

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

Unedited transcript

741st Meeting

Monday, 10 April 2006, 10 a.m.

Vienna

Chairman: Mr. R. González (Chile)

The meeting was called to order at 10.19 a.m.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much. Good morning to one and all. The 741st meeting of the Legal Subcommittee is called to order.

We are going to be speaking now about item 7, Information on the Activities of International Organizations Relating to Space Law.

We will be going on to item 9, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, and we will start with 11, Practice of States and International Organizations in registering space objects.

I would now like to call upon the delegations wishing to speak to any one of these items to indicate, flag their wish to speak to the Secretariat.

And then we are going to be also organizing the Group under Mr. Filho of Brazil's aegis.

In the Rotunda, there is a celebration of the forty-fifth anniversary of the first manned flight. Please do go and visit that exhibit.

And I would like to close by pointing out that tomorrow the Secretariat is going to be closing the list of actual participants to this meeting. So if you wish to indicate any changes to the provisional list, please contact the Secretariat as quickly as possible.

Thank you very much.

Information on the activities of international organizations relating to space law (agenda item 7)

Before we start officially, I would like to make a suggestion. I have actually already made it and I wanted to get your approval, your blessing. Here, we have various documents, reports of proceedings, seminars organized, that have particularly impressed me. This was the seminar in particular reflected by India, also one referred to by Germany as well, the work done by the European Law Institute, *inter alia*. So there has been a very broad, interesting legal impetus imparted and this cannot be reflected in just a bear two hours' seminar which, for bureaucratic reasons, and does not allow for enough participants to attend. I have already pointed out in the past that next year it would be desirable indeed to have a full one day seminar and then we would have working groups and discussions around that. So one full seminar day. And then we could start the official session of this Subcommittee after that.

This seminar would deal basically with education and training in space law. In Brazil, there has been ever so much work done on this, Argentina as well, elsewhere as well. Many countries in several continents are investing work into this and cooperation is being envisaged between Latin America and Europe. So I would suggest that we have a full one day seminar before the session begins, a seminar on education in which all of the space law centres could participate from around the world.

We have a year to organize this but I would propose that you give your blessing to this suggestion straight away.

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 D0771, United Nations Office at Vienna, P.O. Box 500, A-1400, Vienna, Austria. Corrections will be issued in a consolidated corrigendum.



Would you have any objections? I do not believe that that is the case.

It is so decided.

So next year, instead of having two hours of seminar, we will have a full day's worth. Invitations will be sent to all of the university circles that might be interested in participating and all the groups that have reputation in this field. So I suggest, indeed, that we have this seminar scheduled.

I would now like to, straight away, turn to the representative of the ESA. You have the floor Madam.

Ms. J. WHEELER (European Space Agency): Thank you very much Mr. Chairman, distinguished delegations. I am grateful for this opportunity to submit to the Legal Subcommittee a summary report on the activities of the European Space Agency related to space law in 2005.

Of course, ESA continued to be represented at the Legal Subcommittee of the United Nations COPUOS and at its Working Groups. Furthermore, representatives of ESA's Legal Department continued to lecture extensively, *inter alia*, at the regular ISU and Summer Session Programme at their European Centre for Space Law Summer Course held in 2005 at the Faculty of Law of the University of Terni(?) in Italy, at Paris XI University, at _____(?) in Provence, at the Journee d'Etude de la Commerciale(?) Spatiale de la Societe Consens(?) de Trois(?) Aviane Espatiale, and also at the International Institute of Space Law and the European Centre for Space Law Space Law Symposium on the occasion of the 2005 session of the Legal Subcommittee.

Lectures and presentations focused in particular on the legal implications of the following topics: satellite navigation; launching policies; topology and practice of international space agreements; international and European space institutes, with a special emphasis on the institutional aspects of European space activities; orbits and frequencies in the international context; space tourism; and the 1986 United Nations Principles Relating to Remote Sensing and the current State practice in Europe.

Representatives of ESA also continued to publish legal studies on various aspects of space law, such as legal aspects of space exploration initiatives, expert control issues in international space cooperation, orbits and frequencies and ESA's registration policy.

Thank you very much for your attention.

The CHAIRMAN (*interpretation from Spanish*): Thank you the representative of ESA for your provoking statements, that is how I would qualify it, because you have presented all these studies for us to examine them.

This said, I would like to give the floor to the International Federation of Astronautics. You have the floor.

Ms. R. M. RAMIREZ DE ARELLANO (International Astronautical Federation) (*interpretation from Spanish*): Thank you very much. As always, it is a pleasure to see you.

(*Continued in English*) The International Astronautical Federation, Mr. Chairman. The Federation as an observer is pleased to greet and congratulate you on the conduction of the work carried out at this meeting.

The Federation has been in active participation in development of space law and has participated with great interest and very actively through the International Institute of Space Law, IISL, at the different meetings and symposia carried out as part of the meetings of the Legal Subcommittee. In fact, at the beginning of this meeting, a symposium entitled "Legal Aspects of Disaster Management and the Contribution of the Law of Outer Space" was carried out, sponsored by the Institute and the European Centre for Space Law, following the adjournment of the 732nd(?) meeting of the Legal Subcommittee of COPUOS.

As part of the _____(?) for the meeting through Dr. Fasan, a distinguished member of the work of the IISL, submitted the report of the activities related to space law to carry out during 2005.

Part of the public(?) engagement(?), activities performed by the Federation, involved the _____ Congresses of a _____, with the International Academy of Astronautics and the IISL, in different cities around the world.

In this regard, I was to highlight the success of the last Congress performed at Fukuoka, Japan.

Likewise, the Federation also promotes awareness of space activities through space advance(?) _____(?) now being discussed to celebrate the fiftieth anniversary of the space age, the fortieth

anniversary of the Outer Space Treaty and the fiftieth anniversary of the International Heliophysical Year.

As you are aware, our next Congress will be held in Valencia, Spain, from 26 October 2006.

I wish to comment on the topics that will be discussed within the Forty-Ninth Colloquium of the Law of Outer Space, are directly related with the words(?) developed within this Legal Subcommittee, because we had previously established the Federation seeks the same purpose and objectives than those carried out within COPUOS.

Lastly, Mr. President, the IAF is pleased to invite the members of the whole of the Legal Subcommittee to participate in the next International Astronautical Federation's Congress.

Thank you very much Mr. Chairman.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much Madam. I fully well recognize that your Congress organizes very important congresses and I would like to thank you for your contribution. So it was a pleasure to see you in attendance in these meetings. Thank you.

Are there any other delegations wishing to speak.

In that case, I believe that we have concluded our examination of item 7.

Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space (agenda item 9)

We are now going to be taking item 9, nuclear power sources.

The first speaker asking for the floor is the United States. You have the floor Sir.

Mr. M. SIMONOFF (United States of America): Mr. Chairman, good morning. First, I would like to commend the Scientific and Technical Subcommittee for its continued work on this topic. As you are aware, the Scientific and Technical Subcommittee is presently addressing a multi-year work plan to "establish the objectives, scope and attributes of an international technically-based framework of goals and recommendations for the safety of planned and currently foreseeable space nuclear power source applications".

The United States was pleased with the progress made by the Scientific and Technical Subcommittee on this topic during its most recent meeting which included the Joint Workshop with the IAEA to exchange views of standards development and to discuss design and operational considerations that are unique to space nuclear power applications.

The focus on further technical work is essential. We believe that this continued work by the Scientific and Technical Subcommittee is important to developing an international consensus on the technically-based framework for space nuclear power source applications.

We do not object to keeping a reference to this agenda item on next year's Legal Subcommittee agenda to track the work of the Scientific and Technical Subcommittee.

Thank you for your consideration of the United States' views on this agenda item, Mr. Chairman.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much representative of the United States.

Are there any other requests to speak?

This meeting really seems very calm to me.

I see that Ukraine is asking for the floor.

Mr. V. D. VOLOSHENYUK (Ukraine) (*interpretation from Russian*): Thank you very much Mr. Chairman. Ukraine has never used and in the nearest future does not intend to use any nuclear power sources in its spacecraft. However, we do recognize that in certain cases it is indeed irreplaceable, this sort of potential, especially in furthest outer space. This is why we believe that it is important for the Legal Subcommittee to look into the issue of the scope and possible review of the Principles having to do with the use of nuclear power sources in outer space.

The point, the finality of this activity should be the development of standards and norms of international law in this field. We believe that this sort of work can indeed prove successful. And to this end, we believe that two points should be emphasized.

Our delegation believes that it would be desirable to consider this issue not just within the context of the Principles themselves and their final coverage and their gradual development to the level of

norms, but that they should also have alignment ensured with the standards which have already been developed under the aegis of other international organizations which apply to the sphere of space activities.

When we refer to other organizations, what we have in mind specially is, for example, the IAEA.

Under the aegis of that Organization, there has been developed and adopted various international agreements, for example, the Convention on Operational Notification of Nuclear Accidents, the Convention on Assistance in Case of Nuclear Accident or Radiation Incident, also the Agreement on the Comprehensive Prohibition of Nuclear Testing of 1996.

Many of the norms within these international agreements are applicable to the field of space activity. In other words, they have already gone beyond the principles of international law. For example, with respect to the Convention of Operational Notification of Nuclear Accident, provides directly that radio isotopes be used to develop energy in outer space objects and this within the sphere of application of this Convention.

Apart from this, the IAEA has also already developed norms of radiation safety at present which are guidelines for States in their activities in use of nuclear energy and the determination of criteria for such safety.

For this reason, our delegation believes that it is useful to leave this issue on the agenda of the Legal Subcommittee and we believe that it would be useful to have observers from UNESCO as well.

The second point that we would like to draw attention to is that it is necessary to pay due attention to national legislation availing in the use of nuclear sources. For example, in the national legislation of Ukraine, these issues, to a certain extent, in a certain way, are regulated. For example, Ukraine's law on the use of nuclear energy and nuclear safety provides for certain conditions for the regulation of spacecraft with nuclear power sources, with ionizing radiation. The law comprises design characteristics and specifications, with operational norms for nuclear power sources carried or sources of ionizing radiation onboard spacecraft. In order to pay due attention to the prevention of possible nuclear accidents and their effect on humans, various conditions are listed.

We know that among the requirements for space activity, there are also laws in the Russian Federation having to do with the use of nuclear power and such norms are also comprised in the legislations of other countries as well.

Covering these norms could be interesting within the examination of the Subcommittee and it certainly would ensure proper coverage of the use of nuclear power sources in outer space and make such provisions international norms applicable in outer space.

Thank you very much.

The CHAIRMAN (*interpretation from Spanish*): I would like to thank the distinguished representative of Ukraine for his very interesting and complete presentation.

Would any other delegation like to take the floor on this matter?

I see none. So we will continue with this item of the agenda this afternoon and we will this afternoon conclude our examination of item 9, Nuclear Power Sources, in the afternoon.

Practice of States and international organizations in registering space objects (agenda item 11)

Distinguished delegates, I would like to begin our examination of item 9 (11?) of the agenda, Practice of States and International Organizations in Registering Space Objects.

I would like to recall that in keeping with General Assembly resolution 60/99, the Working Group under this item has been reconvened in accordance with the Work Plan adopted by the Committee at its forty-sixth session in 2003. In keeping with that Plan, the Working Group would, during the current session, identify common practices and draft recommendations for enhancing adherence to the Convention on Registration of Objects Launched Into Outer Space.

The Working Group on Item 11 will hold its first meeting this afternoon under the chairmanship of Mr. Kai-Uwe Schrogl, I do not know if I have pronounced it correctly.

I now invite delegates wishing to make statements under this agenda item to take the floor.

And the first speaker on my list is the distinguished delegate of Belgium, to whom I now give the floor.

Mr. J.-F. MAYENCE (Belgium) (*interpretation from French*): Thank you Mr. Chairman. Mr. Chairman, my delegation is taking the floor for the first time during the forty-eighth session of the Legal Subcommittee. It wishes to express its congratulations to you as Chair of the Subcommittee. We are particularly pleased that, once again, we see an internationally recognized person, both scientifically and politically, take up the chairmanship of this Subcommittee, and thus you continue to confer prestige and recognition on the quality of our work in the Subcommittee.

Mr. Chairman, the Belgian delegation followed with great interest the discussions within the Subcommittee on the practice of States and international organizations with regard to registering space objects. It brings together the work of the Subcommittee and the reality of international space activity. It makes it possible to raise issues about what is at stake in terms of both States with respect of their obligations in the context of space law treaties and the global market economy, launching of satellites or even the limiting of dangers inherited to orbital navigation.

This discussion also was very interesting in the context of Belgium's implementation of its new national space law which establishes, amongst other things, a registry for space objects at a national level. In this regard, Belgium would like to strongly reiterate its commitment to the five United Nations treaties on the use of outer space.

To this end, our participation in the reflection on this item of the agenda and in the context of the Ad Hoc Working Group, revolves around several considerations and ideas.

First, it is vital that reflection on the issue of States practices and international organizations' practices in the area of registry of space objects take into account activities undertaken by some States in the context of international organizations, especially those who have not made a statement of acceptance of the Conventions of 1972 and 1975 respectively on the responsibility, liability and registry of space objects.

Second, the problem of a lack of registry of space objects should be studied, based on the various causes which lead to non-registry, i.e. political, decree or not of non-registry, lack of agreement amongst launch States, omission, etc.

In this regard, it is fundamental to come to the treaties prescriptions and applicable instruments in the area of the following.

First axiom, the registry State must absolutely be the launch State or one of the launch States in the case of a joint launching.

Second axiom, Article VIII of the Treaty of Space of 1967 puts registry under the attributive effect of the jurisdiction of the space object and its side. The registry must be considered as the source of attachment to the space objective and the jurisdiction of the State that registers. This attributive is, indeed, *ergo(?) omnous(?)* to the extent that Article VIII provides for registry with the Secretary-General of the United Nations organizations. It should also attribute a link between the space object and the State or one of the launch States which is opposable to all.

The transfer of registry is, thus, not conceivable except amongst launch States or for the object itself. Any registry of a space object by the State other than a launch State for this object is not conceivable in the context of registry provided for under Article VIII of the Space Treaty of 1967 and the provisions of the Convention on Registry of 1975.

Third axiom, the obligation of registry provided for by the 1975 Convention is in view of the goal which is different from Article VIII of the Space Treaty. This goal must be put in relationship with the system of liability for damages, put forth by Article VII of the Space Treaty and the Convention on Liability of 1972. Basically what is at issue here is ensuring identification of space objects and providing access to the relative data, be it in the case of damage caused by them or in the context of regulating orbital traffic.

In this regard, it should be recalled here that liability of States and international organizations for damage caused by space objects when they are the launch State, stems from Article VII of the Space Treaty and in the provisions of the 1972 Convention. Registry is, in itself, not a source of liability for damage caused by the space object.

Axiom number four, the obligation of registry applies to all objects launched into outer space, without consideration of their status, the nature or the end-goal of the operation. This registry is public in nature and thus we should reflect to the various means of bringing together the provisions of the 1975 Convention with contingencies linked to activities that do not allow for dissemination of information or data regarding the

space object, its operation, its position or even its existence in orbit.

Axiom number five, registry of a space object applies, in keeping with Article I, sub-paragraph (b) of the 1975 Convention to the registry of the object and its components, both during the time of its operation and at the end of it.

Axiom six, non-registry of space objects is thus a violation or breach of international law provisions but at the time which is of concern when the objects are in orbit and become debris or the multiplication of services of launching bring about new constraints for space activities, this needs to be taken into account. Furthermore, non-registry of objects is subject to no jurisdiction or control on the part of launch States in this event.

Based on the afore-mentioned considerations and axioms, the Belgian delegation would like to propose for reflection the following ideas which would lead to maintaining this item on the agenda of the Legal Subcommittee beyond 2007.

First of all, in order to ensure better application of Article VIII of the Space Treaty and the Registry Convention, it would be useful, as proposed for that matter by other delegations, to define criteria which would make it possible to identify, if there is no agreement amongst participating States or joint launching States, which of them would be liable for registry for the payload. This liability should, in our view, come back to the State responsible for authorizing launching because it is the State that has the means of imposing conditions with regard to the prior conclusion of agreements or arrangements which provide for distribution of the debt or liability linked to the launch and the effective exercise of jurisdiction and control over the space object. These agreements are already provided for by the treaties and recommended by the resolution of the General Assembly of the United Nations with regard to launch State concepts.

The second area of thought, identification of criteria which are similar which make it possible to conclude agreements amongst States and/or amongst international organizations in the event of a transfer with regard to the ownership of a space object, its operational control or its use. These agreements should allow, without undermining the afore-mentioned principles, should make it possible to organize, above and beyond contribution to liability debt, the exercise of jurisdiction and control over the space object.

The third area of reflection, the maintenance and strengthening of the effort of taking inventory of space objects in Earth's orbit which would make it possible to compare at any moment the occupation of orbits that are being used by a given State, given the data picked up by the International Registry of Space Objects of the United Nations. This inventory would make it possible to look at all objects in orbit, which are of human origin, whether or not they are operational.

And finally, last area of thought, encouragement of publication of relative data on space objects, using the means of communication such as the Internet, in order to ensure more transparency as required by the commitment of States who explore and use outer space for the wellbeing and in the interest of all mankind, especially for developing nations.

Thank you Mr. Chairman.

The CHAIRMAN (*interpretation from Spanish*): I would like to thank the distinguished representative of Belgium for his statement. If I may, I would like to make two comments because truly your statement is full of thought. It is very interesting. There is a whole series of elements which, no doubt, will help us to reflect on this matter. Two very small comments.

I very carefully followed your speech and in one part it says that non-registry of space objects is a breach of international law. This is an issue that we should reflect upon. I think it is an interesting idea to discuss.

And finally, in the last part of your statement when you talk about encouragement of publication of relative data on space objects using modern means of communication, especially the Internet, in order to ensure that a transparency as required by States commitments, again that is a very concrete idea and I would like to thank you for that.

Now I have the pleasure of giving the floor to the distinguished representative of Canada.

Ms. A. KAPPELLA (Canada): Thank you Mr. Chairman. Mr. Chairman, this year marks the thirtieth anniversary of the entry into force of the Convention on the Registration of Objects Launched Into Outer Space. Canada has been Party to the Convention since 1976. The Canadian Register of Space Objects was created shortly after the Convention entered into force for Canada and is administered by the Canadian Space Agency.

The Register contains the following information about the space objects, paralyzed(?) but also elemented(?) in the International Space Station registered by Canada, the name of the launching State or States, an appropriate designator, the data and location of launch, orbital parameters, the general function of the object, the name of the operating entity and, where applicable, the operation and date.

This information is transmitted by Canada for inclusion in the International Registry created pursuant to the Convention.

Canada currently registers three categories of space objects: space objects launched on behalf of Canadian governmental entities; space objects launched as part of international cooperative activities carried out with foreign governmental entities or intergovernmental organizations if Canada is identified as the State responsible for registration pursuant to the agreement or arrangement governing such activities; and space objects launched by or on behalf of Canadian non-governmental entities, including private companies and universities.

Satellites in this last category are registered by Canada only if the entity applying for a licence to operate the satellites meet Canadian legislative and regulatory requirements, including the requirements for the entity to maintain effective control over the satellite and for the entity to be under Canadian ownership and control.

(Continued in French) ... been in outer space and space objects are used. States have to adapt to new realities in space, particularly by adopting legislative and administrative measures at a national level in order to monitor private activities in the space area, particularly commercial satellites in orbit. For example, in the situation of a non-governmental entity in Canada proposes that it be in a foreign orbit, non-Canadian orbit, Canada remains the State of registry. And, contrary to that, Canada considers that a foreign satellite, temporarily located in a Canadian orbital location, should remain registered in the International Registry under the name of the original State of registration. In either case, the Canadian Government reviews the commercial arrangements between the Parties to the transaction and enters into a Memorandum of Understanding with the foreign authorities concerned in order to confirm the respective responsibilities by each State in relation to licensing, coordination, notification and rights of access with the International Telecommunications Union, as well as operation and de-orbiting of the satellite.

(Continued in English) ... Canada trusts that discussions in the Working Group under this agenda item will conclude with the adoption of practical tools to assist States in streamlining the type of data provided pursuant to the Registration Convention and determining which space objects they must register, particularly for launches by or on behalf of private sector entities.

Thank you Mr. Chairman.

The CHAIRMAN *(interpretation from Spanish)*: Thank you to the distinguished representative of Canada for her very legal and complete statement.

I now have the pleasure of giving the floor to the distinguished representative of Germany.

Mr. T. PFANNE (Germany): Thank you Mr. Chairman. Germany welcomes the detailed analytical study prepared by the Secretariat. The background paper has shown the significant and growing number of non-registration cases, especially where satellites launches have been carried out by the private sector or by international satellite organizations. Registration practice requires further efforts and action to achieve the goal of the complete registration of each and every space object.

In times of growing commercial space activities, the authority of a complete United Nations register if of particular importance, considering that the registering State shall retain jurisdiction and control in accordance with Article VIII of the Outer Space Treaty.

A common understanding among States on how to interpret the Registration Convention and the related articles of the Outer Space Treaty is absolutely necessary in order to achieve homogenous and efficient registration.

The Legal Subcommittee should take the initiative to develop the criteria for homogenous registration. Two or more launching States should always be able to reach an agreement about the registration, pursuant to Article II (2) of the Registration Convention. But a back-up solution, as my predecessor speakers have pointed out, is needed, if, under particular circumstances, no such agreement can be reached.

Furthermore, a common practice would prevent cases of non-registration of space objects resulting from private-sector space activities.

Germany holds the view that all space activities should be covered by State responsibility and that, therefore, no private sector space activity separate from any government responsibility can be permitted.

Mr. Chairman, finally, Germany would like to underline its support for any approach and harmonization process designed to improve the present registration practice and trust the Working Group under the able chairmanship that we decided upon that those concrete results would be obtained.

Thank you.

The CHAIRMAN (*interpretation from Spanish*): Thank you to the distinguished representative of Germany.

Before giving the floor to the next speaker on my list, I would just like to make a request to all delegations to the extent that it is possible. I would request that you send your speeches in writing here because otherwise it is difficult for the Chair to follow everything in detail, especially since this is a rather complex issue and there are a lot of different points of view and some very legally relevant issues being raised. For example, the fact that I had the Belgian speech in writing from the very beginning, I was able to understand better what the main issues that they were highlighting because I had it in writing. So I would generally request delegations that, if possible, they send it in. Now, of course, there are some delegations that are smaller and a little bit more precarious in that regard and have to attend several meetings at the same time. I understand why it must be difficult for you but if it is possible, if you could send the speech in writing, it would help. Thank you.

I now give the floor to the distinguished representative of the United States.

Mr. M. SIMONOFF (United States of America): Thank you Mr. Chairman. My delegation is pleased again to have opportunity to address the Subcommittee on the question of the practice of States and international organizations in registering space objects under the Convention on Registration of Objects Launched into Outer Space. The Subcommittee is now in the third year of its work plan on this topic. The United States was pleased to join with other members of the Subcommittee in proposing this work plan.

In the first year of the work plan, member States and international organizations presented reports on their practice in registering space objects and submitting the required information to the United Nations Office for Outer Space Affairs for inclusion on the Register. In the second year, the Subcommittee examined those reports and agreed that the focus of attention of the Working Group for the current session of the Subcommittee could be on: harmonization practices, administrative and practical; non-registration of space objects; practice with regard to transfer of ownership of space objects in orbit; and, practice with regard to registration and non-registration of foreign space objects.

As we have stated previously, the United States believes that this Subcommittee can play a useful role in promoting adherence to the Registration Convention with respect to registration of space objects.

Since the establishment of the United Nations Register for Space Objects, activities in space have dramatically increased and changed in nature to include increasing commercial activities. With increasing commercial activity, there has also been an increasing number of commercial transactions involving transfers, between private entities, of ownership or control of space objects.

Mr. Chairman, with regard to the issues that are the focus of the Working Group's attention this year. In the first instance, we should continue to urge greater adherence to the Registration Convention. This will lead to more launching States taking steps to register government-owned and privately-owned space objects. It will also contribute to the ability of international organizations to accept the rights and obligations of the Convention as provided for in Article VII.

Regarding practical administrative measures, we would suggest that States Parties clearly identify a central point of contact for the maintenance of the registry and consider establishing on-line access to that registry. We note that the United Nations Office for Outer Space Affairs has put the entire United Nations Register on-line and we are very happy with it.

We see the non-registration of space objects to be a continuing issue. There are a number of factors that have contributed to this situation. For example, States that are not Party to the Registration Convention or international organizations that are unable to accept the provisions of the Convention have no legal

obligation to register their space objects. All Parties to the Registration Convention should ensure that space objects for which they consider themselves to be launching States are duly registered. In the United States, in recent years, NASA, in its cooperative agreements with other countries' space agencies, has included a provision stating which agency will request that its government register the space object that is the subject of that cooperative agreement.

Regarding registration of foreign space objects, the United States believes that it is appropriate for a State to include on its registry all payloads owned or controlled by the State's private or governmental entities and launched from outside that State's territory, unless otherwise agreed by the relevant States. In the United States, we have asked United States owners and operators to provide the State Department with the information need to include their payloads on the United States Registry once the payload is in orbit, regardless of the territory or facility of the launch. The Office of Space and Advanced Technology of the Department of State is their point of contact. In the case of a non-United States payload launched from United States territory or facility, the owner/operator should ensure that its payload is included on the Registry of a State Party to the Convention other than the United States or international organization that has accepted the terms of the Convention.

With regard to the transfer of space objects, I would like to address the situation in which, as the result of the transfer between private entities, through a lease arrangement, there is a change in the manner in which those entities are supervised. In the United States, the United States Federal Communications Commission has authorized several such transfers in recent years. The FCC's practice is to consult informally with the relevant agency of the "receiving" State, in order to develop a common understanding concerning the supervision of the private entities involved in the transaction. The consultations address responsibility for licensing and coordination under the ITU's Radio Regulations. The consultations also address whether the satellite will, to the greatest extent possible, maintain the capability to be properly removed from orbit at its end of life. This understanding is then memorialized in a non-binding exchange of letters. Because such transfers do not change the "launching State" of the space object, they do not result in changes to the United States Registry of Space Objects.

Thank you, Mr. Chairman, for the opportunity to share these views.

The CHAIRMAN (*interpretation from Spanish*): Thank you to the distinguished representative of the United States.

I would like to make two brief comments on your contribution. And, generally speaking, I would like to say that all the contributions that have been heard this morning have been extremely useful and very thought-provoking. And I also would like to say that the Working Group that my friend Kai-Uwe, I cannot say his last name, I cannot pronounce it correctly, and he will have reinforcements as well, I think he knows what I mean by that, and I think that is a good thing. But coming back to my original comment, all of these contributions, including that of the United States, have very constructive ideas to put on the table and help focus on our reflections. Some I have been able to follow more carefully because I had them in writing before me. For example, the statement of the United States in particular is important in that it establishes not only government space objects but distinguishes them from private ones and says that they have to be registered. And this is in keeping with the situation which is pretty widespread with globalization and commercialization without making any value judgments on this. It is just a statement of fact. It is better to have everything, all space objects registered.

And secondly, the concern that the United States delegation expressed about the almost ongoing of non-registry and that this needs to be changed.

So those are the two comments, very general comments I had. I just wanted to highlight those two ideas and I want to thank the delegation of the United States for their contribution.

With that then, I do not know if anyone else has any comments on this item of the agenda.

I see no one wishing to take the floor.

Therefore, the session will be adjourned shortly so that the Working Group on Item 8 can continue with its work and have its first session, its reinforced session. But before proceeding to that, I would like to inform delegates of our programme of work this afternoon.

We will meet punctually at 3.00 p.m. as we did today, punctually at 10.00 a.m. this morning. It is not that early either. So we will continue and conclude item 9 of the agenda, Proposals to the Committee on the Peaceful Uses of Outer Space for New Items to be Considered by the Legal Subcommittee at its Forty-Sixth Session.

We will continue examination of item 11 which has started very auspiciously this morning and that is Practice of States and International Organizations in Registering Space Objects.

And if we have time, we will begin examination of item 12, Proposals of New Topics to the Subcommittee. This is also a very important item and hopefully delegations have brought some ideas for this so that we can continue with the mandate which, of course, is also in pursuance of the resolution of the General Assembly.

The Working Group on this, that is item 11, will have its first session under the chairmanship of Mr. Kai-Uwe Schrogl. I would ask my colleagues of Germany to help me. Is that correct? More or less, OK, but you understood. Thank you.

And, if necessary, the Working Group on Item 8 would have its fifth session under the chairmanship of Mr. Monserrat Filho of Brazil.

Any questions? For answers, you need questions. No questions?

This session is adjourned.

Excuse me, I am sorry. Fortunately I have a spectacular secretary who fills all my intellectual gaps. The European Space Agency will have a briefing at 2.00 p.m. in Room C-0713.

This session is adjourned.

The meeting adjourned at 11.06 a.m.