

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

*Unedited transcript*

793<sup>rd</sup> Meeting

Monday, 30 March 2009, 10 a.m.

Vienna

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

*The meeting was called to order at 10.16 a.m.*

**The CHAIRMAN:** Good morning distinguished delegates. I now declare open the 793<sup>rd</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would first like to inform you of our programme of work for this morning.

We will continue our consideration of agenda item 8, Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, and will continue agenda item 9, Capacity-Building in Space Law. We will also continue our consideration of agenda item 10, National Mechanisms Relating to Space Debris Mitigation Measures, and agenda item 11, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

At the end of this morning's session, 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.

Before I proceed with our Programme, I would like to remind delegations that the Secretariat circulated last week the Provisional List of Participants, distributed as Conference Room Paper No. 2. In this regard, I would like to request

delegations to kindly provide the Secretariat with possible corrections to the list by the end of today.

**Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment (agenda item 8)**

Distinguished delegates, I would now like to continue our consideration of agenda item 8, Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

I do not have any speaker on this particular item for this morning. Neither do I have any observer that would like to speak on this issue.

Are there any delegations wishing to speak on this item at this morning's session, at this morning's meeting?

I see none. Neither any observer would apply for the discussion.

I see none.

We will, therefore, continue and hopefully conclude our consideration of agenda item 8, Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, this afternoon. As I advised you before the end of the week, we expect for this afternoon a contribution by the Deputy Secretary-General of UNIDROIT, Dr. Martin Stanford, who hopefully will be coming and perhaps it might initiate then the interest for this particular item.

---

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

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



**Capacity-building in space law (agenda item 9)**

Distinguished delegates, I would now like to continue our consideration of agenda item 9, Capacity-Building in Space Law, but to my great regret, again, we do not have anybody on the list of speakers, neither from the delegations nor from among the observers.

Is there any delegation wishing to speak on this item?

I do not see any delegation. I now recognize the distinguished representative of France.

**Mr. A. KERREST** (France) (*interpretation from French*): Thank you very much Chair. Chairman, France, for a long time, has been very attached to teaching in space law. In the 1960s and 1970s, under the direction of \_\_\_\_\_(?) Coliger(?) and Madam Simone Cortex(?), courses were already being given at the Paris Law School. Currently, space law is taught in most law schools in France as part of general international law. In some universities, for example, in the Dijon Brest or Lyon, thesis-level courses are offered and examinations are taken covering areas such as the sea and outer space.

A Masters in space law and telecommunications was created in 2002 through the Institute of Space and Telecommunications in the University of Paris-XI. That purely disciplinary university has a role to play, not just in the field of space technology but also in law and policy. This Masters is strongly supported by most of the actors in this sector, in particular the National Centre for Space Studies, the European Space Agency, the public administrations and private enterprises all working in the field of space and telecommunications.

This is high-level training, quite open to foreign students. In fact, half of these students approximately are non-French and since 2002 have represented some 46 different countries. This course has been acknowledged as one of the best French professionally-oriented courses of any alumni now occupying important positions in the industry and at several space agencies. The Faculty under the direction of Philippe Aquilias(?) is made up of university professors, practitioners, the public sector, from the CNES in particular, and from private enterprise. The courses are given in French and English.

To meet the very sound concerns expressed during discussions by several delegations, my delegation would like to stress the fact that under the

regulations in French, the French education section, the cost of these courses is totally assumed by the French Ministry of Education. This free education holds not just for French students but for any students of whatever nationality. Twenty-five candidates are chosen every year, coming from many different countries. Some Fellowships are available on the criteria of income in order to assist students in meeting their lodging and room and board costs. In France, we are perfectly happy to give any additional information delegates may wish in this regard.

Space law theses are currently held in several universities, Paris-XI and Western Brittany.

In 2008, the National Institute for Defence and Studies chose as its topic for research that year outer space. Several conferences were organized in this regard on the topic of space law in particular. Its French experts participate in many other training programmes outside France, for example, the CNES, cooperation with the German Space Agency, DLR, and with the support of the European Union as a participant in a programme with Ukraine. French experts have also shared their skills in the European Space Law Centre, the International Law Association Space Section, the International Association of Space Law, and the International Astronautics Academy.

Concerning research, the French Society for Space Law has carried out very important activities, for example, organizing public conferences, seminars, workshops, as well as different publications. For several years now, this intellectual undertaking has published the French Review of Space Law. The Academy of Space and Air, headed by Gérard Brachet, ex-Head of CNES and the Chairman of our Committee, also has undertaken research projects in this regard. French experts are participants in the Working Group set up by the Bureau of Space Affairs and have as their mission to disseminate greater knowledge of space law in order to secure a greater acceptance of the founding criteria and space law activities in general. Thank you.

**The CHAIRMAN** (*interpretation from French*): Thank you very much distinguished representative of France for your presentation, a very important presentation. I believe a very, very accurate one indeed on the state of outer space law education in France, education and other related activities, as developed in your universities, in your various institutions in the course of your cooperative ventures with experts and international organizations. Thank you once again.

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

**Mr. V. CASSAPOGLOU** (Greece) *(interpretation from French)*: Thank you very much Chairman. Good morning to one and all.

Two points. By way of a contribution, the reaction to my dear friend and colleague, Professor Kerrest from the French delegation, we have common memories shared of Adil(?) Ber(?) Coliger(?) who was the Grand Master of outer space law in France, and if I might dare qualify him as such, he was actually the founding father of outer space law studies in France. I had the great honour to actually sit at his feet, be one of his students. His classes were truly enlightening. He gave us the means to build our legal perception even, at a very fundamental level. We got to start off with foundations that most of our outer space colleagues did not even dream of. So I believe that it is only fitting to speak of him when we speak of the development of outer space law for the French speakers among us, for the French speakers who have done their law studies in France and their scientific professional studies.

And I would like to say that what our colleague has just referred to and the costs involved in outer space law studies in France. These are free courses which are dispensed, both for European nationals and for other countries' nationals as well. It is free for one and all. This demonstrates the permanency of the Grand Republic and spirit which is demonstrated and incarnated in France because post-grad studies are free. And this, of course, is useful for various major enterprises because they benefit from this because this is far from cheap this sort of educational involvement for the State.

I would like to state that unfortunately in Greece outer space law education is still very limited in our legal departments, in our Faculties of Law. We are teaching outer space law as a third year "licence" *(French word)* degree course but it is also a part of the possible courses that one can matriculate in at a post-Doc level. So you can get a post-Doc degree in this. After a Masters in international public law, you can also go in for an option which is international space law.

**The CHAIRMAN** *(interpretation from French)*: Thank you very much distinguished representative of Greece for that contribution to our topic of this morning. You have just joined in celebrating the memory of Professor Deahou(?), who is the eminent representative of the venture of outer space law education, as referred to by the French delegation

which spoke before you. You have also mentioned the state of education in this field in Greece. Thank you very much.

*(Continued in English)* Ladies and gentlemen, I do not have any other speaker on this point at this very moment. Does any other delegation wish to speak on this item at this morning's meeting?

I see none.

### **National mechanisms relating to space debris mitigation measures (agenda item 10)**

So in that case, we could perhaps proceed with the following item, namely, it means to continue our consideration of agenda item 10, National Mechanisms Relating to Space Debris Mitigation Measures.

No I do not have any speaker. Yes, I now recognize again the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) *(interpretation from French)*: Thank you Chairman. Last year I had unsuccessfully proposed that we should put the guidelines text on space debris as an annex, either to a resolution of the General Assembly, a separate one, or else incorporate it into the omnibus, the so-called omnibus General Assembly resolution. And this proposal of mine was not accepted by colleagues for reasons unknown to. I cannot fathom why my proposal was rejected because I had floated this for perfectly practical reasons, given that we do not have the text of the report of the Scientific and Technical Subcommittee to which the guidelines are annexed nor do we have the report of the Committee of the Whole. So for the people who do not have those texts and wish that you get the text of the guidelines which is of such great importance, not from only the political and economic angle but also for the economic angle, it is near necessary for them to look for three indirect links while they quest for the text. This is not very good when it comes to our making our texts available to people who are interested when we seek to disseminate our work. I think we should proceed just as we do for the Scientific and Technical Subcommittee reports, just as we did with the Rex documents, you may recall.

So once again, I would like to reiterate my proposal. I would like to point out that last year, I had proposed a text for a resolution with no reference whatsoever to any legal obligations and I just wanted this to be annexed to the text of the Guidelines. This

proposal, mind, was not accepted. I think that possibly we should indeed do this as a token of our respect for the countries involved, I think, that it is encumbered upon us to make these texts public.

**The CHAIRMAN** (*interpretation from French*): Thank you very much distinguished representative of Greece for your contribution. You have recalled your proposal of last year as regards the Guidelines text. You had suggested that this be incorporated into a General Assembly resolution, either an outer space resolution which would be self-standing, or a more omnibus resolution. And now you are suggesting either we should indeed do that or we should somehow find a way to publish the text of these Guidelines for the benefit of all countries and the international community at large.

Would any other delegations like to engage in some sharing of thoughts on this proposal or some exchange of views on this for next time?

(*Continued in English*) I now give the floor to the distinguished representative of China.

**Ms. Y. ZHOU** (China) (*interpretation from Chinese*): Thank you Mr. Chairman. Our delegation would like to make a brief statement on this item.

Mr. Chairman, China has always bestowed(?) for the peaceful use of outer space and has been taking an active and responsible part in the deliberations on space debris issues in the United Nations COPUOS.

We are prepared to work with the international community towards an adequate solution of space debris problems.

Here I would like to provide some information on space debris mitigation activities in China.

The Chinese Government supports the Guidelines on Space Debris Mitigation adopted by COPUOS and is actively undertaking legislative studies on space debris. The China National Space Administration, as a member of the IADC, has been participating actively in its various activities. Thanks to various collaborative studies, we have deepened mutual understanding with other IADC members and considerably stepped up our activities related to space debris and mitigation and monitoring, as well as spacecraft protection.

From 5 to 7 November 2008, China carried out successfully a post-mission de-orbiting operations on its FY-IIA satellite. After these disposal operations,

the satellite orbit has a pedigree position 800 kilometres higher and an apogee position 1,650 kilometres higher than the original are now in orbit, thus meeting COPUOS and IADC requirements regarding orbit elevation for post-mission disposal of GEO satellites.

Our CZ-4B/C carrier rocket successfully operated since 1994 a series of upper stage rocket propellant depletion despite the high altitude and high satellite density of the orbit aimed.

The effectiveness of the space debris control measures adopted by the CZ-4B/C rocket has been generally acknowledged by representatives of various member States of the IADC. Thank you Mr. Chairman.

**The CHAIRMAN**: Thank you very much distinguished representative of China. You were speaking about your measures and activities in this particular field, it means space debris mitigation, how it has been effected in the recent period in China. China is a member of the IADC and you stepped up your activities and efforts in this field and this you documented on examples of some launching that you have effected in a recent period.

Thank you very much for your statement and I now give the floor to the distinguished representative of Canada.

**Mr. C. SCHMEICHEL** (Canada) (*interpretation from French*): Thank you very much Chairman. The Canadian delegation is grateful for this opportunity to share information on Canada's national mechanisms relating to space debris mitigation measures.

During the forty-sixth session of the Scientific and Technical Subcommittee meeting, Canada submitted its report on space debris and related activities. This report was made available to all delegations in the form of CRP.11. That report detailed Canadian research activities in this area and described the existing provisions in Canadian legislation and policies addressing the mitigation of space debris.

(*Continued in English*) Mr. Chairman, the regulations made pursuant to the Canadian Remote Sensing Space Systems Act contained a number of requirements addressing the disposal of remote sensing satellites. Applicants have to provide information on several topics including the proposed method of disposal for each satellite, the reliability of that

method, the estimated duration of the satellite disposal operation, the probability of loss of human life, the amount of debris expected to reach the surface of the Earth and the size of the impact area, should there one, the boundaries of the likely debris re-entry impact area and the competence level of the determination of the boundaries, the identity and quantity of hazardous material and dangerous goods contained in each satellite at the end of its mission life and the quantity expected to reach the surface of the Earth on re-entry, the orbital elements and epochs of the proposed disposal orbits for each satellite, and an assessment of space debris expected to be released from each satellite during normal operations by explosions, intentional break-ups, and on-orbit collisions and the measures proposed to mitigate the production of this space debris.

Mr. Chairman, as part of the licensing process for telecommunication satellites in the geostationary orbit, the Government of Canada requires applicants to remove satellites from the geostationary orbit region at the end of their life in a manner consistent with ITU Recommendation on Environmental Protection of the Geostationary Satellite Orbit. Applicants must also provide information in their application indicating how their orbital debris mitigation plans are consistent with the ITU Recommendation. Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of Canada for your statement on item 10, General Exchange of Information on National Mechanisms Relating to Space Debris Mitigation Measures. In your statement, you refer to the Report on Space Debris and related activities that you submitted to the Scientific and Technical Subcommittee session at its forty-sixth session. And you then also refer to the Regulations made pursuant to the Canadian Remote Sensing Space System Act and specified the number of requirements that are requested in those Regulations.

But what is very interesting and I think very relevant for our discussion that as a part of the licensing process for telecommunications satellites in the geostationary orbit, your Government requires applicants to remove satellites from the geostationary orbit region at the end of their life in a manner consistent with ITU Regulations.

Thank you very much distinguished representative of Canada for your contribution.

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

**Mr. M. HUCTEAU** (France) (*interpretation from French*): Thank you very much Chairman. The French delegation would like to stress the importance of the rising risk because of space debris objects and this is why this is a matter which remains a priority for France. France is developing its programmes within the context of the general objectives presented in the Space Debris Mitigation Policy as defined in 2007 in resolution 62/167 of the United Nations General Assembly and the ISOST(?) 813 Standards.

CNES, over several years, now is implementing these directives with the ESA and this is demonstrated in end-of-life objectives which intend to indeed specially prevent hazards in the geostationary orbits and LEO-orbits. This is why Telecom 2A, 2B, etc., have been taken out of orbit and pacivated in accordance with these objectives. Given these end objectives, the SPOT-2 for Telecom 2C geostationary orbit, strategic programmes are being developed for deployment by the end of 2009.

Furthermore, in order to respond to its launching State responsibilities, France recently adopted a law on outer space activity of 3 June 2008 on the space activities. The application degrees are being presently developed. Indeed, the OSERIC(?) thrust is one of the cardinal points of this topic and this is in direct linkage to item 11 on the peaceful uses of outer space. We would like to inform you that this afternoon, we are going to be engaging a more detailed presentation of the new law which is going to be implemented in France on outer space activities in this pursuance to item 11 of the agenda.

**The CHAIRMAN** (*interpretation from French*): Thank you very much representative of France for that statement of yours on item 10. You have referred to the end-of-life operations for satellites. You have also referred to the outer space law which was adopted recently in France and you have indicated that these directives are presently being elaborated for implementation.

(*Continued in English*) And now I do no longer have any other speaker. Is there any delegation, yes, I once again recognize the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you very much Chairman. In general terms, the issue of space debris is an issue of environmental protection for outer space. It is an ecological aspect which we must indeed bear in mind and implement because this is of cardinal, premiorial(?) importance. This is an obligation for

States which is pursuant to treaties that are already in force. The cosmic area within which our little planet Earth is rotating needs to be protected from the intruders that we are, ourselves. We became intruders when we intruded into outer space for the welfare of humankind, etc. I am very happy that we have been able to listen to the statement made by our distinguished delegate of Canada who spoke about the implementation of ITU Recommendations on satellite end-of-life operations for telecommunications satellite.

If I might say, I really always admire the extremely progressive initiatives taken by Canada in various fields, environmental protection, *inter alia*. And, in view of it, I must point out Chairman that the problem, especially with satellite telecom operators is precisely that they are going to be continuing with their operations no matter what sorts of global, international, interregional organization elements emerge and this is why there is such anarchy because there is an absence of control of telecommunications actually which we are witnessing and I really must admire Canada's initiative in this regard. I think that it would be desirable for all the countries in the world to act similarly because we must consider, Chairman, that if someone wishes to move a satellite on geo-orbit before it functionally dies, you must spend a certain significant amount of energy which can be calculated more or less as the equivalent of six months of normal operational energy. And this is something that most telecom operators do not want to incur by way of an expense and they prefer to put a major dent into the cosmic expanses out there rather than to make that sort of six month investment and this is an operational expense.

Unfortunately, a major part of their emissions are their broadcasts actually are pornographic. This is an additional point which I would like to refer to. I do not want to name names, be it countries or operators, but it is a shame on all of mankind and all of humankind that we are using our very limited orbital and frequency resources for broadcasts which are not worthy of anything that could be termed humanity at all.

And in closing I would like to certainly congratulate the Government of Canada, as well as the Government of France, for their splendid initiatives. Thank you very much.

**The CHAIRMAN** (*interpretation from French*): Let me thank the representative of Greece for that contribution to the discussion on item 10 of our agenda. Now, you highlighted the ecological approach, as well as the obligation to not only take into

consideration but to take specific measures for the protection of the space environment. Then you expressed your appreciation for the Canadian example use of geostationary satellites. And then you draw our attention to the abuse of practices that are not in harmony with the objectives that you mentioned. Thank you very much for the contribution.

(*Continued in English*) Ladies and gentlemen, this has been the last speaker that applied. I now recognize the distinguished representative of the Netherlands to whom I give the floor.

**Mr. A. ANCION** (Netherlands): Good morning to everyone. As this is the first time we will be taking the floor during this session, the Netherlands has an intervention on this agenda item which I hope will sound fluent enough since I will be translating as we go.

The Netherlands attaches great value to the safeguarding of the sustainable use of space and, therefore, supports in principle international initiatives in the area of the sustainable use of space and important is the reduction of the increasing space debris.

The Netherlands, therefore, would welcome a generally accepted international arrangement in this field.

We expand considerable attention to space debris in our space law which entered into force in January of 2008. For every space activity which is not being executed by the State in the Netherlands, a permit is required. This permit puts demands on the protection of the environment in cosmic space. This mainly means that no space debris can be left. When there are insufficient safeguards, a permit can be refused or an existing permit can be revoked. When calamities occur that involve the environment and the cosmic space, the permit holder needs to take immediate measures that can be expected of him reasonably ... (*small gap in tape*) ... debris as a frame of reference. Thank you.

**The CHAIRMAN**: Thank you very much distinguished representative of the Netherlands for your contribution to our discussion on item 10 of our agenda. You emphasized the need for safeguarding the environment, the space environment, and protect it against space debris generation and you also informed us that attention to the threat by space debris has been incorporated in your National Space Law according to which no space debris could be left from the activities

from launching satellites, etc. Thank you very much once again.

I now give the floor to the distinguished representative of Chile.

**Mr. R. GONZÁLEZ ANINAT** (Chile) (*interpretation from Spanish*): Very briefly. Thank you very much Chair.

It seems to us that the distinguished representative of the Netherlands, like his predecessor, has made an excellent contribution. So my country would like to endorse that contribution. We are perfectly happy to continue to collaborate with them since this is a new road to tackle such an important subject. It is really is of such importance to sustainable development.

**The CHAIRMAN**: Yes, was it the end of your statement distinguished representative of Chile? Was it the end of your brief contribution now or do you still wish to add something?

**Mr. R. GONZÁLEZ ANINAT** (Chile) (*interpretation from Spanish*): Well, in the exchange to you Chair it was a brief contribution.

**The CHAIRMAN**: Thank you very much distinguished representative of Chile for your brief contribution but essential contribution.

I do not have any other speaker. Yes, I now recognize the distinguished representative, please show your label, of Kenya.

**Ms. J. MWANGI** (Kenya): Thank you Mr. Chairman. We have noted the different views of States and the different national approaches to the question of space debris mitigation measures but we note that these Guidelines are not readily available. They have not been distributed and I think it would be useful for countries like Kenya because they form a very good basis for developing national measures at the national level. So I would urge in part the Office for Outer Space Affairs to give us information on where we can access these Guidelines, though voluntary they may be.

**The CHAIRMAN**: Finished? Yes. Thank you very much. I do not know when I should thank you, now or later on, perhaps you would still continue.

I believe that you endorsed by your brief intervention the idea that was raised by our distinguished colleague from Greece and I, myself, think that it may be difficult to effect the request

incorporated the Guidelines in the General Assembly resolution if it was not done immediately after the adoption. But what could be done for the purpose of general knowledge of and recognition of these Guidelines would be a special brochure as it was done with the first report, the so-called Rex Report, as you mentioned a few minutes ago. So perhaps our Secretariat could make it without any further approval of the General Assembly or something like that but this might be a practical way how to give effect to your suggestion.

Yes, Mr. Secretary, could you perhaps or the Deputy Secretary could you give us your advice in this respect?

**Ms. N. RODRIGUES** (Deputy Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, in principle, and from a practical day-to-day approach, of course, there is no difficulty for the Secretariat to separate the Guidelines from the report to which it was attached and to publish it as a separate document. We need to look into how we will do that because it will have a cost implication for us and we have, of course, not programmed this for the current biennium but we will see what we can do to make them more readily available to all delegations. Thank you Mr. Chairman.

**The CHAIRMAN**: Thank you very much Ms. Deputy Secretary for your advice in this respect and, of course, we would welcome if some specific measure in this regard could be taken.

The distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you Chair. First of all, thank you Chair because you expressed what I wished to propose as well. I believe that the Office should have the possibility to proceed with the publication of this small brochure which, perhaps only a two-page brochure, number of paragraphs bring a view point.

Now, I am not sure whether and the Bureau also stocks(?), it has the specific report but I think we could consider the Guidelines as an attachment to the Rex Report just as we have addenda to the booklet that is published, that is circulated every year dealing with the different treaties, in other words, a short annex that the Bureau distributes every year updating us on the state of ratifications to the treaties, so, in fact, that kind of supplement, easy to do, and I think it is much cheaper than distributing an official document by the Subcommittee.

The problem here is not really economical or organizational in nature. It is that some parties would not want to have these Guidelines be discussed and considered and studied by the Legal Subcommittee and for fear of finding themselves with new obligations for States concerning space debris mitigation. So I think we have to do away with that fantasy idea first before we can proceed. Thank you.

**The CHAIRMAN** (*interpretation from French*): I thank the distinguished representative of Greece for that suggestion. I think we could entrust this project to the Secretariat to find the appropriate way to reach this goal.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Perhaps you could Madam Othman and Professor Haubold the idea of an annex in the documents that they distribute to us every year, the highlights, just one page, an additional supplement to the highlights. Highlights is a very high profile publication from the Office and perhaps it could be included there, again for the sake of savings for the Bureau. Thank you.

**The CHAIRMAN** (*interpretation from French*): Thank you very much.

I now give the floor to the distinguished representative of China, sorry Chile.

**Mr. R. GONZÁLEZ ANINAT** (Chile) (*interpretation from Spanish*): Thank you very much Chair. I think we are losing time here on details of a regulametary nature. What we have to do is concentrate on the substance of these topics. I think that, as we have always done in the past, what is simple is just trust the Secretariat to take this idea on board. Please let the Secretariat do its work and let us move on to other topics otherwise we are going to go around in circles on this kind of discussion. Thank you.

**The CHAIRMAN**: Thank you very much distinguished representative of Chile for your comment on this particular issue.

And I now give the floor to the distinguished representative of Belgium whom I welcome after his return to Vienna.

**Mr. J.-F. MAYENCE** (Belgium) (*interpretation from French*): Thank you very much Chair. On this specific item, we have listened very closely to the proposals made by other delegations on making our Guidelines better known and more

accessible to the general public. We think that is an excellent idea. I would nevertheless like to issue on reservation here concerning the Subcommittee's work. We want to avoid having a publication of initiatives done by the Subcommittee give the impression outside that these Guidelines are the only path that can be followed here. From a legal point of view, we believe that the most important provisions have to be found in the space treaties themselves, including liability and responsibility. And guidelines are really a kind of technical orientation(?) to allow States to adopt policies that are along the lines of these main principles. But we want to avoid having something that we have seen happen before, in other words, people believed that there are no guiding principles here and that the Guidelines are a kind of technical norm that is sufficient on to itself. That is not true. There are major principles that govern this. The Guidelines are important for implementation but it is a technical clause.

When we get to our debate on national realization, Sir, we may take the floor to talk about how guidelines can be translated for their national operators and so on. So it is important for us not to give the impression that the Guidelines are the only document applicable to space debris or having the Legal Subcommittee present them like that. The presentation of the Guidelines is done on the site (sight?). It is important and that is to be attached to the general principles of space law in the treaties which is pertinent. Thank you.

**The CHAIRMAN** (*interpretation from French*): I thank the distinguished representative of Belgium. I think it is good that you highlight the fact that there are obligatory rules that are included in the treaties, space treaties, and which are in effect, whereas the Guidelines or directives are of a more technical nature and which come under the mandatory principles stipulated in the space treaties. Thank you.

(*Continued in English*) Is there any other speaker on this particular point?

I recognize again the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you very much Chair. Sorry to take the floor again but I believe that my distinguished colleague from Belgium has said something which is very well-founded from a legal viewpoint. I understand his doubts here concerning the publication of these but I think there is something that we could do here that would be of satisfaction to



everyone. In other words, in this short publication from the Office, we could include the Codes of Conduct and it is all of the documents that are in circulation on this. My colleague from France says just a sight of the European method, what we call the European Code of Conduct on Space Debris, and if there are other texts of the same nature as well. Because the point made so well by our Kenyan colleague is true, how can most countries who are not even represented on certain committees, how can they get this information? And the electronic means to do this is not always easy to navigate, especially in Africa. I know Africa well and I am fully familiar with the problems, even not just water problems, drinking water, but just electricity supply that you can have.

So I think it is good to see that many countries have included space activities as a part of their secondary curriculum and not just as a graduate-level course. So even for teachers or educators in countries like Kenya, like Cameroon and other countries that I had the delight of visiting, it would make it much easier for them if they have this kind of a booklet which would allow them to explain. It is even in the universities.

**The CHAIRMAN** (*interpretation from French*): I thank the distinguished representative of Greece for that additional suggestion concerning the publication of these Guidelines on this subject.

(*Continued in English*): Is there any other delegation who wants to speak?

Yes.

(*Continued in English*) I give the floor to France.

**Mr. M. HUCTEAU** (France) (*interpretation from French*): Thank you Chair. Just to clarify, following the statement made by the distinguished representative of Greece. Indeed, I mentioned the Code of Conduct earlier but this is a European Code of Conduct on Space Debris which stems from the Inter-Agency's work on debris, IADC, and I did not mention the European Union's Draft Code of Conduct on Space Activities in an international context. I just wanted to make that clear. On the European level, we are talking about a European Code on Space Debris.

**The CHAIRMAN**: Is there any other delegation wishing to speak?

I see none.

### **National legislation relevant to the peaceful exploration and use of outer space (agenda item 11)**

And, therefore, we will now proceed with the following item on our agenda and it would be, just a minute, national legislation relevant to the peaceful exploration and use of outer space, agenda item 11.

Do we have, Mr. Secretary, any speakers? No?

So far, nobody has applied for the floor on this particular subject. Is there any delegation wishing to speak on this proponent of our agenda?

I see no delegation neither any observer who would wish to speak on this particular point.

I see none.

We will, therefore, continue our consideration of agenda item 11, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, agenda item 11, this afternoon.

I also wanted to say on the foregoing agenda item 10 that we will continue our consideration of agenda item 10 also this afternoon. So both 10 and 11 will be on our agenda this afternoon.

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 hold its fifth meeting. Before doing so, I would like to remind delegates of our schedule of work for this afternoon.

We will meet promptly at 3.00 p.m. At that time, we will continue and hopefully conclude our consideration of agenda item 8, Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment. We will also continue and hopefully conclude agenda item 9, Capacity-Building in Space Law. We will continue agenda item 10, National Mechanisms Relating to Space Debris Mitigation Measures, and agenda item 11, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

There will be two presentations this afternoon pertaining to agenda item 11 by the representative of France, entitled "French Space Law", followed by a presentation by the observer for EUTELSAT/IGO, entitled "Comments from EUTELSAT/IGO on the French Space Law".

So this is our programme as to consideration of the Subcommittee itself but the Working Group on National Legislation will also hold its meeting, it will be the first meeting, and the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space will also hold its sixth session. So there will be the first meeting of the Working Group on National Legislation, under the Chair of Ms. Irmgard Marboe, and there will be also the sixth meeting of the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, under the chairmanship of Mr. Vassilios Cassapoglou.

I would like to draw attention of delegates to the cordial invitation to attend a reception hosted by the United States delegation at 6.00 p.m. following the Working Group, which will be held at the VIC Restaurant, Mozart Room, located on the Ground Floor of the 'F' Building.

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

I see none.

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.

This meeting is adjourned until 3.00 p.m.

*The meeting was adjourned at 11.24 a.m.*