

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

Unedited transcript

766th Meeting

Monday, 31 March 2008, 3 p.m.

Vienna

Chairman: Mr. V. Kopal (Czech Republic)

The meeting was called to order at 3.07 p.m.

The CHAIRMAN: Good afternoon distinguished delegates, I now declare open the 766th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would like to draw your attention to another communication I have received from the former Yugoslav Republic of Macedonia requesting to participate in our meetings as an observer. I would, therefore, suggest that in conformity with past practice and also with our practice right this morning we invite this delegation to attend the current session and to address the Subcommittee as appropriate. This is, of course, without prejudice to further requests of this nature and does not involve any decision of the full Committee concerning status. It is a courtesy we customarily extend to such delegations.

So former Yugoslav Republic of Macedonia welcome.

If there is no objection, we will proceed accordingly.

I see none.

It is so decided.

Distinguished delegates, I have been informed by the Chairman of the Working Group on the Definition and Delimitation of Outer Space, our distinguished colleague, Professor José Monserrat Filho, that he would only be available until Friday, 4

April. In order to ensure that the Working Group has sufficient time to conduct its work, the Secretariat has proposed that the Subcommittee could begin its consideration of agenda item 8, Matters Relating to the Definition and Delimitation of Outer Space and 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. This is the longest title I have read so far. We will hold it, we will start the discussion on Thursday, 3 April.

Would this be agreeable to the Subcommittee and, of course, to the Chairman of the Working Group?

If there is no objection we will proceed accordingly.

It is so decided.

Distinguished delegates, I would now like to inform you of our programme of work for the rest of this afternoon.

We will continue our consideration of agenda item 5, General Exchange of Views. At around 4.00 p.m., I intend to adjourn this plenary meeting of the Subcommittee for the IISL/ECSL Symposium on Legal Implications of Space Applications for Global Climate Change. The Symposium is co-organized by the International Institute of Space Law, IISL, and the European Centre for Space Law, ECSL.

I would like to draw attention of delegates to the cordial invitation to attend a reception hosted by

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.



IISL and ECSL at 6.00 p.m. following the Symposium which will be held in the VIC Restaurant, located on the Ground Floor of the 'F' Building. This morning I said that it should be held in the Mozart Room. No, it is not the exact site, it will be in the VIC Restaurant in Room A.

Are there any questions or comments on this proposed schedule for this afternoon?

I see none.

It is adopted.

General exchange of views (agenda item 5)

And we will now start again the general exchange of views, consideration of our item 5 on our agenda.

Distinguished delegates, the first speaker on my list is the distinguished representative of Japan, to whom I give the floor.

Mr. S. SUMI (Japan): Thank you Mr. Chairman. Mr. Chairman, distinguished delegates, on behalf of the Japanese delegation, I am honoured to address the forty-seventh session of the Legal Subcommittee of COPUOS. I would like to extend our heartiest welcome to the new Chairman, Mr. Vladimir Kopal. I would also like to thank Dr. Mazlan Othman, Director of the Office for Outer Space Affairs and her excellent staff for their preparation for this meeting.

Mr. Chairman, first Japan would like to express its deepest respect for the recommendations on enhancing the practice of States and intergovernmental organizations in registering space objects which were adopted by the sixty-second United Nations General Assembly in December last year.

Japan would also like to express its gratitude for the actions of the members of the Working Group on the Practice of States and International Organizations in Registering Space Objects.

Mr. Chairman, let me begin by mentioning some of the noteworthy events that have occurred in Japan since the last session of the Subcommittee and that we are looking forward to this year.

To begin with, Japan has launched a 2H2A rocket. Last September, the Lunar Orbiting Satellite, KAVWEAR(?) and in February the KISINAR(?) or Inter-Networking Engineering Test and Demonstration Satellite.

KAVWEAR(?) provides wide coverage and enables more in-depth investigation of the Moon. KAVWEAR(?) is enjoying worldwide attention at a larger scale lunar exploration since the Apollo project. With this KAVWEAR(?) mission, Japan intends to continue to the enhancement of knowledge for the international community. The project will yield tangible results to advance our studies on the origin and evolution of the Moon. Images were detailed of the lunar surface and of Earth rise captured by the high-definition television camera caught the attention of the people around the world and became a global sensation. KISINAR will benefit in particular Internet users in the Asia-Pacific region with its high-speed communications capability.

In addition to these missions, the Space Shuttle Endeavour was launched on 11 March with a Japanese astronaut, Dr. Takawi Dohi(?) onboard. Also onboard Endeavour were the first components of the Japanese Experiment Module Keyboard(?) to be constructed on the International Space Station. Keyboard's(?) remaining components will be delivered on two future Shuttle flights, both of which will also be crewed in part by Japanese astronauts. We have high expectations for Japan's manned space activities. We expect that Keyboard's(?) various functions will expand scientific knowledge and that multi-lateral cooperation will further advance the IES(?) Programme as the largest space collaboration in human history.

Mr. Chairman, Japan has continued to the construction of a system that applies satellite data to disaster management, utilized by both the Asia-Pacific Regional Space Agency Forum, APRSA, and the International Charter on Space and Major Disasters.

In cooperation with other countries, Japan initiated the Sentinel Asia Project which is a disaster management support system in the Asia-Pacific region. Central Asia is currently operated with a cooperation of 51 national(?) organizations from 20 countries and eight international organizations and we intend to promote the project actively for further contributions.

This year Japan also plans to launch a Greenhouse Gas Observing Satellite, GOSAT, which will measure greenhouse gases at the global level with high accuracy. Japan will also contribute to the implementation of the Global Earth Observing System of Systems, GEOSS.

Mr. Chairman, Japan is party to four space treaties, the Outer Space Treaty, the Rescue and Return Agreement, the Liability Convention and the Registration Convention. Japan promoted space

activities steadily and in accordance with these treaties. Japan will continue to contribute to various activities regarding legal aspects of space programmes. These treaties are indispensable in that they provide ever-increasing space activities with the necessary legal frameworks.

I would like to briefly state that we consider it highly desirable that all countries commit to these treaties in order to _____(?) the legal framework for global space activities. Japan will support such initiatives of COPUOS to this end.

Mr. Chairman, the important mandate of the COPUOS Legal Subcommittee is to generate discussion on the legal aspects of space programmes in order to ensure that all activities are conducted in a free and fair manner. Japan, one of the leading countries in terms of outer space activities, will continue to contribute to this Subcommittee so that it achieves its goals efficiently and productively.

Thank you Mr. Chairman and distinguished delegations for your kind attention.

The CHAIRMAN: I thank you distinguished representative of Japan for your statement during the general exchange of views. I think your information on the Reach Programme of Japanese space activities has been very interesting for all of us and I congratulate you on the results that you reached, particularly for us very attractive is the project KAVWEAR(?), of course, also the participation of the Japanese astronaut in a space mission onboard the Space Shuttle Endeavour and other projects that you summarized during your statement. I also appreciate very much the continuing support of your country to the efforts of the Committee on the Peaceful Uses of Outer Space in strengthening the legal framework for global space activities and your willingness to cooperate in all of them. Thank you very much.

My second speaker for this afternoon is the distinguished representative of Morocco, to whom I give the floor.

(Continued in French) The Kingdom of Morocco please.

Mr. S. RIFFI (Morocco) *(interpretation from French)*: Yes, thank you Chairman. Chairman, the Moroccan delegation congratulates you on your election to the Chair of this Committee. Your acknowledge experience is going to contribute no doubt in a significant way to bringing forth the work of this Subcommittee.

Morocco also wishes to extend its sincere thanks for the very high quality work done by the outgoing Chair, His Excellency Ambassador Raimundo González Aninat.

We would like to take this opportunity to congratulate Ms. Othman for her nomination to the post of Director of the Office for Outer Space Affairs. We thank her. We would like to take this occasion to congratulate Ms. Othman for her nomination to the post of Director of the Office for Outer Space Affairs. We thank her and her colleagues for the work done in preparing this session.

The delegation of Morocco will lend its support and its contributions to all ideas which can bring about successful completion of our work.

Chairman, today, several countries are interested in space techniques and their applications in order to bring about specific goals intended to meet the needs of the human development at world level. Indeed, the space programmes can contribute to improving the economic, the standard of living and the _____(?) all contributes to improving international cooperation, both for States and for all of humanity. They underline this evolution, one should underscore the importance and bearing in mind the concerns of countries in difficulty to allow them to face up to the challenges covering all aspects of economic and social development, notably against poverty, hunger, management of national disasters so that the United Nations treaties on space can take on a universal character.

Chairman, there is no doubt that the programmes of the Office for Outer Space Affairs based on promoting these treaties in developing countries and assistance that brings to bear that these States can apply and integrate these in their national legislation is one of the fundamental aspects of international cooperation. For its part, Morocco is working towards such cooperation, both for scientific and technical and legal aspects and considers the applications of principles and treaties on outer space will, without doubt, make possible to promote on the one hand international cooperation in the field of space, and on the other hand, to ensure for all nations fair access to space and to benefit from the beneficial consequences of such technology in space as well as its active participation in different workshops on international space law and to raise awareness among decision-makers and institutions concerned.

Through the Royal Centre for Remote Sensing and Space and the cooperation with its international

and regional partners, Morocco does not cease to conduct actions to bring about increased awareness regionally, such as the holding of regional and international seminars on different aspects of space law, promoting and integrating its teaching on space law in university, teaching and Regional Centres as well as promoting national expertise in the field, following the recommendations which came out of the UNISPACE III Conference in particular. With regards to the teaching and integrating of space law in the programmes at the Regional Centres, the Royal Centre for Remote Sensing has taken on the task of this work and bring it about towards French-speaking African students inscribed at the Regional Centre in Rabat, 2006-2007, and we hope that they will be able to complete their course shortly.

The CRTS also took part in a Regional Workshop on Legal Aspects and Space Applications for the Management of National Disasters, which was held at Chiang-Mai in Thailand, from 20 to 22 November last. This event was organized by the two universities in Chiang-Mai, in cooperation with other international institutions. During that event, the CRTS presented a paper on the "Role and Contributions of COPUOS: African Perspectives". This presentation led to a very lively discussion on the management of natural disasters, as well as activating the International Charter on Space and Natural Disasters in Africa.

Chairman, the Moroccan delegation is pleased at the introduction of the new point, item 11, on the agenda entitled "Capacity-Building in the Field of Space Law". The delegation of Morocco would like our Subcommittee to lead to a fair solution allowing developing countries, in particular African countries, to take part effectively in the activities and in space programmes devoted to development. This would encourage them to take a greater interest in the field of space law. Capacity-building in the field of space law in Africa cannot come about without involving students, academics and direct users of space techniques. Indeed, the latter must draw on funding and equipment so that they can take part in the different summer courses on space law organized by the respective institutions.

As regards item 8 on the agenda, that is the defining, delimitating the use of the geostationary satellites in orbit, we can assure you that we need to have a fair rational use of these by all States. The Legal Subcommittee must continue to examine all the aspects linked to this item. The GSO being a limited natural resource, it must be accessible to all countries drawing upon the technical means at their disposal

_____ (*not clear*) in particular the needs and interests of developing countries.

Chairman, as to item 13 of the agenda, the Moroccan delegation restates its support for the proposal to introduce in the agenda of our Subcommittee an item dealing with spatial debris, taking in mind the increased amount of debris and the impact of this on all space activities. My country considers it necessary to set up adequate measures to mitigate the consequences of such a phenomenon. Indeed, the regulatory framework on this must swiftly be set up in line with the principles of peaceful use of space and to preserve the interests of all States.

As for item 9, given its importance, as well as the impact of the use of nuclear energy sources in space on safety, it is essential that the Legal Subcommittee go into deeper depth on this and evaluate the pertinence of reviewing the principles as regards the use of nuclear energy sources, collating the greatest amount of information on these matters. Cooperation through IAEA and the Legal Subcommittee as part of the Working Programme of 2007-2010 between the next Group of Experts would be hugely important when it comes to the aspects of nuclear energy sources in space.

As regards the other specific matters, Chairman, the Moroccan delegation will come back to these when we examine the respective items on the agenda and the work of the Working Group. Thank you Chairman.

The CHAIRMAN (*interpretation from French*): Thank you. And I thank the distinguished representative of the Kingdom of Morocco for your statement in which you underscored some particular aspects as regards, for example, matters related to economic and social development and also regional cooperation. You also took a position, vis-à-vis, some aspects on our agenda, for example, you supported the proposal to include an item to deal with space debris on the agenda of the Legal Subcommittee's agenda and you underscored the importance which the Legal Subcommittee has been going into greater depth and the discussion on the impact of the use of nuclear energy sources in space and the significance of this for safety, among other matters. So once again, many thanks for that.

I think that brings us to the end of our speakers list. Would anyone else like to have the floor under this particular agenda item for this afternoon?

(Continued in English) Are there any other speakers for this afternoon's session of the Subcommittee?

I see none for the time being. We will, therefore, continue our consideration of agenda item 5, General Exchange of Views, tomorrow morning and I urge the delegations which wish to speak on this item to apply to our Officer, Ms. Immelda Bacalan(?), as soon as possible.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee for the IISL/ECSL Symposium but before doing so, I would like to remind delegates of our schedule of work for tomorrow morning.

We will meet promptly at 10.00 a.m. again. At that time, we will continue consideration of agenda item 5, General Exchange of Views, and begin our consideration of agenda item 6, Status and Application of the Five United Nations Treaties on Outer Space. Of course, we will speak about it at the level of the Subcommittee later on, the Working Group that we have already established will start this discussion in greater detail, but tomorrow it will be at the level of the Subcommittee.

We will also begin our consideration of agenda item 7, Information on the Activities of International Intergovernmental and Non-Governmental Organizations Relating to Space Law.

Time permitting, then we will start our Working Group on Item 6 which will hold its first meeting under the chairmanship of the distinguished representative of Greece, Mr. Vassilios Cassapoglou.

Are there any questions or comments on this proposed schedule or any other comments at all on our proceedings of this session?

Distinguished delegates, I wanted to invite Ambassador Peter Jankowitsch of Austria to chair the first session of the Symposium on Legal Implications of Space Applications for Global Climate Change but to my regret, I do not see him yet in this Conference Room. So there are two possibilities. One is to make a break now and wait until he comes and the other possibility might be if perhaps the President of the IISL could start the Symposium if there are here the speakers and use this time that is available for the purposes of the Symposium.

The President of the IISL has the floor.

Ms. _____(?) (President, International Institute of Space Law): Thank you Mr. Chairman. May I perhaps suggest that we have a short break and wait for Ambassador Jankowitsch because I think he is looking forward to chairing the session so my preference would be to perhaps postpone until 4.00 p.m.

The CHAIRMAN; Yes. I understand that the President of the IISL has prepared the first alternative, it means to make a short break and to wait for Ambassador Jankowitsch of Austria to open the Symposium. Let us hope that it will be a short break.

So thank you for your attention and I would like now to suspend the meeting of the Subcommittee for the beginning of the Symposium and for the Symposium itself and then we will probably start some time at 4.00 p.m. or hopefully before 4.00 p.m.

Thank you very much.

The meeting was suspended at 3.39 p.m.