

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

Unedited transcript

754th Meeting

Thursday, 29 March 2007, 10 a.m.

Vienna

Chairman: Mr. R. González (Chile)

The meeting was called to order at 10.08 a.m.

The CHAIRMAN (*interpretation from Spanish*): Good morning, distinguished delegates. I declare open the 754th meeting of the Legal Subcommittee. This morning we will continue and hopefully suspend, our consideration of agenda item 4, status and application of the five United Nations treaties on outer space and we should be as effective as possible. We will also continue our consideration of agenda item 5, this is a very interesting subject and we have a representative of the International Intellectual Property Organization, who will make a presentation on the subject. We will also talk about the definition and delimitation of outer space. My friend, Professor José Monserrat Filho, will then chair the first meeting of the Working Group on the Definition and Delimitation of Outer Space. Also, I would like to inform delegates, that you should have received, yesterday, Conference Room Paper 2, provisional list of participants, if you have any comments or corrections, please submit them to the Secretariat, by Monday, next week, 2 April at the latest. Thus, I would like to continue and hopefully suspend our consideration of agenda item 4 and I would like to especially welcome my great friend, accomplished diplomat, who has chaired with great success, the group on the use of the geostationary orbit, His Excellency, Ambassador Eugenio Maria Curia, of Argentina, with great pleasure, I give you the floor.

Mr. E. CURIA (Argentina) (*interpretation from Spanish*): Thank you very much, Mr. Chairman, it is a great pleasure for me as well. I have no doubt, that with your skilful leadership, we are going to be very successful in our work within the framework of this

Legal Subcommittee. This is the first time that I am sitting here again, it has been a number of years that I have sat behind a sign showing the name of my country, Argentina, but to be back here, is a real pleasure and inspiration. I would like to welcome and commend, the great efficiency of the Office led by Dr. Camacho, pay tribute to the Office for having prepared these extremely useful and important documents.

Argentina has, within the framework of the Subcommittee, tried to give a further impetus to the elaboration of a legal regime governing the use of outer space and its revision, through the universal acceptance of the norms and standards of the five United Nations treaties on outer space. Very briefly, I would like to develop this concept. Identifying the need to develop new aspects of outer space law, is something that should be done through the development of additional, new instruments, without undermining or modifying the fundamental principles enshrined in the existing treaties, already in force. Any other alternative way to consolidate the universality of outer space law, such as, for example, through a single convention, would mean embarking on an enormous project to re-elaborate the entire body of legal norms, which would also create the risk of setting real obstacles to acceptance by the international community, of those treaties and instruments that already exist. This process of achieving universality would then be lost in the mist of time. The existing treaties, therefore, should not be undermined, this is not to say that we should impinge, in any way, on the intent of the Subcommittee to move along that road.

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.



We are convinced, that my delegation has a major contribution to make in this forum, working toward universal acceptance of the five international legal instruments governing outer space activities, should remain our first and foremost priority. We should focus on that before we make any steps toward creating a single comprehensive instrument to supplant them, so truly universal acceptance is a priority.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much, distinguished Ambassador of Argentina. I also commend you on the choice of your tie. We have to relax and use humour, otherwise, we will not survive until the end of the week.

First of all, I am going to ask, if any other delegation wishes to speak and comment on the statement made by the distinguished Ambassador of Argentina? I think it was a very useful and important statement. Contrary to what some countries have said in the past and, while agreeing with the importance of universality of the application of outer space treaties, our priorities should be to strengthen what already exists, what is already in force, strengthen and consolidate, rather than replace or supplant. This is an important principle and a very good approach towards promoting the universality of outer space law. We still have a way to go until we can claim truly universal application of these laws, it is an important thought and I would really appreciate comments on the subject. No delegation wants to speak? In that case, we are going to suspend our discussion of this agenda item. As usual, the Secretariat, my friend Director Camacho, is making very important and valuable comments. We would not be where we are today without their competence and their invaluable assistance. What I need to do now is ask if anyone wishes to speak on agenda item 5? Activities of international intergovernmental and non-governmental organizations relating to space law. Any requests for the floor? I see none. In that case we are moving on to agenda item 6, the definition and delimitation of outer space. Here again, I have the pleasure of calling on the distinguished representative of Argentina.

Mr. E. CURIA (Argentina) (*interpretation from Spanish*): On agenda item 6, I am going to be very brief. I am going to restate Argentina's position as it was already stated in previous sessions of this Subcommittee. With regard to the definition and delimitation of outer space, Argentina believes that, it is necessary to seek consensus among States, in terms of delimiting outer space as distinct from air space and set up a special legal regime to govern activities in outer space. An increase in the volume of outer space

activities, going hand in hand with technological progress, clearly shows that it is appropriate and necessary to define the boundary between air space and outer space. This delimitation should be based on a consensus of the States, as well as, the scientific and technological community and it would have a specific impact on space activities by space-faring nations. Once again, it will have a specific impact or specific consequences for the sovereignty of States, because of that, Argentina believes that this item should be kept on the agenda of the Legal Subcommittee.

On subitem (b) of this agenda item, the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union. We would like to reaffirm that, it is necessary to take into account the interests of developing countries. In this context, I would like to emphasize the importance of the role of the International Telecommunication Union, with regard to all activities linked to the geostationary orbit, as well as, its role in establishing rules for coordinating the activities of countries that envisage including satellites in the geostationary orbit. Without prejudice to the role of ITU, I would like to say, yet again, that competent bodies should consider political and legal aspects of the use of geostationary orbit and these bodies are COPUOS and this Legal Subcommittee of COPUOS and, if we all act reasonably, we will make headway.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much, Argentina. I think we are all reasonable, this is not under discussion. This Subcommittee has been very productive and we obviously keep abreast of what is happening in the other committees and bodies. We also ask interpreters to be as precise and as accurate as possible, to avoid any misunderstanding. Now, I would like to give the floor to the representative of the United States.

Mr. M. SIMONOFF (United States of America): Thank you for affording me this chance to present the United States' views on matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union. I would like to begin by commenting on the first part of the agenda item, concerning matters relating to the definition and delimitation of outer space. As we have stated on previous occasions, the United States is of the view that, there is no need to seek a legal definition or

delimitation of outer space. The current framework has presented no practical difficulties and, indeed, activities in outer space are flourishing. Given this situation, an attempt to define or delimit outer space would be an unnecessary, theoretical exercise, that could potentially complicate existing activities and that might not be able to anticipate continuing technological developments. The current framework has served us well and we should continue to operate under the current framework until there is a demonstrated need and a practical basis for developing a definition or delimitation. This Subcommittee can operate most effectively and make its most significant contributions when it focuses its attention on practical problems, which are not apparent here, in the view of the United States.

With respect to the geostationary orbit or GSO, I would like to state my government's continuing commitment to equitable access to the GSO by all States, including satisfaction of the requirements of developing countries for GSO use and satellite telecommunications, generally. From the legal point of view, it is clear, that the GSO is part of outer space and its use is governed by the 1967 Outer Space Treaty as well as the ITU treaties. As set forth in article 1 of the Outer Space Treaty, outer space shall be free for exploration and use by all States, without discrimination of any kind, on a basis of equality and in accordance with international law. Article 2 of this Treaty, further states that, outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means. These articles make clear, that a Party to the Outer Space Treaty, cannot appropriate a position in outer space, such as, an orbital location in the GSO, either by claim of sovereignty or by means of use or even repeated use of such a position.

As I have previously stated, the United States is committed to equitable access to the geostationary orbit and takes numerous actions to further the use of the geostationary orbit and other uniquely situated orbits for all, this includes, pre-provision of GPS system, pre-provision of a variety of weather and warning data from its meteorological satellites, information from the National Oceanic and Atmospheric Administration's polar meteorological satellites, data from the geostationary operational environmental satellites, including information about hurricanes, volcanic eruptions, effluent flooding, droughts and related environmental matters and storm-tracking data and, in cooperation with Russia, France and Canada, the International Satellite-Aided Search and Rescue Programme, known as Cospos-Sarsat, to provide means for ships, aircraft and others in distress

signal that need help for their locations, that is just a partial list. We appreciate your consideration of our views on this important agenda item.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of the United States for his statement. I would like to make two comments which, in my judgement, are sufficiently well known but I would like to repeat them.

The first, is a point made by the United States delegate, referring to the orbit and the requirements of the developing countries for GSO use and satellite telecommunications, generally, that is an interesting contribution but I see a clear trend for all countries, especially developing countries, to have equitable access to the orbit. I am just reading a part of your speech but we have to take these things into account, because sometimes they get overlooked and very important for a consensus.

The second, is purely procedural but it has an impact for substance. It is unacceptable for a representative of ITU not to be present at this meeting, we are dealing with an issue which is related to ITU, the title even refers to ITU but, ITU is not here. How can we deal with the technical aspects, to then move on to the legal aspects, if we do not have the technical agency which is the most expert in this field? I have asked the Secretariat to do a lot of things and I do apologize, but once again, I would like to ask them to ensure, that whenever we deal with the geostationary orbit, ITU needs to be present. It cannot be, that they do not have the budget to attend such meetings, they have cheap flights at the end of the week, between Geneva and Vienna and they can cost about \$50, with the discounts which are available. They are not the most expensive of flights but I really think it is unacceptable, on an issue with ITU, they should provide us with the reference framework of a scientific and technical nature, in order to define whether it is necessary to reach some sort of agreement on laws or rules in the field. It is unacceptable, for us to be placed in a situation which, conceptually, is all wrong. I now give the floor to the distinguished representative of Brazil. Is it on the orbit issue?

Ms. C. RIBEIRO MOURA (Brazil): I would just make some brief comments on item 6(a) and (b). On item 6(a), Brazil attributes great importance to the definition and delimitation of space, so much so, that Professor Monserrat Filho is chairing this Working Group.

On item 6(b), we totally support the position just expressed by the Argentinian delegation and also the United States spoke about that, about the rational and equitable use of the geostationary orbit, by all countries without prejudice. Yesterday and the day before, we also referred to that, we also support the point of view that, the 1967 Treaty and also the ITU Treaty are the legal framework for this matter.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Brazil for your contribution. I now give the floor to the distinguished representative of Colombia.

Mr. A. REY-CÓRDOBA (Colombia) (*interpretation from Spanish*): I am going to be very brief with my statement because you have just clarified that the representative of ITU, the International Telecommunication Union, is not actually present at this meeting. I was going to ask a question of that observer to COPUOS but I cannot ask that question because I will not have an answer. I would just like to make a comment with respect to procedure on this specific issue with the input from the Secretariat.

Firstly, I would like to refer to the geostationary orbit and we assert the position of Colombia on this issue, in the terms of the agreement reached in 2001, for which we have not changed a single comma, or full stop, or word, because there was no need to. What was agreed at that time, in that document, was the fruit of 25 years of endeavour, which we all recall as being hard, arduous, vexed discussions, in difficult situations, difficult disputes but, it culminated in an agreement which I think is a good one but it was a negotiation and, like any negotiation, it tends to involve an equitable distribution of frustration amongst the various delegations. We certainly have that feeling and I am sure other delegations did too. I do endorse what you said and the Chair was quite right to emphasize what the United States said, in emphasizing the aspects pertaining to the developing countries because these are some of the elements which are in the document, which we negotiated and which we agreed to and which was sponsored by the European Union and co-sponsored by Colombia. I am delighted to hear the United States referring to these aspects and to seeing them reaffirmed at this time.

Furthermore, I would like to emphasize another matter. _____ (*inaudible*) of this document on the agreement on the orbit referring to certain aspects of the use of the geostationary orbit, adopted by the Legal Subcommittee and, subsequently, adopted by COPUOS and then the General Assembly, in the last

sentence, it says, that this document was made known to the International Telecommunication Union. That point was not thrown in, just for the sake of it, it was not an accident, it did not just turn up there or was not just plucked from the air, on the contrary, it was a point on which all the negotiators insisted, when I say all the negotiators, I remember very clearly and you will too, Mr. Chairman, the day when this document was put forward by the European Union and we co-sponsored it, with the help of some other delegations and ultimately, we have reached this agreement and it said, very specifically, that this document was made known to ITU. Why? Well, so that the Secretary-General of ITU might do something about it, not just so that it would be included in a report, it was made crystal clear at that time, and all of those who participated in these negotiations knew it, it was made specifically clear, including this reference, was to ensure that the principles, let us say the outlines of principles, for the legal approach to the geostationary orbit, in this document should actually be analysed in ITU, so that they should be discussed, debated in ITU. I am not suggesting how the discussions should have gone in ITU and what the final decision or resolution of that organization would be, I am not trying to read their thoughts but it should be the output of discussions within that organization, ITU. In some of the talks that I have had informally with ITU, I have been told that nobody had ever referred a document to them, but what sort of argument is that from ITU, when it is the United Nations General Assembly, no less, which adopted this document and which said, that the issues should be studied and analysed not just in general terms but also with respect to the beginnings of principles or the beginnings of standards which were enshrined in the body of the document. In other words, ITU cannot argue that under a, b, c or d they did not receive a specific document on such principles. It was, indeed, the United Nations General Assembly, and it was indeed, COPUOS, which put forward this request as it says in (d) of this document. In paragraphs 6, 7 and 8 of this document, this is document 738 of that period and it is worth recalling this document, there is a proposal which was negotiated upon, it was thrashed out by negotiations and agreed by consensus in this Subcommittee and subsequently in COPUOS itself. I would earnestly, beseech the Chair to make some sort of overture, some sort of steps, to ensure, that ITU takes up these principles, analyses them, studies them and tells us what the upshot is because this was a request from all the member States of the United Nations. I would like to ask you, ultimately Mr. Chairman, to do this, to make this step through the OOSA. This request to ITU would come through the Office for Outer Space Affairs and let us not have ITU putting forward this specious argument that they never

have received a request for such documents, under 6, 7 and 8, we see the development of the first stabs at principles, which could then be discussed over there in Geneva. I would like to make this formal proposal, Mr. Chairman, and I hope the Subcommittee will endorse it because it is merely conveying what was clearly stated by the Legal Subcommittee when it reached an agreement on the orbit, in this document 738, particularly paragraph (d) of paragraph 8.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Colombia for his statement. Just one question, which we should additionally consider. It is clear that there is a substantive point from the document you have mentioned, which I am going to repeat. I am concerned, for example, that the Scientific and Technical Subcommittee, we had the benefit of an ITU representative for the report but he made a statement, which had nothing to do with the report and then went away, but it is crystal clear that ITU needs to give us the necessary enlightenment on the issues which we discuss. I would try, with your permission, and I do apologize to the distinguished representative of Cuba, who is the next speaker on the list. Could you just give me a second? I would ask the distinguished representative of Colombia to allow us to develop, what is an incipient consensus now, which was impossible to imagine a few years ago but we have had a fine contribution from Brazil and other delegations. On that basis, I can see a shaft of light at the end of the tunnel but I do not want us to get stuck in that tunnel, let us try to focus on this for the time being and let us hope we can continue making progress. Now I give the floor to the distinguished representative of Cuba. Please go ahead Colombia.

Mr. A. REY-CÓRDOBA (Colombia) (*interpretation from Spanish*): I do not know if I expressed myself not very clearly, whether I was misunderstood on this point but I want to make clear one or two things. Firstly, Colombia accepts, in its entirety, without taking out a single comma or full stop, the document which was negotiated in the Committee, in the Subcommittee first of all, on the geostationary orbit, totally in agreement, I am not proposing any amendment whatsoever, quite the contrary, I re-endorse the document and I make that publicly clear, so that it is recorded, so you should not have the slightest fear that this issue is going to be reopened. It is certainly not our intention, in the Working Group or anywhere else, so rest assured, that it is not going to happen and I restate that position but I drew your attention to a document, which you may not have at your disposal, perhaps it would be a good idea to try to distribute it, so that we can recall it because it

was produced quite a while ago. If you read the document, you will see that there are a number of elements which were negotiated as a basis, for unanimous agreement, a consensus on this document, so unless anybody at this point has changed his opinion on this document, then we would reaffirm it as it was adopted by the United Nations. I do well remember the negotiations and the ITU reference was included for a good reason because some were saying the geostationary orbit was purely the purview of ITU, others saying no, it had something to do with COPUOS too. The compromise which was reached on this agreement was precisely to ensure, that this document should indicate that there were some attempts to develop principles and they would then be submitted to ITU, so that ITU would study the issue and then analyse it so that then we could compare the two positions. Those who felt that COPUOS was exclusively relevant to this issue and others saying it was ITU. It would be worthwhile, Mr. Chairman, to redistribute this document just so that everybody knows what the point is that I am trying to make. I am not going to fatigue you by reading out the paragraphs of this document, they caused enough fatigue at the time of the negotiation. Rest assured, there is no tunnel, the tunnel was drilled and it is working very well but I am simply talking about implementation of a document which was already negotiated.

The CHAIRMAN (*interpretation from Spanish*): I certainly have no concern, fear or anything, quite the contrary. You are doing us a favour by not insisting on this point. I do not have the document to hand but if I recall correctly and the colleagues who negotiated on these issues, many years ago, José _____ (*inaudible*) was negotiating this in New York with the distinguished delegate of Colombia and they all agreed on including some wording which would not be detrimental to the views which might be expressed by ITU. I reassert what you are saying, it is crucial to have the view of ITU on this matter. It is not that I am taking pleasure in trying to contradict you on this, I am just trying to ensure that the debate has some meaning. I do not know if it was my father, or my grandfather who said that, you have to see things through until the end, that is indeed the case now. I do not have the document from 2001 to hand but good note will be taken of it in due course and then we can make some progress on this. I now give the floor to the distinguished representative of Cuba and I do apologize for my protracted statement but I think it is in the interests of the meeting. Please go ahead and make your statement.

Mr. D. CODORNIU-PUJALS (Cuba) (*interpretation from Spanish*): It has been a pleasure to listen to the statements of such experienced people as yourself, Mr. Chairman, and the distinguished representative of Colombia, who always contribute so much and so many new elements. I will be very brief, I would just like to repeat the position on these two issues expressed by my delegation yesterday in a statement we made in the exchange of views, with respect to the delimitation of outer space. We wish to emphasize, that lack of a definition or delimitation of outer space is creating legal uncertainty, which hampers applicability of space law and it is a source of disputes between States, therefore, it is necessary to clarify issues pertaining to national sovereignty with respect to the delimitation of air space and outer space. For that reason, we feel that this issue is a matter of great importance, which is being duly discussed in this Subcommittee and we would certainly like to see the working group, designated for this purpose, taking it up.

As regards the geostationary orbit, again I would like to repeat the importance my delegation attaches to this issue and, we agree with the view which was expressed previously, with respect to the importance of the presence of ITU at our discussions. We, too, bore witness to the presentation made by the delegation of Colombia in the Subcommittee with respect to having an important tool to evaluate the orbit. We also saw how the situation emerged with the delegate of ITU at the time and the measures which you are proposing, and other delegations are proposing, in order to ensure that there is some interaction between COPUOS and ITU to resolve this issue, once and for all, would certainly be supported by my delegation.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Cuba. Perhaps I can make a comment at this stage. I am just looking at the list of participants, a list of delegations, the delegation of Cuba has one delegate, who has always been present and there are some 15 and 50 delegates from other countries and we are especially grateful to see you present at this meeting. I now give the floor to the distinguished representative of Ecuador.

Ms. R. VÁSQUEZ DE MESSMER (Ecuador) (*interpretation from Spanish*): With your permission, my delegation would like to reiterate its position of principle in defence of legal equality of States in the Charter of the United Nations. Ecuador considers that the law is one of the few means which developing States have and, it is for this essential reason, that we

advocate the establishment of international space law, which duly takes account of the crying needs of the countries which have not yet achieved, or had access to, the benefits of the use of space technology for peaceful purposes. Ecuador has been a member of COPUOS for some 40 years, with the purpose of supporting the creation of a legal international framework, which takes into account the legitimate rights and interests of developing States in an equitable context. Ecuador is a developing country, these considerations prompted it, back in the 1970s, jointly with other countries with similar characteristics, to contribute to the history of international law for space with various legal theories, such as, genuine access to the geostationary orbit on an equitable basis for the developing States and with a specific geographical position.

My delegation felt it was necessary to highlight these issues, in order to draw the attention of the international community to the fact that, Ecuador's position has been to ensure that it is properly understood, so that it leads to wide ranging thinking about the importance of the geostationary orbit as a matter of national interest enshrined in our political constitution. I want to recall that the principles of the 1967 Treaty, point out that, the activities in space must be pursued to the benefit of States and they should be consistent with the level of development and established principles for non-appropriation, international cooperation, access to scientific data, non-pollution, international liability, amongst others. However, since the 1950s, when human beings began carrying out space activities, everything seems to indicate that there was no intention to ensure that humanity benefits directly purely from investigation, exploration of outer space. Since these activities are being carried out by private individuals and firms, on behalf of a State or group of States, which do not lead to the collective interest. We should therefore stress, that these technological advances have not been transformed into improvements or prosperity for developing countries. In this context, it would be desirable to find appropriate mechanisms which would strike a balance between the interests of States exploring space and the benefits which that exploration should generate for humanity in general. Among other things, it is necessary for there to be a legal regulation which would guarantee equitable access to the resources of outer space, since some space activities are in effect, a form of appropriation, the ethical dimension is reduced to the background.

International law for space, unfortunately, is not proceeding at the same pace as science and technology, however, it is a dynamic right which

should ensure that developing countries may reach the same state as countries which are at a higher level of development. Outer space should be deemed to be a common good, this reality should not be boiled down to merely stating what must be done or what should be done but rather it should be a movement towards genuine achievements at this time. We are seeing an era of commercialization of space, which in no way whatsoever should be detrimental to this humanistic principle of equity.

What has been stated by my delegation prompts us to think that the working group on definition and delimitation of outer space is essential for it to continue its proceedings. My country has called for a single legal regime for the navigation of space objects and has felt that, there is a legal vacuum, both in space law and in aeronautical law, caused by this lack of delimitation of outer space. Therefore, Ecuador would encourage a continuation of consideration of this subitem.

In the past, in the Subcommittee on legal matters, several countries have stated that the geostationary orbit is part and parcel of outer space. This interesting position prompts us to wonder, what is outer space actually part of, what are its limits, which parts of space should be demarcated. These thoughts and queries, which have not been satisfied, prompt my delegation to state, that the issue of the geostationary orbit must be tackled by a special legal regime since it is a *sui generis* natural resource, access to which and use of which, should be equitable and a matter of priority, especially for the developing States, who are in a specific geographical situation and who wish to use outer space for matters of common interest. In the year 2000, during the 39th session of the Legal Subcommittee, the work carried out culminated in a thematic separation between the definition and delimitation of outer space and the geostationary orbit. It was also agreed that, just for the first item, the working group would be convened, consequently, this thematic division did not mean that the issue of the geostationary orbit had lost any importance, on the contrary, Ecuador feels that it was given the pride of place as should, indeed, have been the case. One of the most important aspects of that session was the strengthening of the relationship among the functions of COPUOS and ITU, the International Telecommunication Union, which in keeping with number 44 of the Convention of ITU, which was reworded in Minneapolis in 1998 and which is specifically related to the use of the geostationary orbit for developing countries with a specific geographical position. This factual exercise, ultimately led in law, to prompt Ecuador to recognize the competence of

COPUOS and this Subcommittee for considering the legal and political aspects of this issue. Owing to this natural link, the debates on the definition and delimitation of outer space have an impact on the geostationary orbit, whose special legal treatment, I reiterate, is a matter of priority.

Ecuador has carefully analysed the study carried out by OOSA and the Government of Colombia, to produce a thorough going analysis of the real use of the geostationary orbit and the conclusions of that initiative show clearly, that 97 per cent of the satellites occupying this natural good belonged to the industrialized countries. The use of the orbit has historically been heterogeneous, the presence of developing States is very limited in that orbit and that of countries with a specific geographical position is quite simply, non-existent. We should also add to this, the information available to my Foreign Office, that there is a real risk of saturation of this orbit. This situation demands, perforce, that the interested concerns of States of a social, political and legal nature be properly addressed, in order to avoid discriminatory practices, ones which only safeguard the interests of the technologically advanced countries. We would also like to record what is stated in the Millennium Declaration, as well as the Millennium Development Goals. For all of these reasons it is clear that legal regulation by the United Nations must secure, for the developing countries, with a specific geographical situation, their presence with a voice and a vote in the processes of negotiation to reconcile all the full positions, especially in those cases which interest them and affect them. We need a number of orbital positions for the time when we have the capacity to launch our own satellites.

To conclude, my delegation reiterates the importance of the geostationary orbit issue continuing to be debated in a broad forum, since it is so important to countries, such as Ecuador, with a view to finding points of consensus, which would meet the *sui generis* characteristics of this limited natural resource. In this regard, my delegation urges the International Telecommunication Union, to be more enthusiastic in its participation in COPUOS and the subsidiary bodies of it. Thank you and I apologize for speaking at such length.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Ecuador for your substantive contribution to this issue and I now give the floor to the distinguished representative of Italy.

Mr. S. MARCHISIO (Italy) (*interpretation from French*): I would like to, on behalf of the Italian delegation, bring us back to the document that was mentioned by the distinguished representative of Colombia, a few minutes ago, A/AC.105/738. This is not just a document but an expression of consensus that was reached among members of the Subcommittee, the Committee and the United Nations General Assembly because it was approved by a resolution of the General Assembly. Thus, we can consider this document to be more than just a document, even though it is called, document approved by the Legal Subcommittee, in its initial incarnation. It was the result of long negotiations here, within the framework of this Subcommittee and it contains the principles which serve as the basis for members of COPUOS, in terms of their consensus with regard to the legal regime governing the geostationary orbit. I would like to emphasize the fact that, the principles referred to in this document, are documents that are totally in line with other outer space treaties and the ITU rules. There is nothing there that is at variance of the principal documents that are in force and applied to the geostationary orbit. The Italian delegation therefore, was somewhat surprised by the fact that, here within this Subcommittee, it was somewhat underestimated, as something not important. Therefore, we would like to ask, and it is a formal request that we are making, that this document, especially as a resolution of the United Nations, I cannot cite the actual number of the General Assembly resolution, I do not have it here, but we propose that this document be inserted in the United Nations brochure entitled, United Nations Treaties and Principles on Outer Space. This publication contains, in its third part, at the moment, resolution 1721, on international cooperation in the peaceful use of outer space and part of that resolution refers to registration and objects launched by States into outer space, something that is used by countries, including countries that have not yet ratified the Registration Convention. It also contains a resolution on the concept of the launching State.

Delegations rotate their members, sometimes there is a lack of historical knowledge of the background, the past work of the Subcommittee, so it would be a good thing, if this part 3 also contained the resolution to which I referred. It should be mentioned also in the results of the work of the Subcommittee, which will be submitted to UNISPACE III. We have indicated, that document of which I spoke, as one of the principal results in that context, I am not going into the matter of the legal ambit or the legal purview of this document, however, I reiterate, it would be very useful to have this document among the documents adopted by the Legal Subcommittee, otherwise

sometimes we do not know to which a reference is made.

The CHAIRMAN (*interpretation from Spanish*): Thank you very much, distinguished representative of Italy, for your very important contribution. It does seem to me remarkable that it has dropped out, as it were, I think the statement you made is extremely important, very good suggestion. It is very important and useful to make sure that all of us are aware of the relevant documents so that we can have an informed discussion, which is the role of the Subcommittee. My friend from Colombia put me in a somewhat difficult situation because I do not have the document here before me. We have spoken about the resolution on the launching State, the resolution on international cooperation including reference to registration, but we do need a full updated catalogue of all documents, that can be cited in the course of this important discussion. I would also like to refer to the important contribution made by the delegation of Ecuador, next time the geostationary orbit is discussed as an agenda item, I do not know when that is going to happen, next year I believe, we should take up the excellent suggestion made by Ecuador. Ecuador has made a very valuable observation here and it would be important to make sure that, in legal terms, we are very clear and accurate in expressing delegations' views on the matter of the geostationary orbit, specifically the reference to countries with a particular geographical situation. It would be a good thing to undertake a study of the matter to help all of us understand the positions of countries, of course, maybe some of the positions will change, we never know, but it would be important to have all of this stated very clearly and from the legal point of view, very precisely and unambiguously. We also need to know exactly the legal status of the various documents that we make reference to. We could, perhaps, first prepare a conference room paper, we cannot go into that at this current session, that was not envisaged, but the statement made by Ecuador was very clear and very precise and gives us good food for thought. It is something that definitely deserves a follow-up. I now call upon the representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic): I would like to associate our delegation to the suggestion made by our distinguished colleague from Italy. It would be a very useful idea that could be implemented in a relatively easy way. I use this opportunity for another reminder of earlier discussions on the topic that was developed, not only in this particular Subcommittee but also in the Scientific and Technical Subcommittee. Our delegation has always held the view that the area of the geostationary orbit must be considered as an integral

part of outer space and that its use was governed by the provisions of the United Nations treaties on outer space and the regulations of ITU. It is particularly relevant, the principle too, of the 1967 Outer Space Treaty on non-appropriation of outer space by claims of sovereignty and by any other means. May I recall, in this context, that it was the delegation of the Czech Republic which initiated, in 2002, the adoption of the formula in the Scientific and Technical Subcommittee, that was later on endorsed by consensus in the Main Committee and, according to this formula, the geostationary orbit, characterized by its special properties, is part of outer space. It is a brief, very concise formula but a very clear formula, nothing is said here about countries of special geographical position. This formula or this idea has been discussed and is included in some documents of ITU but not in the Outer Space Treaty and not in this formula that was adopted by the Scientific and Technical Subcommittee and endorsed by the Committee. It is only that the geostationary orbit, is characterized by its special properties, it is something else, I emphasize it and I believe that we should also stick to this formula in our further discussion on this important subject.

The CHAIRMAN (*interpretation from Spanish*): Thank you distinguished representative of the Czech Republic. I now call upon the distinguished representative of Egypt.

Mr. M. MAHMOUD (Egypt) (*interpretation from Arabic*): As regards agenda item 6, namely, the definition and delimitation of outer space, we believe that it would be very important to develop such a definition and set the boundaries that separate air space and outer space because the characteristics of each of these two types of space are different. Outer space law is based on the principle of the free use of outer space, non-appropriation of this space.

[*statement interrupted after technical problems reported with the interpretation into Spanish*]

With regard to the definition and delimitation of outer space, we believe it is absolutely essential to establish such a definition and to set the boundaries that separate the two types of space, air space and outer space, each of which has its own specific characteristics inherent therein. International space law is based on the free use of outer space, non-appropriation by nation States, no sovereignty of the space that should be used exclusively peaceful purposes and it is almost the opposite, as far as air space is concerned, where everything is based on national sovereignty. The definition and delimitation of outer space is indispensable if we are to have precise

knowledge of the terms governing this free use of outer space and points where national sovereignty comes into play. This delimitation is essential for practical use of outer space. The Egyptian delegation has considered this question and some people have mentioned that there is no problem there, at the moment, we wonder about that. This is a legal problem and it behoves this Legal Subcommittee to search for a solution to the existing issues in this regard, taking into account, the technological and scientific progress. We believe that the matter of the delimitation of outer space is essential if we are to guarantee effective application of international legal instruments pertaining to outer space activities. We ask those countries that have not yet acceded to these instruments, to take a commitment to apply legal rules contained therein and, maybe, it is the scope of applications which is not quite clear to some States, maybe that is the heart of the problem, maybe that is why they have not yet acceded to these instruments.

How long is this item going to stay on the agenda of the Subcommittee, Mr. Chairman?

Also, we wonder as to the duration of the time of which the Legal Subcommittee has made no specific contribution in that regard, we think that, we need to contribute here, it is our place and our function to do that and the definition and delimitation of outer space is an essential matter that can be fully inscribed within the framework of the mandate of this Subcommittee, as to the geostationary orbit. We all know that it is a limited natural resource, and it is part of outer space and as such, we must guarantee fair and equitable access for States to this natural resource.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Egypt and I can tell you that this issue has been discussed for a great deal of time. There was an agreement, a long time ago, when the delegation of the Soviet Union at that time, put forward a proposal on this question of defining outer space and delimiting outer space, 100 kilometres being the figure used. I would like to give the floor to the distinguished representative of Chile.

Mr. J. LAFOURCADE-RAMÍREZ (Chile) (*interpretation from Spanish*): Very briefly, I would like to submit Chile's position with a view to supporting the proposal recently made by the distinguished delegate of Italy, to incorporate the document referred to also by the delegate of Colombia on the geostationary orbit, as well as, other documents which would facilitate the debate and also provide some institutional memory or historical memory for

those of us who are not familiar with the background of the work of the Legal Subcommittee.

The CHAIRMAN (*interpretation from Spanish*): I wanted to make a proposal which I think is perfectly logical and that is, that in the addendum produced by OOSA, we should incorporate the document which was rightly and sensibly drawn to our attention by the distinguished representative of Colombia, plus the documents which most rationally was suggested by the distinguished delegate of Italy, even though some people question whether there is any rationality in this Committee, I am sure there is. If you would agree we could follow that procedure.

It is so decided.

Let us conclude our consideration of this item. The distinguished representative of Colombia and then I would ask us to be able to conclude. We do have a problem of time and I have to convene the working group and give it a chance to get going, sometime during the morning but I can assure you that on Good Friday or on Saturday of the Easter festival, the delegation of Colombia is going to be using that holiday time to study these issues instead of having a holiday. So please, I would ask you to keep this brief. Distinguished representative of Colombia.

Mr. A. REY-CÓRDOBA (Colombia) (*interpretation from Spanish*): I do not want to speak at undue length because I do want to help you and facilitate the work of this Subcommittee. Firstly, I wanted to indeed support what was stated by the distinguished delegate of Italy, not least because in the latest publication produced, on page 3, there are other related resolutions adopted by the General Assembly, including international cooperation on outer space for peaceful purposes in the application of the launching State concept. I do not think that the document I referred to should be treated any differently because it was a General Assembly resolution not just a COPUOS document but I also wanted to pick up on what the Czech Republic has said, to say the following. Obviously what he said is right, it is true, and the representative of the Czech Republic has always stressed that point. However, I wish to point out, that the document adopted here in COPUOS as well, makes a reference to those norms of the International Telecommunication Union, in paragraph 5, and in the conclusions of the document, there is also a reference to what the Czech Republic said was any related to ITU and it refers to the developing countries also, in this context, so it was not just an issue which came from meetings of ITU, when I participated, when for the first time we spoke about this conference at the

1979 plenipotentiary conference of ITU, which then took form in the Nairobi text of the ITU Constitution and Convention and it has continued to be valid in COPUOS documents ever since.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished representative of Colombia for your graphic illustration and I give the floor to the distinguished representative of Ecuador. I would like to point out, that the substantive point has been dealt with in this little booklet we have with the other related resolutions, that what the representative of Italy has said was perfectly logical.

Ms. R. VÁSQUEZ DE MESSMER (Ecuador) (*interpretation from Spanish*): I will be very brief. It is just to say that of our delegation welcomes your suggestion for next year. The only thing that I would like to add is that, the specific geographical position of certain countries is in no way exclusive but our contribution to international space law has been to say that we are talking about a limited natural resource which is approaching saturation and all developing countries should have equitable access to it, including those with a specific geographical position and, I did not say just those countries with a specific geographical position. All of the problems arise from the fact that we do not have a definition of outer space, what Professor Kopal has said is quite right but our position and interpretation is somewhat different. The geostationary orbit is something which cannot be considered necessary to be part of outer space because we have no such definition and that is what we need to work on in this Legal Subcommittee.

The CHAIRMAN (*interpretation from Spanish*): I do not want to refer specifically to the geostationary orbit here, I want to refer generally to equity as an essential point in international space law which may or may not, be in the United Nations Charter but equity, fairness, has been recognized in all United Nations basic documents, including the United Nations Charter. That is where we need to be working, not just on the geostationary orbit but also, on all issues we need to incorporate this concept of equity and also the question of positive discrimination in that context.

We have had a sufficiently detailed debate, I would certainly like to express gratitude to all of you for your contributions because you have also helped me to remember certain things which I had forgotten because I do not have certain documents to hand, but I continue to be surprised by my own level of ignorance because I am learning so much from the delegates. I cannot tell you much but I have certainly learnt a great deal. We have produced a very good critical mass in

this room, so let us hope that we can continue our work with the same degree of enthusiasm. I would like to adjourn the meeting but apparently there is an announcement which has to be made.

We are now going to take up the technical presentation. Ms. Tomoko Miyamoto will make a presentation on behalf of the World Intellectual Property Organization and is entitled, WIPO patents and space activities. I think she has come along at a very important, necessary moment for this Legal Subcommittee because intellectual property and its relationship to space and WIPO's involvement in this issue is now of extreme importance in the light of the new issues and the new players involved in the field. I would like to give the floor to Ms. Tomoko Miyamoto.

Ms. T. MIYAMOTO (World Intellectual Property Organization): Thank you Mr. Chairman and good morning. It is my great pleasure to present WIPO's activities that might be relevant to the distinguished delegations of the members and the observers of this Subcommittee. First of all, I would like to thank you, Mr. Chairman, for your warm introduction and I would also like to thank the Secretariat for giving me this opportunity to make this presentation.

The World Intellectual Property Organization (WIPO), was established in 1970 and, since 1974, we are one of the 16 specialized agencies of the United Nations system. The history of WIPO, however, goes back to 1883, when the first intellectual property treaty, the first convention was adopted. The international bureau for the administration of this treaty was established and the first convention entered into force the next year, 1884, with 14 member States. Today, WIPO counts 184 States as our members. According to the agreement between the United Nations and WIPO, we are responsible for promoting creative intellectual activities and for facilitating the transfer of technology related to industrial property to the developing countries. Under this core objective we have a number of activities, such as, setting international norms and standards, as well as, administering those treaties and standards which may be of interest to this Subcommittee.

Some of those treaties set up international application system or international registration systems for industrial property rights, such as, patents, trademarks and industrial designs. In 1994, WIPO Arbitration and Mediation Centre was set up. It provides quick and inexpensive way of settling commercial disputes in the area of intellectual property. As a United Nations organization,

cooperation for development is one of our major and very important activities. We provide legal and technical assistance and have a number of projects in relation to capacity building.

Before entering into the details of WIPO's activities relating to outer space, I would like to first highlight the current status of international intellectual property norms. As you may know, intellectual property laws are territorial laws, the right granted in one country can only be applicable and can only be enforceable within the territory of that State. We have 24 treaties administered by WIPO and there is another treaty in the area of intellectual property, administered by the World Trade Organization, which is called, the Agreement on the Trade-Related Aspects of Intellectual Property Rights, TRIPS Agreement. Despite these numbers of treaties, already established, still, a number of areas are not harmonized among the national intellectual property legislations. Another point I would like to highlight is the fact that, intellectual property norms are technologically neutral, as an example, in the area of patent law, so-called high-tech invention and low-tech invention, are treated in the same manner as far as the legal principles and legal requirements are concerned. As this rather simple drawing indicates, a patent gives a patent key, the owner of the patent, an exclusive right to prevent other people from using his invention without the owner's consent. This exclusive right gives a possibility for the owner to recover any investment which he might have spent for the creation of the invention and this possibility of recovering the cost, _____ (*inaudible*) the inventors to further proceed with the improvement of his inventions or, it may be a realistic possibility for an inventor to carry on for the further development of a new invention. Without a patent system, we might think that the inventors are not willing to disclose his invention to third parties because of the fear that third parties might freely copy his inventions and ideas. Such kind of secrecy might hamper the discrimination of technological knowledge and the access to this technological knowledge. In fact, this dissemination of technological knowledge is one of the important features of the patent system. Other granted patents are published in certain countries or the applications as well are published and are accessible to the public. This discrimination of technological knowledge facilitates third parties to learn and access this technology and it gives the third party the opportunities to further develop new innovation and they might now then become the new inventors. At the international level, WIPO is trying to increase this flow of new innovations, not only at the national level, but also at the international level.

Let me move on to WIPO's activities relating to outer space. We had a meeting of consultants on inventions made or used in outer space in 1997, almost ten years ago now, and these experts studied the possible need for rules and principles for the intellectual property on inventions made or used in outer space. The conclusion of this experts meeting was that, for the time being, exceptions from the general rules on industrial property are not required, however, it is desirable that the Secretariat of WIPO provides information on existing protection on those inventions made or used in outer space. In view of the lack of any specific instructions from our WIPO member States, this issue has not been put on the agenda of our member States committee. However, we take note of the recommendations of the consultants at that meeting and we actively participate in a number of meetings relating to space activities and, on request, we provide papers that touch upon intellectual property. Also, on our website, we have a webpage which provides links to other websites which contain information on space activities and intellectual property and you will find the link on the slide.

The issues addressed at this experts meeting and beyond are as follows, of course this is not the exclusive list of issues, but however, in my view, there are two main points. One is, the applicability of national intellectual property legislation on space objects and another is the issue that derives from the lack of international harmonization in the area of intellectual property.

On the first point, the question was raised, whether a territorial intellectual property law is applicable to nationality-based space objects without any explicit provisions under the national patent law. In view of the ambiguity, it appears that, where there is international collaboration activities made and those activities include more than one jurisdiction, there is, in the international agreement, there is a provision that clarifies this question of the applicability of national intellectual property law on the space objects.

On the second point, a number of important issues under the patent law has not been harmonized yet. As an example, the question of ownership and, in particular, joint ownership are not harmonized. Rules regarding licensing contracts and confidential information relies very much among national laws and same subject matter may not be protected to the same extent under different jurisdiction. Even if we have the common consensus on the applicability of national intellectual property legislation on a space object, for example, on the International Space Station, one might conceive the enforcement of intellectual property rights

on a patchwork of quasi-territories on the International Space Station which lays in a very near physical proximity.

Another issue is the lack of harmonization on jurisdiction and applicable law which is an area of international private law. If the issue involves cross-border litigation, the question always becomes complex because of the lack of the harmonization on these issues. You may recall that, under The Hague Conference on Private International Law, the Convention on Choice of Court Agreement was adopted in 2005, however, apart from the copyright, all the issues relating to international property infringement and validity of intellectual property were put outside the scope of this Convention.

Another issue which was raised, is the applicability of article 5ter of the Paris Convention, which states that, the temporary presence of the patented invention on, or in, the vessels, aircraft or land vehicles, are not considered as infringement of the patent on that territory. The article 5ter of the Paris Convention, only the first two vessels, aircraft or land vehicles but it does not explicitly refer to space objects, for example. There was a question whether this exception to the infringement of patents also applies to the spacecrafts or space objects.

Even if all the questions above were solved and we have the universal harmonization of the intellectual property law, there would still be commercial disputes among the parties involved in intellectual property rights. Disputes over the right and obligations of the parties, disputes over the interpretation of the provisions. Such kind of disputes would primarily, be solved under the court, however, WIPO Arbitration and Mediation Centre provides alternative mechanisms for such kind of dispute resolution in the area of intellectual property. I do not think I need to mention the advantage of arbitration and mediation over court proceedings, however, I would just like to highlight that, the arbitration and mediation mechanism provides greater party autonomy and our Arbitration and Mediation Centre retains a list of arbitrators and mediators coming from all over the world, who have great expertise on intellectual property disputes. Also, the arbitration and mediation mechanism would be a great advantage for that which involves international dispute involving more than one jurisdiction, since it might be able to solve the problem with one single procedure.

Our Arbitration and Mediation Centre may be better well known by our function as a domain name dispute resolution service provider. It provides a

service to solve the disputes relating to abusive registration and use of domain names identical or confusingly similar to trademark or service mark and since, 1999, we have received over 10,000 cases.

I would also like to add a few words on the international patent application system under the Patent Cooperation Treaty, administered by WIPO. The Patent Cooperation Treaty (PCT), provides a simple and cost-effective system when seeking patent protection in a number of countries. Because of the territorial nature of intellectual property law, generally speaking, if an applicant wishes to obtain patents in more than one country, he needs to file a patent application and obtain a patent in each and every country. The PCT provides a simpler procedure for the international application of patents and the applicant needs to file one single PCT international application, which has the same effect as national applications filed in each contracting State of the PCT, which is now 137 States. There is an international _____ (*inaudible*) in the beginning which consolidated the international publication, international search and international preliminary examination and, once those procedures have been read through, the copy of international applications are sent to the national patent offices or regional patent offices of the countries in which the applicant wishes to obtain patent protection. The national patent office retains their sovereignty to decide on the granting of the patent or refusing a patent application and the PCT, explicitly states that, the contracting States have the freedom to require any substantive patentability requirement under their national law. Nevertheless, the PCT provides a simpler mechanism for filing patent applications in more than one country.

I cannot finish my presentation without talking a little bit about patent information. Dissemination of information in the patent, this is one of the important aspects of the patent system and it is said that, in the world, there are around 585,000 patents granted in a year. Of course, one invention may be patented in more than one country so there is a duplication and this does not mean that there are 585,000 inventions, however, the number is impressive. Supposing that one patent contains 30 pages of paper, this will amount to a tower of paper 1.97 kilometres high and this is just only one year. So it is an enormous amount of technological information contained in patent information. Patent information has two faces, one is the face of a technical document, another is a face as a legal document. It is a technical document because it contains the most recent technical information which allows third parties to avoid duplication of research expenses. It is also a legal

document because it defines the scope of patent protection, in a legal sense, and it gives third parties the possibility to avoid violation of existing rights and, at the same time, identify technologies which could be used under a licence. Recently, more and more patent offices are moving from paper publication to online publication on the Internet, free of charge, this provides much better access to this huge amount of technological information. On our website, we provide PCT international applications, searchable, free of charge, and many other national and regional patent offices provide the searchable database on the Internet.

I would like to show the examples of our website, which publish international patent applications, there is a possibility of having a simple search, it is just a free text search and here I have put a text search, satellite transmission, and then you will obtain the results identifying all the patent applications, in relation to the satellite transmission, and here is the abstract of each application and of course, clicking on the title of the application, you will get the full text of patent application which contains the full information on the invention. There is also a possibility of searching patent applications by structured search, in addition to free word search, one may also search by application date, by international classification, this is technical classification and, applicants name, publication number, application number or the inventor's name or the origin of the application. Here I put, for example, space vehicle, and limited the application date from the year 2000 to today and give certain international technical classification. Then again, we will get a list of relevant patent applications that you can also look into the details by clicking the title. Our website, not only gives the access to the international applications but it also provides some statistical information and this is the statistical information of the very first search, a free word search, satellite transmission, and then one would get the information, the international patent applications relating to satellite transmission which is sorted by the publication year, you can see that how this number of applications is growing or it is decreasing and so on. It is not shown in this slide, but one can also look at the number of applications, by country of origin or the statistics about the number of applications by applicant or assignee's name and also the international application by IPC, the technical classification subclasses, so you can also see, within this satellite transmission, what kind of technology is more under the patent application.

In my view, international property may be becoming more and more relevant, in space activities, due to the fact that there is increasing collaboration

between private and public sectors and also the globalization of space activities or the internationalization of space activities. However, when I think twice, these characteristics, such as, the collaboration between public and private sector or the internationalization of activities are not aligned in space activities but they are the phenomenon, appears also in other areas of technology. Efforts to bring the basic science, which is often made by the public sector and its application, which is often made by the private sector, are taken in a number of other technological areas and international collaboration of research work is essential in any other scientific fields. At least, to a certain extent, your challenge or your concern is shared by other people who are involved in other areas of technology.

Mr. Chairman and distinguished delegates, WIPO counts on your cooperation and your input based on your expertise or maybe I should say, your indirect cooperation. We are your colleagues in Geneva for further development of international intellectual property law, not only for the development of space activities but also for the promotion of innovation in any other areas of technology in the future. Thank you for your attention and again, I would just like to reiterate that, we are always very happy to share any information that you might be interested in.

The CHAIRMAN (*interpretation from Spanish*): I would like to thank and especially congratulate the distinguished representative of the World Intellectual Property Organization. I think she has made an extraordinarily constructive contribution to an issue which is acquiring special importance in the international context and it also has an increasing impact on issues related to international space law. Let us hope we can enjoy your presence, on a continuous basis, as has been the case with our urgings to other international organizations. We do have this problem with time pressure, so if somebody wishes to chat with the representative of WIPO on this issue, then the Chairman's room, which the Committee has kindly afforded me, would be available to her and those delegations, to have such consultations because this is a context of more general comments but if there are more specific, detailed issues, they can be dealt with in that room, outside this room, those delegations wishing to consult her might do so. It really has been an extremely graphic contribution, obviously a very complex issue, which covers a number of aspects which need to be studied very closely, so thank you very much indeed and I do hope that you would agree with the method I have suggested, so that those wishing to take up matters with you, can do so as of now, in the room which is at your disposal, it says,

Chairman of the Legal Subcommittee on the outside and up until now, that has been me, but I will have to give it up in 2008, so it is an artificial respiration for me for a certain period of time and you can make use of it.

Distinguished delegates let us now adjourn this meeting so that the Working Group on Definition and Delimitation of Outer Space may begin its first meeting. I would, nonetheless, like to remind you of the schedule for the afternoon, we will meet at 3 p.m. sharp, to conclude our consideration of agenda item 5 and then we will take up agenda item 6(a) and item 6(b), definition and delimitation of outer space and the geostationary orbit. The Working Group, chaired by Vassilios Cassapoglou from Greece, will hold its fourth meeting. The Working Group on the Definition and Delimitation of Outer Space, will hold its second meeting this afternoon as well. I will invite Mr. José Monserrat Filho, to chair the first meeting of the Working Group but before doing so, I would like to remind delegates, of Conference Room Paper 2, the provisional list of participants, could you please provide the Secretariat of any comments or corrections on this document, no later than Monday, 2 April, that is Monday of next week. I would also like to remind you that, very important informal consultations, conducted by Professor Vladimir Kopal on new agenda items, to be held today from 2 to 3 p.m. in room C0713. I now invite my friend, Mr. José Monserrat Filho of Brazil to chair the first meeting of the Working Group and the meeting is adjourned.

The meeting closed at 12.04 p.m.