

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

Unedited transcript

774th Meeting
Friday, 4 April 2008, 3 p.m.
Vienna

Chairman: Mr. V. Kopal (Czech Republic)

The meeting was called to order at 3.14 p.m.

The CHAIRMAN: Good afternoon distinguished delegates, I now declare open the 774th 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 afternoon as usual.

We will continue our consideration of agenda item 8(a), the Definition and Delimitation of Outer Space, and 8(b), the Character and Utilization of the Geostationary Orbit. We will continue and hopefully conclude our consideration of agenda item 9, Nuclear Power Sources. We will continue our consideration of agenda item 10, Examination and Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment. We will also begin our consideration of agenda item 11, Capacity-Building in Space Law.

Time permitting, the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space will hold its fifth meeting.

Are there any questions or comments on this proposed schedule?

I see none.

**The definition and delimitation of outer space
(agenda item 8(a))**

So let us start with the definition and delimitation of outer space, agenda item 8(a).

I do not have any delegation that would request the floor on this particular item in my list of speakers. Is there any delegation wishing to speak on this particular item 8(a)?

I see none.

We will, therefore, continue and hopefully conclude our consideration of agenda item 8(a), the definition and delimitation of outer space, on Monday, continue and hopefully conclude, yes?

Now, ladies and gentlemen, distinguished delegates, I would now like to continue our consideration of agenda item 8(b), the Character and Utilization of the Geostationary Orbit.

Neither here do I have any delegation inscribed in the list of speakers for this afternoon. Is there any such delegation?

I see none.

And, therefore, as well, we will continue and hopefully conclude our consideration of agenda item 8(b), the Character and Utilization of the Geostationary Orbit, on Monday.

Now, ladies and gentlemen, agenda item 9, Nuclear Power Sources.

Again, I do not have any delegation in the list of speakers as prepared for this afternoon. Is there any

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delegation wishing to speak on item 9 of our agenda now during this afternoon's session?

I see none.

We have, therefore, concluded our consideration of agenda item 9, Nuclear Power Sources. It is now concluded.

Examination and review of the developments concerning the draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment (agenda item 10)

Furthermore, Examination and Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, agenda item 10.

Again, I do not have any delegation, yes, I recognize the distinguished representative of Greece.

Mr. V. CASSAPOGLOU (Greece): Thank you Mr. Chairman, good afternoon. I would like to make the following clarification. If we finally decide to retain this issue as an agenda item for the next year, to modify a little bit the wording and instead of "examination and review of", to put "information on the developments" at the end of "in mobile equipment" at the end of the phrase, add "of UNIDROIT". May I repeat please? "Yes. Instead of "examination and the review of the developments", etc., put "information on the developments", etc., and after "interests in Mobile Convention on International Interests in Mobile Equipment of UNIDROIT", to be clear that it is a convention extraneous to this Committee. Thank you very much Mr. Chairman.

The CHAIRMAN: Yes, thank you distinguished representative of Greece. First of all, as far as the change of the first words, it means including "information" instead of "examination and review", this will be considered during the agenda item on new items for the forty-eighth session of the Subcommittee because some delegations have already supported the point as it states now so that we have to consider it and perhaps in between also during some informal consultations that will be held on this point.

As to the title of the 2001 Cape Town Convention, I think we should use the exact title of this Convention. So I would like to ask our distinguished Secretary to check whether what is the exact title of this Convention because we cannot change the title if

there is already the exact wording, name, the exact name of this Convention.

Yes please, you wanted to ...

Mr. V. CASSAPOGLOU (Greece): Yes, I understand dear Chairman of your position but just to clarify, it is not an amended to the official title of the Convention, it is just to clarify that this Convention is of UNIDROIT, otherwise we have to put the whole title, including the names of in Cape Town to give the whole title, official title of the Convention, the Convention of Cape Town, etc. Thank you very much.

The CHAIRMAN: Thank you. I understand what is your concern. I understand you completely but I do not object against the quoting the whole official title of this Convention if you request so and other delegations would accept it. Again we will speak about it during the consideration of new items for the agenda of the forty-eighth session of our Subcommittee. But, at the same time, I would also like to draw your attention to the fact that this name was already included in the agenda item for this session of the Subcommittee that was approved by the United Nations General Assembly but this is only for reminding you. Thank you very much.

And I have now the distinguished representative of Italy.

Mr. S. MARCHISIO (Italy): Thank you Mr. Chairman. Just to agree with your clarifications and repeat that the title of the Convention that is quote in this agenda item is the very title of the Convention so I do not think that we have to change it or to add the date and the place where it was assigned. It is not necessary in my view. We all know what it is about so is mentioned from several years the General Assembly refers to this item in this way so I do not think that we have to make any changes to the title, which is the correct one. And it is known everywhere in this way.

The CHAIRMAN: Thank you distinguished representative of Italy for your intervention on this particular question.

Ladies and gentlemen, this is all that I have on the list of speakers but is there any delegation wishing to speak on agenda item 10 at this meeting of the Subcommittee?

I see none.

And, therefore, we will continue our consideration of agenda item 10, Examination and

Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, on Monday.

Capacity-building in space law (agenda item 11)

Now, distinguished delegates, we will start discussion on agenda item 11, Capacity-Building in Space Law.

And I have a delegation inscribed in the list of speakers for this afternoon and it is the distinguished representative of South Africa.

Ms. J. SCHNEEBERGER (South Africa): Thank you. Chairperson, distinguished delegates, as you may have gathered during our statement on the general exchange of views, the South African delegation is passionate about capacity-building in space law. There are many reasons for this but it is the ultimate outcome that really excites.

The application of the existing international law treaties and the further development of an international law regime in space law can only take place from a universal and informed basis. Universality is required as space applications become increasingly important from the developmental points of view and as developing countries increasingly become not only users of outer space but also progressively viable space-faring nations.

Information is required and is only the thing(?) thought this information at hand that the existing and new space nations can be responsible users of outer space utilizing the common heritage of mankind for peaceful purposes in accordance with their international obligations.

There are many ways to build capacity in space law. One is to show that there is a wider appreciation and dissemination of space law, not only by international lawyers, but also by academics, students and scientists.

Another is to facilitate the exchange of information between individuals, institutions and States. In this regard, we believe that there is a reciprocal and mutually beneficial obligation on both developed and developing countries to participate actively in a capacity-building initiative, not just within the context of this Subcommittee, but also within the broader framework of international initiatives that are taking place.

Developed countries, with their wealth of accumulated knowledge and resources, can and should contribute more actively to capacity-building initiatives. They can do this by, *inter alia*, sponsoring and participating space law programmes as well as actively allocating sponsorships, scholarships and fellowships for students from developing countries to participate in space law programmes in these countries.

International and intergovernmental organizations also have a role to play in capacity-building and we are, therefore, delighted to learn from the statement of the representative of the IAF yesterday, that the joint Boeing-IAF Capacity-Building Initiative and we hope that further details of this Initiative will be distributed during our meeting.

Chairperson, the South African delegation believes that developing countries also have a responsibility regarding capacity-building in space law in their countries. In particular, they have the responsibility to identify their own needs and capacity gaps, to communicate these to relevant sponsors and to take ownership of the development of their own space law programmes and training initiatives.

In this regard, I am pleased to report to the Subcommittee that, inspired by the outcomes of the Legal Subcommittee at its forty-sixth session last year, the issue of space law generally and capacity-building in space law specifically, was included as part of the programme of the African Leadership Conference on Space Science and Technology, which was hosted by South Africa, from 2-4 October 2007, with the theme "Building African Partnerships in Space". The report of this Conference will be distributed during the COPUOS Plenary Session in June. However, my delegation would like to take this opportunity to share with the Subcommittee some aspects of the interesting exchange of views and recommendations on capacity-building in space law that emanated from this Conference.

It was noted that while capacity-building was a recurrent theme in all space fora and that there were many recommendations in this regard. Implementation of these recommendations can still be marketed and strengthened.

One such occurring theme is the benefits that the information technology revolution can offer in providing relatively low cost and easily disseminated resources in space law. To build only this, it was recommended that the Office for Outer Space Affairs be requested to develop, in collaboration with other relevant institutions, such as the International Institute

of Space Law, short or baseline courses on space law, to be made freely available on the Internet. A further expansion of this programme in the future to include advance courses in space law, available for free(?), should also be considered.

It was also recommended during the ALC meeting, that the Office for Outer Space Affairs be requested to update and expand its database of fellowships, grants, scholarships and funding available for courses in space law.

In addition, it was recommended that COPUOS member States, especially those from developed countries, should be requested not only to provide useful information on existing fellowships, grants and funding, but are urged to actively work towards the increase in provision of such fellowships, scholarships and funding.

Another important aspect of capacity-building that was noted at the Conference is the importance of networking. In this regard, the ALC organizers were requested to establish a database of participants at the Conference for further networking on consultations.

The Conference also decided that an electronic forum for the exchange of views on space law issues for practitioners and experts, especially from developed countries, should be established. This is in the process of being operationalized.

And in putting all of these recommendations including(?) links to the theme of the Conference building African partnerships in space, it is even pertinent that international partnerships generally and African partnerships specifically, evolve(?) and strengthened.

Chairperson, it should be noted that numerous speakers at the Conference recognized and commended the role of the Office for Outer Space Affairs in contributing to the capacity-building initiative from the regional workshops that they have organized, which includes one in Nigeria in 2006, to the database that they maintain on space law programmes available internationally and which we understand has just been updated.

We are also delighted that the Office for Outer Space Affairs has taken the initiative on the capacity-building item by organizing a Meeting of Experts to discuss a curriculum for space law. This coincides exactly with one of the recommendations made at the African Leadership Conference. For our part, we hope that this initiative will not(?) only be restricted to the

Regional Centres but that it will be developed and expanded to include a freely available general course on space law that will seek the needs of practitioners and experts, not only in space law, but also in space science and technology and for academics that wish to include space law as part of a general international law curriculum. We offer our support to the Office for Outer Space Affairs in this regard.

Chairperson, we are also of the view that it is important that space law be widely disseminated to all students and, in this regard, we will be working this year to encourage South African law faculties to include a brief introductory course on air space law in the general public international law courses. We strongly encourage other member States to do the same.

Chairperson, capacity-building is a long-term project that requires dedication and commitment, but if undertaken with the necessary political will, can reap great benefits for all involved.

As many speakers have mentioned during the general exchange of views, this issue is of too great importance to be considered only once by this Subcommittee. The South African delegation is, therefore, firmly of the view that this issue should remain on the agenda of the Committee for its forty-eighth session and beyond that so it will allow for the Office for Outer Space Affairs to report on its existing initiatives in capacity-building. But the responsibility is not the Office for Outer Space Affairs' alone. It rests with all of us, not only to engage on this issue in the Subcommittee, but also to take our various initiatives forward in the intersessional period and to attain an exchange of views on this in the future.

Chairperson, the challenges of building and attaining capacity in space law are numerous and if faced alone, can seem almost insurmountable. However, in a globalized world, operation is essential, partnerships in space law and in space law capacity-building can greatly assist States in rising to meet these challenges.

I thank you for your attention.

The CHAIRMAN: Thank you distinguished representative of South Africa for your statement on the agenda item 11, Capacity-Building in Space Law. In your statement, you included many important ideas and initiatives and emphasized the important role that this item should play and plays already on our agenda. You qualified the role of developed countries, how they should contribute to the capacity-building

initiatives and also the role of developing countries, which should share their responsibility regarding capacity-building in their countries.

You then informed us about the issue of space law, about the results of the African Leadership Conference on Space Science and Technology and you informed us and pinpointed the main point, the main issues of this Conference and results that emanated from this Conference in some greater detail.

You also commented, as many other speakers, the role and achievements reached by the Office for Outer Space Affairs in this particular field and you appreciated the organizing and results of a Meeting of Experts to discuss a curriculum for space law that was effective last December, in December last year.

You also recommended that this year the South African law associates(?) were encouraged to include a brief introductory course on air and space law in their general public international law courses.

Finally, you supported the idea of including this particular item again in the agenda of the Committee for forty-eighth session and beyond.

Thank you very much for your important contribution to the discussion on this item. Everybody knows that it was just your country which initiated this consideration on this item and the inclusion in the agenda of the Subcommittee.

Ladies and gentlemen, is there any other delegation wishing to speak on this subject?

I recognize the distinguished representative of Greece.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Thank you very much Mr. Chairman. Mr. Chairman, I have two comments. One has to do with my country's contribution to the dissemination of knowledge on space law and telecommunications law, and my other comment has to do with appreciating the part played by the Office for Outer Space Affairs in this area, the specific aspect of the Committee's endeavours.

First, with regard to Greece's contribution, the World Federation of Students and Physics is an association that brings together 40 countries and in 2008-2009, Greece holds the Presidency of that Association. On 17, 18 and 19 April, that is in a few days time, we are organizing a Congress for young people involved in studying physics, astronautics and

related sciences and there will be a special part of the Congress dedicated to outer space law. This is very important. It is being held under the auspices of the President of the Greek Republic and we are expecting more or less 2,000 students to attend. A really big important forum.

That was my first item of information. Now, with regard to the Symposium on Space Law, which will be organized by the Department of International Studies of the Law Department of Athens University, this will be another important event and another way in which my country contributes to this work. This Department of the Law School at Athens University is working with the European Centre for Space Law and has submitted an application to be made the international contact point for the European Centre in Greece and it will also be performing the role of Liaison Agent in the cooperation between these institutions in the area of outer space law.

Now, about the Office, the Office for Outer Space Affairs, and its role in the dissemination of knowledge in the area of outer space law. First of all, I would like to commend, thank and congratulate, through you Mr. Chairman, my colleagues in the Office, the lawyers, the legal experts there, I am not going to name names because tradition forces us to make these comments anonymously, which I do not necessarily agree with, but that is the tradition, but anyway, ladies and gentlemen, we congratulate you, we commend you and we thank you.

And I wanted to emphasize in particular my appreciation of the electronic database which they have conscientiously painstakingly put together. It is extremely useful and also absolutely trustworthy in terms of its technical aspects, operational aspects. It, in that sense, is particularly special in the family of United Nations databases. I have many problems with the overall information bank when we look for a specific resolution and so forth. By contrast, the base set up by Madam Rodriguez, here I have divulged a name, works wonderfully well. It is truly an extremely rich and trustworthy source of information for us.

And in that regard, Mr. Chairman, I would like to suggest the following and here I am hoping that this will be conveyed to our colleague from the International Institute for Space Law and the Chairman of the European Centre for Space Law and the International Law Association. I hope that by electronic means we can get reports, articles, reviews to be included in the specialized database maintained by the Office so that researchers can have direct access to that information.

I foresee that issues of copyright might arise but I am sure we will be able to settle those in the appropriate manner and make it possible to disseminate this information to all interested parties, including universities, be it the University of Cologne or the University of Mississippi. The minutes, the reports, the verbatim records of, for example, the Colloquium organized in Morocco, would be extremely helpful, with the contributions of colleagues present here, information that is not necessarily known to all interested researchers. If this information could be transmitted electronically, this would be of extreme value, particularly to the developing countries, because, Mr. Chairman, dissemination of information and knowledge on space law is not something that is designed only for jurists, for people holding doctorate degrees in law. It should be accessible to everybody and, most importantly, to governments. I do not think many governments are aware of the latest developments in outer space law, and should be. I am talking about technical constraints. I am talking about practical problems that need to be addressed. And since we have a database, we know it is limited to a certain volume of information but I think there are ways of condensing information, of transmitting it in condensed or concentrated form, not necessarily in PDF format but also in Microsoft Word format so that people who are engaged in what we refer to as capacity-building in their countries could pick up passages and use them in their work and have easy access. This is something that would truly be welcomed by colleagues.

If we make the decision to do that and if there are financial issues involved, we are going to push the Secretariat, we are going to approach New York to make sure that additional funds are allocated for this important work. Thank you.

The CHAIRMAN (*interpretation from French*): Thank you very much distinguished representative of Greece for your contribution. You mentioned two points. One had to do with Greece, your country, is that not right? And you drew our attention to a Congress for young people to be organized by the World Federation of Students in Physics. This Congress will include in its programme a special section or a special symposium on outer space law and that symposium will be organized by the Law Department of Athens University.

You also mentioned an Interdisciplinary Colloquium to be organized.

Your second comment had to do with the work of the Office, our Office, the United Nations Office for Outer Space Affairs, and you expressed your appreciation of the contribution made by the Office, in particular with reference to the importance of the electronic means of dissemination and storing information, maintained by the Office. You mentioned the importance of getting reviews, reports, articles produced by the International Space Law Institute, the European Centre for Space Law, by other organizations that should be reflected in this electronic database to provide a valuable and important source of information for those interested.

Thank you very much once again. I do not know if this was an exhaustive summary. I probably have not reflected the entire wealth of your suggestions but this was, in principle, what I was able to glean.

Mr. V. CASSAPOGLOU (*interpretation from French*): Yes, you have done an excellent job not only of expressing the essence but also the details of what I proposed and I wanted to thank you Mr. Chairman but I also forgot one suggestion that I was going to make. In 1999, the Office published a document which provided an excellent reference entitled "International Agreements and Other Legal Documents Related to Space Activities", Series Number V.99-85572-June 1999-1.500, probably 1,500 copies. (*Continued in English*) This document is extremely valuable for all, not only students or professors or practitioners of international space law, but also for public administration.

I would like, I know that their work is very hard, very hard with the Office, but we have maybe, Mr. Chairman, to consider to ask by New York some additional personnel, permanent personnel, in order maybe to create a small legal section within the Office which spend extremely amounts of money for other, I can say, publicity and not, let us say, I cannot find the good objective but in any case, other activities. So to add some people, qualified people in the Office to help the existing colleagues, I think, is very easy. But in any case, and allow me to close these parentheses, this book needs to be updated. It is old of almost 10 years. So we have to review. My excellent colleague, by his very nice smile, I think that support my idea even though she(?) will be, you know, the people who did take the new Sardeaux(?).

In any case, I would like, by your kind intervention, to ask, not immediately, but in due time to have a new edition of this book. Thank you very much.

The CHAIRMAN: Thank you very much distinguished representative of Greece, and because you continued in English, I will provide a brief answer also in English.

In your additional intervention, you referred to the use for a publication made by the Office for Outer Space Affairs and you also made an important suggestion to request the financial means for establishing a small legal section within the Office that would deal with these particular issues relating to the capacity-building in space law.

Thank you very much once again and we will now proceed to other interventions.

I have on my list of speakers now three other delegations. The first one of them is the distinguished representative of China.

Mr. _____(?) (*interpretation from Chinese*): Thank you Mr. Chairman. Capacity-building in space law is critically important to exploration and peaceful use of outer space. My delegation support the Legal Subcommittee in considering and achieving a result in the consideration of this agenda item to effectively help countries, developing countries in particular, with capacity-building in space law.

We take note with appreciation of the first United Nations Expert Meeting organized by the Office for Outer Space Affairs on promoting space law education. We hope that the curriculum of _____(?) can complete in the second reading as scheduled next year. In this connection, I would like to know if the outline after the second reading will be submitted to the Legal Subcommittee for consideration. We consider the Legal Subcommittee is the appropriate forum for considering this issue, particularly given the inclusion of this item on the agenda of the Legal Subcommittee. We support the Legal Subcommittee in considering this issue at its next session.

Mr. Chairman, in the area of capacity-building in space law, we have to give a policy preference and to provide the effective help to the developing countries. In this connection, the United Nations and the Office for Outer Space Affairs and as well as the Regional Centres affiliated to the United Nations, can play a much bigger role.

In addition to the United Nations, regional organizations and research institutions also bear an important responsibility. China and other countries

have established the Asia-Pacific Space Cooperation Organization, APSCO. The Chinese Government will support that Organization as well as other regional organizations in playing a positive role in strengthening capacity-building in space law in various countries, the developing countries in particular.

Mr. Chairman, in recent years, China has made some progress in capacity-building in space law in the way it published Volume 1 of the Outer Space Law Review, a Volume 2 is being processed. In recent years, we have also published some dedicated works as well as text books on space law. Some of our universities have either established space law institutes or opened space law courses. These are some of the preliminary results. A strengthening, and have a long way to go in strengthening capacity-building in space law. We sincerely hope to step up cooperation and exchanges with other countries, in a joint effort to build our capacity in space law. Thank you Mr. Chairman.

The CHAIRMAN: Yes, thank you very much distinguished representative of China for your contribution to our discussion on this particular item in which you expressed the full support of your country for this item and for the efforts of the Office for Outer Space Affairs in this particular field, in particular relating to the elaboration of the curriculum.

You also suggested that this question or this point should be included in the agenda of the Subcommittee for its next session. You also made an appeal for providing an effective help to the developing countries in this field and mentioned the role of the Asian-Pacific Organization in this field.

You also informed us about the steps made so far, you said preliminary measures made so far in China, in strengthening the capacity-building of space law which is, of course, a concern for a longer time.

And finally you made a joint appeal for increasing the cooperation with other countries and perhaps international organizations in this particular field. Thank you very much.

I now have on the list of speakers the distinguished representative of Colombia.

Mr. _____(?) (Colombia) (*interpretation from Spanish*): Thank you very much Chairman. I would like to start off by congratulating South Africa for the very intelligent proposal that has been presented us here. It is indeed very important for us to put capacity-building in outer space law on our agenda. This is an issue of fundamental importance.

At present there are difficulties certainly but it is necessary to set up a capacity for training of young people in outer space law. We have to train young people. We also have to work in universities, to sensitize people as to the importance of space applications, especially in developing countries. I think that there are many elements that could be incorporated into this issue. UNISPACE III, when this first surfaced, and I think that much has been said on this but I think that much remains to be done Chairman.

If I might, I would like to place the stress on three elements in particular that I think that the Bureau could think in terms of and possibly that might serve to expedite and facilitate this process.

First element, I think that one of the main aspects for developing countries is to be able to finance the studies of these young people, if there is more financing available, then it would be very difficult to disseminate knowledge and information of this sort. So consequently, I think that we could usefully give thought as to the possibility of establishing banks or bursaries, the scholarships that could possibly be managed by the Office for Outer Space Affairs, possibly we could set up something of this sort. This bank or grant could be fed by a fund which is maybe based on voluntary contributions. Maybe there could be contributions from universities as well. For example, there are various professors who are very active in various universities, who are very active participants, and that could give us an advisory group that could attend to these scholarships and bursary issues.

Second element, we could also set up a training ship. Students, young people from the developing countries could attend trainee courses in the Office itself, at the Office for Outer Space Affairs. I think it would be very useful, important for a young person, for a legal expert, lawyer in training, to personally observe, attend what is happening in the Office for Outer Space Affairs because there is a vast experience that has been acquired in the Office for Outer Space Affairs over the years and they can benefit from tapping into it.

The third element, and this does not refer to the Office itself, here I would like to refer to rapprochement between various regions. China has spoken about this and Latin America, we have made efforts along these lines, within the Space Affairs Office of Latin America. I think that it would be very useful, commendable, to think about what has been done along these lines in the Asia-Pacific region. We

have heard reference, delicate(?) (delegate?) to meetings that are going to be scheduled for Hanoi for December, I believe. We should support this sort of initiative. These are commendable initiatives and it is important for us during these initiatives not to lose sight of the training component.

In conclusion, I would like to say that last December, we had Space Policy Days held in Bogotá, Colombia, and important points were discussed about the introduction to space law. We discussed the five United Nations outer space instruments. We talked about the origin of outer space law, all of these aspects. And during these Space Law Days, we also spoke about remote observation. We spoke about remote downloading of music on the Internet just to show students exactly what law actually was all about. That when you download music, there are copyrights, there is law which is involved, outer space law, of course, the intellectual copyright and outer space was also referred to. There was reference to outer space tourism as well. This is an issue which is more frequently discussed and broached in universities now and we asked the students to explain what tourism in outer space was all about and what the risks and challenges of this would be. And there was a very interesting comparison run of various outer space falsities(?) during these days.

There was a comparison of western and eastern policies with regard to this practice. We also discussed bilateral cooperation, how this was structured diversely. We discussed the various conventions in this regard and the cooperation that was undertaken. And these days were run by our Government in Colombia. This was the result of an analysis of the priorities and requirements that we feel are relevant. The Colombian outer space mission was set up by Governmental Decree and I could subsequently describe to you exactly what this Decree is all about and what it addresses. Very precise criteria were addressed in this Decree, education and management was stressed. It was stressed that it is necessary for the country to know exactly what its policies and priorities are in these field because you cannot do this overnight in a country if you do not know exactly what the requirements are. If you have not surveyed the requirements in a country and indeed stressed those requirements. We also stressed the higher educational work that had to take place in outer space engineering and physics, etc. We spoke about university programmes at the undergraduate level as well and cooperation that could be engaged in that regard.

Chairman, I think it is very important for us here to launch an appeal. We have to give thought to exchange programmes for students and how those can be structured. We should also stress the fact that we can have joint degrees and diplomas issued and granted. In some countries, these already exist and I think that we could make this effort because sometimes there are students who cannot travel, for various reasons, and these students should be given the possibility to access joint diplomas.

This is what I wish to say Chairman. These are some comments which on a point we consider very important, which is capacity-building and outer space law. Thank you very much.

The CHAIRMAN: Thank you very much distinguished representative of Colombia for your contribution to our present agenda item. In your contribution, you have expressed your full support for this point of the agenda and to be retained on the agenda for the next session or sessions of the Subcommittee.

You then drew our attention to three particular issues. The first one concerned the developing countries to make them able to finance such programmes of capacity-building. You mentioned, for example, banks, scholarships, grants and other means that might be considered and adopted.

Then the second issue that you mentioned was the traineeship in the Office for Outer Space Affairs itself to make for students from among the developing countries well aware of this kind of work and these kind of activities.

And the third, your point, was certain rapprochement between different regions and you documented it on by the example of the Asian-Pacific region. You emphasized in this respect but particularly the training component.

You also informed us about Space Policy Days in Colombia and on other activities that are being developed and performed by your country.

You also in the final part of your extensive statement, you also mentioned the possibility of exchanging programmes of students, of considering such points like joint degrees, diplomas, etc.

Thank you very much distinguished representative.

I now have on my list of speakers the distinguished representative of Algeria.

Mr. _____(?) (Algeria) (*interpretation from French*): Chairman, thank you. In turn, I would like to thank the delegate of Colombia for all of the proposals that he has just made on this item and possible I will add some remarks on various points which may seem important to you, which we certainly think should be stressed.

It seems to us that there are two issues which would be essential to our debate. First, I think we should agree on what we mean by capacities. Very often, when we speak about capacities, we are thinking training, symposia, means, which are electronic or other, so I think that we have some homework to do here. We have to agree first exactly what we mean by capacities. This cannot be taken for granted. It is not because you pour certain resources into this that you necessarily automatically produce capacity. You may seek to have certain elements which allow for certain delegates to be present today and possible in the future as well but I do not think that we should position this general issue only as per the requirements of developing countries because I think that if we did this then other countries would have their interested fade because they would say we have just concerns, the other part of the members in the Committee. I think that this is something which certainly concerns all the member of the Subcommittee for the following reasons.

If we were not to get into this issue on various points on which we are recognizing very slowly that there is relevance, if we want, in all countries, to develop capacity, to have a positive impact on various issues in the future, we have to prepare the groundwork there. Perhaps what we are missing in our discussion today is the fact that we are too enthralled in the situation which availed when the five treaties were drafted. So we should be more future oriented, I feel. There are various questions which do not seem urgent to us now but they certainly will become more than topical in 10 years time. So this question does not only concern developing countries, I would venture to say, but all countries, and we must endow ourselves with the capacity to allow ourselves to venture into the renewal of outer space law some time down the road in the future.

Our delegation feels that it would be useful to have this debate take place within the Experts Group because we have to get into details and this beyond just a declaration of good principles. Possibly we should get involved in the strategic elements of this matter.

As of today, can we get involved in the details of the mechanism of such a programme which would allow us to really build capacity which 10 years down the road will allow us to build on what we have formed in that interim period by way of groundwork, by way of infrastructure. And then people will take a look back in history at all of the archives of the Office for Outer Space Affairs and say well now we have a new perception of all of these issues, indeed thanks to that work.

This is what I wish to say Chairman. We would like this issue to certainly remain on the agenda and possibly allow for proper debate within the Expert Group. Thank you very much for your attention.

The CHAIRMAN (*interpretation from French*): Thank you distinguished delegate of Algeria. You have mentioned in your important contribution two subjects. The first of these had to do with the problem of the definition of what capacities actually mean because we do not have a definition of that concept. And in that connection, you have referred to new issues in outer space law. You have referred to the word the “renewal” of international outer space law that we should concern ourselves with.

Then you suggested that we should think in terms of a certain programme strategy for capacity-building and, thereby, prepare for the venue of an Experts Group Meeting on the subject.

Thank you very much.

(*Continued in English*) Now I will give the floor to the distinguished representative of Ukraine.

Ms. _____ (?) (Ukraine) (*interpretation from Russian*): Thank you very much Chairman. Chairman, under 4(d) of the Report of the General Assembly on Outer Space, the work of a meeting which was held in Kiev, Ukraine, November 2006, and here I am referring to document 105/880, a certain issue was put that there be a university analysis of research and programme activities on outer space law in order to expand knowledge and explore possibilities in this regard. In this connection, the delegation of Ukraine notes with satisfaction that this matter has indeed been brought to the attention of the UBERTCOM(?), the Legal Subcommittee.

I believe that the distinguished representative of Algeria has quite properly made the point that first we must clearly define what is meant by capacity-building. Up to now, we sort of intuit our way into perception of this concept. Nonetheless, we are

usefully considering three elements of this process. The first is the educational component which includes more knowledge and information-sharing on outer space law, that there be strengthening of the work at university level and that there also be vocational training programmes, stressed vocational being the courses that prepare the actual hands-on experts working this field. And then also the R&D component in outer space law would also be stressed. And finally, the third component would be the dissemination of knowledge about outer space law. And this through various ways and means, the various media, radio, TV, through the establishment of a database, through the convening of symposia, colloquia and other events on outer space law issues. And this, with the participation of ever so many specialists from both the private as well as the international circles.

And on the first component, we would like to state that in relation to the development of outer space law, there is a constant trend to the development of outer space law. There are programmes and courses which are traditionally set up and implemented and this within the context of public law courses. Outer space law as taken as the component part of public law is something which is the subject of instruction in various departments, in the Department of International Relations, and this practically in all of our country's universities where the specialists are prepared. There is a difference in the volume and the thematics of outer space law in international public law. For example, usually this entails one to five hours of course matter. Then there is the National Shevchenka(?) International Institute of International Relations where there is a course that is 40 hours long on outer space law and this is mandatory for students of all departments involved in international relations, economics, international trade and international information as well.

Outer space law courses, both international as well as national, is given for specialists on transport law in the National Aviation University and roughly 100 students attend this course every year. In the Kiev University of Law, also outer space has become a course.

Now, in our country, we would like to first of all stress the activity of the International Centre of Outer Space Law, which, over 10 years now, has been working in Kiev, very successfully, its work comprises both the research as well as the educational, the standard setting, the consulting as well as the active outreach and pedagogical activity promoting outer space law, not just in Ukraine but throughout the region as well as the Caucasus and Asia.

The Centre has various very serious publication projects. It is going to be issuing in Russian, English an outer space comparative law publication with five issues on outer space legislation just on Ukrainian outer space law. Then there are monographs and scientific studies as well.

On the basis of the Centre, five dissertations have been defended on outer space law and it is no coincidence that the Centre has been one of the joint sponsors of the Fifth United Nations Traineeship in 2006, traineeship course.

Chairman, at present, under United Nations aegis, five Regional Educational Centres are in operation on outer space and technology. Two of these are in Africa, two in the American continent and one in Asia. At present, we are preparing to have these Centres incorporate the outer space law component and we would note with satisfaction that an Expert Group under the aegis of the Office for Outer Space Affairs is being set up to develop programmes on outer space law for these Centres.

At the same time, up to now, there is no similar centre focusing on the countries in our region, the activities of which would be targeting transit economy market countries. For this reason, we do believe that it would be useful if there would be a study done on the possibility, the feasibility of having this sort of a centre set up for our region. This could be established in Ukraine, let us say near Papistrosk(?), where the Aero-Cosmic Youth Training Centre is already operating. And the outer space segment of these educational programmes could be covered by the specialists from the International Centre on Outer Space Law, with the assistance and participation of eminent specialists from other States in the region, first and foremost, the Russian Federation, as well as Kazakhstan, *inter alia*.

Our delegation also believes that it would be useful to retain this agenda item for the purposes of subsequent sessions of the Subcommittee. Thank you very much for your attention.

The CHAIRMAN (*interpretation from Russian*): Thank you distinguished representative of Ukraine for your statement in which you referred to the objective of pursuing space law education. In this connection, you made three specific comments. Number one, you referred to the educational component, the science research component and the component of disseminating knowledge through conferences, symposia and other venues.

Next, you provided detailed information on education and space law knowledge dissemination programmes under way in your country, Ukraine, focussing in particular on the achievements of the International Space Law Centre located in the City of Kiev, the capital of your country, a Centre which has been successful in pursuing this important work for 10 years.

Finally, you informed us of some of the specific projects launched by this Centre including in particular a Conference organized by the Centre jointly with the United Nations Office for Outer Space Affairs in 2006.

You also emphasized the need to step up cooperation with other such centres in the world and specifically suggested setting up a specialized centre for the dissemination of space law in Ukraine, a centre that would focus on the needs of those countries who are just embarking on the road of space law development.

You also suggested including a special agenda item to that effect in the agenda of our Subcommittee. Thank you very much.

(*Continued in English*) Ladies and gentlemen, I no longer have any speaker inscribed in the list of speakers on this item. Is there any other delegation wishing to speak?

I see the distinguished representative of Greece.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Thank you Mr. Chairman. If I may, I am going to make a few further comments because having heard the statements of my friends and colleagues from Algeria, Ukraine and Colombia, I have what I can only describe as a challenge before me and I confess I cannot resist the temptation of expanding a little bit on what I said earlier in view of that challenge.

First of all, I think it is necessary to have closer and more profound relations between lawyers and diplomats involved in outer space law and related activities. This is very important not only in terms of social activities, we know each other, we are friends, that goes without saying, the jurists and the diplomats. But we are not always sufficiently in touch in terms of mileage of the various systems and mechanisms used by the two communities in their approaches to issues pertaining to outer space law. So institutional contexts aside, this is about relations among ourselves,

individuals setting up a community, not a private club, not at all, but a community, in the broader sense of educators and legal experts working in the area of outer space law. It is very important.

And here I would like to particularly refer to the statement of my friend, the Ambassador of Colombia. Space law education should not be a luxury. This is something that needs to be provided by institutions. It requires the necessary funds, not just for industrialized countries but for small countries as well, be it Greece or Bulgaria, the Czech Republic, Slovenia, to confine myself only to this region, Europe. It would be very difficult to send our students, particularly post-graduate students, to attend such specialized programmes without the appropriate funds, from 12,000 Euros to 15,000 Euros up to 30,000, and given the current exchange rate of the dollar, that is the Euros not the dollars. Anyway, this type of education needs to be extended not for free but there has to be a system of grants or scholarships where currently these are very limited. It has to be extended in a way to make sure that children, young people, who want to become involved in this area, get an opportunity to do so. They have to have a chance to go to another country and get the welcome, if I may say so, that they deserve. We, for example, accommodate foreign students who do not have to pay a cent for their studies and we are a country with very limited financial resources, so I am appealing to the big countries, big not in terms of their size but in terms of their economic strength, to try and help these students who are always very gifted and have great scientific potential.

Mr. Chairman, this is the additional comment that I wanted to make. I do not want to take too much time. I am not going to make a long speech here but I do believe we have to be aware of these issues. Thank you very much.

The CHAIRMAN (*interpretation from French*): Thank you distinguished representative of Greece for your contribution to this discussion. You mentioned two items in particular, the need to establish closer relations between jurists, lawyers and diplomats involved in outer space law. You have suggested creating a community of educators and lawyers working in this area.

The next point you made has to do with the possibility of setting up a system of scholarships or grants of providing funds for students to study outer space law. In this context, you called on the big space-faring powers to support such a system. Thank you very much once again.

I now call upon the distinguished representative of France.

Mr. _____(?) (France) (*interpretation from French*): Thank you Mr. Chairman. I hope I am not taking too much time. We are already approaching Friday evening but given the comments made by my colleagues, particularly the most recent speaker, I wanted to point out that French universities do have a fair amount of activity in the area of outer space law. As our Ukrainian colleague pointed out, in general, within international law courses, we have a part, not necessarily a very large one, but there is always a special part devoted to outer space law. Some universities provide specialized courses or syllabi that have to do with international space and this includes outer space law as well as the high seas or the Antarctic, also international spaces.

The University of Paris XI offers a Masters Programme, Master d' or Bacc Plus V, as we call it, this is the kind of jargon we use, on space and telecommunications law. And I have to say with certain modesty because I, myself, teach space law. So you see you have to take what I am saying with a grain of salt as it were.

Anyway, what I would like to say is that this is very good high-quality education in both areas, outer space law and telecommunications law. I think this is information of the highest level and for my Greek colleague, as is customary in France, these courses are free of charge. It is the State that pays for the Programme. Obviously the students have to pay their living expenses and Paris is not exactly a cheap city in that regard but at least, apart from a small registration fee, they do not pay any tuition. They do not pay for the course itself.

In my university, as I said, I, myself, teach outer space international law, maritime law and Antarctic law is also taught.

Also a brief comment on the summer course. It was already mentioned in the presentation made by the International Centre for Space Law. We do have a summer course on space law organized within the framework of the European Centre for Space Law, which is part of the European Space Agency, of course. Every year we hold such a summer course and we can accept a few students from non-European countries as well. We have already done that a number of times. And, of course, all French universities open their doors to non-French and non-European universities(?) (students?). There are large numbers of such students attending courses in French universities using the

Masters Programme at Paris XI University, about half of those in the course and overall there are about 30, about half are not French. So many universities, many programmes from around the world send their students to attend these programmes, including non-European universities. Obviously they have to have some knowledge of the French language. This is a limiting factor.

This is something I wanted to say. I would be happy to provide additional information on space law education in France if it is so desired by the delegates. Thank you very much.

The CHAIRMAN (*interpretation from French*): Thank you distinguished representative of France for your contribution as to the current state of affairs in terms of international space law education in the universities of France. Also education in such areas as maritime law and Antarctic law, that are close in many ways to space law.

You also mentioned a course on space and telecommunications law which is of very high level. You also referred to the French Government's funding extended to these courses and provided important information on the summer course organized by the European Centre for Outer Space Law.

You also indicated your readiness, your kind willingness to provide additional information if delegations would like to receive it. So outside of this room obviously whoever is interested in more information is encouraged to approach the French delegation.

(*Continued in English*) Do we have any other delegation wishing to speak on this particular point?

I see none.

Distinguished delegates, I would now like to adjourn this meeting so that the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space can be held at this moment and it will be its fifth meeting.

Before doing so, I would like to remind delegates of our schedule of work for Monday morning. We will meet promptly at 10.0 a.m. and at that time we will continue and hopefully conclude our consideration of agenda item 8(a), the Definition and Delimitation of Outer Space, and agenda item 8(b), the Character and Utilization of the Geostationary Orbit. We will also continue our consideration of agenda item 10, Examination and Review of the Developments

Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, and agenda item 11, Capacity-Building in Space Law.

The Working Group on the Status and Application of the Five United Nations Treaties on Outer Space will also hold its next meeting and it will be the sixth meeting so that I believe that our distinguished Chairman of this Working Group will have sufficient time for discussing all issues related to this important topic.

Are there any questions and comments on this proposed schedule?

I see none and, therefore, I intend to adjourn this meeting of the Subcommittee.

I now invite Mr. Vassilios Cassapoglou to chair the fifth meeting of the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space. But before inviting our Chairman of the Working Group on the item concerned, I would like to advise you and inform you that a Joint Statement on the Benefits of Adherence to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies by States Parties to the Agreement is now interpreted in all language versions of the United Nations and in addition to the English version that was already available earlier. It is now the other versions are now available and are being distributed in this room so that we could start our discussion on this important or continue our discussion on this important paper on Monday. Now? Even now?

So you probably heard it already that it is possible to start discussion on this particular statement within the Working Group.

And now I invite the Chairman of the Working Group to take over and this meeting of the Subcommittee is now adjourned until 10.00 a.m. on Monday. Thank you very much.

The meeting closed at 4.49 p.m.