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**Committee on the Peaceful  
Uses of Outer Space  
Legal Subcommittee***Unedited transcript*730<sup>th</sup> Meeting

Friday, 15 April 2005, 3 p.m.

Vienna

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*Chairman:* Mr. S. Marchisio (Italy)

*The meeting was called to order at 3.15 p.m.*

**The CHAIRMAN:** Good afternoon distinguished delegates, I now declare open the 730<sup>th</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

**Adoption of the draft report of the Legal Subcommittee**

This afternoon we will continue the adoption of the draft report of the Subcommittee to the Committee on the Peaceful Uses of Outer Space.

Delegations will recall that we have already completed the adoption of the paragraphs contained in the first part of the report, A/AC.105/C.2/L.257, yesterday afternoon.

We also completed the adoption of paragraphs 1 through 47 contained in the second part of the draft report, A/AC.105/C.2/L.2567/Add.1 this morning.

We will, therefore, start with paragraph 48 and proceed with the paragraph by paragraph adoption of the remaining paragraphs in the second part of the report.

As far as paragraph 48 is concerned, I will give the floor to the Algerian delegation because they proposed some change of the language.

You have the floor Algeria.

**Mr. M. OUZEROUHANE** (Algeria) (*interpretation from French*): Thank you Mr. Chairman. We have a proposal with regard to the second part of paragraph 48. With respect to the matter relating to the Supervisory Authority and the consideration of the possibility of establishing an international entity in charge of coordinating the management of natural disasters, it would be appropriate to carefully study the Charter of the Committee on the Peaceful Uses of Outer Space in the context of the reforms of the United Nations.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you very much distinguished representative of Algeria.

Did you follow the new formulation proposed by Algeria? This was the view expressed by the Algerian delegation reflected in paragraph 48.

India. India, you have the floor.

**Mr. R. LOCHAN** (India): Thank you Mr. Chairman. We do not have anything to object to that except that they already mention a Charter of the Committee on the Peaceful Uses of Outer Space. I wonder if whether there is such a thing or it is the Charter of the United Nations or something else. That is all. Thank you Mr. Chairman.

**The CHAIRMAN** (*interpretation from French*): Would you like to respond to this delegation? No?

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In its resolution 50/27 of 6 December 1995, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that, beginning with its thirty-ninth session, the Committee would be provided with unedited transcripts in lieu of verbatim records. This record contains the texts of speeches delivered in English and interpretations of speeches delivered in the other languages as transcribed from taped recordings. The transcripts have not been edited or revised.

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.



This is about the French word “statut?”.

*(Continued in English)* The Algerian proposal is referring to the statute of the main Committee not to the Charter of the United Nations. It is just mentioned as the statute of the Committee on the Peaceful Uses of Outer Space. Thank you.

Are you fine with that? Thank you.

Paragraph 48 is approved with the new language proposed by Algeria.

Paragraph 49.

Any comments?

I see none.

*It is approved.*

Paragraph 50.

I see no objections.

*It is approved.*

Paragraph 51.

*Adopted.*

Paragraph 52.

*Adopted.*

Paragraph 53.

*Adopted.*

Paragraph 54.

No comments?

I see none.

*Adopted.*

Paragraph 55.

No comments?

*Adopted.*

Paragraph 56.

Comments?

I see none.

*Adopted.*

Paragraph 57.

*Adopted.*

Paragraph 58.

*Adopted.*

Paragraph 59.

India. India, you have the floor.

**Mr. R. LOCHAN** (India): Thank you Mr. Chairman. Under this Chapter VII, right at the beginning, it comes from paragraphs 27 to 38 they are of one particular character. They describe very accurately the deliberations and the definitions expressed. Paragraphs 59, 60 and 61 are of a different nature and I believe that we should conclude this discussion by repeating paragraph 31 of the Working Group report saying that no consensus could be reached on such and such a matter.

**The CHAIRMAN:** ... say that the principle question of the appropriateness could not be reached. Yes? And then keep the part of the paragraph and 56bis. OK. I think that would be appropriate to add this new paragraph.

So we can approve paragraphs 58bis and 59.

58bis as proposed by India.

*It is approved.*

**Mr. R. LOCHAN** (India): Thank you Mr. Chairman. This paragraph 59 is not very clear. I propose a slightly different formulation “the Subcommittee agreed that the agenda item 8 should be reformulated as” and the same title which is proposed in the Working Group should be repeated here and “should remain in the modified form on the agenda item of the Subcommittee for the next session.”

Thank you Mr. Chairman.

**The CHAIRMAN:** Any comments to the Indian proposal?

Maybe I will spell out the new as was suggested by the Secretariat based on your proposal.

“The Subcommittee agreed that agenda item 8 should be reformulated as examination and review of the developments concerning the draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment and remain on the agenda of the Subcommittee at its next session.”

In the modified title? With this modified title. In this modified form and remain on the agenda of the Subcommittee in this modified form at its next session.

The Czech Republic please.

**Mr. V. KOPAL** (Czech Republic): Just to double check. Could you repeat now the title of this new reformulated item, Examination and Review of ...?

**The CHAIRMAN:** ... the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

Was it clear enough, Czech Republic? Yes.

So paragraph 59 is adopted.

And we pass now to paragraph 60.

I think that we can adopt it.

And pass to paragraph 61.

*Adopted.*

Distinguished delegates, we have now adopted the second part of the report. We will, therefore, proceed with the adoption of the remaining part of the draft report which is contained in document A/AC.105/C.2/L.257/Add.2. This part contains sections on Practice of States in Registering Space Objects and the Proposals of the Subcommittee on New Agenda Items.

Do all the delegations have the document we are considering before them? I mean document A/AC.105/C.2/L.257/Add.2. If this is the case, we shall now proceed the paragraph by paragraph adoption of the third part of the report as mentioned.

Part VIII, Practice in Registering Space Objects.

Paragraph 1.

No problems.

*Adopted.*

Paragraph 2, the ground document paper.

*Adopted.*

Paragraph 3.

*Adopted.*

Paragraph 4.

No comments? Shall I take that it is approved.

*It is approved.*

Paragraph 5. A very short paragraph.

*Adopted.*

Paragraph 6.

*Adopted.*

Paragraph 7.

Comments on that?

I see none.

*Adopted.*

Paragraph 8.

*Adopted.*

Paragraph 9.

No comments?

*Adopted.*

Paragraph 10.

Spain. You have the floor Spain.

**Mr. F. DE ASIS BARRERA LÓPEZ** (Spain) (*interpretation from Spanish*): Thank you Mr. Chairman. Paragraph 10 reflects a statement made by our delegation. I would like to slightly amend the Spanish version to make it editorially better. In the

third line of the Spanish version at the end, ending in the word "United Nations", we should put a semi-colon after "United Nations" because a wholly new sentence follows. That applies to the Spanish version.

Thank you.

**The CHAIRMAN:** ... by the Spanish delegation for the Spanish text. Thank you for your contribution.

Are there further comments on paragraph 10?

If not, adopted.

Paragraph 11.

I see no objection.

*Adopted.*

Paragraph 12.

*Adopted.*

Paragraph 13.

I see no problem.

*Adopted.*

Paragraph 14.

*Adopted.*

Part IX, 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.

Paragraph 15.

*Adopted.*

Paragraph 16 (a), (b), (c), (d), (e).

No comments?

*Adopted.*

Paragraph 17.

Greece, you have the floor.

**Mr. V. CASSAPOGLOU** (Greece): Thank you Mr. Chairman. In reference with paragraph 16, we

forgot the Greek proposal concerning the Principles on Remote Sensing. So please be kind enough to add after the small (c) saying that the view of the Principles on Remote Sensing with the view to possibly transforming the existing Principles to a Treaty in the future, proposed by Greece. The same wording but instead of "Principles on Direct Television Broadcasting?".

**The CHAIRMAN:** I will give the floor to the Secretariat to explain why this happened.

**Mr. S. CAMACHO-LARA** (Director, Office for Outer Space Affairs): Thank you Mr. Chairman. This paragraph is just a direct quotation of the paragraph on the report of the Legal Subcommittee from last year. That is why it does not appear there.

**The CHAIRMAN:** Brazil, you want the floor? No.

We have, in fact, a reference to the remote sensing in point (d).

Please.

**Mr. V. CASSAPOGLOU** (Greece): May I? Thank you. The letter (d) is only the proposal of Brazil. It was different, vis-à-vis, the Greek proposal of 1996.

**The CHAIRMAN:** Are you satisfied enough with the explanation given by the Director?

**Mr. V. CASSAPOGLOU** (Greece): My understanding is that we had a new set of paragraphs concerning the Greek proposal of 1996 related to the Principles on Remote Sensing. Thank you.

**The CHAIRMAN:** I think that your proposal came later in paragraph 31 of this report. We can include it in that point in paragraph 31.

Please, I will give the floor to the Secretary for some explanation to you.

**Ms. N. RODRIGUES** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. The different items that appear in paragraph 16 at the moment is a factual reflection of what is in paragraph 134 of last year's report. The proposal by the delegation of Greece to retain an item on the agenda, can be included under paragraph 31 of the report a little later. When we come to paragraph 31 we will get the proper formulation from the delegation.

Thank you Mr. Chairman.

**The CHAIRMAN:** OK. This was enough clear so we can move and approve paragraph 16.

And then 17 because we were at that point.

Paragraph 18.

No comments?

*Approved.*

Paragraph 19.

Ukraine, you have the floor.

**Ms. N. MALYSHEVA** (Ukraine) (*interpretation from Russian*): Thank you Mr. Chairman. Our delegation has a problem with the second sentence in paragraph 19 starting with the words “those delegations expressed the view”. The Russian text, inasmuch as I can see, is different from the English version. After the words “that a universal comprehensive convention should be developed” and then the Russian version goes on to say “which will make it binding or giving legal binding status to the Principles”. This is too pre-emptory in our view. We suggest saying “which, *inter alia*, could give legally binding status to the Principles”. So “could”, the subjunctive “would, if you will, “could give legally binding status to the Principles on outer space and introduce additions or/and supplement the existing United Nations treaties”. This refers to the Russian text to make sure that there is some conformity with the English text.

**The CHAIRMAN:** I thank you very much distinguished representative of Ukraine. The Secretary has taken note of your observation that the Russian text will be modified accordingly. OK?

So paragraph 19 is adopted.

Paragraph 20.

*Paragraph 20 is adopted.*

Paragraph 21.

*Paragraph 21 is adopted.*

Paragraph 22.

No comments?

*Adopted.*

Paragraph 23.

Ukraine, you have the floor.

**Ms. N. MALYSHEVA** (Ukraine) (*interpretation from Russian*): Thank you very much Mr. Chairman. On this paragraph, given that this was a Ukrainian proposal, I would say that in the middle of the paragraph “the Subcommittee were not able to reach a consensus on the inclusion of that item of its agenda at the current session”, I would suggest adding “at the current session”. It is not that consensus was impossible to reach at all, it is just that at this session it was not possible. Thank you.

**The CHAIRMAN:** Thank you distinguished representative of Ukraine. “The current session” will be added to paragraph 23 in order to reflect the position of the Ukraine delegation.

Are there comments on paragraph 23?

I see none.

*It is adopted.*

Paragraph 24.

India, you have the floor.

**Mr. R. LOCHAN** (India): Thank you Mr. Chairman. I am sorry I am going back to paragraph 21. There is a small grammatical mistake. The second sentence reads “those delegations were of the view”, the word “that” is missing there. That is all. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you for your cooperation India.

Paragraph 24.

No comments?

*Adopted.*

Paragraph 25.

*It is adopted.*

Paragraph 26.

Brazil, you have the floor.

**Mr. C. DA CUNHA OLIVEIRA** (Brazil) (*interpretation from Spanish*): Thank you very much Mr. Chairman. I would like to comment on the second sentence in paragraph 26. I have the English version here and it starts “that delegation reiterated”. Now, Mr. Chairman, this is a comment that my delegation made on this agenda item, this is a comment that was part of a general remark made on the substance of Brazil’s proposal and this seems to be slightly out of context here. I suggest simply that this sentence should be deleted and the rest of the paragraph should be kept. Thank you.

**The CHAIRMAN:** I fully agree with you so I think we can approve paragraph 26 deleting the phrase to which the distinguished delegate of Brazil referred to.

Do you agree? No problem?

Paragraph 26, yes, I am sorry.

India.

**Mr. R. LOCHAN** (India): I thank you Mr. Chairman. Again a small grammatical mistake in the fourth line of the English version “which withdrawn its proposal in view of the fact that the Subcommittee would be not”, I think it should be “would not be in a position to which”. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you for this grammatical support India.

So paragraph 26 is approved with the modifications proposed by Brazil and India.

Paragraph 27, that refers to the regular items and other items for discussions for the next session of the Legal Subcommittee.

I see no objections so we can approve paragraph 27.

Paragraph 28.

*Adopted.*

Paragraph 29.

Greece. Greece, you have the floor.

**Mr. V. CASSAPOGLOU** (Greece): Thank you Mr. Chairman. Mr. Chairman, as you may remember, Greece and Chile were also supporting and

asked to co-sign this document so please be kind enough to add Chile and Greece.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of Greece. The text of paragraph 29 will include also the delegations of Chile and Greece as co-sponsors for this Working Paper.

Is it OK?

*Paragraph 29 is approved.*

Paragraph 30.

*Approved.*

Paragraph 31. And this is the point raised by the Greek delegation. Can we add your proposal here? Yes. Could you give us the formulation please.

**Mr. V. CASSAPOGLOU** (Greece): Thank you. ... (*no microphone*) ... replace “review of the Principles on Remote Sensing with a view to possibly transforming the text into a treaty into the future”, proposed by Greece, quite simple. Thank you very much.

**The CHAIRMAN:** Thank you very much distinguished representative of Greece.

Thailand. Thailand, you have the floor Thailand.

**Mr. J. THIRAWAT** (Thailand): Mr. Chairman, I thank you very much for your kindness to give me to speak. Excuse me to return a little bit to paragraph 29. Thailand also supports the Working Paper submitted by Kazakhstan, Russian Federation and Ukraine, the same as Chile and Greece. Thank you.

**The CHAIRMAN:** Thank you very much. Thailand will be added to the co-sponsors.

Greece, you have the floor.

**Mr. V. CASSAPOGLOU** (Greece): Thank you Mr. Chairman. I apologize to our distinguished colleague from Thailand for my omission. Thank you very much.

**The CHAIRMAN:** It is kind enough. Thank you.

Paragraph 31 with the insertion of the new proposal by Greece is approved.

Paragraph 32. The last one. I think that nobody has problems with this paragraph so we can approve it.

Well, distinguished delegates, we have now adopted all parts of the report of the Legal Subcommittee to the Committee on the Peaceful Uses of Outer Space.

Can I take that the Subcommittee adopts the report, as amended, as a whole?

You have the floor Greece.

**Mr. V. CASSAPOGLOU** (Greece): Thank you Mr. Chairman. Mr. Chairman, I had not the possibility at the very beginning of our session to make a general statement and I would like even at this very last moment to express our appreciation and also gratitude to the Office for Outer Space Affairs for the extremely important work and especially our colleague, Madam Rodrigues, in organizing the informational part of its activity concerning space law and all other matters in these few months from the last year because it is impossible to make, that is the custom to make a personal reference to the minutes, I mean in the report of our Subcommittee. I would like at least to have a reference without mentioning names but we have to put something expressing our gratitude and appreciation for that specific work. And also for the other colleagues but especially for this, how can I say, modernization of the process within the Office. Thank you very much.

**The CHAIRMAN:** Thank you distinguished representative of Greece. Of course, we all join you in this gratitude, in expressing our gratitude for the work done by the Office and by members of the Secretariat, particularly by the Secretary of the Committee.

Any other comment?

I see no objections.

So the report of the Legal Subcommittee to the Committee on the Peaceful Uses of Outer Space, as amended, is adopted as a whole.

Thank you very much distinguished delegates. I now give the floor to the Secretary of the Subcommittee to make an announcement.

**Ms. N. RODRIGUES** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. I just actually wanted to draw your attention that, in a way, as a parting gift from the Secretariat to the delegations, this morning in your pigeon holes you received a CD-ROM that contains the treaties in all six languages. We hope that this CD-ROM will be useful to delegations. Thank you.

**The CHAIRMAN:** Once again, on behalf of the Subcommittee, I will thank you very much for this kind gift. That will be very useful.

**Mr. V. CASSAPOGLOU(?)** (Greece): That was my intention ... (*no microphone*) ... I would like also this successful action from the Office. Thank you very much.

**The CHAIRMAN:** Well, we are now at the end of our deliberations. Before closing the forty-fourth session of the Legal Subcommittee, I would like to sincerely thank the distinguished delegates for their active and cooperative participation in the work of this session of the Legal Subcommittee. Furthermore, I would like to express my deep appreciation for the support given by the Director of the Office for Outer Space Affairs, the Secretary of the Subcommittee and all the members of the Secretariat. Of course, I express my most sincere gratitude to the interpreters as well as to the whole team that ensures that we have our documents available in all languages for their excellent work.

It has been my privilege to serve as your Chairman and I would sincerely like to thank all delegations for their support over the past two years.

Thank you very much.

I now declare closed the 730<sup>th</sup> meeting of the forty-fourth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I wish you all well and a good and safe trip.

*The meeting closed at 4.00 p.m.*