COPUOS and its Subcommittees, in that regard, is paramount. The Legal Subcommittee, in its endeavour to create and assess a body of rules and principles to guide activities in outer space, must be up to its mandate. In doing so, the interests and needs of developing countries must be taken into due account.

Mr. Chairman, my delegation would like to express its appreciation to the Office for Outer Space Affairs, the International Institute for Space Law and the European Centre for Space Law, for organizing the Symposium on "Recent Developments in Remote Sensing and the Desirability of Reviewing the 1986 United Nations Principles Relating to Remote Sensing". My delegation believes that the Symposium set up a good opportunity to renew the dialogue on this matter and provided insightful clarifications to all its attendants.

In the view of the Brazilian Government, Mr. Chairman, international cooperation also plays a key role to assist in the development of its own space capabilities. Allow me, in this regard, to refer to some recent outcomes in the legal area in 2004.

As for the China-Brazil Earth Resources Satellite Programme, also known as the CBERS Programme, two complementary Protocols were signed during the visit of the Chinese President to Brazil in November 2004. The first Protocol aims at the joint development of a CBERS-2B satellite, to be launched

before CBERS-3 and 4. CBERS-2B adds one more satellite to the series, thus improving its coverage and assuring its continuous operation. The second Protocol establishes a common policy for distributing CBERS services to third countries, while providing, at the same time, guidelines for the joint development of a ground application system and of a data processing centre.

In 2004, a treaty signed between Brazil and Ukraine for the joint development of their launching capabilities entered into force. These capabilities shall combine the quality and reliability of Ukrainian Cyclone-4 launch vehicles and the privileged location and facilities of Alcantara Launch Base in Brazil.

It is also worth noting that during the visit of the President of the Russian Federation to Brazil in November 2004, both sides signed a Memorandum of Understanding for Space Cooperation, encompassing a wide range of areas.

As a last point, Mr. Chairman, I would like to refer to the United Nations/Brazil Workshop on Space Law, held in Rio de Janeiro, from 22 to 25 November 2004. The Workshop was organized by the Brazilian Society for Aeronautics and Space Law, in partnership with the Brazilian Government and the United Nations Office for Outer Space Affairs. The purposes and outcomes of the Workshop were already described by the Director of the Office for Outer Space Affairs and are contained in document A/AC.105/847. My delegation would not have much to say in that regard, apart to reiterate the importance of that event to promote cooperation and create expertise in space law in the Latin American and Caribbean region and to seize this opportunity to renew its gratitude for the Office for Outer Space Affairs and for the members of its Secretariat who so keenly and efficiently worked in its preparation.

In summary, Mr. Chairman, Brazil regards space activities as an essential element of its national development. International cooperation plays an integral role in the Brazilian own space programme. And Brazil fully supports the work of COPUOS and its Subcommittees in setting up suitable legal and institutional frameworks to promote space development, while taking into account the needs and interests of developing countries.

On behalf of the Brazilian Government, Mr. Chairman, I wish you and all participants of this session fruitful and constructive discussions.

Thank you very much.

The CHAIRMAN: I thank the distinguished Ambassador of Brazil for his statement and for his appreciation and I now give the floor to the United States. You have the floor.

Mr. K. HODGKINS (United States of America): Thank you Mr. Chairman. Mr. Chairman, I would like to begin by expressing my delegation's deep satisfaction that you have once again taken on responsibility of leading the Legal Subcommittee. We are certain that this Subcommittee will continue to make important contributions to the refinement and development outer space law under your leadership.

It is a pleasure to be here in Vienna to meet with this distinguished group of legal experts. The Subcommittee's last session was a very productive one and we look forward to continued progress in addressing issues of practical concern to all of us. COPUOS and this Subcommittee have a distinguished history of working through consensus to develop space law in a manner that promotes, rather than hinders, space exploration. In particular, this Subcommittee should be commended for its role in establishing the core Outer Space Treaties, the Outer Space Treaty, the Rescue and Return Agreement and the Liability and Registration Conventions. Under the legal framework of these treaties, space exploration by nations, international organizations and now private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

This session is also an opportunity for us to consider the fact that the world remains far from general acceptance of the four space law instruments. Many States have not accepted key treaties, including some members of COPUOS. This Subcommittee should invite States and international organizations to consider ratifying and implementing the four space law instruments cited above. And, of course, it should encourage States that have accepted the core instruments to look at the sufficiency of their nation's laws to implement them. Parties ought to ensure that they are doing what they have promised they will do.

Before turning to the work of the Subcommittee for this session, I would like to comment briefly about recent activities in the United States that bear significantly on our space programme.

During the past year, President Bush signed a new national policy for space-based positioning, navigation and timing programmes, augmentations and activities for United States national and homeland security, civil, scientific and commercial purposes.

This policy supersedes the national policy related to the United States Global Positioning System that was in effect since 1996. Under this new policy on GPS, the United States will provide on a continuous, worldwide basis civil-based, positioning and timing services free of direct user fees for civil uses, through the GPS system and its augmentations and provide open, free access to information to develop and build equipment to use these services.

The United States will improve the performance of space-based navigation and timing services for civil users worldwide. We will encourage foreign development of positioning and timing services and systems based on the GPS system and will seek to ensure that foreign systems are interoperable with the civil services of the GPS system and its augmentations in order to benefit civil end-users worldwide.

Mr. Chairman, for those of you who are interested, the new policy, as well as recent developments in our international cooperation in GPS are available on a website www.igeb.gov.

President Bush also recently signed a new national policy for space transportation programmes and activities to ensure the United States' ability to maintain access to and use space for United States national and homeland security and civil, scientific and commercial purposes. This policy superseded previous policy in this regard that had been effective since 1994. The new space transportation policy includes direction for the United States Government to ensure the availability of United States space transportation capabilities: necessary to provide reliable and affordable space access, including access to, transport through and return from space; develop space transportation capabilities to enable human space exploration beyond low-Earth orbit; and sustain a focused national development programme for next-generation space transportation capabilities that improves the reliability, responsiveness and cost of access to space.

As we proceed with our work at this session, Mr. Chairman, I would like to reflect once again on the extraordinary record of success this Subcommittee has had in advancing the field of space law. I believe that much of the success is due to this Subcommittee's ability to focus on practical problems and to seek to address any such problems via a consensus-based and results-oriented process. We should aim in our discussions to continue that tradition and to avoid the temptation to focus on theoretical rather than practical issues. In addition, the Subcommittee's success may

also be attributed to the avoidance of protracted debate on issues not directly related to its mandate.

I would like to highlight two items in particular on the Subcommittee's agenda this year that build on its strength in addressing practical issues. The Committee will return to its agenda item on the practice of States and international organizations in registering space objects. We are pleased that this Subcommittee has taken up this issue. We appreciated the reports given by States on their registration practices during the last session and look forward to the opportunity to discuss this topic further during this session.

We also look forward to the Subcommittee's further consideration of issues raised by the possibility of a Space Protocol to the UNIDROIT Convention on International Interests in Mobile Equipment. My Government has been pleased to participate in UNIDROIT's discussions on the draft Protocol, along with many other members of this Subcommittee and the United Nations Office for Outer Space Affairs. We look forward to continuing to work towards an instrument that will facilitate financing of commercial space activities.

Thank you Mr. Chairman.

The CHAIRMAN: I thank the distinguished representative of the United States for his statement and for his appreciation.

I now give the floor to the distinguished representative of Ukraine. Ukraine, you have the floor.

Ms. N. ZUBACH (Ukraine) (*interpretation from Russian*): Mr. Chairman, on behalf of the Ukrainian delegation, I would like to underscore our great respect for you and we would like to express the certainty that the forty-fourth session of the Legal Subcommittee will be successful. As a member of the United Nations as one of the leading space powers, Ukraine has always welcomed the efforts made by the United Nations' Legal Subcommittee to ensure a broad discussion of the most important aspects of space activities and, above all, the legal issues of space activities.

The Ukrainian delegation has consistently called for the unwavering compliance with the established international legal regime of space activities and Ukraine is a party to four of the United Nations treaties in this area on the use of space.

Ukraine space activities in 2004 were focused on the compliance by the country with implementation of commitments when it comes to international programmes and projects, the implementation of priority, areas of the Third National Spatial Programme for 2003-2007 increasing effectiveness of the work of our space sector by restructuring and commercialization and broadening, making sure we have broad cooperation with international organizations.

In 2004, work continued to set up a space navigation system for the country and to integrate it into the land-based infrastructure, EGNOS.

In December 2004, two space devices were launched by Ukraine, this is SICH-1M and Mikron. The apparatus on them means that a large number of tasks can be carried out in the terms of remote sensing and this has economic benefits. In addition, in 2004, six launchers were launched, these are of Ukrainian production (Zenith-2, Cyclone-2, Zenith-3SI, Dnepr), and they placed 13 space devices into orbit for users from Brazil, United States, Russian Federation, France, Saudi Arabia, Italy and other countries. Ukraine is seeking to broaden its cooperation with interested States and international organizations.

In 2004, the country took part in a joint sitting of the Task Group of the IADC, and our state shares concerns when it comes to the danger represented by man-made space debris and considers that the problem of cleaning up the near-Earth space from space debris is a very urgent issue. Given the nature and level of discussion of this problem at the Scientific and Technical Subcommittee, our delegation considers that the right time has come to transfer the examination of the relevant issue to the Legal Subcommittee as an autonomous agenda item.

As regards bilateral cooperation, Ukraine, in the area of research and the use of space is cooperating with Brazil, the Russian Federation, the People's Republic of China and the United States. Cooperation has been set up with the European Commission and with the European Space Agency and cooperation with Egypt, the Republic of Korea, India and Turkey has been bolstered.

Mr. Chairman, the Ukrainian delegation would like to underline that all issues that have been raised by participants in this session are important and should be thoroughly examined. Our delegation welcomes and supports statements made by the Chair of the Legal Subcommittee and by the Director of the Office for Outer Space Affairs and delegations who

have already spoken to the effect that work of States on accession to the main United Nations space conventions and ratification thereof needs to be pursued.

However, our delegation would also like to underscore that, as things are, current international space law lags behind modern developments in terms of space activities and the existing legal framework is already hampering its development. New regulations(?) have arisen in the area of research and the use of space and these cannot be dealt with by the current legal instruments. Therefore, my delegation is continuing to call for the beginning of major work to codify international space law whilst maintaining the established time-honoured international legal framework. My delegation considers that the lack of the definition and delimitation of space has led to legal vagueness in international outer space and aerospace law. In order to avoid any possible disputes between States, this needs to be dealt with when it comes to the delimitation of outer space and air space and, at the same time, we need to make a distinction at the international legal level between the two legal regimes.

My delegation considers that the use of the geostationary orbit should be not only rational but also open to all countries respective of their current technical capability in order that they have an opportunity to have access to orbit in a fair way.

In particular, the needs and the interests of developing countries should be taken into account and particularly of countries with difficult geographical situations and the interaction of countries when it comes to the geostationary orbit and needs to be based on fairness and in keeping with the ITU principles. My delegation is prepared to discuss all issues that are on the agenda of the current session.

Thank you Mr. Chairman.

The CHAIRMAN: I thank the distinguished representative of Ukraine for her statement and I now give the floor to the Russian Federation. You have the floor Sir.

Mr. P. G. DZUBENKO (Russian Federation) (*interpretation from Russian*): Thank you Mr. Chairman. Mr. Chairman, we are happy to see you at the helm again and we hope, along with the other participants in this session, that the meeting will be successful and we welcome the nomination of Professor Vladimir Kopal, well known to all of us, and Mr. Niklas Hedman, to the positions of Chairmen of the two Working Groups at this Subcommittee.

Let me also express our assurance that, under your leadership, this Subcommittee will make substantial headway towards achieving its most topical tasks and will regain its fast efficiency and I would go as far as saying its fast authority. We wish you and all colleagues a very productive session.

The delegation of the Russian Federation comes out for progressive development in the spirit of dialogue on all issues pertaining to the international legal regime governing outer space and the legal regulation of space activities. We would like to see this dialogue gain in productivity. We would like the Legal Subcommittee and, with its help, COPUOS as a whole, to get back their reputation as one of the most active and productive auxiliary bodies of the United Nations General Assembly with regard to the progressive development of international law and its codification in compliance with Article XIII of the United Nations Charter.

You, Mr. Chairman, and the Chairmen of the two Working Groups, can fully count on our delegation in this difficult but, we think, important task.

It is in the spirit of the requirements of the United Nations Charter that our delegation comes out for developing a comprehensive United Nations convention on international space law.

As has been emphasized here this morning by previous speakers, we believe that a situation has emerged where space law as a whole, the general norms of space law, are lagging behind the actual practical developments in terms of States activities in outer space. This situation cannot be deemed satisfactory. Therefore, it is with satisfaction that we note that a number of delegations in this Committee have pronounced themselves prepared to start this work. We hope that this session of the Legal Subcommittee will further promote this idea which we believe to be a constructive idea. We hope that the number of people, delegations, championing this idea will continue to grow. Personally, on behalf of my delegation, I would like to say that we are absolutely certain that sooner or later this Subcommittee will reach a consensus with regard to the need for this work.

And there is a very simple explanation for this. In developing a universal, comprehensive convention, we can finally reach solutions on a general acceptable and balanced package basis, solutions that would address the matters that still, to this day, remain unresolved, at least have not yet met with a consensus

but which certainly require such a consensus-based solution. In the course of this work, the legally binding status could be conferred on some principles which were adopted by the United Nations as recommendations following the suggestions made by this Subcommittee. Developing such a convention would make it possible to refine and, as necessary, supplement some important provisions of the outer space treaties and the need for such a refinement has been voiced here in this Subcommittee and in COPUOS as a whole on many occasions over the years by a number of States, also the European Space Agency and the Group of Latin American and Caribbean States in particular. Again, there is the need for a well-balanced solution, taking into account all the various legal norms. If we were to move along that road, we could finally reach solutions that for years, dozens of years, have remained unresolved, such as, for example, the delimitation of air space and outer space, a matter that needs a resolution sooner or later. It is becoming topical. It is becoming pressing, as discussed in other bodies which I am going to refer to later on in my statement.

I am sure everybody here understands that this is the venue, this is the place where these matters need to be addressed. A comprehensive convention based on balanced solutions, taking into account all aspects of the matter, could also resolve such important issues which have not been resolved to date, such as space debris, again this would be the place to address the matter in such a convention on a general acceptable basis, taking all factors into account.

We believe that this work could make our discussions more specific, more concrete and legally significant, particularly with regard to the agenda item on the status and application of the United Nations space treaties. At this session, we could get back to discussing the matter of setting up an informal working group to explore that process and, of course, we are prepared to discuss that further.

Mr. Chairman, this year the Subcommittee will continue its consideration of the experience of member States in the registration of space objects. We believe that the time has come to discuss the matter within the framework of this Subcommittee, especially in view of the fact that lately we have observed, and this is regrettable, we have observed the practice of not registering space objects. This delegation believes that failure to register undermines the main provisions of international space treaties and the situation needs to be rectified. We would be happy to provide additional comments on that when we come to that agenda item, the appropriate agenda, that is.

Mr. Chairman, we welcome the decision of the forty-second session of the Scientific and Technical Subcommittee held in February of this year with regard to the matter of space debris. We welcome the fact that the Scientific and Technical Subcommittee set up a special working group on the matter, approved its plan of work up to the year 2007 and also adopted a document stating the main guiding principles and concepts underlining the future technical principles that will be applied to space debris mitigation in near-Earth space.

In this context, Mr. Chairman, we believe that, at this point in time, referring the matter of space debris to this Legal Subcommittee would be premature. The Scientific and Technical Subcommittee has only just started that work. It is drafting a new document on the matter. The document will be further refined and elaborated and, in this context, it would seem more logical to wait until such time that the Scientific and Technical Subcommittee has completed that work and then once we, at the Legal Subcommittee, get a highly detailed, elaborated, substantiated document, then we could proceed to consider it, even though, of course, we do not rule out the possibility of further discussions in that regard.

At this session, our Subcommittee will consider the results of the work of the Inter-Sessional group set up to consider the possibility of making the United Nations the Supervisory Authority, Supervisory in quotes, if you will, with regard to the registry of space transactions set up in the framework of the Space Assets Protocol to the Cape Town Convention on International Interests in Mobile Equipment, the 2001 Cape Town Convention, that is. This is one of the topical issues that will be in the focus of our attention here, no doubt about that. We believe that the Inter-Sessional group has accomplished a fair amount of good work, has prepared a high quality report whose main provisions are acceptable to us. However, looking at that report, we fail to see any unambiguous answers to some of the key questions that remain outstanding, particularly with regard to the organizational aspects and financial implications of the United Nations being appointed such a Supervisory Authority and thus be invested with this new additional function. By way of an example, we fail to see a resolution of the matter of what will happen if claims are filed against the Organization and the hypothetical case where the Registry were to commit any unlawful actions. Until these issues are resolved in a more or less satisfactory way, we think it is premature to talk about adopting by the Subcommittee of any draft

resolution for the United Nations General Assembly on this matter.

Mr. Chairman, turning to the prospects for space activities in the twenty-first century, I would like to note that the scientific, technical and financial capabilities of many countries are at the moment close to a situation where they would be in a position to deploy military programmes or space-based weapons. We are convinced that the weaponization of outer space is fraught with significant threats. It could undermine the strategic stability and international security of the world as we know it, in particular international law and order in outer space, the existing system, that is. We come out consistently and firmly for a weapons-free outer space. However, we must note that this does not mean, and we have already had a chance to explain it elsewhere, this does not mean that we object to the use of outer space for defence purposes.

However, space-based defence objects have the right to exist only inasmuch as they serve the purpose of maintaining strategic stability and international security only if they are used primarily as an instrument to defuse tensions and reduce the risk of military conflicts arising in outer space, as well as for monitoring the implementation of arms control agreements. In our view, the entire logic of the world's development in outer space makes it clear that there is a need to continue efforts to improve the international legal regime governing space activities in all its aspects, including the aspect of ruling out the possibility of weapons of any kind being deployed in outer space. In our opinion, this Committee, particularly this Legal Subcommittee has a leading role to play. Our Subcommittee's effective work could be an important factor that will determine the way that further exploration of outer space will follow.

Also, as has already been mentioned by some colleagues here this morning, a number of other fora, particularly the Disarmament Conference in Geneva, are considering initiatives, or a specific initiative, put forward by a group of countries, including Russia, China and others, on this very issue.

We would like to point out that, because this discussion is ongoing, sometimes one hears voices to the effect that we should not be duplicating the work of these other fora or be in competition with these other fora, particularly the Disarmament Conference in Geneva. What I would like to say to that is that there is no duplication let alone competition here. Not at all. As the distinguished delegate of China pointed out earlier this morning, this is about taking into account

the latest technological breakthroughs to set up, within the framework of our mandate, a legal mechanism for implementing one of the most important tasks that were part of COPUOS' from the very start. You will understand, Mr. Chairman, that I am, of course, referring to agenda item 10 when I am saying all this. When we come to that agenda item, we will, of course, get back to the matter and have comments in that regard.

In conclusion, Mr. Chairman, another comment if I may. We highly appreciate the contribution made to the development of international space law by such non-governmental international organizations, such as the International Institute of Space Law, the International Law Association, the International Space University and a host of others. We also value the contribution made by the individual legal experts to the progressive development of international space law. We believe that the role of all of these actors will continue to increase. Unfortunately, however, in our view, many of the very valuable and useful ideas put forward by lawyers and international organizations are not acted upon. To cite an example, a number of articles have been published and serious journals, very good work is pursued by a number of people around the world with regard to some very new legal issues that do not have elaborate mechanisms attached as yet. The space elevator idea, for example, a fascinating new concept, or the ongoing discussion around aerospace systems and so on and so forth. We could also mention interesting work that has emerged in recent years on the contamination of outer space, space debris. We could cite very interesting qualitatively new work by Professor Kopal present here, the same Professor Kopal who will be chairing one of our Working Groups here.

It is regrettable that many of these excellent ideas are not acted upon, are not picked up. We think it would be good if this Subcommittee could consider asking the Office for Outer Space Affairs to prepare, jointly with the Institute of Space Law and maybe some other organizations, a paper that would list all the major ideas put forward by leading scientists, lawyers, non-governmental organizations, with regard to the future development of international space law. And subsequently, we could use this paper as a basis to think about maybe drafting a plan for our future work in that regard. It is just an idea which could give a shot in the arm, if I may use that expression, to the Subcommittee, provide an incentive and makes its work richer and more productive, something that has not yet entirely met with a consensus here.

Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you very much distinguished representative of the Russian Federation for your informative statement, for the ideas that you put forward.

I would like now to give the floor to Thailand. Thailand, you have the floor.

Mr. J. THIRAWAT (Thailand): Thank you Mr. Chairman. Mr. Chairman, taking the floor for the first time, I would like to associate myself to all preceding speakers in congratulating you for your election to the Chair. Under your able guidance and dexterity, I am confident that this meeting will fully achieve its objectives and purposes.

Mr. Chairman, Thailand is fully conscious of the prominent and crucial role of the COPUOS Legal Subcommittee in the development of international space law and its continuum of contributions thereto. Hence, given that Thailand has had considerable space activities, both at public and private sector levels, and in the wake of the advent of several new ways and means to exploit and utilize outer space, many of which could give rise to complex problems, my country is highly gratified to have the opportunity, for the first time, to take part, as a member of this august body of erudite experts in space law, in its laudable task, and to share its experiences and concerns with other member countries, with a view to working out together the equitable solutions which are acceptable to all. To that end, this delegation stands ready to fully cooperate with the COPUOS Legal Subcommittee in its highly commendable works.

Mr. Chairman, with regard to the topics in the indicative schedule of work, the Thai delegation is of the view that the norms issued from the COPUOS meetings will have great impacts on the current space law and activities and will, therefore, submit its comments in this connection at a later stage.

I thank you Mr. Chairman.

The CHAIRMAN: I thank the distinguished representative of Thailand for his statement and now I give the floor to the Republic of Korea. Korea, you have the floor Sir.

Mr. J.-W. LEE (Republic of Korea): Thank you Mr. Chairman. Mr. Chairman, at the outset, my delegation is also pleased to see you again chairing the Legal Subcommittee this year. I would like to take this opportunity to convey my sincere gratitude for your successful leadership and unsparing efforts in

furthering the work of the Legal Subcommittee. We are confident that, under your guidance, our work will again bear useful fruits for this year's session. My delegation would also like to commend the Secretariat for preparing for this meeting in a well-organized manner.

Mr. Chairman, recognizing that the Legal Subcommittee has been a useful forum of discussion over legal issues relating to outer space and has played a pivotal role in establishing a legal setting regulating the outer space activities of the member States, my delegation believes that technological and scientific advances in the area of outer space and the increasing need for their application for a better life for all of humanity require a more positive role of the Subcommittee.

Noting with satisfaction the approval of the report on the implementation of the recommendations of the UNISPACE III at the fifty-ninth session of the United Nations General Assembly, we hope that the Plan of Action therein will be properly implemented in a spirit of international cooperation and for the common interests of all mankind. In this regard, welcoming the successful holding of the Space Law Workshop held in Brazil in November 2004 and its useful recommendations, we hope that it will contribute towards building the capacity of the member States in national and international space law and helping to promote the universality of the five United Nations treaties on outer space.

Mr. Chairman, concerning the review of the principle relating to the use of nuclear power sources, NPS, in outer space, my delegation has taken a careful look at the ongoing discussion being made within the Scientific and Technical Subcommittee and hopes that any good result will be brought about soon.

With regard to the draft Space Assets Protocol, my delegation believes that its conclusion will be beneficial to both sides of the parties concerned - sellers and buyers, developed and developing countries - by facilitating the expansion of outer space activities. An important point of our work in the COPUOS Legal Subcommittee is how to establish an effective mechanism for international registration without prejudicing the core principles of public international law, including the United Nations treaties on outer space and without causing legal or financial burden to the Supervisory Authority.

My delegation believes that considering the unbiased position and credibility as well as the successful role of registry of the Registration

Convention, the United Nations is the most suitable international organization to assume the role of the Supervisory Authority. In this regard, welcoming the report of the open-ended ad hoc Working Group on the question of the appropriateness of the United Nations serving as the Supervisory Authority and the vigorous efforts of the Dutch delegation to that end, my delegation hopes that any consensus will be reached on this issue at this session.

Mr. Chairman, my delegation is pleased that the COPUOS has been successfully reviewing the practice of States and international organizations in registering space objects under a four-year work plan. This kind of effort will contribute towards enhancing the effectiveness of the Registration Convention and other outer space treaties.

The discussion will also be beneficial to countries working on domestic space legislation. In this regard, my country, which has acceded to four of the five outer space treaties, is currently drafting the domestic space law to fully implement those treaties. In view of this, we will continue to seek close cooperation with other member States that have already established national space legislation.

Lastly, Mr. Chairman, my delegation would like to conclude its statement by reiterating the Korean Government's full commitment to the collective efforts of the international community to achieve a legal regime on outer space that benefits all mankind.

Thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of the Republic of Korea for your statement and now I give the floor to the delegation of Romania. Romania, you have the floor.

Mr. D. D. PRUNARIU (Romania): Thank you Mr. Chairman. Mr. Chairman, allow me to congratulate you for chairing the Legal Subcommittee of COPUOS again this year and to convey to you our best wishes and support of the delegation of Romania for the successful accomplishment of the agenda.

Mr. Chairman and distinguished delegates, Romania fully acknowledges the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes.

Therefore, we would like to stress the importance of the widest possible adherence to the international instruments that promote the peaceful uses of outer space in order to meet new challenges and to enhance human development.

Romania is part of the 1967 Outer Space Treaty, the 1968 Rescue Agreement, the 1972 Liability Convention, and has signed in 1979 the Moon Agreement. I am pleased to inform you that Romania is now taking determined steps towards the accession to the 1975 Registration Convention.

Mr. Chairman and distinguished delegates, Romania is continuing to improve its space development at the national level and together with the international space community.

The Romania Space Programme is further developed under the authority of the Romanian Space Agency and accomplished by more than 95 organizations with research, academic and industrial profiles. The five subprogrammes, space policy and infrastructure, space exploration, space applications, aerospace technology, industrial development and spin-off run, were completed during this spring with a space technology for security action. Running presently a number of 94 projects involving more than 830 full-time equivalent professionals, the programme recorded a substantial growth during the last year. Most of the projects are completed under international cooperation. I will remind you of them:

The contributions to international space exploration programmes, as PLANCK and CLUSTER of the European Space Agency, Alpha Magnetic Spectrometer and FAST of NASA, COROT of CNES;

Development of space application, as the ADAM precision farming model with CNES, Land Parcel Information System with the JRC of the European Commission, space tele-medicine with European and United States partners, the establishment of the GNSS, Galileo Applications Centre, environmental monitoring for land degradation, floods and water management, the Land Use-Land Cover Project developed with the Food and Agriculture;

Development of ground and onboard technology for space communications, navigation and a small satellite mission with industrial partners from Europe and the United States of America.

Romania is continuing to strengthen the cooperation in the frame of the European Space Agency towards a better integration of its space

research and industry capabilities in the European programmes, as for space science, microgravity, Earth observation, telecommunications, navigation and positioning, space engineering. Agreements and technical cooperation projects are ongoing and in preparation between the Romanian Space Agency and significant organizations, as NASA and the French Space Agency, CNES, the Russian Federal Space Agency, the German Aerospace Centre, DLR, for projects direct to both science and direct applications as space technology, as for precision agriculture, environmental monitoring and tele-medicine. A new international cooperation in space where Romania is contributing directly is the European Union Framework Programme 6, which includes space development as one of the major priorities. A governmental agreement on cooperation in the peaceful exploration and uses of outer space is under negotiation with the Russian Federation. Romania continued the technical assistance for developing States and since this year is giving technical assistance to the Republic of Moldova for remote sensing applications in agriculture.

With a view to a wide understanding of today's developments in the world, the Romanian delegation notices that the humankind is facing more and more threats from the global Earth and space environment, from terrorism, from deadly diseases, extreme poverty and hunger. Space technology already proved its contribution to the overall mitigation of the effects of natural disasters.

Nevertheless, we should improve the mechanisms and increase the efficiency of the space tools for better warning, monitoring and prediction, to a better preparedness to meet unfortunate major natural events. However, in the same sense, among the most pressing problems we face today are harmonizing economic development with global warming, preventing the use of advanced technology by terrorists and controlling infectious diseases.

This broad comprehensive security concept, which goes beyond military aspects and security of States, needs, for its development, as a major pillar, the contribution of space activities. In our opinion, this contribution could be undertaken by maintaining both the peaceful aspect of space technology development and fostering the maintaining of outer space for peaceful purposes.

International efforts to address these problems are needed more than ever and space and security are items to be discussed again together in the frame of most significant international organizations. The legal aspect of addressing these problems is very important.

In my country, I am able to announce that the role of space in adding value to the security concept has been already recognized. The Romanian Space Agency is in charge since a couple of months, by leading an Inter-Ministerial Committee, with the definition of a programme on security scientific research and technology. The legal aspects of such an organization at the national and international levels are carefully taken into account by all involved institutions.

Considering the global significance of the disaster management and security aspects of space developments, I might draw to your attention the need for a growing role of the Committee and its Subcommittees, together with an adequate definition of their mechanisms in order to maintain the capability to confront the new challenges.

Mr. Chairman and distinguished delegates, with a view to legal aspects of space development, the Romanian delegation considers that member States should envisage the harmonization of the implementation of the provisions of the United Nations treaties on outer space with a view to increasing consistency of national space legislation with international law.

We would also like to express our satisfaction for the finalization of the debates on the term "launching State" as used in the Liability Convention and the Registration Convention for being extremely important in space law, especially since these late years we have witnessed a continuous development of new technologies, an increase in the number of States carrying out space activities but also an increase in space activities carried out by non-governmental entities, including activities carried out by government agencies and non-governmental entities, as well as partnerships formed by private entities from different States.

We would also like to convey our full support to UNIDROIT and its work dedicated to drafting the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Space Assets.

Thank you Mr. Chairman and distinguished delegates for your attention.

The CHAIRMAN: I thank the distinguished representative of Romania for his statement and may I ask if there are any other delegations wishing to take the floor on this agenda item?

I see none.

We will, therefore, continue and hopefully conclude our consideration of agenda item 3, General Exchange of Views, this afternoon.

Status and application of the five United Nations treaties on outer space (agenda item 4)

Distinguished delegates, I would now like to begin consideration of item 4 of our agenda, Status and Application of the Five United Nations Treaties on Outer Space.

I would like to inform delegates that the Office has distributed up-dated information at this session on the status of international agreements relating to activities in outer space as at 1 January 2005. This information is contained in an insert in the booklet you received with the text of the United Nations treaties and principles on outer space and has the symbol ST/SPACE/11/Add.1/Rev.2.

As of 1 January 2005, with the accession of Belgium to the Moon Agreement on 29 June 2004, the status of the United Nations treaties on outer space is as follows:

The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, has 98 States Parties and has been signed by an additional 27 States.

The 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space has 88 States Parties and has been signed by an additional 25 States. In addition, one international organization has declared its acceptance of the rights and obligations under this treaty.

The 1972 Convention on International Liability for Damage Caused by Space Objects has 82 States Parties and has been signed by an additional 25 States. In addition, two international organizations have declared their acceptance of the rights and obligations under this Treaty.

The 1975 Convention on Registration of Objects Launched into Outer Space has 45 States Parties and has been signed by four additional States. Two international organizations have also declared their acceptance of their rights and obligations under this Treaty.

The 1979 Agreement Governing the Activities of States on the Moon and Other Celestial Bodies has 11 States Parties and has been signed by five additional States.

Also circulated to you this morning is Conference Room Paper 4, Directory of Education Opportunities in Space Law. The Directory has been updated by the Office for Outer Space Affairs in the past year and now lists 40 institutions from 23 countries that offer courses/education in space law.

So said, I would like now to give the floor to delegations that want to speak under agenda item 4.

Is there any delegation wishing to take the floor on this item this morning?

I see none.

I will, therefore, continue our consideration of agenda item 4, Status and Application of the Five United Nations Treaties on Outer Space, this afternoon.

Information on the activities of international organizations relating to space law (agenda item 5)

Distinguished delegates, I would like to begin consideration of agenda item 5, Information on the Activities of International Organizations Relating to Space Law.

I would like to remind delegates that in this discussion of this item, member States may bring to the attention of the Legal Subcommittee any information on the activities of international organizations relating to space law. In accordance with the agreement reached at the forty-third session of the Subcommittee last year, international organizations were invited to report to the Subcommittee on their activities. The reports that were received from international organizations by 9 March 2005 are contained in document A/AC.105/C.2/L.254 and Addendum 1. Reports received following 9 March are before you in Conference Room Paper 5.

I wish to recall that the General Assembly, in its resolution 59/116, agreed that the Legal Subcommittee should, at the current session, address the level of participation of the entities having permanent observer status with the Committee on the Peaceful Uses of Outer Space and report to the Committee at its forty-eighth session in June on means of enhancing their participation in the work of the Subcommittee.

I would also like to inform delegates that, in response to a request by the Committee, the Inter-Agency Meeting on Outer Space Activities, at its last session in January, considered the matter of enhancing the participation of United Nations entities in the work of the Committee and its Subcommittees. The Meeting agreed that while financial and staff resource limitations sometimes prevent United Nations entities from being represented at all meetings of the Committee and its Subcommittees, those entities could enhance their participation by preparing written reports, when requested, on matters related to specific agenda items and could submit information and reports on their activities related to the work of the Committee and its Subcommittees.

So said, I would now like to give the floor to delegations that have inscribed their names on the list of speakers under this agenda item, agenda item number five.

At the moment I have one speaker on my list and it is the representative of UNESCO. UNESCO, you have the floor.

Mr. J. TORT (United Nations Educational, Scientific and Cultural Organization) (*interpretation from French*): Thank you very much Mr. Chairman. Mr. Chairman, delegates, UNESCO is delighted to be participating once again in the Legal Subcommittee under your leadership and I would like to convey my Organization's congratulations to Professor Kopal and Mr. Hedman.

It is an honour for me to be able to inform you about the activities and plans that UNESCO has when it comes to the ethics of outer space. As you will know, UNESCO and its consultative body, the World Commission on the Ethics of Scientific Knowledge and Technology, COMEST, have been dealing with this issue for the last six years. Since 2002, UNESCO has transmitted recommendations adopted in 2001 by COMEST to your Subcommittee and the Group of Experts. Following the opinion of the Group of Experts, UNESCO's Division on the Ethics and Technologies developed an orientation document which is designed to look into possible action on the part of UNESCO in keeping with the recommendations of the COMEST and the Group of Experts. As a number of you know, we have submitted this document to series of bilateral discussions and also look into feasibility of the various proposals in the document. And on the basis of this consultation, COMEST recommended that UNESCO should not seek to produce a statement of ethical guidelines but rather to

stress awareness-raising on moral issues raised by space activities as part of reinforced international cooperation and this recommendation was adopted by the COMEST at its Fourth Regular Session which took place from 23 to 25 March last at Bangkok on the invitation of the Kingdom of Thailand and this will be conveyed to UNESCO's General Conference next autumn so that it can decide obviously on the future programme for the Organization when it comes to the ethics of outer space.

In addition, UNESCO's outer space ethics activities have not been limited to exploring possible action as part of our plan to devise space ethics both as scientific discipline as a matter of public discussion, UNESCO is pursuing its efforts to interest and involve philosophers, ethical philosophers, social scientists and representatives of civil society, to involve them in ethical issues raised by space activities. And thus, issues such as motivation for space exploration, the dignity of astronauts and the way to deal with any possible life in outer space or eventual property, are being looked at, not only from the legal and scientific point of view which is very important, but also from the ethical point of view. This ethical point of view comprises both the study and clarification of the moral values at stake, their justification and implementation, and the acknowledgement and promotion of the public nature of these issues.

In this spirit, UNESCO and the European Centre for Space Law, in cooperation with the Legal Department of ESA and the Institute for Space Law and Telecommunications and the University of Paris XI, organized a Symposium entitled "The Ethical and Legal Framework for Astronauts When They Are in Space" and this was held in UNESCO on 29 October last and the Chair of COPUOS honoured us by his presence and by being Rapporteur. And as you would have noticed, a number of versions of the provisional proceedings of this Symposium already have been made available and the final publication, which will be more complete and will be in English, will be available in June at the next session of the Committee. And as you will note, in reading these proceedings, the differences in the points of view of astronauts, legal experts, philosophers and agencies has led to the emergence of points of view and original ways of asking questions and we look forward to repeating this kind of event in the future.

I would also like to mention our cooperation with the European Space Agency in two working groups dealing with exploration programmes. ESA asked UNESCO to contribute to its Working Group on the Ethics of Exobiology and Protection of the Planet and

to participate in its Working Group on Exploration Strategy. In these two groups, we have endeavoured to present an ethical and humanist point of view on space exploration and we have sought to promote public debate and to deal with the moral issues raised.

I would like to conclude, Mr. Chairman, by inviting States to become involved and to encourage relevant actors to become involved in the debate and raising awareness of moral issues raised by space activities and we look forward to the publication of the proceedings of the conference on the astronauts will further broaden the number of people who are interested in space ethics and we have no doubt that fruitful cooperation between this Committee and UNESCO will only enrich the development of this discipline in the future.

Thank you.

The CHAIRMAN (*interpretation from French*): I would like to thank the representative of UNESCO very warmly. The Legal Subcommittee has always carefully studied UNESCO's work in terms of space activities and we very much hope that we will be able to continue to interact with your Organization Sir.

Do I see further requests for the floor?

I recognize the Czech Republic. You have the floor Sir.

Mr. V. KOPAL (Czech Republic): Thank you very much Mr. Chairman. Mr. Chairman, I speak for the first time at this Subcommittee. Let me express our full satisfaction and even pleasure at seeing you in good shape as the Chair of this Subcommittee and, needless to say, that we wish you well in all your efforts to develop further work of this important body.

I applied for the discussion in this discussion after the statement made by the distinguished observer for UNESCO because I would like to say a few words on this particular topic.

My delegation has followed the activities and efforts developed by UNESCO in the field of ethics of outer space. We know that the COMEST body, as it was stated by our distinguished colleague from UNESCO six years ago, has developed many efforts to bring some useful and specific results in this matter. In particular, we studied the document that was published last June in 2004. It is a policy document in this respect, the Ethics of Outer Space, that should serve as a basis of further consideration.

We have also appreciated the questionnaire concerning the feasibility of an international instrument and the possibilities of international action in the field of the ethics of outer space and sent our replies to the UNESCO Secretariat.

At the same time, I would like to briefly express some principles or some main ideas of our approach to the whole issue of ethics in outer space.

We believe that the elaboration of an international instrument, including ethical principles concerning the exploration and peaceful uses of outer space should be preceded by a thorough discussion on aims, nature and substance of such principles. This would still require some time, probably more time than it was originally expected. The whole endeavour should not be conceived as an attempt at revising the legal principles spelt out in the United Nations treaties and principles and in other relevant international legal instruments in force. Most of them are based on moral considerations but they resulted as a compromise between the views of different States or the Groups thereof. Therefore, the purposes and the specific nature of ethical principles to be incorporated in a UNESCO international instrument should be well-defined. Such principles should have a moral, not a binding force.

Due to the interrelation between space law and space ethics, a harmony between the notions and the language of the space legal instruments and the space ethical principles should be maintained as much as possible. For all these reasons, a close cooperation and interaction with the United Nations Committee on the Peaceful Uses of Outer Space and particularly its Legal Subcommittee in these efforts is necessary in order to avoid eventual misunderstandings and conflicts of interests with the endeavours of UNESCO.

Thank you very much.

The CHAIRMAN: Thank you very much distinguished representative of the Czech Republic for your comments on the issue raised by the UNESCO representative and I thank you for your kind words.

Is there any other delegation wishing to take the floor on this subject on this agenda item?

I see none.

We will, therefore, continue our consideration of agenda item 5, Information on the Activities of International Organizations Relating to Space Law, this afternoon.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee. Before doing so, however, I would like to inform delegates of our schedule of work for this afternoon. We will reconvene here at 3.00 p.m. At that time, we will continue and hopefully conclude consideration of agenda item 3, General Exchange of Views. We will continue with agenda item 4, Status and Application of the Five United Nations Treaties on Outer Space, and agenda item 5, Information on the Activities of International Organizations Relating to Space Law.

Are there any questions or comments on this proposed schedule?

I see none.

I give now the floor to the Secretariat for an announcement. Please, you have the floor.

Ms. N. RODRIGUES (Office for Outer Space Affairs): Thank you Mr. Chairman. This is just to inform delegations that the ESA/IRC Meeting will be held today at 2.00 p.m. in Room C0727. It is basically across the hall from Conference Room III. Thank you.

The CHAIRMAN: Thank you very much for this announcement. The meeting is now adjourned until 3.00 p.m. this afternoon.

The meeting adjourned at 12.00 p.m.