

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

*Unedited transcript*

767<sup>th</sup> Meeting

Tuesday, 1 April 2008, 10 a.m.

Vienna

*Chairman: Mr. V. Kopal (Czech Republic)*

*The meeting was called to order at 10.12 a.m.*

**The CHAIRMAN:** Good afternoon distinguished delegates, ladies and gentlemen, I now declare open the 767<sup>th</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would first like to inform you of our programme of work for this morning. We will continue our 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. 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. And, time permitting, the Working Group on the item 6 could hold its first meeting under the chairmanship of Mr. Vassilios Cassapoglou of Greece. But, of course, everything depends on the agenda, it means on the speakers for the agenda items 5, 6 and perhaps also 7 because my list of speakers is today longer than it was yesterday.

Are there any questions or comments on this proposed schedule?

I see none.

**General exchange of views (agenda item 5)**

So let us start the general exchange of views. We have the first speaker and it is the distinguished representative of Colombia, to whom I give the floor.

**Mr. C. ARÉVALO** (Colombia) (*interpretation from Spanish*): Mr. Chairman, on behalf of the Colombian delegation, I would like to convey to you our satisfaction. We are very pleased to have you preside over the deliberations of this Committee. To you, Professor Kopal, we are very much indebted because many of the achievements are really due to you and your reports are always proper legal reference. We know that we can rely on your experience and your skill throughout 2008-2009 and will be indeed an honour and a privilege to work with you.

Let me take this occasion to consider the excellent work done under the leadership of Mrs. Othman, as conducted by the Office. A reduced team and a modest budget nevertheless sets an example of efficiency and commitment. It is a basic support for our work and it is also serious and professional assistance in order to discharge our duties at present and in the future.

Sir, a spirit which led to the creation of COPUOS, that is a Steering Committee and two subsidiary bodies, is in keeping with the logic that has demonstrated its use, technical and scientific advance, progress that necessarily means that we have to give this legal expression. Often this lags behind because of the reactive nature of the exercise but there is also a vision and it is universal in nature, as demonstrated by the major principle. However, we still need to do quite a lot of work in order to organize the major instruments and to update them because they are now several decades lagging behind and this calls for a new understanding of space activities. To maintain this

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

Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, within one week of the date of publication, to the Chief, Conference Management Service, Room D0771, United Nations Office at Vienna, P.O. Box 500, A-1400, Vienna, Austria. Corrections will be issued in a consolidated corrigendum.



organic symmetry between the two Subcommittees was perhaps one of the major challenges before the Commission as a whole, of course, always guided by access to space science for those countries of a lower technological level and making sure that the commercial nature of space activities should not have an adverse impact on cooperation structures. That is why it is so important to try to make headway in all systems that provide for vertical filtering down of space know-how, as also in UNISPACE III, but also giving full recognition of the process of privatization, upholding the interests of developing countries that have pressing needs in terms of the digital gap.

Mr. Chairman, inter-institutional cooperation between the various bodies of the United Nations and specialized bodies is of great importance for COPUOS. We believe it is necessary to continue with these efforts, in particular with the ITU, the International Telecommunication Union. We are fully aware of the report of the ITU, which at the present Scientific and Technical Subcommittee meeting was considered, in particular the World Radio Communication Conference, and we think it is necessary to continue to report on our activities to the Disarmament Conference since there are obvious inter-relations but we should also achieve greater visibility in the General Assembly. Having said this, we support the efforts deployed by the Office in terms of proactive activity for inter-agency meetings where we observe, thanks to the Office, very satisfactory results.

Mr. Chairman, for Colombia, the use of the geostationary orbit should come about, bearing in mind the fact that this is a limited natural resource and there is an obvious risk to have this saturated. That is why the use should be rational and equitable. This is a basic principle in order to uphold the interests of the developing countries and that is also why the agreement achieved on the occasion of the thirty-ninth session on aspects related to the geostationary orbit and resolution 55/122 of 8 December 2000, where the General Assembly duly noted with satisfaction the agreement achieved in the Subcommittee on this item as to the nature and use of the geostationary orbit, thus represents in our understanding, a substantive progress in this area.

The agreement which is being recognized as one of the major achievements of COPUOS, to be included in the Compendium, in its instruments and the United Nations treaties and the Principles of the General Assembly, furthermore consisted in maintaining on the agenda two separate topics. One the one hand, definition and delimitation of outer space, which is the remit of the Group that is headed by

Professor Monserrat Filho, and the other on the character and use of the geostationary orbit, including means to ensure the rational and equitable use of the geostationary orbit, of course, giving due recognition to the part played by the ITU. We believe that this space for thought and analysis should be maintained on the agenda of the Subcommittee and we think that the geostationary orbit requires a *sui generis* regimen and that this regime could give recognition to the interests and particular needs of developing countries.

Among the topics, Sir, of our agenda we have capacity-building in space law and this is of special relevance to developing countries. There are many ways of achieving this and, therefore, we should like to say that unfortunately there have not been specific results as a result of this exercise. So we are pleased to note the Meeting of Experts convened by the Office on ways and means to build capacity, as was held on the 3<sup>rd</sup> and 4<sup>th</sup> of December past. A basic curriculum to be created in space law is an extremely interesting laudable exercise and we hope that this will not only come about in Regional Centres but also individually in countries.

Another topic, Sir, of great significance has to do with the exchange of information on relevant national legislation on the exploration and use of outer space for peaceful purposes which will have a work plan covering 2008 to 2011. The potential benefits of these discussions are quite considerable to the extent that such debate will necessarily facilitate decision-making on part on some countries that have possibilities of creating their own legislation in space areas. It is important for all to be well aware of the fact that all standard-setting efforts, though they are minor in nature, should be shared in the context of the Commission. And all joint activities and efforts, such as the recommendations that come from the Space Conference of the Americas, and also, as this is more organically structured, examples such as the European Space Agency.

Finally, I would have a comment on the Symposium on the Legal Implications of Space Applications to Climate Change. This event, which was organized by the Space Institute and the European Space Centre on Space Law, has responded to the expectations and dovetails with a very important element and event coming about in the context of FIDAE in Santiago de Chile. This regional effort, together with others, means that we are now joining efforts to make sure that relevant space technology address this alarming and dramatic phenomenon. The contribution that can be brought in from the side of COPUOS, in legal terms, would be a major

contribution which we think deserves follow-up and our full commitment.

Thank you Sir.

**The CHAIRMAN:** Thank you distinguished representative of Colombia for your statement in which you commented the activities of the ITU and the need for our close cooperation with this specialized organization of the United Nations system. You also mentioned the position of your Government and some other governments in relation to the geostationary orbit, which is a limited natural resource that should be used for the benefit of all countries and, of course, in particular of the developing countries. You also positively commented the work done on the curriculum in connection with the point of our agenda, the capacity-building in space law. You also mentioned the legal implications related to the issue of climate change and adequate use of space technology to resist this problem or somehow to mitigate this problem which is, of course, is very serious. Thank you very much once again for your statement, also for your kind words addressed to the Chair, to the Director of the Office for Outer Space Affairs.

I now give the floor to the next speaker on my list and it is the distinguished representative of Nigeria.

**Mr. R. A. BOROFFICE** (Nigeria): Thank you Mr. Chairman. Let me also congratulate you Professor Kopal on behalf of my delegation on your election as the Chairman of this Subcommittee for the period of 2008-2009. I believe that you would bring your wealth of experience to bear on the work of this Subcommittee successfully.

We also congratulate Dr. Othman for her new appointment as the Director of the Office for Outer Space Affairs and wish her a successful tenure.

Mr. Chairman, my delegation wishes to reiterate the importance it attaches to the framework of legal regime which is acceptable to \_\_\_\_\_(?) and which will guide member States in the activities in outer space. For this purpose, it is important for us to reiterate the fact that the existing international legal regime governing outer space do not perfect(?), continues to provide a sound basis for States guidance in the peaceful uses of outer space. We, therefore, want to encourage member States to allow the activities in outer space to be guided by the existing treaties while the Subcommittee remains in the vanguard of the progressive development of international law relating to outer space.

It is in this regard that my delegation wishes to encourage States that are yet to ratify the five United Nations treaties on outer space to consider ratifying them for the mutual assurance of members intention to comply with the letters of these legal instruments.

Nigeria believes that outer space should remain a global common used specifically for the development of space science and technology and other peaceful purposes. Member States should, therefore, continue to ensure that this heritage of mankind is not subjected to non-peaceful uses. Nigeria calls for the continued non-militarization of outer space which should probably embrace the policy of non-proliferation and non-weaponization of the outer space. To guarantee to adhere to this principle will assure in particular the developing countries of the commitment of all countries to the peaceful uses of outer space for sustainable development and thereby delivering space-based social economic benefits to mankind.

Mr. Chairman, my delegation wishes to draw attention to the views expressed during the forty-sixth session of this Subcommittee that space technology transfer would guarantee active participation of developing countries in space activities in a world faced daily with disasters of different types and magnitudes, where poverty still affects more than two thirds of the population of developing countries, where many countries face economic and social hardships and unable to follow through, the United Nations Millennium Goals(?). The use of space-based technologies can go a long way to mitigate many of the disasters and hardships. However, deploying these technologies for social and economic growth and sustainable development, especially in developing countries, can only be realized if these countries have the capacity to assess and harness these technologies. Developed member countries are, therefore, encouraged to assist development countries in their quest to build capacity in space application techniques and an advantage of this initiative is that developing countries would be encouraged to sign up and adhere to the principles of the five United Nations treaties on outer space, particularly where they become space-faring.

In the same vein, Mr. Chairman, compliance with the various treaties on outer space requires the States, especially developing countries, understand their treaty obligations. This is also presupposes that parties to these treaties have the capacity to carry out these obligations. However, it is clear that many developing countries require assistance in the formal training, education and capacity-building so that they will be able to fulfil these obligations. It is for this

reason that my delegation welcomes the agreement by the Subcommittee at its forty-sixth session that capacity-building, training and education in space law were of paramount importance to international, regional and national efforts in the further development of space activities and to the knowledge of the legal framework within which these activities were carried out.

We, therefore, look forward to receive the progress report from the Office for Outer Space Affairs, and \_\_\_\_\_(?), on the mandate given to it to further develop and update the Directory of Education Opportunities in Space Law, available on its website, including information on the availability of fellowships for participants from developing countries. We believe that a carefully programmed assistance to developing countries will help them to positively contribute to the progressive development of international law relating to outer space.

Mr. Chairman, we look forward to a useful and proactive deliberation of the various of contributions before the Subcommittee at this session. Thank you.

**The CHAIRMAN:** Thank you distinguished representative of Nigeria for your statement on behalf of your country which included the many points, important points, and at the same time, interesting attitudes in relation to these points. I do not wish to enumerate once again all of them. I only would like to emphasize that you stress the importance of the space technology transfer to the developing countries and perhaps other countries that need such assistance and that this just is the means or the tool how to guarantee active participation of developing countries in space activities. I also listened carefully to your statement on the issue of the capacity-building, training and education in space law which is of paramount importance to international, regional and national efforts in order to develop international cooperation in this respect and in order to ensure a progressive development of international law relating to outer space. Thank you once again.

The next speaker on my list is the distinguished representative of China to whom I give the floor.

**Mr. G. TANG** (China) (*interpretation from Chinese*): Mr. Chairman, first of all, please allow me on behalf of the Chinese delegation to congratulate you on your election as Chairman for the current session of the Legal Subcommittee.

I would also like to thank Dr. Othman, Director of the Office for Outer Space Affairs, and her staff, for the efforts to organize the session.

Mr. Chairman, the outer space is the commonwealth of mankind and should be entirely used for peaceful purposes. Maintaining and strengthening the rule of law in outer space constitutes an important guarantee for the development of harmonious outer space activities. The 1967 Outer Space Treaty and the other four international treatments on the outer space, have finally formed the current international legal regime governing outer space which has played a proactive and effective role in regulating national space activities, securing the rights and interests of all the countries related to outer space, maintaining order in outer space, as well as promoting international cooperation in outer space.

The 1967 Outer Space Treaty has established the principles that the outer space must be used for peaceful purposes and the outer space must be used in the common interest of mankind as a whole. These principles have formed the legal basis for the legal system governing outer space. All the countries should follow these principles un\_\_\_\_\_ (?) and in good faith.

At the same time it must be noted as the situation involves, the flaws and shortcomings in the current legal regime governing outer space have gradually come to light. For example, in terms of maintaining peace in outer space, the regime has failed in effectively preventing the weaponization of, and arms race in outer space. In terms of promoting development, the system has failed to regulate the commercial outer space activities by private operators. In terms of protecting the outer space environment and securing sustainable use of outer space resources, the regime has failed to put outer space contamination and wasting of resources under effective control. All these failings clearly suggest that the existing outer space laws needs to be supplemented and consolidated.

The Chinese Government supports and actively advocates for a conclusion of relevant legal instruments through negotiations in order to prevent the weaponization of an arms race in outer space.

We agree to the formulation of a legal regime that regulates space commercial and private activities and we appreciate UNIDROIT's efforts to finalize the final Protocol on Matters Specific to Space Assets to the Convention on International Interest in Mobile Equipment.

We also support the legislative efforts in protecting the outer space environment and maintaining the sustainable use of resources in outer space. For this end, we appreciate the United Nations Security Council to endorse the mitigation of Space Mitigation Guidelines.

In addition, it will be quite positive if the laws governing outer space will be implemented and consolidated from the perspectives of law compiling and development and formulate a comprehensive law governing outer space. We would like to work with all countries to promote this exercise. I am convinced that this Committee will continue to play its active role in achieving the rule of law in outer space.

Mr. Chairman, China's space industry has up to now 52 years of glorious history. We have basically developed five main capabilities, namely entry to space, satellite development applications, space travel infrastructure and insurance, manned space flight and space exploration.

In October 2007, China successfully launched its lunar probe satellite, Chang-a-1(?), which is a \_\_\_\_\_(?) important achievement in China's space industry. While seeing self-development, we abide by the principle of having international cooperation in outer space. We are committed to achieve common prosperity and promoting the interest of developing countries.

In recent years, China signed, in accession with many countries, space agencies and international organizations, approximately 20 space cooperation agreements and conducted cooperative projects. We work with the relevant countries in the joint sponsorship to establish the Asia-Pacific Space Cooperative Organization. The launching of this Organization has entered a compound period.

The United Nations SPIDER Beijing Office will be launched as soon as the Host Country Agreement is concluded.

The China and Brazil Resource Satellite Project is going off smoothly. The satellite has provided thousands of frames of remote sensing images which has found wide applications in every field of national economy, such as crop production, environmental protection and monitoring, city planning and territorial resource exploration.

Last May, China successfully launched a telecommunications satellite and executed an on-orbit delivery to Nigeria.

Mr. Chairman, it is very important that we finalize the outer space legislation. It is also very important for other countries to develop their own domestic legislation. It is for this purpose the Chinese delegation supports the two new items that is on the agenda, namely the capacity-building of space law, and the general exchange of information of the legislative materials of the certain countries in terms of peaceful exploration and use of outer space.

The Chinese Government attach great importance to regulate the space activities after formulating the management methods for the registration of space objects and the interim methods on the management of licence for launching of civil space projects. We have also initiated the drafting of the management regulations on space activities. We hope by discussing on the above items, we will be able to explore the opportunities to step up, to explore the ways to build up the legal building-capacity of all countries and promote the domestic legislative-making process of all countries. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of China for the statement on behalf of your country. I think that you have included in this statement many important points. Again, I will only refer to some of them, for example, the first comment which related to the present not completely satisfactory legal regime as far as the prevention of the non-militarization, or better to say non-weaponization of outer space is concerned. I also noted that you appreciate positively the work of the UNIDROIT on the Space Protocol. You also commented the Guidelines to Mitigate Space Debris that have been recently adopted and then you report in some greater detail on the development of the Chinese Activities. You also emphasized the development of the Asian-Pacific regional cooperation and commented on it in a very positive way and other projects of international cooperation, such as, for example, the bilateral cooperation between China and Brazil. Finally, you expressed a special interest in dealing with our items on capacity-building in space law and on information on the development of national legislations and I would like to thank you for your statement. At the same time, I would like to thank you for the kind words that you addressed to the Chair and the Director of the Office. I apologize, I forgot to express the same thanks to the foregoing speaker, the distinguished representative of Nigeria. I am doing it only now. But I see you wish something to add. You have the floor.

**Mr. G. TANG (China)** (*interpretation from Chinese*): Mr. Chairman, I would like to make an

additional point. The translation, the interpretation right now was very accurate but there is one point which I would like to clarify.

We appreciate the United Nations General Assembly resolution at which the Mitigation Guidelines were endorsed instead of the United Nations Security Council. Thank you very much.

**The CHAIRMAN:** Thank you very much for your bringing to our attention this particular point of the translation or interpretation. I also observed that there was probably a certain error in this respect and you have just now corrected it. Thank you very much.

The next speaker on my list is the distinguished representative of the Republic of Korea.

**Mr. B.-H. KIM** (Republic of Korea): Thank you Chairman. It is a great pleasure for my delegation to see you chairing the forty-seventh session of the COPUOS Legal Subcommittee this year, with new items of single issues like capacity-building in space law. I would like to take this opportunity to thank you for your effect leadership.

My delegation would also like to congratulate Dr. Mazlan Othman on her appointment as the new Director of the Office for Outer Space Affairs and thank the Director and her team in the Office for providing high quality documentation and reports for this meeting.

Mr. Chairman, during the last half century, tremendous technological and scientific advances have been achieved in the field of outer space. Among the developments of the last 50 years, the expansion of space activities and the increasing role of the private sector involved in those activities have been most noticeable. In this regard, the Legal Subcommittee in recent years has contributed to meaningful discussions on how to address the legal issues arising from the changing space environment.

My delegation noted that the Legal Subcommittee finalized its four-year Work Plan on the practice of registering space objects last year and that the United Nations General Assembly adopted resolution 62/101, recommendation on enhancing the practice of States and international inter-governmental organizations in registering space objects. The resolution recommends practical guidelines for the implementation of the Registration Convention, in line with the technical advances and increasing role of the private sector which can be evaluated as a fruitful achievement of the Subcommittee.

Mr. Chairman, the Republic of Korea, under its long-term plan for Korea's Space Development of 1996, which was revised in 2005, has focused on achieving a national capacity to launch micro-satellites and developing a low-Earth orbit multi-purpose satellite and launcher.

The Republic of Korea values bilateral cooperation in the space arena and has concluded international agreements in the field of space issues for peaceful purposes with the Russian Federation and Ukraine.

Last year, the Technical Safeguard Agreement annexed to the Protocol with the Russian Federation came into force which gave a sound legal basis for the Korean-Russian cooperative work on developing the Korea Space Launch Vehicle, KSLV, since 2002. The launch vehicle, KSLV-1, is scheduled to be launched around the end of this year from the Space Centre in Kahoon(?) in the southern coast of the Korean peninsula.

In addition, the first Korean astronaut, named Soyan Yi(?), will fly to the International Space Station onboard the Soyuz spacecraft and perform several scientific experiments this month, I mean April 2008. This will be a good occasion to raise awareness among Korean people of the importance of the peaceful use of outer space.

As my delegation announced at the forty-sixth session of the Legal Subcommittee, the Republic of Korea is part with the Outer Space Treaty, the Rescue Agreement, the Liability Convention and the Registration Convention, has \_\_\_\_\_(?) the Space Development Promotion Act and its regulation in November 2005.

In addition, my delegation would like to inform you that the National Law of Compensation for Third Party Damages, COSPAR Space Objects, will also come into force in June this year.

Mr. Chairman, taking this opportunity, my delegation is pleased to inform you that preparation for the International Astronautical Congress, IAC, 2009, to be held in Daejon(?), Korea, are now well under way. The Local Organization Committee was established in January this year and the present Convention Centre, the IAC main venue, is nearly completed. It is a great pleasure for us to host the IAC 2009 and we hope that this event will prove to be a milestone in Korea's space development history, as well as a stepping stone

towards enhanced international cooperation with many space-faring countries.

Mr. Chairman, I would like to conclude by reiterating my Government's full commitment to the collective efforts of the international community to achieve a legal regime on outer space that benefit all mankind. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you very much distinguished representative of the Republic of Korea for your statement that you have just made. And I believe that also your statement has brought many interesting points, of course, mostly relating to the activities of your own country and to international cooperation that your country develops with some other countries, such as the Russian Federation or Ukraine, as you have just mentioned. I also observed that the Republic of Korea is a building up its own national programme, national plan of space activities and also the necessary legislative basis for such activities, particularly by enacting the Space Development Promotion Act in 2005 and now recently by the National Law of Compensation for Third Party Damages that will come into force this year. Finally, I also would like to recall once again, as you already did, a very important undertaking, it means the organization of the International Astronautical Congress in 2009 in your country, in Daejeon(?) in the new Convention Centre which is shortly to be opened in Daejeon(?). Thank you very much once again and also for your kind words addressed to the Chair and to the Director of the Office.

The next speaker on my list is the distinguished representative of South Africa.

**Ms. N. JONES** (South Africa): Thank you Mr. Chairperson, distinguished delegates. The South African delegation wishes to express its pleasure to see you presiding at the forty-seventh session of the Legal Subcommittee. We are confident that substantive progress will be made on the various agenda items under your able leadership.

We would also like to congratulate Dr. Mazlan Othman on her appointment as Director of the Office for Outer Space Affairs and to express our appreciation to the Office for Outer Space Affairs for the usual excellent arrangements and for the documents that are produced to facilitate our discussions.

Chairperson, the South African delegation wishes to reiterate its position that space should be used for peaceful purposes for the benefit of all humankind. When we consider the legal aspects of the

uses of space, our aim should be to contribute to enhancing the developmental goals that were identified by the international community in the United Nations Millennium Declaration.

In a modern and inter-dependent world, there should be no doubt that the greater utilization of space technology on a cooperative basis will contribute to enhancing human endeavours, including to reduce the impact of major natural and other disasters and calamities. And it is with this in mind that the South African delegation wishes to emphasize the importance of international cooperation in developing relevant legal norms in meeting emerging new challenges.

With its global reach, space technology can make a vital contribution to promoting international security. This would require promoting more transparency in space activities among countries, including ensuring measures that would contribute to reducing possible misunderstandings or tension among countries regarding their respective activities in space.

The introduction of weapons into outer space would undermine the conflict of peaceful uses of outer space, as well as non-proliferation efforts. We believe that regional and interregional cooperation is crucial for preserving the use of space for peaceful purposes by all countries. We, therefore, add our voice to calls for this Committee to give adequate attention to the important issue of maintaining space for peaceful purposes.

One of the greatest challenges facing our activities in outer space is when space infrastructure is threatened by orbital debris. As a country striving to develop space technology, like many others, we are alarmed at the increasing level of space debris and are supportive of any efforts that would help reduce the growth of debris.

The State that support of the members of COPUOS on the adoption of the voluntary guidelines on debris mitigation should also extend to a real effort to encourage the implementation of the guidelines. In this context, we believe that OOSA could play an active role to popularize these guidelines in order to ensure a wide implementation thereof. Adherence to and implementation of the guidelines would go a long way in ensuring that especially developing countries efforts to utilize space and not negatively affect it by space debris.

Chairperson, South Africa has made substantive progress in space activities since the last session of the Subcommittee. Of particular

significance is that the process of developing the National After-Space Policy is well underway and is expected to be completed later this year. This policy will guide the various South African role players as they conduct activities in the space arena, including the South African Council for Space Affairs and the imminent National Space Agency. The policy has been informed by international best practice and is undergoing an extensive consultation process.

In the arena of implementation of space activities, a National Space Science and Technology Strategy has also been developed after wide stakeholder consultations. This Strategy will provide the strategic direction necessary for a viable space programme in South Africa.

Furthermore, the process of establishing a National Space Agency is making steady progress. In March 2008, the Cabinet approved the National Space Agency Bill and is expected that the Agency would be established within a year after approval by Parliament. The Agency would allow South Africa to play a more prominent role in international forums to harmonize the sphere of activities of national space science institutions and to oversee local space-related activities. The Agency will work closely with the Space Council to ensure that South Africa fulfil its obligations under international agreements.

Chairperson, with regard to item 8 on the utilization of the geostationary orbit, South Africa is of the view that the geostationary orbit is a limited resource and access to which should be provided on equitable conditions, taking into account in particular the needs of developing countries.

Chairperson, with regard to agenda item 11 on capacity-building in space law, the Subcommittee will recall that South Africa has proposed this agenda item following the very useful symposium jointly presented by the ECSL and IISL at our last meeting. We are very pleased that the Subcommittee agreed to include this issue on its agenda for the current session. In particular, we express our thanks to Professor Kopal as Chair of the Working Group, as well as the delegations including Algeria, Nigeria, Burkina Faso, Chile and Colombia for their support in this regard last year. It will be recalled that the purpose of introducing this agenda item was that it was considered timely to deliver it and how COPUOS generally and the Legal Subcommittee specifically can contribute to the important issue of capacity-building in space law matters. We believe that the deliberations of this meeting will be strengthened if pressing issues regarding capacity-building were further deliberated

on, such as an indication of how member States promote the progressive development of space law and its codification, as well as the teaching study, dissemination and wide appreciation thereof. How members can identify areas where they can contribute to capacity-building, particularly for developing countries including, but not limited to information regarding training, scholarships, grants and funding provided for courses related to space law, areas at which capacity-building in space law have been identified by member States as deserving of consideration for possible partnerships and collaboration.

We look forward to sharing more detailed views with other delegations during the consideration of this agenda item.

Chairperson, on item 12 of the agenda that relates to the general exchange of information on national legislation relevant to the peaceful exploration and use of outer space, our delegation believes that this is a valuable discussion which would contribute to furthering the understanding and the scope of the possible uses of space amongst nations and how to regulate this in a legal framework. South Africa does have special related legislation and our delegation shall be making a more detailed statement under this item.

In closing, my delegation is looking forward to a fruitful consideration of the various agenda items before us and we would like to assure you of our full cooperation to ensure the success of this session. Thank you for your attention.

**The CHAIRMAN:** Thank you very much distinguished representative of South Africa for your statement which, of course, included again many important points that I do not intend to repeat here. But I appreciate particularly that in your statement you elaborated the programme for our deliberations on the issue of capacity-building of space law because it was your country, as you mentioned correctly, which introduced and sponsored this idea and this item, with the support of other countries, and you now indicated on which aspects of this issue which is, of course, very complex, this session of the Legal Subcommittee might concentrate. Thank you very much once again and also for the kind words that you expressed in relation to the Chair and to the Director of the Office.

The next speaker on my list is the distinguished representative of Belgium to whom I give the floor.



**Mr. J.-F. MAYENCE** (Belgium) (*interpretation from French*): Mr. Chairman, Professor Kopal, my delegation would like to congratulate you on your new election to the chairmanship of the Subcommittee. Your knowledge of the matter, your wisdom and your great scientific experience in space law will, of course, contribute to our success.

Since the Belgian delegation has taken the floor for the first time formally after the appointment of the new Director of the Office for Outer Space Affairs, we would also like to take this opportunity to congratulate Madam Mazlan Othman for returning to the Office.

Mr. Chairman, during the year that elapses between the sessions of the Subcommittee, exploration, utilization, exploitation and commercialization of outer space continue at an increasing pace. The work of the Subcommittee does not stop at the end of the 10 days of our sessions, it continues well beyond these dates in each member State.

What do we do within the Subcommittee through the United Nations COPUOS and the United Nations General Assembly is have an impact on a series of reflections, deliberations, discussions that often goes beyond the area of space activities as such.

Among these ramifications, some affect us in Belgium. As you know, Mr. Chairman, Belgium acquired in 2005 its own space legislation. This legislation strives to put into effect primarily the provisions of Articles 6, 7 and 8 of the 1967 Space Treaty. This is a modern space law which takes into account relatively recent areas which the Subcommittee has had a chance to consider.

In other transfer of activities, international liabilities, registration of space objects and also the concept of the launching States. This legislation also covers more global concerns such as the protection of the environment, both terrestrial and outer space.

Up to the present, a Royal Decree was necessary to make this law take effect and now we are happy to announce that this Royal Decree was signed by His Majesty The King of Belgium and is being prepared for publication in our official journal. There is an addendum which contains standard forms that need to be completed by each operator to obtain the Ministry's authorization. The set of authorizations set standard by the Minister and also the National Registry of Space Objects whose creation will, of course, be conveyed to the Secretary-General of the United Nations by a Note Verbale in accordance with Article 2

of the Registration Convention of 1965. This documentation can be accessed on the Internet site of the Belgian Scientific Policy, [www.belspo.be](http://www.belspo.be).

Thus, as of today, Belgium possesses its own legal and regulatory framework to guide the work of space operators in ensuring the security of activities, both with regard to the operators, the third parties and the environment.

The second reason why we are happy about the progress achieved in the Subcommittee is the specific agenda before us. We will have a chance to address it when the time comes. We do not want to prejudice our position but my delegation would already like to thank all delegations that have taken part in formulating a joint response on the matter of participation in the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.

This joint response has demonstrated how space law goes beyond borders and how the matter of this 1979 Agreement is topical for our time, for all of humanity. One day the matter of extraterrestrial resources will arise for our descendants and the decisions that we take or do not take today might well determine or limit the solutions of tomorrow.

We will speak again about this joint response when we come to that agenda item specifically. But even now, we would like to point out that this exercise open to all State Parties to the Agreement and all members of the United Nations COPUOS that it is a strong political signal, reaffirming the 1979 Agreement and its important role in the legal framework of international space law.

Finally, and it is the third group of ideas for me, Belgium notes with satisfaction the initiatives and current projects aiming at improving the security and transparency of space activities. In this regard, we fully support the European proposals, both within the framework of the Conference on Disarmament and the future activities of the European Space Agency, promoting better knowledge of the occupation and utilization of orbital space.

My delegation would like to draw the attention of delegations to the fact that these are very technical issues, both in scientific and technological terms, but also in legal terms. For example, the system of liabilities which we know exist in the area of space activities is complex. Sometimes it is based on the status of the launching States, sometimes on the concept of fault when damage is caused to objects in

outer space. However, the understanding of this concept of fault poses a number of theoretical issues and should logically take into account the sum total of norms, standards and guidelines applicable in the sector.

We should be aware that any reference norm or rule, even though we may qualify it as non-binding or non-mandatory, will be considered the applicable rule or the rule of the arts and any prudent and diligent operator will have to respect it.

While this is a praiseworthy objective, it is important to proceed with great knowledge of the matter in evaluating all the economic, financial and legal consequences of the introduction of such norms.

Mr. Chairman, in conclusion, my delegation would like to reiterate its great interest in the work of the United Nations COPUOS and in particular this Subcommittee. I would like to note, Mr. Chairman, that the work of a space lawyer has greatly evolved since the era of the great teachers. Today, it is not about developing new rules tailor-made for space activities, new principles governing this extraordinary area human activity. The responsibility of a space lawyer today is to recall the foundations of international law, or law generally, and to make sure that the exploration and utilization of outer space submits to the values represented by international law.

It is not always easy for legal experts, scientists, engineers, or political decision-makers to work together. Sometimes the voices of some of them try to impose themselves on the others. The United Nations Committee on the Peaceful Uses of Outer Space has always been successful in maintaining an intelligent and fruitful dialogue among these various stakeholders. And that is why, no doubt, at a time when other organs or organizations may succumb to a political paralysis, this Committee, within the framework of its mandate, has always been an open forum for discussion and reflection, be it on scientific or legal aspects and it is in this spirit that we want to maintain the work of the Subcommittee. Thank you very much.

**The CHAIRMAN** (*interpretation from French*): Thank you distinguished representative of Belgium for your statement which, as always, contains many fascinating ideas and a lot of very useful information for our work, now and in the future. In particular, I appreciate the information you have provided on the adoption of the National Belgian Law on Space Activities. It is a truly modern law incorporating the most recent aspects and

developments in outer space activities. Also, I appreciate your analysis of the developments currently underway in outer space law and the rule that is considered to be non-binding or non-mandatory as opposed to regulatory norms or standard. I have listened with great interest to the conclusion that the responsibility of space lawyers today is to recall the fundamentals of international law or quite simply law and make sure that the exploration and utilization of outer space does not escape the values promoted by law. Thank you very much distinguished representative of Belgium and thank you also for the kind words addressed to the Chair and the Director of the Office for Outer Space Affairs.

I now call upon Indonesia.

(*Continued in English*) The distinguished representative of Indonesia has now the floor.

**Mr. S. SYARIF** (Indonesia): Mr. Chairman, first of all, on behalf of the Indonesian delegation, I would like to join the other delegations in extending our sincere appreciation to you as the newly elected Chairperson of the forty-seventh session of the Legal Subcommittee. We are confident that your able leadership will contribute greatly to the success of our deliberations. Please be assured of my delegation's full support and cooperation as we look forward to a favourable and productive session.

I also would like to pay tribute to the previous Chairman, Mr. Raimundo González Aninat of Chile and applaud him for his exceptional work and successful steering of the previous session.

My delegation also expresses its appreciation to the Office for Outer Space Affairs and all parties supporting and carrying out the work which, in turn, facilitates our consideration on the issues of concern during the course of our present session.

Mr. Chairman, as a party to four space treaties, namely the Outer Space Treaty, the Rescue and Return Agreement, the Liability Convention and the Registration Convention, Indonesia constantly undertakes its space activities in compliance with these treaties. I would like to reiterate Indonesia's basic position that outer space should be used and dedicated entirely for peaceful purposes and for the benefit of all mankind. To bring this position into a reality, my delegation is of the view that international cooperation in space activities should be promoted and space activities of all countries should comply with the international treaties agreed upon by all countries.

My delegation is pleased to note that the constructive discussion in the Subcommittee has been taking place in further(?) legal instruments on space issues.

With regard to the definition and delimitation of outer space, Indonesia stresses the need for this Legal Subcommittee to seriously discuss these issues in concrete terms. The absence of a clear definition and delimitation would bring about legal uncertainty in the application of outer space law and Earth space law.

The matters concerning States sovereignty of air and space and the scope of the two different legal regimes need to be clarified so as to reduce the possibility of disputes among States.

Mr. Chairman, since the geostationary orbit is a limited natural resource with *sui generis* characteristics that risk saturation, Indonesia would like to reiterate its call that preferences(?) (*not clear*) be given that the utilization of the geostationary orbit is extended to and for the benefit of all countries by applying the principles of equitable access for all States, taking into particular account the needs and interests of the developing countries as well as the geographical(?) position of certain countries. It should be used on an equitable basis to meet the needs and interests of developing countries whose geographic situation particularly makes them relevant in this implementation.

With regard to the item review and possible revision of the Principles relevant to the use of nuclear power sources, NPS, in outer space, my delegation is happy to note that at the last session of the Scientific and Technical Subcommittee, the Working Group on NPS reached a consensus on preparing and publishing the Safety Framework for NPS Application in Outer Space under the new multi-year Work Plan 2007-2010. The Indonesian delegation would like to stress the importance of strictly applying safety standards in the use of nuclear power sources in outer space and fully support the use of NPS in outer space for peaceful purposes.

Mr. Chairman, with regard to capacity-building in space law, my delegation fully supports the Committee's view that capacity-building, training and education in space law are of paramount importance of the national, regional and international efforts in the further development of space activities and to promote knowledge of the legal framework within which space activities to take place, particularly promoting cooperation with, and assistance to, developing countries. In this connection, free access to data and

information on activities of international intergovernmental and non-governmental organizations relating to space law is a very important contribution to helping the member States to develop their national space law.

In order to fully comply with the registration of space objects, we would like to inform you that in accordance with Article 2 of the Convention on the Registration of Objects Launched into Outer Space, Indonesia has established a Registry of Space Objects Launched into Earth Orbit. The Registry will be maintained at the National Institute of Aeronautics in Space and we are now preparing administrative elements for comprehensive action to register Indonesia's space objects within the United Nations Registry.

Mr. Chairman, I am pleased to inform you that Indonesia and the United Nations OOSA(?) will jointly organize the United Nations Indonesia Regional Workshop on Integrated Space Technology Applications to Water Resources Management, Environmental Protection and Disaster for \_\_\_\_\_(?) Mitigation, in Jakarta, from 7 to 11 July 2008. The overall objective of this Regional Workshop is to promote the integrated use of the demonstrated capabilities of space technology to support national, regional and international efforts in water resources management and environmental protection. By achieving this, it is hoped that the \_\_\_\_\_(?) of States to work(?) across national disasters, they reduce and they \_\_\_\_\_(?) be mitigated.

In line with the \_\_\_\_\_(?) Plan resulting from the \_\_\_\_\_ of the Conference of the Parties of the United Nations Framework Convention on Climate Change in Bali, December 2007, the efforts to address global change in order to successful should be done not only by Annex I countries of the Convention but also in collaboration with non-Annex I countries. Indonesia has already developed the National Action Plan to address climate change. We basically comprise this mitigation application(?) by various sectors and institutional capacity-building to support the implementation of mitigation and adaptation programmes. In this line, we are following closely the discussion in the Symposium yesterday and today on the legal implications of space applications for global climate change.

Indonesia also continues to actively contribute to the strengthening of international cooperation among others, through its participation in the activities of SENTINEL-ASIA and ABSCO(?). We hope that

international cooperation will continue to increase in the forthcoming years, in particular in the form of cooperative activities in support of sustainable development.

In conclusion, Mr. Chairman, I would like to reiterate Indonesia's firm commitment and support to the effort of this Subcommittee for the benefit of mankind. Thank you very much.

**The CHAIRMAN:** Thank you very much distinguished representative of Indonesia for the statement on behalf of your country. I believe that you also mentioned some very important points in which your country is particularly interested to be discussed during this session of the Legal Subcommittee. You emphasized, for example, the necessity to further discuss the item on definition and delimitation of outer space and, of course, also on the geostationary, on the status of the geostationary orbit for the benefit of all countries by applying the Principle of equitable access for all States. I also listened carefully to your information about the establishment of a national registry of space objects launched in outer space in your country and also your information about the organization of a United Nations/Indonesia Regional Workshop in Jakarta on a topic which is particularly importance during our times now.

Finally, also on the development of the National Action Plan to address climate change, which, as you know, it is also one of the important problems today.

Thank you very much also for the kind words that you addressed to the Chair and to the Office on outer space matters but you have not forgotten to appreciate the work of the previous Chairman of this Subcommittee, Ambassador Raimundo González Aninat of Chile. And I would also like to thank you for this appreciation on behalf of Ambassador González, who is probably not yet present, but I am doing it on his behalf because he is a friend of mine.

Thank you very much and I now give the floor to the distinguished representative of Germany.

**Mr. J. REICHHARDT (Germany):** Thank you Mr. Chairman. I would also like to start by congratulating you on your election as Chairman of the Legal Subcommittee for the period 2008-2009. The members of my delegation but they are now working personally with you for a long time and we look forward and are certain of a fruitful outcome of this meeting under your chairmanship.

I would also like to present the thanks of the German delegation to Ambassador Raimundo González Aninat for his chairmanship of the Legal Subcommittee in 2006-2007.

And I would also take the opportunity and thanks to the Secretariat of the United Nations Office for Outer Space Affairs for their work in preparing this session. I would like to thank Mr. Sergio Camacho Lara for his many years of exceptional service as Director of the Office and I would like to congratulate Mrs. Mazlan Othman on her appointment to the Directorship of the Office. We look forward to working closely with her during her tenure.

Mr. Chairman, the German delegation welcomes with great satisfaction on progress achieved during the last Legal Subcommittee session, especially with regard to the finalization of the resolution, recommendations for enhancing the practice of States and international intergovernmental organizations in registering space objects. This resolution was adopted by the General Assembly in December 2007.

We also note with appreciation the adoption of the 2007 COPUOS Space Debris Mitigation Guidelines. The implementation of these Guidelines could be a further topic of the Legal Subcommittee for one year, the implementation of international law of these Guidelines.

Mr. Chairman, the past year has been an important one for Germany's contribution to exploration and use of outer space. I would like to name of the following. Last year, the Office of the United Nations Platform for Space-Based Information for Disaster Management and Emergency Response, short name UN-SPIDER, was established in Bonn, in Germany.

Last year also a German radar satellite, TERRASURFIX(?), a development in public-private partnership was launched from Balkanaur(?). It was June 2007. The satellite entered into operational phase in January 2008 and is expected to be an important source for geo-scientific research, including European Earth Observation Programme, GNES. It would also be the source of various commercial applications.

The launch of Columbus, the European contribution to the International Space Station, coincides with the successful mission of the German ESA astronaut, Hans Schledl(?), the second German astronaut to perform an extra vehicular activity.

And the last thing to mention, the first autonomous European supply spacecraft, the automatic transfer vehicle, named GEOS-1(?), was successfully launched on 9 March 2008 to the International Space Station. As you know, the German Aerospace Centre coordinates the communication of this automatic transfer vehicle from its Control Centre in Oberpfaffenhofen(?) in Germany.

Mr. Chairman, let me conclude with the following. These events with achievements underscore Germany's commitment to the peaceful exploration and use of outer space and you can be assured Germany is dedicated to the work of the Legal Subcommittee for the progressive development of a practical legal framework for space activities. Thank you very much Mr. Chairman.

**The CHAIRMAN:** Thank you very much distinguished representative of Germany for your statement which was relatively shorter but still substantive and formulate in a very concise manner. I fully share your view that the adoption of the resolution of the General Assembly 62/101, entitled "Recommendations on Enhancing the Practice of States and International Intergovernmental Organizations Registering Space Objects" has been a major achievement that was enabled to buy the dedication of the delegation of Germany and particularly the Chairman of the Working Group, Professor Kai Uwe-Schrogl, in this particular field. And I also agree with you that we should further think about implementation of this resolution in our national laws or in the national laws of those countries that have already such a document or that are preparing them. I also observed that the Federal Republic of Germany has participated in several important space activities, particularly in those performed under the scope of the European cooperation and your achievements that have been reached in this respect.

And finally I would like to thank you for the kind words addressed to the Chair, to the Director of the Office, but also to the former Chairman of the Legal Subcommittee, Ambassador Raimundo González Aninat. And last but not least, to the former Director of the Office, our friend Sergio Camacho Lara, for his many years exceptional service. We should not forget it.

Thank you very much and I now give the floor to the distinguished representative of the Russian Federation.

**Mr. E. T. ZAGAYNOV** (Russian Federation) (*interpreted from Russian*): Thank you very much Mr.

Chairman. The delegation of the Russian Federation would like to start by congratulating you, Sir, on your election to this important position. We are convinced that your rich experience, your vast knowledge, will make the work of the Subcommittee effective and fruitful.

We would also like to express our appreciation of Ambassador Raimundo González who, in recent years, has very skilfully managed the work of this Subcommittee.

Furthermore, we would like to add our voice to those who have already spoken in wishing every success to Madam Mazlan Othman on the occasion of her appointment to the position of Director of the Office for Outer Space Affairs.

Mr. Chairman, the Russian Federation has consistently come out in support of broad international cooperation in various areas pertaining to the exploration and utilization of outer space. It is an important and necessary element of this process which has to take into account the interests of all participants that it should be guided by adequate international space law which meets the requirements of our time.

Way back when the Declaration of Legal Principles for the Activities of States in the Peaceful Use of Outer Space was adopted in 1963, it was stated that international cooperation in the scientific and legal aspects pertaining to space exploration and use for peaceful purposes will promote the development of understanding and friendly ties among States. A paramount role in implementation the further development of international space law lies with the organization of the United Nations and, in particular, this Subcommittee.

We have accomplished important results in recent years. We note with satisfaction the fact that in 2007, the United Nations General Assembly adopted the resolution on the practice of States and international organizations in registering space objects.

The agenda of this Subcommittee's session is very dense indeed. This year it includes two new items, capacity-building in space law, and general exchange of information on national legislation relevant to the peaceful exploration and use of outer space.

My delegation supports the idea of having a discussion on these issues and we hope it will be a positive one. In particular, we believe that exchanging information on national legislation could be useful to

States that are just embarking on developing their own national space legislation, as well as to those who already have a well-developed system of legislation in this area.

Within the framework of the Working Group on the Status and Application of the Five United Nations Outer Space Treaties, we are going to hold a discussion of issues pertaining to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies. The Russian Federation, as most other States, is not a party to that Agreement. However, we believe that having such a discussion is important and timely, taking into account the existing plans for national and international programmes and projects on the Moon.

In a situation where the exploration and use of outer space is constantly expanding and new actors emerge in the international space activities arena, when these activities are being commercialized, it is objectively necessary to develop international space law.

We believe that the distribution of a questionnaire on prospects for the further development of international space, which as proposed two years ago by a number of delegations here, could help us define the further lines of developing for the Subcommittee's activities and establish priorities and the positions of all interested States.

The existence of lacunae in international space law has been pointed out by a number of delegations in this session and previous sessions of the Subcommittee.

Traditionally, the Russian Federation has come out for a comprehensive approach to international space law and regulation. We believe that the optimum way of addressing these issues would be to develop a comprehensive single United Nations Convention on International Space Law. Such an instrument would make it possible to consider all aspects pertaining to space activities and the use of space technologies, while taking into account the interests of all participants in space activities.

In our view, one of our most important objectives is to define the ways and means of maintaining outer space for peaceful purposes. Contemporary international law contains no direct ban on deploying weapons in outer space, with one exception, weapons of mass destruction. However, deploying any weapons in outer space would generate tensions in relations among States, would undermine

the climate of mutual trust and cooperation in the exploration of space.

The Disarmament Conference has, this year, proposed a draft treaty on preventing the deployment of weapons in outer space, the use of force or the threat of force with regard to space objects. This document would go a long way towards filling those gaps in international space law and create conditions for the further exploration and use of outer space, while securing space objects and strengthening general security. We call on States to support this initiative and we hope to hear an active and interested discussion of that document.

Our delegation is convinced that to adequately the issue of ensuring the security of space activities and the use of outer space for the benefit of all mankind is only possible if one stops the process of demilitarization of outer space. Thank you very much Mr. Chairman.

**The CHAIRMAN** (*interpretation from Russian*): I thank you distinguished representative of the Russian Federation for your statement. You have drawn our attention to many important and interesting issues. As I understood you, one of our objectives is to provide an adequate international legal and regulatory framework meeting the requirements of our time. I think this is a very important idea.

I listened with great interest to your views with regard to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies and the position of the Russian Federation on this important agenda item before the Working Group on the five outer space treaties.

I have also listened with great interest to the various ideas you have shared with us in your statement, in particular the information you provided on the new draft treaty proposed by the Russian Federation, along with China, at the Conference on Disarmament in Geneva, which includes new important provisions pertaining to the non-militarization of outer space and to banning the use of force in outer space.

I would like to thank you also for the kind words addressed to the Chair and the Director of the Office for Outer Space Affairs and for other officials here. Thank you very much.

I now call upon the distinguished representative of Ukraine.

**Ms. N. MALYSHEVA** (Ukraine) (*interpretation from Russian*): Thank you very much. Mr. Chairman, the delegation of Ukraine would like to congratulate you on your election to the Chair of the Legal Subcommittee for 2008-2009. You have occupied this important position on a number of occasions and you have shown yourself to be a highly knowledgeable leader and we are convinced that in the coming two years you will promote the implementation of the Legal Subcommittee's mandate which is to develop international space law and disseminating its ideas in the world.

Mr. Chairman, I would like to dwell briefly on Ukraine's space activities over the past year. This year carried a bumper crop of important events for the international space community. We celebrated about a dozen space jubilees, the fiftieth anniversary of outer space activities and the formation of the United Nations Committee on Outer Space, the centenary of Sergei Korolov, the fortieth anniversary of the first international legal instrument governing space activities, the United Nations Space Treaty. We also marked the International Heliophysical Year.

Ukraine has marked these important events by a number of scientific and practical conferences, symposia, exhibitions and other events.

In 2007, Ukraine completed the implementation of the Third National Space Programme which involved restructurization and commercialization introduction of advanced space technologies. We prepared and submitted to Parliament a draft new State space programme for Ukraine for the years 2008-2012.

We have paid particular attention in our country to promoting broad cooperation with other space-faring States and international organizations. Thus, we considerably stepped up our cooperation with the European Space Agency to create the necessary conditions for the gradual accession of Ukraine to ESA.

One important step in that direction was the signing in January 2008 of an Agreement between the Government of Ukraine and the European Space Agency on cooperation in the peaceful use of outer space. And the year before in January 2007, Ukraine ratified an Agreement on Cooperation within the framework of the Global Navigation Satellite System, GNSS, between Ukraine and the European Union and its member States.

We have consistently developed bilateral cooperation between Ukraine and the Russian Federation, between Ukraine and Brazil. We have implemented joint Ukraine and Chinese projects, 29 projects in all, under the Cooperation Plan between Ukraine and China for 2006-2010. And we have started preliminary work leading up to the implementation of joint projects with some of the leading aerospace cooperations of the United States.

We signed a Framework Agreement on Cooperation between the National Space Agency of Ukraine and the appropriate agencies of France and Italy. We have also stepped up cooperation with the Arab Republic of Egypt, with the Republic of Korea, Turkey and Argentina.

Mr. Chairman, the delegation of Ukraine positively assesses the entire agenda before us at this session of the Legal Subcommittee. We believe they are all important issues for us to consider. We hope that the session will promote further progress in addressing issues that are of practical importance and practical benefit to the development of international space law.

In the context of the agenda item "Status and Application of the Five United Nations Treaties on Outer Space", my delegation remains committed to compliance with the existing space law, but at the same time, consistently comes out for deploying a discussion within the mandate of the Legal Subcommittee as to the prospects for the future development of international space law. We believe that such a discussion is necessary and expedient and it could be considered by a working group newly set up under agenda item 6.

The delegation of Ukraine believes that the fact that we are still lacking a definition and delimitation of outer space, in view of the accelerated pace and development of space technologies, creates legal lacunae, not only in outer space law, but also in air space law. In this context, we believe that progress in the area of delimitation of outer space and air space can be reached in cooperation with ICAO.

On the whole, this delegation has, on many occasions, mentioned the need to more actively use inter-institutional cooperation in working on the specific agenda items in our sessions and, first and foremost, cooperation with other agencies of the United Nations. Thus, progress in the area of the use of nuclear power sources in outer space was accomplished largely thanks to the pooling of efforts of this Committee and the IAEA. And there are many

other untapped reserves where we could further consolidate cooperation among the various United Nations agencies. We would welcome every step in that direction. In particular, we welcome the Secretary-General's report on the coordination of space activities within the United Nations system, document A/AC.105/910.

Mr. Chairman, speaking at the forty-sixth session of the Legal Subcommittee, under the general exchange of views, our delegation made the proposal that it would be worthwhile considering the issue of space education and capacity-building in the area of international space law as a separate agenda item for the Legal Subcommittee. We are happy to see that this proposal did meet with support. It was supported by South Africa and other States and at this current session we do have such an agenda item.

We note that considerable progress has been accomplished in the area of space education due to the efforts to the International Group of Experts. As a result, we can hope that in the near future, space law and space law-related issues will be included in the syllabi of the Regional Centres for Space Science and Technology.

This year we will mark the tenth anniversary of the Agreement between Ukraine and Russia on setting up an International Centre for Space Law. Over the past decade, it has worked, with great success, in Kiev, the capital of Ukraine, has promoted capacity-building and raising the potential of space law, not only in Ukraine, but throughout the area of newly independent States formed after the dissolution of the USSR. Because of this anniversary, in June 2008, in Kiev, we are going to hold an International Conference specifically devoted to the issue of capacity-building and international space law and would like to invite all those willing to attend to come to Kiev and take part.

Mr. Chairman, in view of the commercialization and privatization of outer space activities and its diversification and the fact that international space law has remained unchanged over decades, the role of national space legislation is becoming increasingly important. Therefore, we welcome the fact that now our agenda contains a special item on the exchange of views about national space legislations.

My country has accumulated considerable experience of regulatory work in the area of space exploration and will be happy to share our experience under agenda item 12 at this current session and we hope this is not going to be a hasty or brief exchange of

information. In our opinion, it is very important to deepen this work, already pursued by the Secretariat which, among other things, has placed on its website, information on the space law of various countries of the world. States must realize how important it is to make this information accessible to stimulate the development of space law in those countries where this work is only just beginning.

In terms of proposals to the Committee on Outer Space with regard to new agenda items to be put on the agenda of the Legal Subcommittee, we would like to note the pioneering role of symposia which have been held within the framework of the Subcommittee over a number of years, jointly organized by the International Institute of Space Law and the European Centre for Space Law. These symposia raise issues that are the most topical, the most burning for the current stage in the development of space law. While the symposia define these issues, they do require a further elaboration by States and this is something that we could pursue within the framework of the mandate of the Legal Subcommittee.

One cannot but notice that in recent years, a series or a set of issues to do with the environment have become increasingly topical, starting with the matter of space debris which contaminates outer space, and all the way to global climate change which, and it was noted at the Symposium yesterday, is correctly considered to be problem number one which affects the very survival of humankind. My delegation believes that the time has come for this Subcommittee to consider the issue of space debris, and as a first step, would like to propose that the forty-eighth session should have a separate agenda item on exchange of information among States on their national regulatory measures to mitigate space debris.

Mr. Chairman, this delegation is prepared to take an active part in the discussion on all of the agenda items and I thank you for your attention.

**The CHAIRMAN** (*interpretation from Russian*): I thank you distinguished representative of Ukraine for your statement in which you have made some very interesting points regarding our future work. You have also shared with us valuable information about the development of space law and space activities in Ukraine, as well as the cooperation between Ukraine and the European Space Agency and some of the space-faring nations.

Furthermore, you have correctly highlighted some of the agenda items that place certain emphasis and introduce some new ideas which, in my opinion,



are very important and are worthy of our attention in the course of the discussion that will unfold here in the Legal Subcommittee.

I also note that you intend to propose a separate agenda item for the forty-eighth session on the exchange of information among States on their national regulatory activities to mitigate space debris. I believe this, too, is a very important initiative.

Thank you very much once again Professor Malysheva for your statement/

*(Continued in English)* I now call the distinguished representative of Malaysia to make his statement on item, general exchange of views, on behalf of his country.

**Ms. N. A. OSMAN** (Malaysia): Thank you Mr. Chairman. On behalf of the Malaysian delegation, I would like to congratulate you on your appointment as Chairman of the current session of the Legal Subcommittee. We are confident that your undeniable experience and commitment will provide guidance to this Subcommittee to work on the agenda and to finally achieve the objectives of the meeting.

We would also like to thank the past Chairman for his leadership. The Malaysian delegation would like to take this opportunity to also congratulate Professor Dr. Mazlan Othman of Malaysia on her appointment as the Director of the Office for Outer Space Affairs.

Mr. Chairman, let me begin by mentioning some of the noteworthy events that have occurred in Malaysia since the last session of this Subcommittee and that we expect to occur this year.

I am pleased to announce that Malaysia has launched its first astronaut on 10 October 2007. The Malaysian astronaut boarded the Soyuz TMA-11 spacecraft, blast-off from Balkanaur(?) Cosmodrome in Kazakhstan. In this regard, the Malaysian delegation would like to extend a very warm thanks to the Russian Federation for their cooperation in making our dream come true. The astronaut programme generates tremendous excitement in Malaysia.

From 6 and 27 March last year, Malaysia hosted the twenty-ninth International School for Young Astronomers, ISYA. ISYA is an initiative of the International Astronomical Union to further strengthen and to form the development of professional astronomers at the international arena. Forty participants attended the ISYA. The participants were

from science-grade students especially that have basic degrees of astronomy or space science. They follow lectures, practical and computer session in the period of three weeks. The lecturers of the ISYA came from around the world.

Mr. Chairman, the Malaysian satellite, which is called RADASAT(?), is planned to be launched in September this year on a USA launcher \_\_\_\_\_(?)-1, owned and operated by the company SpaceAg(?). It will be a dedicated launch from Cuadelaine(?) in the Republic of the Marshall Islands. RADASAT(?) images would be used for forestry, fisheries, migration, security and other areas that would benefit the nation. The RADASAT(?) spacecraft is a small LEO satellite.

Malaysia will develop a national communications satellite to proper secure satellite communication and network services to the Malaysian Government in order to enhance local development of space technology and human capital. The development of this satellite will take six years and its operational lifetime be 10 years.

Mr. Chairman, let me now move to the topics that we will discuss in this session.

With regard to agenda item 6, Status and Application of the Five United Nations treaties, Malaysia is a signatory to the Outer Space Treaty and the Rescue Agreement and is in the process of ratifying the said treaties. Malaysia is also currently studying the feasibility of acceding to the other three treaties.

HAS(?), the National Space Agency of Malaysia, in collaboration with the Attorney-General's Chambers, has initiated a draft Malaysian Outer Space Bill which is intended to be a specific legislation to regulate outer space activities by Malaysia. Currently, consultations are being undertaken with the relevant stakeholders in order to finalize the bill.

Mr. Chairman, after more than 15 years of existence, it is time for the Principles relevant to the use of nuclear power sources in outer space to be revisited and revised. A pragmatic approach should be adopted in order to formulate a new framework which can accommodate the new demands. Any review of the Principles should be extensive in nature by including both the formal and substantial aspects of the Principles.

Malaysia is of the view that States making use of nuclear power sources should conduct their activities in full accordance with the Principles to

prevent any collision or accident that would endanger outer space as well as the Earth as there is a real risk that a collision between space debris and space objects with nuclear power sources would cause serious damage. The use of nuclear power sources should be limited to deep space missions. In addition, the necessary safety controls should be exercised in respect of such missions.

Mr. Chairman, as regards item 10 of the agenda, Examination and Review of the Development Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, Malaysia is a party to the Convention and the Aircraft Protocol. Both instruments have come into force on 1 March 2006. In order to implement the Convention and the Aircraft Protocol, Malaysia has enacted the International Interests in Mobile Equipment Aircraft Act 2006. Similarly, in the event that Malaysia becomes a party to the Space Assets Protocol after it is finalized, Malaysia should have its laws increased with regard to space assets as the Convention does not allow for reservations(?) to be made.

Mr. Chairman, under the registration of space objects, particularly with regard to jurisdiction and control over a space object launched by multiple launching States, Malaysia agrees with the view that the State that has registered a space object would retain jurisdiction and control over that object, according to Article 8 of the Outer Space Treaty.

In the event that jurisdiction and control over the space object is changed, any appropriate agreement has to be concluded among the launching States in accordance with Article 2 of the Registration Convention.

For Mr. Chairman's information, even though Malaysia is not a party to the Registration Convention, in practice space objects launched by Malaysia into outer space are registered with the United Nations Office for Outer Space Affairs. The United Nations Office for Outer Space Affairs is also updated on the status of Malaysia's space objects in outer space.

Thank you for your kind attention.

**The CHAIRMAN:** Thank you distinguished representative of Malaysia for your statement in which you first of all informed us about the progress of space activities in Malaysia and the cooperation that this country has been developing with other countries. You informed us also about the preparation of a draft Malaysian Outer Space Bill which is, of course,

relevant to our forthcoming discussions on national legislations, national space legislations.

Also your comments on the Principles relevant to the use of nuclear power sources in outer space and the importance of consideration of the revision of this particular set of Principles was interesting and also your position that you hold concerning the use of nuclear power sources only for deep space missions.

Finally, you also mentioned your attitude to the project of UNIDROIT and the Space Protocol which is under preparation and encouraging was the announcement that Malaysia would be ready to accede to this particular Protocol as soon as it has been finalized.

And also your support of the aims arising from the needs of registration of space objects and the maintenance of the Principles that relate to this particular issue was also very interesting.

Thank you very much once again for your statement and I also would like to thank you for your kind words that you addressed to the Chair and to the Office, the Director of the Office for Outer Space Affairs. And I forgot to thank the foregoing speaker, the distinguished representative of Ukraine for the statement. I apologize that I do it only now with a certain delay.

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

**Mr. M. SIMONOFF** (United States of America): Thank you Mr. Chairman. Mr. Chairman, I would like to begin by congratulating you on your election as Chairman of this Subcommittee. The Subcommittee will continue to make important contributions to the refinement and development of outer space law under your wise leadership. We also appreciate the progress the Subcommittee has made under your predecessor, Ambassador Raimundo González. We also congratulate Professor Othman.

It is a pleasure to be here in Vienna to meet with this distinguished group of legal experts. The Subcommittee's last session was a very productive one, resulting in the United Nations General Assembly resolution on the registration of space objects and we look forward to continued progress in addressing issues of practical concern to all of us.

COPUOS and its Subcommittee have a distinguished history of working through consensus to

develop space law in a manner that promotes rather than hinders the exploration and use of outer space for peaceful purposes. In particular, this Subcommittee should be commended for its role in establishing the core outer space treaties, the Outer Space Treaty, the Rescue and Return Agreement and the Liability and Registration Conventions. Under the legal framework of these treaties, use of space by nations, international organizations and now private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

This session is also an opportunity for us to consider the fact that many States have not acceded to the four core treaties, including some members of COPUOS. The Subcommittee should invite States and international organizations to consider ratifying and implementing the four core space law instruments cited above. And, of course, it should encourage States that have accepted the core instruments to look at the sufficiency of their respective national laws to implement them and we look forward to the exchange of views under this new agenda item on national legislation.

Before turning to the work of the Subcommittee for this session, I would like to comment briefly about recent space-related activities in the United States.

On 20 February of this year, a specially modified technical missile, fired from a United States naval vessel, engaged a non-functioning national reconnaissance office satellite. This satellite, which had been registered with the United Nations Secretary-General with the International Designator of USA 193, was in its final orbits before making what would have been an uncontrolled re-entry into the Earth's atmosphere. The objective of the operation, which was successful, was to rupture the fuel tank to dissipate the approximately 453 kilograms of a highly toxic propellant fuel hydrazine(?). Due to the satellite's failure shortly after launch, United States experts had determined that the toxic propellant had frozen which would probably survive re-entry and could have caused a unique hazard to people on Earth. After accessing these estimates, the President of the United States made the decision to engage the satellite. He did so in the interest of mitigating the risk to human life from the toxic hydrazine(?) fuel on board. At the conclusion of this operation, the United States Navy removed the special modifications that were made to the two remaining technical missiles and three naval vessels. The United States has no plans to adapt any technology from this extraordinary effort for use on any current or

planned weapon system. Almost all of the resulting debris from the engagement has fallen to Earth and to our knowledge no debris has survived the re-entry.

Prior to the engagement, on 14 February 2008, the United States provided a notification to the Secretary-General of the United Nations, the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, other United Nations bodies and governments throughout the world. This detailed notification informed recipients that the President of the United States had authorized the United States Department of Defence to attempt the engagement and explain the reasons for the engagement. It also noted that the Liability Convention provides that a party will be "absolutely liable" for damages "caused by its space object on the surface on the Earth or to aircraft in flight" and stated that the United States is a party to that Convention so any United States liability to other treaty parties would be determined in accordance with its terms.

The notice also provided that should there be any recoverable debris or components parts that land on the territory of a foreign government, the United States may wish to recover them in accordance with Article 5 of the Rescue and Return Agreement.

Finally, the notification provided that all United States actions regarding this matter will be consistent with the provisions of the Outer Space Treaty.

The United States also issued a notification to the Secretary-General, the Scientific and Technical Subcommittee and other United Nations bodies and governments throughout the world the day after the successful engagement.

Mr. Chairman, with regard to the United States Civil Space Programme, the United States has had a very productive year both with our many international partners and in other efforts. We would be happy to share a detailed written summary of United States activities but in the interests of time we will not recite all those activities at the moment.

The United States is prepared to build upon its rich history of international cooperation to achieve its goals in space exploration. Consistent with guidance in our National Space Policy, the United States is also prepared to pursue other forms of international cooperation with foreign nations and international consortia on space activities that are of mutual benefit and that further the peaceful use of space. Potential areas for expanded cooperation include the provision

of United States space surveillance information to satellite operators, as well as the development and operation of new Earth observation systems.

As we proceed with the work at this session, Mr. Chairman, I would like to reflect once again on the extraordinary record of success this Subcommittee has had in advancing the field of space law. We believe that much of the success is due to the Subcommittee's ability to focus on practical problems and to seek to address any such problems via a consensus-based and results-oriented process. As this Subcommittee showed with regard to the issue of registration, \_\_\_\_\_(?) the adoption of the United Nations General Assembly resolution, and as the Subcommittee will show as it begins work on the national legislation agenda item and the capacity-building agenda item.

We should aim in our discussions to continue that tradition and to avoid the temptation to focus on theoretical rather than practical issues. In addition, the Subcommittee's success will be attributed to its avoidance of protracted debate on extraneous issues.

Our delegation would also like to thank the United Nations Office for Outer Space Affairs for all of its good work in preparing for this session and also for its useful updating of the publication on United Nations Treaties, Principles and United Nations General Assembly Resolutions.

Thank you for your consideration. My delegation looks forward to a productive and collegial session.

**The CHAIRMAN:** Thank you very much distinguished representative of the United States of America for your statement under the general exchange of views, agenda item 5 of our session. I understand that in this important statement you have supported the idea of further extension of the four, a validity(?) of the four core international instruments, the United Nations space treaties, and the further development of international space law by the United Nations Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee.

I also observed that you have included in your written statement the very rich results of space activities by the United States, a Civil Space Programme and, of course, it will be interesting perhaps to read it in detail because it takes in your written statement several pages.

I also appreciate that the Subcommittee has been informed by the United States delegation about

the recent engagement of a United Nations(?) (States?) satellite and all the circumstances of this engagement and its results.

Finally, you also mentioned in your statement the ability of the Legal Subcommittee to focus on practical problems and to seek to address any such problems via a consensus-based and results-oriented process. I think that the consensus has been and remains always the basic principles of dealings on any problems of international cooperation in outer space within the Committee and both its Subcommittees, of course, our Legal Subcommittee here.

And finally I would like to thank you for the kind words addressed to the Chair, to the Office for Outer Space Affairs and its Director and also to the foregoing leader of this body.

Thank you very much.

Yes, I have still one more country on the list of speakers and namely it is Pakistan. The distinguished representative of Pakistan has the floor.

**Mr. M. U. IQBAL JADOON (Pakistan):** Thank you very much Mr. Chairman. Mr. Chairman, allow me first of all to join the others in congratulating you on your election as the Chairman. My delegation would like to assure you of its full support and cooperation during the session. We are confident that under your guidance the Subcommittee will hold fruitful discussions and achieve concrete results.

We would also like to express our appreciation to your predecessor, Ambassador González of Chile, for steering the work of the Subcommittee successfully over the past two years.

We take this opportunity to once again welcome the Director, Madam Mazlan Othman, to the Office. We believe that her experience and professionalism will greatly benefit the United Nations Office for Outer Space Affairs.

I also thank the Secretariat for preparing all the documents for this meeting.

Mr. Chairman, Pakistan recognizes the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes exclusively. We are firmly of the view that the exploration and use of outer space should be carried out for the benefit of all countries, irrespective of their degree of economic and scientific

development, and believe that outer space is the province of all mankind.

The five United Nations core treaties on outer space lay down the legal framework which ensures the application of these Principles, providing a mix of rights and obligations in furtherance of these universally agreed guidelines.

Adherence to these five core treaties provides the bare minimum basis for maintaining the exclusively peaceful nature of outer space and broad international cooperation over issues related to its peaceful exploration. Pakistan is one of the few countries that are party to all of these five core treaties. We would call upon all countries which have yet to ratify these five core treaties to do so as well.

Mr. Chairman, we would also like to take this opportunity to express our appreciation to the delegation of Belgium for spearheading the effort to produce a joint statement on the benefits of the 1979 Moon Agreement by the States Parties. This paper will be available shortly to the Subcommittee. We, as a State Party to this Agreement, intend to co-sponsor this paper and look forward to the deliberations in this regard. We hope that the paper serves as a basis of favourable consideration of the Agreement by States not party to it.

Mr. Chairman, the Legal Subcommittee of the United Nations COPUOS has a significant role of debating and reviewing the existing legal regime and examining the legal problems which arise out of the exploration of outer space.

We particularly acknowledge the value of this Subcommittee in promoting education in space law, building national capacity and providing a basis for international cooperation in this regard and expect the Subcommittee to continue to expand its activities in this regard.

Pakistan, with its modest yet growing space programme, looks up to the Subcommittee for elaboration and further development of its national space laws.

Finally, Mr. Chairman, Pakistan would like to reiterate its desire to see the outer space free from any non-peaceful use and will support all legal arrangements in the future also which complement this course. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of Pakistan for your relatively short but

still substantive statement under the agenda that is being now discussed, general exchange of views. I particularly observed that Pakistan recognizes the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes only and your adherence to the five United Nations space treaties that you called five core treaties that provide the basis for maintaining the exclusivities(?) for nature(?) of outer space.

I also took note of your readiness to co-sponsor the document which is being prepared by the distinguished delegation of Belgium and finally by your reiteration of the desire of your country to see outer space free from any non-peaceful uses and support of all legal arrangements which complement this course.

Thank you very much also for your kind words addressed to the Chair and to the Director of the Office.

And now I would like to ask all other delegations present that have not yet used the privilege to speak whether they are interested to take the floor during this meeting.

Is there any other speaker for the item general exchange of views of our agenda?

I see none.

#### **Status and application of the five United Nations treaties on outer space (agenda item 6)**

I would like to thank all speakers which used this privilege up to now and we will now continue our agenda. It means we will now begin our consideration of agenda item 6, Status and Application of the Five United Nations Treaties on Outer Space.

I would like to remind delegates that this item will be now discussed at the level of the Subcommittee but the detailed discussion on this item will then continue in the Working Group that we have already established under the guidance of the distinguished representative of Greece.

But so far, I do not have any application for the discussion on this item here in the Subcommittee. Is there any delegation wishing to speak on this item now here in the Subcommittee? Or will you make such statement later or perhaps during the Working Group?

I see none. So for the time being, we have exhausted this point on the agenda of the Subcommittee at this particular meeting.

**Information on the activities of international intergovernmental and non-governmental organizations relating to space law (agenda item 7)**

And perhaps we should now proceed with the item, Information on the Activities of International Intergovernmental and Non-Governmental Organizations Relating to Space Law. It means agenda item 7.

Do we have any applications for the discussion?

I do not have any delegation inscribed in the list of speakers on this particular item but we have a number of observers of the organizations which have been granted observership status within the COPUOS and its Legal Subcommittee. So, with your permission, I will now give the floor to these observers.

First of all, I have here the distinguished observer for the International Academy of Astronautics, Dr. Jean-Michel Contant, who is Secretary-General of the IAA. I give him the floor.

**Mr. J.-M. CONTANT** (International Academy of Astronautics): Dear Ambassador, distinguished delegates, I would like to thank both the new Director of the Office for Outer Space Affairs, Dr. Mazlan Othman, and the Chair of the forty-seventh Legal Subcommittee on the proactive role to conduct COPUOS meetings in a successful manner. The Academy will make all efforts to contribute to its success.

The International Academy of Astronautics is quite well-known by many of you since I see many academicians in this room including, if I may, Dr. Othman, who is a new member of our Board of Trustees, and Professor Kopal, who is a founding member and our Legal Counsel.

We are an international community of 1,200 leading experts committed to expanding the frontier of space. To foster the develop of astronautics, the Academy undertakes a number of activities, including the recognition of outstanding contributors through election and awards. It also facilitates professional communication, develop and promote new ideas and initiatives and engage the public and foster a sense of community among its members.

Many of you may already know the International Academy of Astronautics for its traditional participation to the International

Astronautical Congress as we routinely contribute for one third of the Congress paper and symposia. But the Academy is much more than this contribution. It is an independent, non-governmental organization, 77 body nationalities, established in the 1960s and recognized by the United Nations in 1996. We are a \_\_\_\_\_(?) society with an action agenda. We publish a Peer Review Journal named “\_\_\_\_\_ Astronautica”. Our members work closely with national and international space agencies and industry and the academic community, particularly the national science and engineering academies to determine needs and objectives and help shape policy and force(?) cooperation by many of cosmic studies.

We currently have nearly 40 studies under preparation and nine of them have been published over the last two years and are available on our website.

We have produced the Space Traffic Management Study several times mentioned and distributed to the United Nations COPUOS during its last sessions. We also publish a study on small satellites for cost-effective Earth observation missions that have been also distributed to the United Nations COPUOS Committee last year. We published just recently a study on space debris mitigation implementing zero debris creation zones and we made in several versions an 18-language dictionary but these are available on our website. But we also have a website multi-lingual page in 22 languages.

We are pleased today to announce that our last study on the next step in exploring deep space, published under the form of a book, will be available to all delegates for the June session.

We are about to release a new study on nuclear space power and propulsion, which will be presented at one of the next meetings here in Vienna. The study, 257 pages, discuss nuclear propulsion strategies, nuclear terminal rocket multi-reactor for electric propulsion for in-space transportation. The study is not only technical, it also discusses nuclear safety aspects, legal aspects and policy recommendation, including, for instance, safety assessment for additional risk posed by lunar and mars missions scenarios and indicate that space reactor systems can be used safely and effectively on the surface of other celestial bodies.

On this occasion, Mr. President, may I underline that we attach great importance to the legal aspects of our technical work and we want to make sure that all of our studies include careful consideration about it. For this reason, we have initiated closer and

strong reinforced cooperation with the International Institute of Space Law and we will participate more regularly to the Legal Subcommittee.

The value of the Academy derived from its members and we are making all efforts to \_\_\_\_\_(?) identify a new generation of major contributors to astronautics for election to our Academy, recognizing that new national space activities continue to join \_\_\_\_\_(?) of now traditional spare-faring nations.

The International Academy of Astronautics developed a plan for building with regularity and stability stand-alone conferences. And this is a very important way to engage its members and to help the countries which are not significantly participating in large national expensive conferences. We are now having seven to 10 stand-alone conferences yearly and we seek to initiate other new countries and new teams.

In 2007, we had several new conferences here in Ukraine, in \_\_\_\_\_(?), the First Conference of the Academy on Advanced Space Technology for Humankind Prosperity and we had also our first conference in Abuja, in Nigeria, and the first conference of our Organization in the African continent. And it was the occasion to hear and underline the support of Dr. Abiodun and Dr. Boroffice was here and the support of NASDA on this occasion.

We seek for that conference, that conference put together 200 participants from 27 countries and that was including 20 conference from Africa.

We are very pleased that also this cooperation was successful with the United Nations COPUOS, with the United Nations Office for Outer Space Affair Organization and we successfully attracted participants and we have decided after the Abuja Conference that we will hold every year a conference in Africa to take into account that this is the only way to have some impact and to achieve something in such a large continent.

We also, together in 2007, registered 1,200 participants and this might be considered as an indication of the value that the Academy brings to the international space community.

I would also note that this year we are going to have in Vienna, later this year, a conference with the USB(?) Organization and in 2009 we have planned to here listed. Please be assured, Mr. President, that the International Academy of Astronauts will remain proactive in contributing to the goals and programmes that make the United Nations Committee on the

Peaceful Uses of Outer Space a very unique organization for the benefit of all nations.

I thank you for your attention.

**The CHAIRMAN:** Thank you distinguished observer for the International Academy of Astronautics, the Secretary-General of the IAA, Dr. Jean-Michel Contant, for your statement on behalf and including very useful information on all the volume of activities of this important international non-governmental organization.

I now give the floor to the distinguished observer for the International Mobile Satellite Organization, now the abbreviation is IMSO, but it was known before as INMARSAT, of course. So the distinguished representative of the IMSO has now the floor.

**Mr. E. PACHA** (International Mobile Satellite Organization) (*interpretation from Spanish*): Thank you so much Mr. Chairman. May I first and foremost congratulate you on your election to preside over this Subcommittee and, together with other speakers, likewise congratulate the new Director of the Office for Outer Space Affairs, Mrs. Othman.

It is indeed an honour to address for the first time this Subcommittee since about a year ago I took over the responsibilities as Director of the International Mobile Satellite Organization, IMSO. Many of the distinguished delegates will probably remember the Polish National, my predecessor, Mr. Jerzy Fonow(?), who is now in peaceful retirement after heading this Organization for eight years.

I can assure you that I intend, as a Director, to continue close cooperation with COPUOS and the Subcommittees. I hope to learn from your experience and from the experience of all delegations, most members of COPUOS are, in the majority, also member States of IMSO.

Mr. Chairman, under this agenda item, we are considering information on activities of international intergovernmental and non-governmental organizations relating to space law, in keeping with resolution 62/217 in that respect. And I have handed over to the Secretariat a document that will be distributed to all of you as a session document.

May I take this occasion to bring to your attention the activities of IMSO in connection with topics of your interest.

IMSO is an intergovernmental organization with the task of supervising mobile satellite communication services that relate to safety and at that point in time make use of INMARSAT satellites. Some of these services are maritime communication services for the global maritime distress and safety systems set up by the specialized United Nations organization which is known as the International Maritime Organization, IMO, but also rescue alert and search and rescue operations and information on maritime safety and their transmission of a general nature, also aeronautical safety services in accordance with the ICAO, International Civil Aviation Organization, norms and standards.

IMSO is also discharging duties in the context of the LRIT, Long Range Identification Tracking system. These duties were assigned to IMSO by the International Maritime Organization for purposes of coordinating and implementing certain inaugural activities of this new international system to identify and track vessels using mobile satellite communication systems throughout the world.

IMSO was created by virtue of the provisions of the Constitutional Convention defining public services subject to international supervision. The Constituent Convention of IMSO was recently amended in 2006 to take over supervision of other public services that might be provided by any provider of these type of services for the global monitoring distress and safety system. In December 2007 it was decided to privatize these services, offering a possibility of any mobile satellite communication service provider, also a private provider, provided that such a provider fulfils the requirements as established by IMSO.

Furthermore, these amendments are being applied in a provisional manner since 7 March 2007 and IMSO can assume new tasks as a coordinator of the LRIT system having been appointed to do so by IMO.

IMSO is closely cooperating with IMO, ICAO and ITU and other international organizations that have common interests as well as, of course, with the Committee on the Peaceful Uses of Outer Space in order to develop recommendations, norms and operational practices to support, enhance and improve public communication services. The Organization is made up of the Assembly of the Parties, made up of 92 member States, generally meeting every two years. And then there is an Advisory Committee made up by countries elected by this Assembly, meeting on a quarterly basis. And then we have an Administration

headed by the Director and located and headquartered in London.

*(Continued in English)* Mr. Chairman, let me present some final remarks.

I am very honoured to cooperate with the Committee and its Subcommittee, both the legal and technical level, and I am committed to continue to participating in the activities of these bodies in the field of the competences and interests of IMSO. In particular, some present decisions of the United Nations General Assembly have direct connection with IMSO's responsibilities in its relation with the Committee. They have both mentioned resolution 62/217 provides that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as part of its consideration of the United Nations Programme on Space Applications. On this issue, I am the sole(?) main facilitator to the Committee relevant information regarding the provision of the GNDSS services and the implementation of the Long Range Identification and Tracking system worldwide.

Also resolution 62/101 adopted on 17 December last year recommended that international organizations conducting space activities that have not yet declared their acceptance to the rights and obligations under that Convention, under the Registration Convention, should do so.

Almost the majority of the member States of IMSO have already ratified both the Outer Space Treaty and the Registration Convention. Therefore, this issue could be presented to the attention of the next IMSO Assembly in September of this year for consideration.

Finally, IMSO welcomes the establishment of the International Committee on Global Navigation Satellite Systems as a forum to discuss global navigation satellite systems, in particular, consideration of compatibility and inter-operability between different GNSS providers is of paramount importance for search and rescue satellite-based systems as the requirements for ship-borne radio equipment forming part of a global \_\_\_\_\_ (*not clear*) and a Long Range Identification and Tracking Systems, both under the oversight of IMSO, are based on direct interface with the ship-borne global navigation satellite system equipment onboard ships. Or alternatively, ships should have internal positioning capability. In a foreseeable environment of multi-providers for GNSS, GNVSS and \_\_\_\_\_(?) systems, ensuring compatibility and inter-operability will be essential in



the immediate future. Therefore, this issue could also be presented to the attention of the next IMSO Assembly in September this year for consideration including possible participation of IMSO in the activities of the International Committee on GNSS.

Mr. Chairman, I hope that you will find this information of your interest and, of course, I remain at your full disposal for any further information you may require. Thank you very much.

**The CHAIRMAN:** Thank you very much distinguished observer for the International Mobile Satellite Organization for your contribution, for your information about the activities of this important international organization and also for your information about the readiness of IMSO to consider adherence of this Organization to some of the United Nations space treaties. We regret that Dr. Jerzy Fonow(?), who was observer for the sessions of the Committee and its Legal Subcommittee for, I think, about eight years as you mentioned it, is no longer with us but we are sure that you, yourself, will continue in this good record of our cooperation of your organization with the COPUOS and its Legal Subcommittee.

I still have on my list of speakers the distinguished observer for the International Astronautical Federation. But it is Dr. Tania Masson-Zwaan who was recently elected President of the International Institute of Space Law, so that I expect that she will mostly concentrate on the cooperation of the Legal Subcommittee with the International Institute of Space Law, that has already demonstrated their deep interest in such a cooperation particularly by organizing or co-organizing of our symposia during the session of the Legal Subcommittee, one of them being the present Symposium that started yesterday and will continue this afternoon.

I now give the floor to the representative now of the IAF, to the observer of the IAF and IISL. Thank you.

**Ms. T. T. MASSON-ZWAAN** (International Astronautical Federation/International Institute of Space Law): Thank you Mr. Chairman. Mr. Chairman, distinguished delegates, I would like to thank you for this opportunity to address the Legal Subcommittee to report on the developments and activities concerning the International Institute of Space Law in 2007.

I would like to first join other speakers in congratulating Professor Kopal for his re-election as

Chairman of the Legal Subcommittee, Professor Kopal, who is also an Honorary Director of our Institute. We would also like to extend our warm congratulations to Mrs. Othman for her appointment as Director of the Office for Outer Space Affairs.

Our report has been submitted to the Legal Subcommittee and has been distributed as a session document so I would like to merely summarize its content for you very briefly so that you can have your lunch afterwards.

An important development in the institutional field for the Institute of Space Law is that it has now been registered as an association under Dutch law since June 2007. Furthermore, as you already kindly mentioned, Mr. Chairman, I had the honour of being elected President of the Institute as of 1 January 2008.

At its recent meeting in Hyderabad, India, in last September, the Board of Directors has established a Directorate of Studies and it will have several responsibilities with an exact mandate to be determined later this year.

Also specific tasks will be assigned to our Board members in various fields, such as public communications, liaising with other organizations, regional management, sponsorship, recruitment of new members and nurturing of young professionals and students.

Improvement of the performance of the IISL colloquia is also under consideration and will be carried out as of our 2009 Colloquium.

Lastly, I am pleased to announce that the Institute has launched a new website as of last weekend, whose site address is [www.iislweb.org](http://www.iislweb.org).

As far as our activities are concerned, during the 2007 session of the Legal Subcommittee, we had the honour of being invited, along with ECSL, to organize a two-day symposium on the topic "Capacity-Building in Space Law". The presentations made during these two-day symposium are available on the website of the Office for Outer Space Affairs.

In September we held our fiftieth colloquium in Hyderabad, India. Five sessions were held during our colloquia which addressed a variety of topics such as the impact of outer space law on regional policies, legal issues of private space law and space tourism, new legal developments in the protection of the space environment, legal aspects of satellite navigation and

remote sensing, and, not surprisingly, the fortieth anniversary of the Outer Space Treaty.

In addition, a Scientific/Legal Roundtable was held together with the Academy and access to satellite images and addition the IISL organized a plenary event on new space industry actors and in the global market place.

During this colloquium we also held the Sixteenth World Finals of our Manfred Lachs Space Law Moot Court Competition for which preliminary rounds had been held in Europe, North America and the Asia-Pacific region. The finals were, as usual, judge by three sitting judges of the International Court of Justice. The winner in 2007 was the George Washing University of the United States of America.

Last November, the Institute participated in the organization of a Conference on Space Law and Space Applications for Disaster Management in the Asia-Pacific Region, which was held in Chiang Mai, Thailand. Sessions were held on several topics including a factual overview of natural disasters, the situation in Asia and the Pacific region, the general legal framework for disaster management, the role of soft law, emerging role of soft law, the role of the United Nations, regional cooperation and State responsibility and humanitarian assistance.

A report of this Conference is available on our new website and the proceedings are in the process of being published.

Lastly, in December 2007, the Second Eileen Gallaway Symposium on Critical Issues on Space Law was held in cooperation with the National Centre for Remote Sensing Air and Space Law in Mississippi, and was held in Washington D.C. Its topic was "International Civil Space Cooperation: Obstacles and Opportunities" and several of the papers are going to be published in our proceedings.

Next year, the event will take place on 11 December 2008, again in Washington D.C. and it will address an in-depth analysis of Article 6 of the Outer Space Treaty.

As for our forthcoming events, we will hold our fifty-first(?) colloquium during the Glasgow International Astronautical Congress in September/October 2008 and we will have several session topics among which private international law regarding space activities, the fortieth anniversary of the Rescue Agreement, weaponization of outer space in the light of the Outer Space Treaty, legal aspects of

natural near-Earth objects, and other legal matters. A Scientific/Legal Roundtable will again be held on pay per satellites and we will organize another plenary session as well. And, of course, the Seventeenth World Finals of the Manfred Lachs Space Law Moot Court Competition will also be held and regional competitions are taking place this month in the three regions.

As was already mentioned by the Korean delegate, in 2009, the fifty-second colloquium will be held in Daejeon, Korea.

The proceedings of our colloquia are as usual published by the American Institute of Aeronautics and Astronautics and we will publish separately the proceedings, as I mentioned, of the Space Law Colloquium held in Chiang Mai on Disaster Management.

In conclusion, Mr. Chairman, please let me express to say that we are very honoured to cooperate with the Legal Subcommittee and COPUOS and its subsidiary bodies and we look forward to further contributing to the further development of space law and please be assured that IISL will be prepared to assist in all ways possible at its disposal. Thank you very much for your attention.

**The CHAIRMAN:** Thank you distinguished observer for the International Astronautical Federation and the International Institute of Space Law. I use this opportunity to congratulate you on behalf of the Subcommittee to your recent election for presidency of the International Institute of Space Law and we are looking forward to further cooperation with the Institute under your very able guidance.

I think that due to the late hour, I do not ask any other observer to take the floor now at this meeting but there will be an opportunity to do so at the next meetings, probably tomorrow.

So we will, therefore, continue the consideration of the agenda item 7, Information on the Activities of International Intergovernmental and Non-Governmental Organizations Relating to Space Activities, tomorrow morning.

Distinguished delegates, prior to adjourning this meeting, I will do so shortly, I would like to inform you on the schedule of work for this afternoon.

We will meet promptly at 3.00 p.m. At that time, we will continue our consideration of agenda item 5, General Exchange of Views. And then at

around 4.00 p.m., I intend to adjourn this plenary meeting of the Subcommittee for the second part of the IISL/ECSL Symposium on the Legal Implications of Space Applications for Global Climate Change. This time they will concentrate on instruments and institutions, of course.

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

I see none. Therefore, this meeting is adjourned until 3.00 p.m.

*The meeting adjourned at 12.55 p.m.*