

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

Unedited transcript

786th Meeting
Tuesday, 24 March 2009, 3 p.m.
Vienna

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

The meeting was called to order at 3.13 p.m.

The CHAIRMAN. Good afternoon, distinguished delegates, I now declare open the 786th 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. We will continue our consideration of agenda item 3, general exchange of views and begin our consideration of agenda item 4, status and application of the five United Nations treaties on outer space. We will also begin our consideration of agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law. The working group under item 4 will hold its first meeting under the chairmanship of Mr. Vassilis Cassapoglou of Greece. Are there any questions or comments on this proposed agenda? I see none.

It is so adopted.

Let us continue on general exchange of views, agenda item 3.

Distinguished delegates, the first speaker on my list is the distinguished ...

Sorry, you have a question?

Mr. V. CASSAPOGLOU (Greece)
(*interpretation from French*) A point of procedure and organization if I might interrupt Chairman. During the statement of our representative from IISL, I was wanting to make the point that it would be a good idea

if next year the symposium, between the International Institute and the European Centre, could take place in two afternoon sessions on Monday and Tuesday, to be perfectly precise, so as to allow for the possibility of dialogue. I would suggest that this request, on the part of our colleagues, be acceded to. Without wishing to engage in compliments here, I would just like to point out that this is the only scientific institution represented in our midst, there is, of course, also the Academy. Purely along the lines of space law *per se* they are the only ones, so I do believe that we should allow for the possibility for our panellist colleagues or participants to engage in joining of minds and exchange of views.

The CHAIRMAN. Thank you very much representative of Greece and representative of the presidency of the International Institute of Space Law and the European Centre for Space Law. We have paid heed to your statement, so that I think that we could certainly take this matter into consideration when we are preparing the agenda for the upcoming session. I do think that this is a sound suggestion and we will certainly take it as that.

I suggest that we continue our discussion on item 3 of our agenda, general exchange of views. The first speaker on my list of speakers is the distinguished representative of Indonesia, to whom I give the floor.

Mr. C. SUPROJO (Indonesia). Mr. Chairman, at the outset, let me take this opportunity, on behalf of the Indonesian delegation, to congratulate you upon your assumption of your duty as the Chairman of the Subcommittee. My delegation is convinced that, under your able leadership, the Subcommittee will reach a fruitful outcome. My delegation also expresses its

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.

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appreciation to Dr. Mazlan Othman and her valuable team in the Secretariat for supporting and carrying out the work which, in turn, facilitates our deliberations during the course of our present session.

Mr. Chairman, Indonesia is Party to four space treaties, the Outer Space Treaty, the Rescue and Return Agreement, the Liability Convention and the Registration Convention. Indonesia consistently undertakes its space activities in compliance with these treaties. This is indeed a crystal clear reflection of Indonesia's commitment to get the governance in international outer space activities. Indonesia finds it highly desirable that all countries commit to these treaties in order to strengthen the legal framework for global space activities. However, we are also of the view that in order to cope with various new trends in outer space activities, such as commercialization, the role of the private sector and militarization as well as to cope with the current state of outer space technology, the existing legal regime should be strengthened. Indonesia would welcome any proposal for the improvement of the existing legal regime to be undertaken in an inclusive manner and based on common shared responsibilities.

With respect to the question of the definition and delimitation of outer space, we have examined this issue carefully and have listened to the various statements ____ (?) brief illustration and our position remains that the definition and delimitation of outer space are vital to ensure legal ____ (?) and certainty in our space activities.

In this context, Indonesia strongly feels that it is time for us to achieve basic consensus on this question with ____ (?) on defining and terminology ____ (?) and critical for most member States. We are of the view that the meaning of consensus will contribute significantly to progress in the discussion of other related issues.

Turning to the issue of the geostationary orbit, GSO, Indonesia is of the view that GSO is a limited natural resource with *sui generis* characteristics that risks saturation and over-exploitation if not utilized wisely. Indonesia would like to reiterate its call for assurance that the utilization of GSO will be extended to and for the benefit of all countries. By applying the principle of equitable access for all States taking into particular account the geographical situation of certain countries, particularly equatorial countries, and the needs as well as interests of the developing countries.

With regard to the agenda item, review and possible revision of the Principles Relevant to the Use

of Nuclear Power Sources in Outer Space, my delegation appreciates the progress made and the ____ (?) of the Scientific and Technical Subcommittee when the working group on NPS reach a consensus to prepare and publish the safety framework for NPS application in outer space and ____ (?) 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 will support the use of NPS in outer space for peaceful purposes. In this regard, my delegation is of the view that the revision on the principles relevant to NPS in outer space is not warranted.

Mr. Chairman, in the view of my delegation, the Convention on International Interests in Mobile Equipment and the future space assets protocol are important instruments to promote financing from space assets by establishing international security interests in them. At this present session, my delegation hopes that consideration of this agenda item can make significant headway particularly in deciding the appropriate organization to act as the supervisory authority of the space assets protocol currently under negotiation which, in the view of Indonesia, should be the United Nations. By exercising this function the United Nations would enhance its role in promoting international cooperation for the benefit of all countries and encouraging the progressive development of Indonesian law and its qualification.

Mr. Chairman, with regard to agenda item 9, capacity-building in space law. My delegation considers this issue to be of paramount importance. Only the intensive dissemination of knowledge, experiences and best practices in space law can support our common interest in enabling our legal knowledge to cope with further development of outer space technology. In this context, my delegation ____ (?) that have been submitted during the previous session of this Subcommittee, namely, the provision and development of a dedicated space law database and web-type electronic resources as well as the provision and establishment of a practitioners forum as a means of developing networks ____ (?) in space law. My delegation would also like to express our support to the realization of the United Nations/Thailand/ESA workshop on space law in Thailand this year, in which Indonesia will participate as part of our collective effort to build the capacity of member States in space law.

Mr. Chairman, with respect to the Registration of Space Objects, we would like to inform you that in accordance with article II of the Convention on Registration of Objects Launched into Outer Space,

Indonesia has established a registry of space objects launched into earth orbit. The registry will be maintained by the National Institute of Aeronautics and Space and we are now preparing several administrative elements for competence and action to register Indonesian space objects with the United Nations registry.

In conclusion, Mr. Chairman, I would like to reiterate Indonesia's commitment to the work of the Subcommittee and my delegation's readiness to work effectively with other delegations to ensure a productive and fruitful outcome to our deliberations. Thank you.

The CHAIRMAN. Thank you distinguished representative of Indonesia for your statement.

In your statement you brought some important comments on the main agenda items of the Legal Subcommittee and you started by your appeal to those countries which have not adhered to the United Nations space treaties to do so and thus to strengthen the legal regime of outer space activities.

You then turned your attention to the definition and delimitation of outer space and you said that the position of Indonesia in this respect remains unchanged, that you consider it as a very important issue and that even a minimum consensus would contribute significantly to progress in the discussion of other related issues.

You then also touched the issue of the geostationary orbit which is, according to the position of Indonesia, a limited natural resource with *sui generis* characteristics that risk saturation and over exploitation if not utilized wisely. Therefore you emphasized the necessity of applying the principle of equitable access for all States taking into particular account the geographical situation of certain countries, particularly equatorial countries, and the needs as well as interests of the developing countries.

You then also commented on the item, review and possible revision of the principles relevant to the use of nuclear power sources, NPS, and welcomed the results of the work of the working group of the Scientific and Technical Subcommittee under the multi-year work plan 2007-2010. However, you emphasized that your delegation is of the view that revision of the principles relevant to NPS in outer space, for the time being, is not warranted.

You then also commented on the point of Convention on International Interest in Mobile

Equipment and the future space assets protocol and you emphasized that it would be important to decide on the appropriate organization to act as supervisory authority which, in view of your country, should be the United Nations.

You continued then on the issue capacity-building in space law and said that it was an issue of paramount importance and supporting the particular points that were already discussed last year and very probably will be discussed also at this year's session.

You then expressed your full support for the realization of the United Nations workshops on space law this year. Finally, you advised us about the establishment by Indonesia of a registry of space objects launched into outer space that should be maintained by the National Institute of Aeronautics and Space, LAPAN.

Thank you very much distinguished representative of Indonesia and now I will give the floor to the next speaker and it is the distinguished representative of Morocco.

Mr. S. RIFFI (Morocco) (*interpretation from French*). Thank you Mr. Chairman. It is a great pleasure for the delegation of Morocco to see you presiding this forty-eighth session of the Legal Subcommittee, your well-known experience will certainly be a major contribution to the progress made by this Subcommittee and Morocco would also like to commend Madam Mazlan Othman, Director of OOSA, as well as her collaborators, for the work carried out in preparation of the present session. The delegation of Morocco would like to express its support and will be making its contribution for the success of this work.

Mr. Chairman, during the last 50 years we have observed far-reaching scientific and technological progress in the field of space, particularly the broadening of space activities and the involvement of the private sector. The goal here is to achieve specific goals that will meet human development needs. In the light of this evolution, we should highlight the importance of taking into account developing countries' preoccupation in order to allow them to meet the challenges that cover all aspects of social and economic development in particular in the fight against poverty, hunger and the management of natural disasters. Mutual cooperation should also make a big contribution towards the utilization of these techniques in order for mankind as a whole to draw benefits from its spin-offs. The cooperation also plays an important role in the promotion and understanding of the legal aspects of space activities. This will allow us to have a

____(?) promotion of adhesion to the relative treaties in the United Nations to provide a coherent and useful framework for these activities which are more and more frequent and complex in nature.

Mr. Chairman there is no doubt that OOSA programmes for the promotion of these treaties in developing countries and the assistance it provides so that these States can apply them and include them in their national legislations is one of the fundamental aspects of international cooperation and this is why Morocco would ask that this remain an item on the agenda of the Legal Subcommittee. Morocco has always striven to have this kind of cooperation, it believes that the application of the principles and treaties relative to outer space will certainly allow all nations equal and peaceful access to outer space and to be able to benefit from the research and space technology spin-offs.

Mr. Chairman, Morocco, through its Royal Centre for Remote Sensing, has carried out a series of actions to increase sensitivity, nationally and regionally, in this respect. For example, the organization of regional or international seminars on different aspects of space law and space techniques. The promotion and integration of space law in the university courses and in the regional centres as well as the promotion of national expertise in this field. In this context, the Royal Centre for Remote Sensing is currently carrying out a course on space law on behalf of French-speaking African students who are enrolled in the regional centre in Rabat and has done so since 2006/2007 and this operation shall continue in the future.

Mr. Chairman, in the year 2008 in cooperation with the Hassania School of Public Works in Casablanca, the CRTS organized a seminar for two days on space law. This had to do with a masters in remote sensing and this is going to be brought into other establishments in the future.

During the same year CRTS, from 10-12 November in Rabat, participated in the organization of a workshop entitled: space tool at the service of disaster management and other emergency situations in Africa, legal, organizational, technical aspects. This workshop, initiated by the African Regional Centre for Space Sciences and Techniques, in French, on request of CRTS as well as in cooperation with our European partner, the Centre for Space Law, ECSL, allowed us to make great headway in terms of space law for the management of natural disasters. Several questions were mentioned during this workshop, in particular the International Charter

“Space and Major Disasters”, this was the availability and utilization of space products during catastrophes. Participants expressed great interest for these instruments, we are hoping that special attention be paid to African countries in terms of information and promotion and activation of these selfsame tools.

Mr. Chairman, concerning item 6 of the agenda, definition, delimitation and utilization of the geostationary orbit. We believe that, in order to ensure rational utilization and equitable utilization of GSO by States, it is necessary that the Legal Subcommittee continue to examine all the aspects ____(?). GSO is a natural, limited resource and must be accessible to all countries, whatever the technical means they have at their disposal, on an equal basis taking into account the needs and interests of developing countries in particular.

Concerning item 9, capacity-building in space law, the Moroccan delegation would like to have our Subcommittee implement a mechanism allowing developing countries, in particular African developing countries, to officially participate ____(?) programmes dealing with development and space applications thereto.

Capacity-building in the field of space law in Africa necessarily involves students, university faculty and direct users of space techniques and must be given the material and financial means to have participants attend different summer classes on space law technique that are organized by specialized institutions, such as the European Centre for Space Law.

Mr. Chairman, in the light of increasing amount of space debris and its impact on space activities, in particular the regrettable collision which took place a few months ago between a satellite and space debris, we are very pleased to see our Subcommittee include a new point on its agenda, general exchange of information on national mechanisms relative to reduction of space debris. Morocco believes that this will allow us, in the future, to take the appropriate measures to attenuate the consequences of this phenomena. Indeed, a regulatory framework on this point should be rapidly drawn up taking into account the principle of the peaceful use of outer space, in order to protect the interests of all States.

Concerning item 7 and its importance as well as the impact ____(?) nuclear energy in space and its safety, the delegation of Morocco would like to have the Subcommittee go into more depth in this discussion and evaluate the pertinence of the revision of the principles governing the use of nuclear energy sources

in space. The example of cooperation between IAEA and the Subcommittee should be encouraged in order to allow us to come up with the safety norms that could be applicable to this source of energy in space.

Mr. Chairman, please allow me to take this opportunity to commend IISL and ECSL for the organization of the seminar on the Moon Treaty. A seminar of excellent quality which allowed us to better understand the interests of all States in particular developing States and to promote its adhesion. We are very much in regret of the scant time that was spent on this, we would like to have this Committee spend more time on this kind of debate and discussion so that we might all profit.

Mr. Chairman, concerning other specific items, the delegation of Morocco will return to these when we deal with each of these in turn in this Subcommittee. On behalf of the Moroccan delegation, I would like to reiterate our full commitment to the collective efforts of the international community aimed at promoting international cooperation and this in the interest of all mankind. Thank you.

The CHAIRMAN (*interpretation from French*). Thank you very much distinguished representative of the Kingdom of Morocco whom we have had the opportunity to hear. You have referred to some very important points in the course of your statement. In the beginning you stressed the importance of taking into consideration the concerns of developing countries to enable them to address all aspects of socio-economic development, poverty, hunger and natural disaster management.

You have also stressed the importance of international cooperation as being an effective instrument. You have then referred to various agenda items, inter alia, mentioning the activities that you have developed in your country and the conferences, major seminars that have been hosted by Morocco.

As concerns our agenda for the Legal Subcommittee, you have referred to the issues of the definition and delimitation of geostationary satellite orbits as well as the strengthening of capacities in outer space issues and then you have stressed the need to step up capacity-building in outer space activities in Africa.

Following this you have referred to the national mechanisms with regard to space debris mitigation, you have declared that Morocco considered that this would enable, in the future, for the establishment of

adequate measures to mitigate the consequences of this aforementioned phenomenon.

Lastly, concerns the use of nuclear energy sources in space, you have stressed that the Subcommittee should delve further into the debate on this issue and to weigh the relevance of any possible revision of the principles governing these activities. Your delegation would think it advisable for our Legal Subcommittee to pay more attention to debates, such as the symposium, that was organized within this session and then you called for more time to be made available enabling us to delve into these matters extensively.

Thank you very much distinguished representative of Morocco. I now have on my list of speakers, the representative of South Africa.

Ms. N. MAJAJA (South Africa). Mr. Chairman, with your indulgence if we could just read the statement after the next speaker. Thank you.

The CHAIRMAN. Under the circumstances I will give the floor now to the distinguished representative of Poland.

Mr. L. KULAGA (Poland). Thank you Mr. Chairman. Exploration and exploitation of outer space has become a vital part of human activities, taking into account this process, the Polish delegation considers ensuring adequate legal framework answering to ____ (?) face the challenges, a very important issue. In this regard, we believe that this Subcommittee plays a fundamental role. The Outer Space Treaty and other international treaties on outer space which create *corpus juris spatialis* plays a positive and effective role in regulating national activities and promoting cooperation in space. The Polish delegation expresses a great interest in holding, during this Legal Subcommittee session, the 1979 Moon Agreement symposium. Poland is a Party to four space treaties, Outer Space Treaty, Rescue Agreement, Liability Convention and the Registration Convention. Poland is not a Party to the Moon Treaty, we nevertheless are of the opinion that the discussion on different aspects of the Moon Treaty should be continued.

Last year Poland has taken important steps for more engaged space policy. In April 2008, Poland ratified the European Cooperating State Agreement with the European Space Agency. In January 2009, Poland became a member of the European Organization for the Exploitation of Meteorological Satellites. Currently Poland is drafting its space

strategy document that will be completed by the end of 2009.

Distinguished delegates, in view of the Polish delegation the latest development, such as the collision of satellites, indicates that the issue of space debris mitigation measures should be particularly taken into account during this session.

Mr. Chairman, allow me to assure you of our full support in the course of this session. We are sure that under your leadership the outcome of the session will be fruitful and beneficial for further development of international space law. Thank you Mr. Chairman.

The CHAIRMAN. Thank you distinguished representative of Poland for your statement in which you emphasized some important points and also some activities developed in your country.

First of all, you emphasized the importance of the Outer Space Treaty and other international treaties on outer space which create a *corpus juris spatialis* and play a positive and effective role in regulating national activities and promoting cooperation in space.

Then you informed us about the participation of Poland in international cooperation particularly by the ratification of the European Cooperating State Agreement with the European Space Agency and then, also, by becoming a member of the European Organization for the Exploitation of Meteorological Satellites. Currently Poland is drafting its space strategy document that will be completed by the end of this year.

You also supported the idea of holding the symposia under the scope of the sessions of the Legal Subcommittee and particularly evaluated highly the symposium on the 1979 Moon Agreement. Though Poland is not a Party to this particular agreement nevertheless Poland is of the opinion that the discussion on different aspects of the Moon Treaty should be continued. I think these were at least some important points that I wanted to pinpoint from your statement.

Thank you very much distinguished representative of Poland and I now give the floor to the distinguished representative of South Africa.

Ms. N. MAJAJA (South Africa). Thank you Mr. Chairman, distinguished delegates, the South African delegation wishes to extend our appreciation to you, Professor Kopal, for presiding again over this session of the Legal Subcommittee. Our delegation is

confident that substantive progress will be made on the various agenda items under your able leadership and guidance and through the efforts and cooperation of all the delegations. We would also like to express our appreciation to the Office of Outer Space Affairs for the usual excellent arrangements and for the documents produced to facilitate our discussions.

Mr. Chairman, the South African Government recognizes the fundamental importance of utilizing outer space for peaceful purposes to attain effective and sustainable development. In this regard, our delegation wishes to emphasize in particular the importance with which we regard the role of international space legislation to guide governments and other role players to use outer space responsibly. In a modern interdependent world there should no doubt that the ____ (?) space technology, on a cooperative basis, will contribute to enhancing global human endeavours. The development of space sector and space technologies by South Africa is aimed at enhancing the significant potential for social and economic benefits that it will offer ordinary citizens.

Mr. Chairman, South Africa has made substantive progress on space activities since the last session of the Legal Subcommittee. In order to promote and coordinate South Africa's increasing activities more effectively and coherently in the space arena in general and in space science and technology more specifically, the South African Government approved the national space policy on 3 December 2008. The policy guides the various South African role players as they conduct activities in the space arena including the South African Council for Space Affairs and the National Space Agency. South Africa celebrated the launch of the national space policy on 6 March this year. The launch, which was hosted by the Minister of Trade and Industry, was aimed at publicizing the policy to all relevant stakeholders. We are now working on ____ (?) programme that would give practical effect to the policy.

Mr. Chairman, on the ____ (?) side of space activities, our delegation is pleased to announce the approval of the national space strategy. The strategy is administered by the Ministry of Science and Technology. The strategy provides the direction necessary for a viable space programme in South Africa and envisages technology platforms that will deliver on a wide array of our national priorities relating to socio-economic development. Three key priority areas have been identified, namely, innovation and economic growth, environmental resource management, public health and safety and security.

Mr. Chairman, in addition to the above in December 2008, Parliament approved the National Space Agency bill. The bill was enacted into law by the President in January 2009. The act is administered by the Ministry of Science and Technology. The National Space Agency Act establishes the Space Agency which would allow South Africa to harmonize the diverse activities of national space science institutions and manage State investments. An interim office has been established to facilitate the operational functions of the Agency.

Mr. Chairman, the Astronomic Geographical Advantage Act also entered into force in June 2008 and provides for the preservation and protection of areas in South Africa that are uniquely suited for optical and radio astronomy.

Mr. Chairman, our delegation will elaborate further on the mentioned legislation during our deliberation of the agenda item that relates to general exchange of information on national legislation relevant to the peaceful exploration and use of outer space.

Mr. Chairman, South Africa recognizes that successful implementation and application of international legal framework governing space activities depend on the understanding and acceptance by policy and decision-makers of the United Nations treaties and principles on outer space. We believe that, as responsible users of outer space, it is necessary for governments to ratify the major space treaties and to give ____ (?) to its rights and obligations in their domestic law. We are in the process of ratifying both the Liability and Registration conventions and the necessary documentation in this regard will be presented to Cabinet during this week.

Mr. Chairman, the South African delegation wishes to express its appreciation to the seminar hosted yesterday by the International Institute of Space Law and the European Centre for Space Law on the 30th anniversary of the Moon Agreement. It is evident that the Moon exploration programmes have many benefits including for countries that are not planning to go to the Moon at any time in the foreseeable future. Countries and in particular developing countries should therefore seriously consider ratifying the Moon Agreement, this is particularly in relation to the provision of the Agreement that protect the Moon as the common heritage of mankind.

Mr. Chairman, our delegation wishes to emphasize the importance of regional and international cooperation in developing relevant legal norms in

meeting ____ (?) new challenges and preserving the use of outer space for peaceful purposes. In this regard, we are making strides in cooperating with other countries on the African continent in space-related issues in line with the new partnership for Africa's development. The African Resource Management Constellation, ARMC, project has gained considerable momentum. Their aim is a constellation of low Earth orbiting satellites where the data generated is to be shared by the participating parties for mutual benefit. Following the signing of a declaration of intent between Algeria, Nigeria and South Africa last year, we are now negotiating a memorandum of agreement for signature by the respective countries during the 3rd African Leadership Conference on Space Science and Technology for Sustainable Development to be hosted by Algeria in the latter half of 2009.

Mr. Chairman, moving to the space debris issue, my delegation would like to share its views of this important matter. As a country striving to develop space technology, like many others we are alarmed at the increasing level of space debris. We therefore urge countries to make every effort to implement the voluntary guidelines on space debris that were endorsed by the United Nations General Assembly in 2007. This would ensure that especially developing countries' efforts to utilize space are not negatively affected in future by space debris.

Mr. Chairman, the Subcommittee will recall that South Africa proposed the agenda item capacity-building in space law in 2006, we are pleased that the Subcommittee agreed to include this issue on its agenda for the current session. The purpose of this agenda item was to deliberate on how COPUOS generally and the Legal Subcommittee specifically can contribute to the important issue of capacity-building in space law matters. We look forward to sharing more detailed views with other delegations during the consideration of this item.

Mr. Chairman, in closing, my delegation is looking forward to a fruitful consideration of the various agenda items before us and 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 distinguished representative of South Africa for your statement. I believe that in your statement you touched some important issues that have been, for a long time and are still now, on our agenda.

In the beginning you underlined the importance of the role of international space legislation to guide

governments and other players to use outer space responsibly. The development of a space sector and space technology by South Africa is aimed at enhancing the significant potential for social and economic benefit that it will offer ordinary citizens. I believe I read it *expressis verbis* because this is a very interesting and significant formulation of this particular task.

You then informed us about the measures and steps undertaken in your country for administering the space matters. You mentioned that the South African Government approved the National Space Policy last year, in December, and that you also celebrated the adoption of the National Space Policy on 6 March this year. You then informed us about your national space strategy.

You then pinpointed the priority areas that have been identified in your endeavours, innovation and economic growth, environment and resource management, public health and safety and security.

You also informed us that your parliament approved the National Space Agency bill and that this bill was enacted into law by the President in January this year.

You then made again an appeal to the adhesion to major space treaties and informed us that you are in the process of ratifying both the Liability and Registration conventions. You then appreciated the symposium that was held yesterday on the issue of the Moon Agreement on its retrospect and prospect for the future.

A very important announcement was also made on the international cooperation between countries on the African continent. You mentioned the African Resource Management Constellation project that has gained considerable momentum and informed us about the negotiation of a memorandum of agreement for signature at the 3rd African Leadership Conference on Space Science and Technology for Sustainable Development to be hosted in Algeria in the latter half of 2009.

Finally you moved to the space debris issues and urged countries to make every effort to implement the voluntary guidelines on debris mitigation that were endorsed by the General Assembly in 2007.

Still something important and it is the item capacity-building in space law. We are well aware that it was South Africa who initiated the consideration of this particular item in 2006 and I believe that, indeed,

we hope to continue successfully in the discussion at this session of the Subcommittee.

Thank you very much distinguished representative of South Africa.

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

Mr. S. McDONALD (United States of America). Thank you Mr. Chairman. I would like to begin by congratulating you on your service as Chairman of this Subcommittee. The Subcommittee has made and will continue to make important contributions to the refinement and development of outer space law under your leadership. 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 and we look forward to continued progress in addressing issues of practical concern to all of us.

COPUOS and the 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, the 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 include States that have accepted the core instruments to look at the sufficiency of their respective national laws to implement them.

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. First, we have all noted with concern the collision last month between the privately operated Iridium communication satellite and the inactive Russian Cosmos satellite. We have been in communication with the Russian Federation regarding the collision and discussions began promptly after the collision. The

U.S. Department of Defense is currently conducting an assessment of the processes and procedures currently employed for monitoring space objects, performing orbital conjunction analyses and reporting pertinent findings to the concerned parties which the DOD anticipates will be completed later this spring. We look forward to discussing results from this assessment at the fifty-second session of COPUOS in June.

The US Air Force's space surveillance network is continuing to track the debris from the two satellites in two separate debris fields. As we have said previously, there is little risk to the International Space Station due to orbiting debris from the collision but the US Department of Defense and NASA are conducting further analyses on the potential risks due to debris. The collision underscores the increasingly congested space environment and emphasizes the vital importance of heightened space situational awareness as well as international cooperation between governments and industry which is critical in the future to improve space safety. As with all objects large enough to be tracked, new pieces of debris resulting from the collision will be posted on the public website, www.space-track.org, so that all nations and companies with assets in space can have access to the information.

Next I would like you to know briefly that, with respect to the engagement of the non-functioning satellite USA 193, in February 2008, to eliminate a potential hazard on the ground from the satellite's undepleted store of hydrazine, none of the space debris that was created by the destruction of that satellite remains in orbit, most having entered the atmosphere within a few weeks of the engagement, well within the space debris mitigation guidelines that UNCOUOS endorsed in 2007. To our knowledge, none of that debris survived re-entry.

With regard to the US civil space programme, the Constellation project, the system that will eventually be used to return humans to the lunar surface before 2020, is moving ahead. NASA successfully completed the preliminary designer review for the new Ares 1 rocket in 2008. Starting in 2015, Ares 1 will launch the Orion crew exploration vehicle and its crew of 4-6 astronauts to the ISS. The rocket also will be used as part of missions to explore the Moon and beyond in coming decades. NASA is preparing Ares 1 for its first test flight later this year and NASA engineers also successfully completed, in 2008, the first series of tests in the early development of the J-2X engine that will power the upper stages of the Ares 1 and Ares 5 rockets. Ares 5 will carry cargo

and components into orbit for trips to the Moon and later to Mars.

NASA also continued the important effort of coordinating its exploration plans with other space agencies through the Global Exploration Strategy, International Space Exploration Coordination Group, including leading initial discussions focused on potential lunar exploration architecture scenarios and important interfaces that would facilitate international cooperation on the Moon.

NASA completed four shuttle missions to the International Space Station in 2008. The activation of the European Space Agency's Columbus module and the successful launch and docking of its Jules Verne Automated Transfer Vehicle, as well as the delivery of the Japanese Kibo laboratory, will allow the ISS to house 6 crew members for long-duration missions in support of scientific exploration.

In addition, we would like to highlight a number of ongoing US science missions. NASA's Phoenix Mars Lander safely reached a soft landing on Mars on 25 May 2008 at a site further north than where any previous spacecraft had landed. The mission successfully returned unprecedented science data to Earth advancing the goal of documenting the history of water on Mars. NASA's Mars Exploration Rovers, Spirit and Opportunity, have passed their fifth anniversary on Mars and continue their remarkable journeys. In 2008, the Hubble Space Telescope continued to make unprecedented observations. The Spitzer Space Telescope continued its search for planets outside of our solar system and the Fermi Gamma Ray Telescope was launched in June 2008 to explore the most extreme environments in the universe searching for signs of new laws of physics and investigating dark matter.

Fermi is a collaboration between NASA, the US Department of Energy and academic institutions and partners in France, Germany, Italy and Sweden. NASA's New Horizons mission to Pluto passed by Jupiter last year, it is currently in the near planetary cruise phase and is due to arrive at Pluto in 2015. NASA continues to operate, or participate, in 18 heliophysics missions, 16 planetary science missions and 15 Earth observation missions.

The Geostationary Operational Environmental Satellite, GOES-13, operated by the US National Oceanic and Atmospheric Administration or NOAA, was put into on-orbit storage in January 2007 after completing its post-launch checkout and is serving as the on-orbit backup for NOAA's two operational

GOES satellites. Since GOES-10 arrived at 60° West, in early December 2006, it has been providing South America with imager and sounder data that has greatly improved weather forecasting in that region. NOAA has sponsored workshops and training on the use of the data from the spacecraft and is planning a series of additional training opportunities. The improved weather forecasting, severe weather warnings and forecast models, that GOES-10 has made possible for South America, are a clear demonstration of the value of this type of international cooperation envisioned by the Global Earth Observation System of Systems.

The US Geological Survey of the US Department of the Interior continues to operate the Landsat-5 and 7 satellites and make their data available to users worldwide. Landsat provides essential information for land surface monitoring, eco-systems management, disaster mitigation and climate change research. Recently, Landsat-5 marked the incredible milestone of its 25th year of successful operations. The satellite, which was launched on 1 March 1984, has completed more than 130,000 orbits of the Earth and has provided more than 700,000 separate images. In 2008, the full US Landsat image archive was made available to users free of charge over the Internet. This new policy resulted in the exponential growth of the delivery of Landsat scenes to users worldwide. The 30+ year time series of Landsat observations will be extended by the Landsat data continuity mission. NASA is responsible for the satellite's development and launch and USGS is responsible for the ground segment development and satellite operations.

Under the US Department of the Interior's National Land Imaging Program initiative, the United States expects to provide a new level of global leadership in land research and land management including enhanced monitoring of the effects of global climate and land-use change. The new programme will consolidate responsibility for user needs assessment, satellite and data acquisition, technology advancement, data archiving and distribution and advanced applications development for US civil operational land imaging. Long-standing US non-discriminatory access and distribution policies will be continued for land imaging data.

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

As we proceed with our work at this session, Mr. Chairman, I would like to reflect once again on the extraordinary record of success the Subcommittee has had in advancing the field of space law. I 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. 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 may be attributed to its avoidance of protracted debate on extraneous political issues. Thank you for your consideration and my delegation looks forward to a productive and collegial session.

The CHAIRMAN. Thank you distinguished representative of the United States of America for your statement which included many important and interesting points.

I would particularly mention that you made an appeal of adhering to the United Nations space treaties particularly to the four core space law instruments as you mentioned it, and that also the United States Department of Defense is currently conducting an assessment of the processes and procedures currently employed for monitoring space objects, performing orbital conjunction analyses and reporting pertinent findings to concerned parties.

You were then speaking mostly about the United States civil space programme, of course it is rather a long enumeration of the items on this programme but what I particularly heard and positively received is the progress on the Constellation project, the system that will eventually be used to return humans to the lunar surface before 2020. It is, of course, in conjunction with the subject, the main topic of yesterday's symposium, so certainly this information has been very valuable for all of us.

You then also emphasized that NASA, your national space agency, continues the important efforts of coordinating its exploration plans with other space agencies through the Global Exploration Strategy, International Space Exploration Coordination Group.

In addition, you also mentioned a number of other missions to the planets and particularly you highlighted a number of ongoing missions such as

NASA's Phoenix Mars Lander which reached safely Mars in May this year.

You then commented the Geostationary Operational Environmental Satellite, which is operated by the United States National Oceanic and Atmospheric Administration, an institution which is well known to us and of which we often hear in great results of the space exploration.

You also mentioned the United States Geological Survey of the Department of the Interior which continues to operate the Landsat-5 and Landsat-7 satellites. We welcome particularly the information on achievements that have been obtained by Landsat-5, it is indeed a very surprising number of orbits of the Earth and hundreds of thousands of separate images.

You confirmed the long-standing United States non-discriminatory access and distribution policy, that this policy will be continued for land imaging data and you also made an announcement that the former data and images that have been collected by past remote sensing satellites are now freely available on the Internet.

Finally, I would like to welcome your willingness to cooperate in discussing and developing on new issues relating to space activities on the basis of the principle of consensus. Thank you very much.

I now give the floor to the distinguished ambassador of France.

Mr. F-X. DENIAU (France) (*interpretation from French*). Thank you very much Mr. Chairman. At the outset, I would like to express my delegation's extreme satisfaction to see you heading our work here in this Subcommittee. We are sure that your great experience in this field will allow us to be successful in our efforts.

We would like to recall the importance that we attach to the work of traditional space law and we would like to stress three fundamental principles, the free access of all to outer space for peaceful purposes, the preservation of the viability and integrity of orbiting satellites and taking into consideration the legitimate interests in terms of defence on the part of States. These principles, Mr. Chairman, are henceforth consolidated in domestic French law and this after the adoption of the law of 3 June 2008 on space operations. On this the French delegation is going to be making a detailed presentation when we get to item 11 of the agenda at the beginning of next week.

As a State which is particularly involved in launching activities and on a backdrop of expansion and transformation of space activities in general it seemed important to French authorities to adopt domestic legislation enabling us to conduct outer space policy which is adapted to new challenges. Today I will just give you some general indications as to the philosophy underpinning this law.

This law places French outer space operations within the general framework of compliance with the international commitments of France in terms of space activities and our goals to protect populations and to safeguard activities in airspace and outer space as well. This law sets the conditions according to which the French Government authorizes and controls outer space operations, within its jurisdiction or under its responsibility, in conformity with the major UN international treaties on outer space, especially in conformity with the 1967 Treaty, Articles VI and VII thereof, the 1972 Convention on Liability for Damage to Third Parties as well as the 1975 Convention on Registration.

This new law in particular reflects the commitments shouldered by the French Government with the European Space Agency in particular the Guyana Outer Space Centre since 1975 and all of the launching agreements involving Ariane and Soyuz. It also reflects the commitments shouldered with respect to the exploitation operation of launchers in particular with the European States participating in Ariane and Vega operations.

The law concerns French launching operators and/or foreign launching operators operating under French jurisdiction. It also concerns the French satellite operators regarding their exercise of satellite control for authorizations to launch abroad in cases involving French liability issues. The authorization control system will be refined in an upcoming decree and will go operational in 2010.

The purpose of this law is to codify existing practices and avoid introducing new administrative or technical constraints for private operators and for their foreign customers, this text affords greater legal security. This is demonstrated in practice in particular as regards liability because there is a formal guarantee on the part of the government which will be compensating for any damage caused to third parties, on the ground or in airspace, over and above a compensation range between 15 and 17 million Euros. The validity of non-remedial clauses among space actors has been confirmed by this text and rendered systematic and this for all industrial and operational

activities relating to a space launch. The technical regulations to be adopted are presently being worked out with space operators.

Just as we have done in the past already, the French delegation would like to recall that the consolidation of international space law should be the principle objective of the work of our Subcommittee which, first and foremost, must seek to enlarge adherence to existing treaties.

As regards international cooperation apart from the agreements concluded with ESA within the context of the implementation of European space policy, my delegation would like to share with the Subcommittee information on the signature of a framework agreement with India relating to cooperation in the field of the use of outer space for peaceful purposes and this was signed during the Franco-Indian summit in Paris on 30 September 2008. This will enable new momentum to be imparted to our cooperation which is developing around a Megatropics programme on tropical region water cycle studies.

As for the other items on the agenda, I would just point to the following on the part of my delegation. On item 7 on the consideration and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, France is welcoming the fact that this draft of international safety framework was adopted by consensus during the Scientific and Technical Subcommittee's meeting. As we see it, this exercise deserves to be continued, indeed the Commission on Safety Standards on the part of IAEA still must approve, or possibly amend, this document in a meeting of the working group on nuclear energy sources to be held 2-4 June next in Vienna. That meeting will decide whether work needs to be continued on establishing the technical safety criteria which are useful for design development of space missions in order to prepare possible decision-making to be undertaken by the Scientific and Technical Subcommittee in 2010.

Our position remains unswerving as regards the discussion of this question within the Legal Subcommittee. We believe that it very closely depends on the work of the Scientific and Technical Subcommittee and the results that can be presented from the joint working group to the space committee. The French delegation believes that, given the technical issues which still need work, it is not timely at this juncture to discuss any possible revision of the content of these principles of the United Nations on the use of nuclear energy sources in the Legal Subcommittee at this point.

On item 9, strengthening of space capacity. France would like to apprise you of the programmes implemented by CNES in order to promote cooperation with Ukraine particularly in the field of space law. France is conducting with Ukraine, jointly with Germany, a cooperative project which is under EU aegis in order to assist the outer space authorities in Ukraine to align their institutional and legal framework with those set up in the EU countries in particular in France and Germany.

Another project is specialty in education research on space law and telecommunications law in order to respond to the requirements of professionals in these two sectors. This has been developed in the Paris 11, Jean Monnet University department, this basically involves the awarding of a masters degree in outer space activities and telecommunications activities. This degree is designed in cooperation with major companies and institutions including CNES, the ____ (?) major industrial corporate groups. Since 2002, this masters has included the work of 140 students of 46 nationalities. The research angle of this masters is basically handled in the Institute on Space and Telecommunications Law, IDEST the French acronym, which has participated in various studies for agencies in space companies, for example in the context of the development of French space law and several of the doctoral candidates from the entire world are doing their research there and some of this in partnership with major companies.

On item 10, exchange of information in the field of national mechanisms to mitigate space debris. Here France welcomes the result of recent work done in the Space Committee with regard to registration and with regard to space debris, these two latter initiatives having been approved by the UNGA at its sixty-second session. We will be specially paying attention to the implementation, on the part of States, of these two important texts. The success registered here demonstrates interest for the work done by the Space Committee in promoting practical measures which are marked with transparency and confidence among States in their space activities.

In general, France is very concerned by the number and the diversity of players and objects in outer space and this all the more so following the very recent collision between the Iridium 33 and Cosmos 2251 satellites last February. We are satisfied with the recent progress accomplished, under the French presidency of the EU, which has resulted in EU adoption of a draft international code of conduct for outer space activities. This document represents a very strong commitment on a voluntary basis for States. It

comprises confidence and transparency measures which are going to be implemented in the very near future.

France endorses similarly the complimentary initiative on long-term space activity viability. The purpose of this initiative is to reach the technical consensus on the diagnostics of issues affecting the long-term viability of space activities and, if possible, on the ways to remedy those possible problems arising. The document that the French delegation is going to be presenting in June to the Outer Space Committee on long-term viability of outer space activities will be comprising a whole series of preliminary proposals along these lines. This work is based on a technical approach and will, as a matter of priority, be within the purview of the Scientific and Technical Subcommittee of COPUOS but the Legal Subcommittee will be duly informed, in advance, of the work.

Mr. Chairman, just as we have done in the past, we would like to propose that there be a reduction of the duration of the session period for this Subcommittee, especially since this can be extended and reviewed, if necessary and as warranted, by the contents of its agenda.

Thank you very much.

The CHAIRMAN (*interpretation from French*)

Let me thank you for that statement on France's activities in this regard in the field of exploration and utilization in outer space. At the beginning of your remark you described the fundamental principles on which France has based its policy. You also mentioned that your delegation was present during the discussion on item 11 of the agenda which has to do with the law, 3 June 2008, relative to space operations.

Next you focused on the development of international cooperation and particularly between France and other countries, specific mention was made on the agreement on the Guiana Space Centre and this since 1975 concerning the Ariane and Soyuz launchings. You also mentioned the role of CNES which has as its task proposing the technical regulations for management of operations. You then turned to the legal aspects thereof, emphasizing that the consolidation of international space law should be the main objective of the work of this Subcommittee and that we should strive, first and foremost, to broaden the adhesion to the existing treaty.

Concerning international cooperation, you mentioned the signing of a framework agreement with India for the peaceful uses of outer space. This was

done during the Franco-Indian summit of 2008 held in Paris.

Next, you remarked on other items of our agenda in particular numbers 7, 9 and 10. Finally, in your statement, you provided information on the international code of conduct for outer space activities which has been, of course, drawn up but negotiations are continuing on that. You also expressed the support of France to the initiative that completes this, which is the long-term viability of space activities. Then you informed us that the French delegation had the intention to present this during the next session of COPUOS in June.

I do not think I have forgotten anything. Of course at the end of your statement you expressed the wish that we shorten the length of sessions of the Legal Subcommittee and I thank you, representative of France, for that statement.

Ladies and gentlemen, I believe that in this way we have exhausted our list of speakers on the agenda item, general exchange of views, for this afternoon. Of course, we will continue on this particular point and, hopefully, we will conclude our consideration of agenda item 3, general exchange of views, tomorrow morning.

As you may remember, I originally advised you that we would reserve, for this particular discussion, only Monday and Tuesday but, upon the request of several delegations that they would be ready to make such declarations tomorrow, we accepted to extend the discussion on item 3 of our agenda till tomorrow morning. I would strongly appeal to do it in the morning session tomorrow so that we could conclude the discussion on this particular item and proceed with other points.

Ladies and gentlemen, we will now start our consideration of agenda item 4, status and application of the five United Nations treaties on outer space. Before doing this, I am sorry I apologize, I would still like to thank all delegations that, during this afternoon's session, addressed their greetings and their evaluation of the work of the Secretariat, of the work of the whole Office of Outer Space and I would also like to thank you for your kind words addressed to the Chair. Thank you very much.

Now we will proceed with agenda item 4, status and application of the five United Nations treaties on outer space. I would also like to remind delegates that this item will also be considered by the working group on item 4 that could start its discussion this afternoon.

I do not see any speaker that would inscribe his/her name on the list.

Is there any delegation wishing to speak on status and application of the five United Nations treaties on outer space at the level of the Subcommittee?

Yes, I have here an application namely that of the Russian Federation. You have the floor.

Mr. V. TITUSHKIN (Russian Federation) (*interpretation from Russian*). Thank you very much, Mr. Chairman. In compliment to the information which, yesterday morning, Ms. Othman shared with us with regard to the adherence of the People's Democratic Republic of Korea to the 1967 Treaty. Since the Russian State is a depository State of this instrument in accordance with article II with regard to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, we would like to note that the People's Democratic Republic of Korea has given the Russian depository the documents relating to their accession to this international agreement.

The CHAIRMAN. Thank you very much distinguished representative of the Russian Federation with regard to your statement informing us as to the accession of the People's Democratic Republic of Korea to the Agreement of 1967. This being the governance regulating activities of States on the Moon and other celestial bodies.

Any other speaker on the agenda item 4 in the Subcommittee?

I see none and therefore we will continue in the discussion on this particular item tomorrow morning.

Distinguished delegates, I would now like to begin our consideration of agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law.

Distinguished delegates, under this agenda item international intergovernmental and non-governmental organizations were invited to report to the Legal Subcommittee on their activities relating to space law. Delegations will have before them the following documents: Reports received from international organizations, contained in document A/AC.105/C.2/L.275 and Addendum 1. In this regard, I would like to inform delegations that the document L.275 has been circulated as Conference Room Paper

8, the document is A/AC.105/C.2/2009/CRP.8, in English only, the document in all official languages will be distributed later this week, this is for technical reasons. We could not assure an earlier publication in all official languages but it will be available during this week. The second bullet means that information received from the International Mobile Satellite Organization, the acronym is IMSO, which is contained in document A/AC.105/C.2/2009/CRP.3, this information is or will be also available.

I now look into my list of speakers and I have to inform you that so far we have not had any application, from among the delegations to this Subcommittee, on this particular item but we have here an application of an observer, the observer for the European Space Agency/International Centre for Space Law and I give this observer the floor.

Ms. U. BOHLMANN (European Space Agency). Thank you very much, Mr. Chairman. Let me first join the previous speakers in expressing our happiness to see you again chairing the session of the Legal Subcommittee and in congratulating Dr. Othman on her and her staff's achievements in the work of OOSA. ESA is convinced that under your able and experienced guidance the Legal Subcommittee, assisted by OOSA, will continue to achieve excellent results.

Thanking you very much Mr. Chairman for giving us the opportunity to submit to the Legal Subcommittee a summary report on the general activities of the European Space Agency relating to space law.

In 2008, representatives of ESA continued to publish legal studies on various aspects of space law. Special mention should be made of the participation of some representatives of ESA's legal department in the undertaking of the Cologne Commentary on Space Law which is a joint project of the Institute of Air and Space Law of the University of Cologne and the German Aerospace Centre (DLR).

Furthermore, representatives of ESA's legal department continued to lecture, *inter alia*, at the regular ISU and the ISU summer session programme and at the masters degree programme of the University Paris XI in Sceaux.

Lectures and presentations focused in particular on the legal implications of the following topics: human space flight, including projects for space tourism; satellite navigation; typology and practice of international space agreements; international and

European space institutions, with a special emphasis on the institutional aspects of European space activities; commercial space activities; and legal aspects of space debris.

With regard to the activities of the European Centre for Space Law, created and supported by ESA, with your permission, Mr. Chairman, I would like to invite my colleague, Melanie Vincent, Executive Secretary of ECSL, to provide the Legal Subcommittee with a short report on ECSL activities in 2008 and to give some prospects for its activities in 2009.

Ms. M. VINCENT (European Centre for Space Law). Mr. Chairman, distinguished delegates, the European Centre for Space Law is pleased to present its 2008 activities report at the forty-eighth session of the COPUOS Legal Subcommittee. In 2008 ECSL, which promotes space law in Europe and even beyond, organized its traditional various events.

The first event is the summer course on space law and policy. The 17th edition of the ECSL summer course on space law and policy was organized by ECSL and the University of Genoa, especially well-known for maritime transport and aerospace law studies, under the responsibility of Mr. Francesco Munari and his colleagues.

The event took place at the University of Genoa, Italy, from 1-12 September 2008. There were 35 students coming from Austria, Italy, United Kingdom, Spain, Belgium, Nigeria, Poland, Finland, France, Mexico, Brazil, Greece and Germany. The students followed 41 hours of lectures on space law and policy issues given by 36 speakers who were either academicians or practitioners specialized in the space field. Moreover, the students, divided into 8 teams, successfully solved a practical case entitled - Space for security: simulation of an international call for tenders. This exercise split into two parts, a written report and an oral presentation in front of a panel of space experts, gave the students the opportunity to improve their English and to put into practice the knowledge acquired at university and during the lessons. The preparation of the teams' projects was supervised by four tutors who helped the students in their research and in their presentation. The winning team was composed of Susanne Knasmüller, Francesca Ines Moretto, Kyriaki Monezi, Hyoun-Seoung Yang and Thomas Zéphirin.

The 18th ECSL summer course on space law and policy will be held in September 2009 in Lisbon, Portugal.

The second event of ECSL is the Manfred Lachs Space Law Moot Court Competition. The European round of the Manfred Lachs Space Law Moot Court Competition took place at the Riga Graduate School of Law, in Riga, Latvia, from 16-19 April 2008. There were 8 teams registered from the following universities: University of Leiden, The Netherlands; University of Inner Temple, London, United Kingdom; Riga Graduate School of Law, Latvia; John Paul II Catholic University of Lublin, Poland; University of Strathclyde, Glasgow, Scotland; University of Augsburg, Germany; Catholic University of Leuven, Belgium; University of Paris XI, Sceaux, France. The students solved a hypothetical dispute entitled: Case concerning the continued provision of lifeline satellite services to countries in the face of satellite operator insolvency. This exercise, split into two parts, submission of memorials for both the applicant and the respondent and oral arguments in front of a panel of space experts, gave the students the opportunity to improve their English and to put into practice their knowledge in space law.

The winner of the European rounds of the competition was the University of Augsburg, Germany. The University of Augsburg represented the European region at the World Final of the competition which took place during the 59th International Astronautical Congress in Glasgow, Scotland, in October 2008 at the City Chambers. The University of Augsburg had the highest score for the briefs and went directly to the final round. Georgetown University, Washington, D.C. and the University of New South Wales, Australia, met in the semi-final, the latter won the semi-final. The universities of Augsburg and of New South Wales competed in the final, the latter won the competition. The final round was judged by two members of the International Court of Justice, Judge Koroma and Judge Tomka and by Francis Lyall, emeritus Professor of Public Law at the University of Aberdeen, Scotland.

The European regional rounds of the 18th Manfred Lachs Space Law Moot Court Competition will be held on 27 and 28 April 2009 in the Faculty of Law of the University of Athens, Greece. The world semi-final and final of the 18th Manfred Lachs Space Law Moot Court Competition will take place during the 60th International Astronautical Congress in Daejeon, Republic of Korea. The case concerns the deployment and use of force in low Earth orbit.

The third event of ECSL is the Practitioners Forum. The 2008 ECSL Practitioners Forum was held on 15 December at ESA Headquarters, Paris, France, and organized by Frans von der Dunk from the

University of Nebraska, College of Law, USA, and myself.

Some 60 participants from various institutional, commercial and academic professions attended this forum which dealt with “National space legislation in Europe – Issues of authorisation in the light of developments in European space cooperation”. A report on this forum, written by Frans von der Dunk, is available on the ECSL website. The next ECSL Practitioners Forum will be held in December 2009, date, place and theme to be decided.

ECSL, together with IISL, also organized a two-day symposium during the forty-seventh session of the COPUOS Legal Subcommittee. This event was coordinated by Ms. Tanja Masson-Zwaan from IISL in cooperation with Professor Marchisio, the ECSL Chairman, and took place on 31 March and 1 April 2008. The symposium, divided into two sessions, included reports of national and international space law institutions on the theme: legal implications of space applications for global climate change. The first session addressed the principles and rules involved in using space applications for combating climate change whereas the second session dealt with institutions and instruments involved in the issue. Presentations can be found on the OOSA website.

ECSL, together with IISL, held a symposium yesterday afternoon on the theme: the 30th anniversary of the Moon Agreement: retrospect and prospects, at the forty-eighth session of the COPUOS Legal Subcommittee.

An international workshop on “L’Outil spatial pour la Gestion des Catastrophes et des Situations d’Urgence en Afrique – Aspects Techniques, Organisationnels et Juridiques” has been co-organized by institutions such as ____ (?) or UNOOSA with the support of ECSL in Rabat, Morocco, in October 2008.

Professor Frans von der Dunk, member of the ECSL Board, represented ECSL during the 3rd symposium on critical issues in space law which dealt with: Article VI of the Outer Space Treaty: Issues and Implementation, on 11 December 2008 at the Cosmos Club in Washington, which had been organized by the National Center for Remote Sensing, Air and Space Law at the University of Mississippi School of Law, the Journal of Space Law, the International Institute of Space Law and Arianespace.

As for ECSL publications. ECSL regularly publishes the booklet “Space Law Teaching in Europe” which includes a list of space law teaching institutions,

universities and educational centres, at the European level, and provides detailed information on teaching staff, credits, tuition fees and the duration of the different courses, together with illustrations of the institutions listed.

The fourth edition of “Space Law Teaching in Europe” is in preparation and will be finalized in the coming month. ECSL also publishes its newsletter, which features articles on legal issues and other topics of interest to the space community. The ECSL newsletter is a precious tool to provide information on new space law developments as well as on other events around the world, like conferences or workshops relevant to the space sector and space applications. The issue No. 36, published in February 2009, contains reports on ECSL activities as well as articles on the UNIDROIT Space Assets Protocol: Promising News or the EU’s draft for a Code of Conduct for Outer Space Activities written by Professor Sergio Marchisio, ECSL Chairman. It also includes a note on Nationales Weltraumrecht/National Space Law: Development in Europe – Challenges for Small Countries, a book edited by Christian Brünner and Edith Walter.

It also includes another note on “E-Book on Outer Space and Sea Law” which contains contributions of the seminar on “Outer Space and Sea Law”, organized in December 2007 by the Research Group, International Studies, steered by Professor Juan Manuel de Faramiñán Gilbert, a member of the ESCL Board. Thank you for your attention.

The CHAIRMAN. Thank you distinguished observers for the European Space Agency and the European Centre for Space Law, Ms. Bohlmann and Ms. Vincent, for your contribution to our discussion on general exchange of views.

I do not have any other speaker, either on the part of the delegations or from the observer delegations in my list of speakers for this particular point. Therefore I believe that we can now adjourn this consideration for today and we will continue our consideration of agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law, tomorrow morning.

Is there any other speaker wishing to speak now? I see none.

I will shortly adjourn this meeting of the Subcommittee, so that the working group on item 4 could hold its first meeting.

Before doing so, I would like to remind delegates of our schedule of work for tomorrow morning. We will meet promptly at 10 a.m., we will then continue and hopefully conclude our consideration of agenda item 3, general exchange of views. Continue item 4, status and application of the five United Nations treaties on outer space and item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law.

I now invite Mr. Vassilis Cassapoglou to chair the first meeting of the working group on item 4, status and application of the five United Nations treaties on outer space.

This meeting of the Subcommittee is adjourned until tomorrow.

The meeting closed at 5.07 p.m.