

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

Unedited transcript

723rd Meeting

Tuesday, 12 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 723rd meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

Dear colleagues, before we begin our work this morning, as many of you recall, it was forty-four years ago on this very day that Yuri Gagarin became the first human to travel in space. That was a different era. Many things have happened since then. Sociologically and scientifically, we are very different people compared to what we were in 1961. However, when the first human being was able to leave Earth, and nationality is not important, it opened a door for all humanity to dream about living in space. Let us then begin our work this morning with that inspiring achievement.

We will continue at this morning's meeting consideration of agenda item 8, Examination of the Preliminary Draft Protocol on Matters Specific to Space Assets, and agenda item 9, Practice of States and International Organizations in Registering Space Objects.

I then intend to adjourn this meeting of the Subcommittee so that the Working Group on the Preliminary Draft Protocol on Matters Specific to Space Assets can hold its third meeting, and the Working Group on the Practice of States and International Organizations in Registering Space Objects can hold its second meeting.

Examination of the preliminary draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment (agenda item 8)

Distinguished delegates, I would now like to continue our consideration of agenda item 8, Examination of the Preliminary Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

The first speaker on my list is the distinguished representative of the Republic of Korea. You have the floor.

Mr. YOO (Republic of Korea): Thank you Mr. Chairman. My delegation would first like to express its sincere gratitude to the contribution made by the Open-Ended Ad Hoc Working Group over agenda item 8(a) and also to the efforts of the Dutch delegation in preparing for the draft report.

Taking a careful look at the results from the informal consultations of last week, my delegation believes that progress has been made by discussing almost all possible issues on this matter.

Mr. Chairman, we take note that there is an increasing need for the financing of commercial space activities and that the boosting of such activities would be beneficial to all countries, including both developed and developing countries. In that sense, my delegation attaches great importance to the adoption of the Space Assets Protocol in a timely manner, since the Protocol is expected to contribute to facilitating the financing of commercial space activities.

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.



Mr. Chairman, my delegation is of the view that the function of Supervisory Authority is mostly of a public nature because we understand that the major responsibility of the Supervisory Authority is to maintain peaceful uses of outer space by private entities through keeping the Registry in a fair and credible manner.

In this regard, my delegation considers that such a function is compatible with the final responsibility of the United Nations for international cooperation in the peaceful uses of outer space.

In conclusion, Mr. Chairman, my delegation believes that the assumption by the United Nations of the role of the Supervisory Authority is a practical option.

Thank you.

The CHAIRMAN: I thank very much the distinguished representative of the Republic of Korea for his statement.

Are there any other delegations wishing to take the floor at this morning's session on this item?

I recognize the distinguished representative of Italy. Italy, you have the floor.

Ms. BINI (Italy): Thank you Mr. Chairman. The Italian delegation has been following with very much interest discussions under this agenda item this year. We take this opportunity to thank the distinguished delegate from The Netherlands for chairing, in a very efficient manner, the difficult task assigned under the mandate of the ad hoc open-ended Working Group. As you already know, Italy supports the submission of the report of the Working Group to the General Assembly this year.

We, therefore, consider it particularly important that this Subcommittee, the Legal Subcommittee, continue to keep abreast of further developments relevant to the UNIDROIT draft Protocol either in pursuing the negotiation of governmental experts this year and as well as the Supervisory Authority issue.

We would like then to join other delegations' proposals to keep this agenda item also for next year also.

Thank you Mr. Chairman.

The CHAIRMAN: Thank you. I thank the distinguished representative of Italy for her statement.

Are there any other delegations wishing to take the floor at this stage of our deliberations?

I see none.

We will, therefore, continue our consideration of agenda item 8, Examination of the Preliminary Draft Protocol on Matters Specific to Space Assets, this afternoon.

Practice of States and international organizations in registering space objects (agenda item 9)

Distinguished delegates, I would now like to continue our consideration of agenda item 9, Practice of States and International Organizations in Registering Space Objects.

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

Mr. NOTO (Japan): Mr. Chairman, distinguished delegates, on behalf of the Japanese delegation, I have the honour to present Japan's activities with regard to the registering of space objects.

In 1983, Japan acceded to the Convention on Registration of Objects Launched Into Outer Space. In order to fulfil our obligations under the Registration Convention, the Ministry of Education, Culture, Sports, Science and Technology is responsible for maintaining such a Registry of Space Objects, in cooperation with the related ministries and agencies. And the Ministry for Foreign Affairs, furnishes the registered information periodically to the Secretary-General of the United Nations.

I would like now like to read you the status of the registration of space objects in recent years. In 2003 we registered five artificial satellites. In 2004, we launched artificial satellites and they are in the process of being registered.

In terms of the space objects registry system itself, Japan would like the following matters to be reviewed.

Number one, consistency in the form in which the information is submitted.

Number two, international adjustments where more than one country participates in the launch of a space object.

Number three, the period of time between the launch of a space object and when it should be registered.

Japan would like to contribute to the deliberations on these matters during this session.

Thank you.

The CHAIRMAN: I thank the distinguished representative of Japan for his statement.

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

Mr. AGUILAR (Spain) (*interpretation from Spanish*): Thank you Mr. Chairman. Spain on 20 December 1978 acceded to the Convention on the Registration of Objects Launched into Outer Space, adopted by the General Assembly of the United Nations on 12 December 1974.

In keeping with this, Spain has notified the Secretary-General of the United Nations in a timely manner of any objects launched into space, either promoted by Spain, and has also adopted internal measures as necessary to fully comply with the Convention. These include the creation of a National Registry of Objects Launched into Outer Space by way of World Decree of 24 February 1995. The main elements regarding the functioning of this Registry were presented during the forty-third session of the Legal Subcommittee.

With regard to more recent data provided with regard to space objects launched from Spain or from Spanish facilities or the launching of which was promoted by the Spanish State and, thus, should be registered with the National Registry, I should just add that there has been one additional inscription corresponding to satellite HISPASAT I-D, the date of which registration took place on 8 May 2003. This satellite was launched in 2002 and is in a geostationary orbit and is active.

Mr. Chairman, Spain is studying the various suggestions that have been put forth in COPUOS and in other fora in order to improve national and international systems for the registry of space objects and these include the following.

First, standardizing the format and content of information provided to the International Registry of the United Nations.

Secondly, ensuring that all space objects launched in space are registered with the International Registry of the United Nations.

Three, also setting a reasonable deadline for registering the objectives in the National Registry and also a short period of time in order to provide this information to the United Nations.

Making national registries more accessible, for example, by way of the Internet.

Also providing greater information to national private entities that work in the space area with regard to the existence of the Registry and of their obligation to comply with the necessary process in order to provide information to the National Registry.

Registering in a systematic manner, additional information with regard to registered objects, i.e. changes in orbit, the end of its active life, date and place of re-entry, etc., and providing this information in a timely manner to the United Nations.

Finally, Mr. Chairman, once the UNIDROIT Convention has been approved as well as the Protocol on Space Assets including registered information, the name of the company or the legal person which owns the space object and any possible rights of guarantee related to the space objects and the contemplation of the possibility of providing ownership on the space object in orbit. All of this needs to be provided in a timely manner from the various States.

Thank you.

The CHAIRMAN: Are there any other delegations wishing to speak on this agenda item 9 at this morning's session?

I see none.

We will, therefore, continue our consideration of agenda item 9, Practice of States and International Organizations in Registering Space Objects, this afternoon.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee so that the Working Group on the Preliminary Draft Protocol on Matters Specific to Space Assets can hold its third meeting, and the Working Group on the Practice of States and

International Organizations in Registering Space Objects can hold its second meeting.

Before doing so, however, I would like to inform delegates of our schedule of work for this afternoon. We will reconvene here promptly at 3.00 p.m. At that time, we will continue our consideration of agenda item 8, Examination of the Preliminary Draft Protocol on Matters Specific to Space Assets, and agenda item 9, Practice of States and International Organizations in Registering Space Objects.

Time permitting, we will begin consideration of agenda item 10, Proposals to the Committee on the Peaceful Uses of Outer Space for New Items to Be Considered by the Legal Subcommittee at its forty-fifth session. I then intend to adjourn the plenary meeting so that the Working Group on Agenda Item 8 can hold its fourth meeting and the Working Group on Agenda Item 9 can hold its third meeting.

Are there any comments on this proposed schedule of work?

I see none.

I now invite Professor Vladimir Kopal of the Czech Republic to chair the third meeting of the Working Group on the Preliminary Draft Protocol on Matters Specific to Space Assets. This will be followed by the second meeting of the Working Group on the Practice of States and International Organizations in Registering Space Objects, chaired by Niklas Hedman of Sweden.

This meeting is now adjourned until 3.00 p.m. this afternoon. Thank you.

The meeting adjourned at 10.31 a.m.