

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

*Unedited transcript*

763<sup>rd</sup> Meeting

Wednesday, 4 April 2007, 3 p.m.

Vienna

*Chairman:* Mr. R. González (Chile)

*The meeting was called to order at 3.03 p.m.*

**The CHAIRMAN** (*interpretation from Spanish*): Distinguished delegates, I call to order the 763rd meeting of the Legal Subcommittee. This afternoon, the Working Group on the definition and delimitation of outer space, the Working Group on practice in registering space objects, will meet with the purpose of the adopting their reports. I would like to emphasize something I said this morning, it is not to re-open a debate on anything at all, it is just to submit these reports for approval and could I ask, given that there was an agreement, that we could go at a reasonable pace, paragraph by paragraph, this is a modest suggestion from the Chair. Each Working Group knows how to proceed but I would ask you to take on board that suggestion, so that we successfully conclude those adoptions. We will then continue and conclude item 6, the definition of outer space and then continue and conclude our consideration of agenda item 9. Time permitting, we will then begin with the adoption of the report of the Legal Subcommittee, *per se*, so I would urge the Chairs of both Working Groups, given that there is no serious difference of opinion about the issues, for us to adopt swiftly the reports.

**Report of the Working Group on the definition and delimitation of outer space (agenda item 6(a))**

The Chairman of the Working Group on the definition and delimitation of outer space is cordially invited to move up to the podium, where I have spent long hours and weeks indeed, and you now have the reins of this Committee.

I would like to thank the distinguished representative of Brazil, the Chair of the Working Group on delimitation, for his traditional, excellent job in tackling an issue which is not the easiest to tackle. It has been on the negotiating and discussion table for some time so, I would like to put to you for consideration, the adoption by plenary of what was already adopted in the Working Group on definition and delimitation ... my apologies, could I ask my friend, José Monserrat Filho to give us a brief introduction to this matter. You have the floor.

**Mr. J. MONSERRAT FILHO** (Brazil) (*interpretation from Spanish*): Chairman, distinguished delegates, it is my pleasure to inform you that, the work of the Working Group on agenda item 6(a), definition and delimitation of outer space, at the current session of the Legal Subcommittee, was productive and satisfactory. The Working Group held three meetings, during which, it was able to develop a number of recommendations and to adopt decisions which constitute a foundation for its future work when it meets during the forty-seventh session of the Legal Subcommittee next year, in 2008. The report of the Working Group, which has just been adopted by its members, is contained in document A/AC.105/C.2/2007/?/L.1, it is my pleasure to submit the report to the Subcommittee for its adoption. Thank you.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you very much distinguished representative of Brazil. I am sure we are all very happy and gratified by the work you have done. It is almost a lack of consideration for my friend,

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Monserrat Filho, to ask if there is any objections to this report. I see there is none.

*It is so adopted.*

The Secretariat, as always, has given me the correct information and, that is, owing to the fact that some time is still required for the report of the Working Group on item 9 on registration.

I suggest we move on to the first part of the report of the Subcommittee itself which everybody has and which was distributed this morning.

*It is so decided.*

**Report of the Legal Subcommittee on its forty-sixth session** (first part, up to and including paragraph 29)

To cut it short, it is document L.268. In point of fact, this is a document which is purely a document of form unless anybody makes a substantive comment. I put to you for your consideration this part of the report.

First of all the introduction section, paragraph 1. Any comments?

*Adopted.*

Paragraph 2, any comments?

*Adopted.*

Paragraph 3. That is paragraph 3 which covers the agenda items 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10. Would there be any comments of paragraph 3?

*Adopted.*

Paragraph 4. Any comments?

*Adopted.*

Paragraph 5. Any comments?

*Adopted.*

Paragraph 6. Any comments?

*Adopted.*

Paragraph 7. Any comments?

*Adopted.*

Paragraph 8. Any comments?

*Adopted.*

Paragraph 9, subparagraph (a). Any comments on subparagraph (a) of paragraph 9?

*Adopted.*

Subparagraph (b)?

*Adopted.*

Subparagraph (c)?

*Adopted.*

Subparagraph (d)?

*Adopted.*

Paragraph 10?

*Adopted.*

Paragraph 11. This is just a narrative and it is extremely precise. No comments?

*Adopted.*

Paragraph 12?

*Adopted.*

Paragraph 13 and this needs to be filled in appropriately, which is something the Secretariat customarily does.

*Adopted.*

Paragraph 14. Any comments?

*Adopted.*

Paragraph 15. Any comments?

*Adopted.*

Paragraph 16. I have an amendment in paragraph 16, in the Spanish text, when it says "a statement was made by the Director", I would like to see it say "an important and comprehensive statement".

*Adopted.*

Paragraph 17. Any comments?

*Adopted.*

Paragraph 18?

*Adopted.*

Paragraph 19. Any comments?

*Adopted.*

Paragraph 20. Any comments?

*Adopted.*

Paragraph 21. Comments?

*Adopted.*

Paragraph 22? The distinguished representative of Egypt has the floor.

**Mr. M. MAHMOUD** (Egypt): Under agenda item 3, my delegation expressed views which are not reflected in the draft report, especially I would rather reflect this after paragraph 21, I propose to add the following: space technology transfer would work as a guarantee to achieve ...

**The CHAIRMAN** (*interpretation from Spanish*): Could I ask you as a major favour to please read this at dictation speed so the Secretariat can take good note and so that your legitimate concern may be taken on board.

**Mr. M. MAHMOUD** (Egypt): The view was expressed that, space technology transfer would work as a guarantee to achieve active participation of all countries, particularly developing countries and space activities and, accordingly, feel the importance and the privilege of being party to the five United Nations space treaties.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of Egypt. I do recall that opinion being expressed, so it will be duly reflected in a paragraph 21*bis*.

Now I would like to advantage of the presence of the distinguished representative of Ecuador to take up paragraph 22. If no one objects, then the Chair would like to add at the end of the paragraph, the following sentence and I will read it at dictation speed: it was also agreed at the meeting, that the Sixth Space

Conference of the Americas would take place in Guatemala, in the city of Antigua, in 2009. This was the consequence of an explicit proposal expressly put forward by the Government of Guatemala.

With that addition, could I ask my distinguished representative of Ecuador whether she had any problem with this? No. Thank you.

*Paragraph 21bis is adopted.*

Any comments on paragraph 22?

*Adopted.*

Paragraph 23. Any comments?

*Adopted.*

Paragraph 24?

*Adopted.*

Paragraph 25? Distinguished representative of Egypt.

**Mr. M. MAHMOUD** (Egypt): I would also reflect the position provided by my delegation in paragraph 25*bis*, it is as follows: The view was expressed that, as the space debris mitigation guidelines are concerned with the mitigation of the upcoming space debris for the consideration of arrangements for the mitigation of the existing space debris, taking into consideration the following:

(a) States whose activities led to the creation of the existing space debris should bear their responsibilities in relation to the mitigation of existing debris;

(b) Those arrangements should not put any obstacles that may hinder developing States from conducting activities in outer space.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you. This would be a 25*bis*. I would like to ask the representative of Egypt, so that your ideas are duly reflected, that you pass to the Secretariat in writing, the text of the final report, so that it stands exactly the way you put it.

Any comments on this paragraph 25*bis*? The distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic): I have listened very carefully to the presentation of this text by the distinguished representative of Egypt and I felt that the text was very substantive, including several ideas and that it was rather long. I would beg him, if perhaps, when presenting the written text, think about a possible abbreviation of this text because here we have the positions of different delegations, of some delegations, of the view of one delegation and it is in two lines only and now we will have a record of one view expressing a rather long way, this is just my kind request to him, to think also about the addition of his text.

**The CHAIRMAN** (*interpretation from Spanish*): There are two comments I would like to make. The first is, when an opinion is expressed in two lines then it is a stingy amount of text to reflect one's views. Here we are dealing with a paragraph which could be, perhaps, summarized by the representative of Egypt, if he could make that effort because otherwise we are going to find ourselves in a situation where every delegation wants its views expressed *in extenso* and we will have economic, financial problems as well because there are financial implications if the text is too long.

First of all, I trust the representative of Egypt to make an effort to abridge his text and I trust the Secretariat to do a fine job on this issue.

Could we adopt paragraph 25bis? I assure you that the core issues in your text will be reflected in that paragraph. Agreed?

*Adopted.*

Paragraph 26. Any comments?

*Adopted.*

Paragraph 27. Any comments?

*Adopted.*

Paragraph 28. Any comments?

*Adopted.*

Paragraph 29. Any comments?

*Adopted.*

Distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic): I certainly do not want to hinder further consideration of the report but I have ascertained that the report on the general exchange of views is very, very, succinct and relatively short and I also know, that not all views that have been presented during the general exchange of views, have been adequately reflected here. For example, my delegation also presented, during our contribution to the general exchange of views, an assessment of the United Nations/Ukraine workshop that was held in Kyiv last year. Similarly, we have also commented on the last phase of discussing the report on the registration of space objects and expressed our preference, this text to be edited in the form of a resolution. There is nothing about it here, but maybe, it will be in other parts of the report, that we do not have yet. So if I find that these points are covered in other parts of the report, I will not insist on anything. Should it be missing, I would have to return to this part on general exchange of views.

**The CHAIRMAN** (*interpretation from Spanish*): I would like to give the floor to the distinguished delegate of the Russian Federation in due course, in fact, first of all I will give the floor to the distinguished representative of the Russian Federation before I say anything else.

**Speaker's name not given** (Russian Federation) (*interpretation from Russian*): We would simply like to join the opinion of the delegation of the Czech Republic because, we indeed, have not found the proposal suggested by our delegation with regard to the drafting of a universal convention. This is a very important point for us and we felt that it is important for other delegations, that our position should be reflected in the report and, therefore, we would like this section to be \_\_\_\_\_ (*inaudible*) out in order to reflect the position of delegations fully.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you. I think both delegations are right. The Director of OOSA has the floor.

**Mr. S. CAMACHO-LARA** (Office for Outer Space Affairs): Let me explain how the report is prepared. Some of the statements that were parts of the statements that were made within the general exchange of views, have been reflected in corresponding sections of the report, you will find them there. I cannot guarantee that you will find everything because one of the \_\_\_\_\_ (*inaudible*) was included in the statement of the Chairman and it was also in my statement because of the drive in the United Nations to limit the length of documents because of cost implications. There is an attempt to keep the reports to be as succinct as

possible, having of course the decisions and then providing elements of the discussion that led to those decisions. What the Secretariat tries to do, is then to take those elements and reflect them, either in the general exchange of views or the corresponding sections. One of the \_\_\_\_\_ (*inaudible*) indicated also in my statement, we make an attempt to be as complete as possible but the report should not be shortened to the extent that it is in detriment to the substance. When we get to those sections and you review them, if something is missing, that could always be included and we believe it would fit within the corresponding sections.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you. The explanation given by the Director of the Office for Outer Space is very reasonable. When we are talking about very substantive proposals, they acquire greater clout if they are contained in the relevant section of the report.

*I see no further comments, so we take it that this first part of the report is adopted.*

Now, the Working Group on item 9 is to reconvene, could we check if the relevant documents of this Working Group have been circulated so they can subsequently be adopted in plenary as well because we are more or less on schedule. If the documents have been circulated then I would like to ask the Chair of the Working Group on item 9, kindly to take on the task of having this report adopted. Then we could proceed to adopt it in plenary, once it has been adopted in the Working Group on item 9.

*The meeting is adjourned.*

#### **Report of the Working Group on practice of States and international organizations in registering space objects (agenda item 9)**

**The CHAIRMAN** (*interpretation from Spanish*): Distinguished delegates, we have adopted in the Working Group, the report on this item to do with registration of space objects and I would now like to give the floor to the distinguished Chairman of the Working Group, to present the relevant report.

**Mr. Kai-Uwe SCHROGL** (Germany): The Working Group on Practice of States and international organizations in registering space objects, held five meetings and at the last, the fifth meeting, the report of the Working Group has been adopted. It is contained in the document A/AC.105/C.2/2007/REG/L.1 with the amendments we made during our session. I should recall, that this report reflects the results of our multi-year workplan which was organized through a working

group, the format which, again proved itself very useful. I should also remind delegations that, in the first year of working under this workplan, the Working Group had been established and was chaired by Mr. Niklas Hedman and any credit for the results of the working group I gladly share with him. Of course, if there is any blame to take then he will carry all the blame!

The report is structured and drafted in a way also to provide background to the topic, this was the request by one delegation in order to understand the basis and the background for this topic so that it might be useful for all delegations and for external readers. I should also point out that, this report contains an appendix which can constitute the basis for a General Assembly resolution and which is very rich in content and substance. All this was made possible by dedicated work of the delegations and the spirit of cooperation and compromise. With this, it is my pleasure to submit the report of the Working Group to the Subcommittee for its adoption.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you, distinguished Chairman of the Working Group. I do not think there was a sudden change of views in the last two minutes so I would suggest that we declare that this report is adopted. If there are no objections.

*The report is adopted.*

Let us proceed to the customary announcements. Distinguished delegates, we are going adjourn this meeting, before doing so I would like to inform delegates of our schedule for tomorrow morning, which is the last morning session. We shall meet at 10 a.m. sharp and at that time we shall continue with the adoption of the report of the Legal Subcommittee. If there are no comments, then the meeting is adjourned.

*The meeting closed at 5.01 p.m.*