

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

*Unedited transcript*

813<sup>th</sup> Meeting

Monday, 29 March 2010, 10 a.m.

Vienna

*Chairman: Mr. A. Talebzadeh (Islamic Republic of Iran)*

*The meeting was called to order at 10.14 a.m.*

**The CHAIRMAN:** Good morning distinguished delegates, ladies and gentlemen, I now declare open the 813<sup>th</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

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

We will begin our consideration of agenda item 8, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, and agenda item 9, Examination and Review of the Development Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

We will continue our consideration of agenda item 12, General Exchange of Information on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

As agreed, we will re-open our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space to discuss the Seminar on the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, organized by the Austrian Permanent Mission to the United Nations Organization in Vienna.

At the end of the plenary there will be a technical presentation by the representative of Japan on "Japanese Space Law Legislation on Space Activities".

We will adjourn the plenary meeting so that the Working Group on Agenda Item 12 can hold its second meeting under the chairmanship of Mrs. Irmgard Marboe of Austria.

Are there any questions or comments on this proposed schedule?

I see none.

**Review and possible revision of the principles relevant to the use of nuclear power sources in outer space (agenda item 8)**

Distinguished delegates, I would now like to begin our consideration of agenda item 8, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

The first speaker on my list is the distinguished delegate of Germany. I give the floor to the distinguished representative of Germany.

**Mr. H. WASSERMANN (Germany):** Thank you very much Mr. Chairman. May I ask you to get an additional five minutes because the Secretariat is just making a photocopy of the contribution.

Thank you very much.

**The CHAIRMAN:** Yes. I thank the distinguished representative of Germany.

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

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.



**Mr. B. LI** (China) (*interpretation from Chinese*): Thank you Mr. Chairman. Mr. Chairman, nuclear power has an outstanding advantage in energy efficiency but at the same time, it has large security risks. The use of nuclear power sources in outer space is an objective requirement to achieve a bigger and deeper exploration and use of outer space.

In applying nuclear power sources, the issue of security is an important task to be undertaken in the manned space industry. After years of efforts, COPUOS has formulated the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. This document is not only a practical directive aimed at improving the awareness of safe use and providing guidance for applications by all countries but it also lays the foundations for the gradual creation of relevant legal regimes in line with the technological developments of outer space activities.

We are pleased to know that at the fifty-second session of COPUOS the Safety Framework for Nuclear Power Source Applications in Outer Space was approved. This document was prepared by the Scientific and Technical Subcommittee in cooperation with IAEA. This is not only a successful model of cooperation between COPUOS and other United Nations agencies, it is also another important achievement by COPUOS to ensure safe use of nuclear power sources in outer space.

At present, the Scientific and Technical Subcommittee is still working on the implementation of the Safety Network. We support the Legal Subcommittee to keep our communications with the Scientific and Technical Subcommittee and the IAEA so as to understand the level of scientific and technical developments and the countries' practical applications.

We support the Subcommittee to listen fully to the inputs of all countries and study the necessity and feasibility to revise the Principles.

Mr. Chairman, China will, in the second phase of its lunar application, lunar exploration, use an isotope heat source heater, an isotope thermal cell to provide thermal power and partial power source to the lunar probe in order to achieve night survival of the probe system. This will be the first time in China's space history to use nuclear power sources. We are working with the Russian Federation which provides the relevant nuclear power equipment to ensure the safe applications of the relevant equipment in outer space. Russia will strictly abide by the relevant criteria and international norms in research and development

and it will take relevant domestic safety management measures.

China has done a special study on the radiation protection, in the transportation, storage and application of the relevant nuclear power equipment and it has formulated relevant safety protection and emergency plans in reference to the Principles.

We will continue to follow closely the relevant work by the Legal Subcommittee and the Scientific and Technical Subcommittee and take active and necessary measures to ensure the safety of nuclear power source use in outer space.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of China for your statement.

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

**Mr. H. WASSERMANN** (Germany): Thank you very much Mr. Chairman and I would like to thank you very much for the flexibility.

Mr. Chairman, distinguished delegates, in 2009, the Scientific and Technical Subcommittee adopted the Safety Framework for Nuclear Power Sources, NPS, Applications in Outer Space which was developed by the Joint Expert Group of the Subcommittee and the International Atomic Energy Agency.

In 2010, the Subcommittee encouraged member States to implement the Safety Framework and endorsed the Working Group Report, including the Work Plan for the period 2010 until 2015.

Mr. Chairman, the German delegation appreciates this proceeding. As an initial step, member States and international intergovernmental organizations, with experience in space, nuclear power sources applications, are invited to provide information on the implementation of the Safety Framework. This will be done at workshops to be held in conjunction with sessions of the Scientific and Technical Subcommittee. Member States and international intergovernmental organizations considering or initiating involvement in space nuclear power sources applications are invited to provide information on plans, progress and challenges faced or foreseen in adopting the Safety Framework respectively.

We consider this exchange of information an important mechanism for developing and space-faring nations to identify and improve ways and means for the implementation of the Nuclear Power Sources Safety Framework. Germany intends to take an active part within the scope of that work.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Germany for your statement.

I have no speakers on my list. Are there any other delegations wishing to make a statement under this agenda item?

I see none.

We will, therefore, continue our consideration of agenda item 8, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, this afternoon.

**Examination and review of the developments concerning the draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment (agenda item 9)**

Distinguished delegates, I would now like to begin our consideration of agenda item 9, Examination and Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

The first speaker on my list is the distinguished delegate of UNIDROIT. I give the floor to the distinguished representative of UNIDROIT.

**Mr. M. J. STANFORD** (International Institute for the Unification of Private Law): Thank you Mr. Chairman. Good morning ladies and gentlemen. The International Institute for the Unification of Private Law, UNIDROIT, greatly appreciates the invitation which is perceived from the United Nations Office for Outer Space Affairs to report to the forty-ninth session of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space on the developments that have taken place since the last session of the Legal Subcommittee concerning the preliminary draft Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Space Assets.

And in the first instance, let me wish the Subcommittee on behalf of the Secretary-General of UNIDROIT every success in its deliberations.

UNIDROIT is pleased to be able to report excellent progress in respect of the preliminary draft Protocol over the past 12 months. While the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft Equipment continue relentlessly to attract new Contracting Parties and the International Registry for Aircraft Objects goes from strength to strength. Over 190,000 aircraft objects currently are on the Aircraft Registry.

There has over the past 12 months been remarkable progress in the work of both the UNIDROIT Steering Committee, established by the UNIDROIT General Assembly for the purpose of building Board consensus around the provisional conclusions reached at the Government Industry Meetings called pursuant to the decision by the UNIDROIT Committee of Governmental Experts at its second session to refer certain key outstanding issues to intersessional work. Remarkable progress then, both in the work of the Steering Committee and also the work of the Committee of Governmental Experts itself and the Subcommittee of that Committee for the examination of certain aspects of the future international registration system for space assets.

The second meeting of the Steering Committee was held in Paris on 14 and 15 May 2009, preceded on 13 May by a meeting of the Subcommittee set up by the Steering Committee at its previous meeting to develop possible solutions to the key problem of public service. Both the governments of the leading space-faring nations and the different sectors of the international commercial space, financial and insurance communities were well-represented in Paris. Professor Sergio Marchisio, representing the Government of Italy, was in the Chair.

While there were still differences of opinion on the rule to be recommended for dealing with the problem of default remedies in relation to components, there was broad consensus within the Steering Committee on all the other key outstanding issues, notably the desirable content with the definition of space assets under the preliminary draft Protocol, the manner in which the preliminary draft Protocol should be amended in order to extend the application of the Convention as applied to space assets, to debtors rights and related rights. And, while recognizing that it would not be appropriate for the future Protocol to include a definition of public service, the inclusion in

the future Protocol of one or more of a menu of public service exceptions to the exercise of default remedies to be made via a declaration.

While there was discussion within the Steering Committee as to the criteria to be annunciated in the future Protocol for the identification of space assets, a matter of fundamental importance for the registration of the future international registry, it was recognized that this matter would need to be thrashed out by the Subcommittee for the examination of certain aspects of the future international registration system.

Subject to the outcome of that Subcommittee's meeting, the UNIDROIT Secretariat, following consultations with Professor Marchisio, as Chairman of the Committee of Governmental Experts, decided that the time is, therefore, right for the reconvening of the Committee of Governmental Experts. It was agreed that while the basic text of the preliminary draft Protocol, to be laid before the Committee of Governmental Experts since the third session should be the text considered at the previous session of Governmental Experts in 2004. The Committee of Governmental Experts should also have before it an alternative text of the preliminary draft Protocol reflecting the conclusions reached by the Steering Committee on those key policies issues which have been referred to intersessional work in accordance with a decision taken at the first meeting of the Steering Committee.

Responsibility for the preparation of this alternative text was entrusted to Mr. Michel Deschamps of Canada and Sir Roy Goode of the United Kingdom as co-Chairmen of the Drafting Committee of the Committee of Governmental Experts.

Mr. Deschamps and Sir Roy also prepared a second alternative text proposing a number of technical amendments which have commended themselves to them, notably in the light of the latest developments concerning the Convention on International Interests itself and the Aircraft Protocol.

The final piece in the completion of this jigsaw of intersessional work set in train by the Committee of Governmental Experts at its second session was the meeting of the Subcommittee on the future international registration system, held in Rome on 26 and 27 October 2009.

In accordance with a decision taken at the second session of Governmental Experts, this meeting focused on the criteria to be employed for registration

of space assets under the future Protocol, questions relating to the practical operation of the future international registry and the steps needing to be completed before an invitation could be addressed by the future Diplomatic Conference to a potential Supervisory Authority of the future international registration system.

The meeting was attended by representatives of both the governments of certain leading space-faring nations and the international commercial space, financial and insurance communities, as well as two of the international organizations under consideration as potential Supervisory Authorities and the Registrar of the International Registry for Aircraft Objects. The meeting was chaired by Dr. Bernhard Schmidt-Tedd representing the Government of Germany. The meeting was characterized by something of a breakthrough on the issue of identification criteria. It was agreed that certain basic mandatory criteria should be provided for and these should be the same whether the space asset was on Earth or in space. However, to cover the case of a space asset in which no international interest had been registered at the time of launch, it was agreed that since once in orbit, the mandatory identification criteria would be incapable of physical verification. Additional, optional identification criteria could also be employed at the time of the registration of an international interest in that asset in order to provide a link between the physical asset and the registration.

On the practical operation of the future international registry, the discussions focused primarily on the need to find a solution reflecting the limited number of registrations probably to be anticipated, at least in the initial stages of the future international registry's operation.

On the role of the Supervisory Authority, it was noted that any organization contemplating acting as Supervisory Authority would need to be left the necessary time to seek the requisite internal authorizations.

The third session of the Committee of Governmental Experts was held in Rome from 7 to 11 December 2009. The session was attended by representatives of 32 governments, including 28 members of COPUOS, seven intergovernmental organizations, including the United Nations Office for Outer Space Affairs, and six international non-governmental organizations and 14 representatives of the international commercial space, financial and insurance communities, and a representative of the International Registry for Aircraft Objects.

The session was chaired by Professor Marchisio, whose appointment at the first session of the Committee was confirmed.

A number of proposals, tabled both by governments and individuals, were before the Committee of Governmental Experts. The principle of these was one by a leading space underwriters for protection to be written into the future Protocol for such insurers salvage interests.

In the light of the Committee of Governmental Experts Review of the text for the preliminary draft Protocol that it had considered at its previous session and the two alternative texts, the drafting Committee began the task of revising the preliminary draft Protocol in the light of the report that it had submitted to the Committee of Governmental Experts on its work during the session.

The Committee of Governmental Experts decided that the Drafting Committee should complete the work which it began during the session by way of implementation of the decisions taken at the session. The Committee agreed furthermore that all future work should be carried out on the basis of the alternative text providing technical amendments, that is not just the text providing solutions on the key policy issues but also embracing proposals for the technical improvement of the text.

In addition, it was agreed that the Informal Working Group, established by the Committee of Governmental Experts on default remedies in relation to components, which, while making good progress in exploring the divergent points of view on the most appropriate solutions to this problem, was not able to complete its work during the session, should continue to work informally with a view to agreeing on a proposal that might be laid before the next session of governmental experts.

It was also agreed that the Secretariat should consult representatives of both industry and the academic world before the next session with a view to assessing the economic basis for certain key provisions of the preliminary draft Protocol, notably on the basis of a discussion paper on public service that had come out of the deliberations of another Informal Working Group set up during the first session of Governmental Experts.

The fourth session of the Committee of Governmental Experts will be held in Rome from 3 to 7 May 2010. Invitations went out to all member States

of COPUOS and the United Nations Office for Outer Space Affairs in the middle of February.

Clearly, it would not(?) be politic for the UNIDROIT Secretariat to anticipate the outcome of these deliberations but on the basis of the remarkable, and this is not a word I am using lightly, this is a word which was used by the Chairman in summing up the discussions of the Committee of Governmental Experts at the last session, on the basis of the remarkable progress made by the Committee of Governmental Experts at its last session, the Secretariat is optimistic that it would be able to lay the results of the forthcoming session before the UNIDROIT Governing Council at its eighty-ninth session to be held in Rome from 10 to 12 May 2010 for advice and consent as to the appropriate follow-up action.

In the normal course of events, the Secretariat would hope to be in a position to recommend to the Governing Council that it authorized the convening of a Diplomatic Conference for adoption of what would then become a draft Protocol in the first half of 2011.

UNIDROIT greatly values the input made by members of COPUOS and the United Nations Office for Outer Space Affairs in the development of the project to date and looks forward to continuing to work closely with them in the exciting and important work that lies ahead.

Mr. Chairman, thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of UNIDROIT for your statement.

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

**Mr. H. WASSERMANN (Germany):** Thank you very much. Mr. Chairman, in 2009, Germany continued its active support of and participation in the UNIDROIT consultations which relate to the preparation of the draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment on Matters Specific to Space Assets.

The UNIDROIT Governing Council has given the highest priority to the completion of the preliminary draft Protocol at its session in Rome in April 2009.

With regard to the main subjects discussed during that Conference, a Subcommittee and a Steering

Committee meeting on public services were held in Paris in May 2009.

For the Subcommittee meeting on the future international registration system for space assets in October 2009, the Government of Germany and the German Space Agency, DLR, presented a Working Paper dealing with possible identification criteria for space assets.

A preliminary solution focused on three decisive and some optional criteria was identified. The third session of the Committee of Governmental Experts for the preparation of a Space Assets Protocol in December 2009 with progress in substance. Germany supports the uninterrupted finalization of the Protocol and the preparation of the concluding fourth session of the Committee in May 2010.

Germany is convinced that, despite of the established project-based commencing instruments, the draft Space Assets Protocol would serve new space applications and especially the interests of developing and emerging economies with an alternative assets-based financing instrument.

Germany welcomes the integration of the United Nations COPUOS member States in the preparatory work and will continue its active support of UNIDROIT in finalizing the Space Assets Protocol.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Germany for your statement.

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

**Ms. N. BINI (Italy):** Thank you Mr. Chairman. Mr. Chairman, the Italian delegation is pleased to comment on agenda item 9 of the agenda, Examination and Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

The year 2009 saw a watershed in the process of completion of the draft Protocol on Space Assets, thanks to the positive results achieved during the intersessional work and the decision taken by the UNIDROIT Secretariat to reconvene in Rome in December 2009 the first session of the Committee of Governmental Experts. These positive results were reflected in an alternative text of the draft Protocol

prepared by the co-Chairmen of the Drafting Committee, Mr. Deschamps of Canada, and Sir Roy Goode of the United Kingdom. This new text was extremely helpful for the deliberation of the first session of the Committee of Governmental Experts. The Italian delegation considers that remarkable progress was made in building a consensus on the key outstanding issues.

We refer firstly to the definition of space assets under the Protocol and the extension of the draft Protocol only to components of space objects capable of independent ownership, use or control.

Secondly, we supported the inappropriateness to provide for the application of the draft Protocol on Space Assets to debtors rights and related rights. Italy shared the view that it would be sufficient to impose a duty on a defaulting debtor to cooperate to the fullest extent possible in either the transfer of a licence to a creditor or, where there is not permitted, the termination of its own licence and the procuring of a new licence for the creditor.

Our delegation supported the decision that the UNIDROIT Secretariat should consult representatives of both industry and the academic world before the next session with a view to assessing the economic basis for certain key provisions of the draft Protocol, such as the exception to the exercise of default remedies with regards to space assets performing a public service.

At the same time, Italy is confident that an Informal Working Group on Default Remedies in relation to components set up in December 2009, will continue its work before the next session of the Committee of Governmental Experts in order to agree a commonly acceptable solution.

Finally, Mr. Chairman, Italy considers a positive result that the fourth and last session of the Committee of Governmental Experts has been convened by UNIDROIT from 3 to 7 May 2010 in Rome. This last session would permit to complete the negotiation process and pave the way towards the final Diplomatic Conference for the adoption of the Space Assets Protocol, hopefully in 2011.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Italy for your statement.

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

**Ms. A. HASHIMOTO** (Japan): Thank you Mr. Chairman. As the distinguished delegate of Italy made a statement during the general exchange of views last Tuesday and today, and as the distinguished delegate of Germany just made a statement as well as the distinguished representative of UNIDROIT, Mr. Stanford, just so explained about the remarkable progress recently made at UNIDROIT, the first and the last meeting of the Committee of Governmental Experts for finalizing the preliminary draft Protocol for Space Assets will be held in May in Rome this year, to be followed by a Diplomatic Conference.

Mr. Chairman, considering the mandate of this Legal Subcommittee, it is necessary that this Subcommittee be informed of the latest information and the progress of the making of an international document which relates to the interpretation and application of international space law, including the United Nations Space Treaties on Outer Space. Therefore, our delegation propose(?) to retain this agenda item for the fiftieth session of the Legal Subcommittee in 2011.

Thank you for your kind attention.

**The CHAIRMAN:** I thank the distinguished representative of Japan for your statement.

Are there any other delegations wishing to make a statement under this agenda item?

I give the floor to the distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic): Thank you Mr. Chairman for your giving me the floor.

Mr. Chairman, my delegation is grateful to the Deputy Secretary-General of UNIDROIT, Dr. Martin Stanford, for his introducing our discussion on this important point. I believe he did it as usual in a very methodical and precise way so it is very little to add to his introduction.

My delegation had the pleasure to attend the third meeting of the Intergovernmental Experts that was held in December last year and is ready to attend the fourth meeting which will be held or should be held in May this year. Hopefully this meeting of the Committee would might be the last one. It means that they should indeed finalize this important document.

And notwithstanding some difficulties caused by interventions of a small number of delegations or observers, I believe that a great progress has been reached in this discussion and I particularly welcomed that a substantial progress was made on the issue of limitation of remedies against the assets serving public services. Of course, there were also some other important progress recorded and because the third session was well prepared by the preliminary meeting of the Subcommittee that was held in November last year.

I am hopeful that indeed we might reach the requested progress at the fourth session and then it might open the way to the Diplomatic Conference that would bring it to life, the Space Protocol to the 2001 Cape Town Convention.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of the Czech Republic for very good information and statement.

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

**Ms. N. CHADHA** (India): Thank you Mr. Chairman. Mr. Chairman, we also thank the Deputy Secretary-General of UNIDROIT for briefing the Legal Subcommittee on the progress made at the last meeting. We are optimistic that in the forthcoming meeting, the Governmental Experts will be able to resolve all the pending issues including the issue of limitation on exercise of default remedies in the case of public services, particularly in situations where the concerned governments are willing to take over the liabilities of the debtor. We hope that all these pending issues would be resolved in the forthcoming meeting in May and that can pave the way for adoption of the Protocol on Matters Specific to Space Assets.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of India for your statement.

Are there any other delegations wishing to make a statement under this agenda item?

I see none.

We will, therefore, continue our consideration of agenda item 9, Examination and Review of the Developments Concerning the Draft Protocol on

Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment, this afternoon.

**General exchange of information on national legislation relevant to the peaceful exploration and use of outer space (agenda item 12)**

Distinguished delegates, I would now like to continue our consideration of agenda item 12, General Exchange of Information on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

The first speaker on my list is the distinguished delegate of Japan. I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA** (Japan): Thank you Mr. Chairman. Mr. Chairman, distinguished delegates, on behalf of the Japanese Government, I am pleased to make a statement on Japanese legislation concerning the peaceful exploration and use of outer space.

Mr. Chairman, in May 2008, the DIET, our legislative body, passed the Basic Space Law. This law mandates that Japan's space activities be executed in ways that improve citizens lives, promote commercialization, ensure international, national and human security, as well as continue to foster international relationships and cooperation. It also requires further development of laws and regulations necessary to implement it.

In August 2008, the Strategic Headquarters for Space Policy, led by the Prime Minister, was established in the Cabinet, based on this Basic Space Law. In June 2009, the Headquarters formulated the Basic Plan for Space Policy for conducting national space activities to best implement the principles stipulated in the Basic Space Law.

This Basic Plan was developed as Japan's first national comprehensive strategy for space policy. This Plan, which is a five-year programme and covers the period from fiscal year 2009 to fiscal year 2013, describes the Basic Policy and the measures that the Government should take during this period, based on what is foreseen over the next 10 years. We have provided the English version of this Plan to the Office for Outer Space Affairs which has been made available on its website.

Mr. Chairman, at present Japan complies with the obligations concerning the authorization and continuing supervision of national space activities

under Article 6 of the Outer Space Treaty by ensuring the safety of launch activities based on the JAXA Act of 2002.

Japan is developing a new legislation in order to create a legal framework in which the compliance with the international agreement on space activities is to be guaranteed, including those in the area of private space activities pursuant to the Basic Space Law and the Basic Plan for Space Policy.

In March 2010, a Working Group for Legislation on Space Activities, established under the Headquarters, finalized its report which will contribute to the development of legislation. This report contains recommendations on the authorization of space activities, third party liability damage and space debris mitigation, etc.

We plan to make a technical presentation on the details of this report in this session.

In conclusion, I would like to mention that an exchange of information among COPUOS member States under this agenda item is important for enhancing the implementation of space-related treaties and Japan will continue to positively contribute to all aspects of this discussion.

Thank you for your attention.

**The CHAIRMAN:** I thank the distinguished representative of Japan for your statement.

Are there any other delegations wishing to make a statement under this agenda item?

I see none.

We will, therefore, continue our consideration of agenda item 12, General Exchange of Information on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, this afternoon.

**Status and application of the five United Nations treaties on outer space (agenda item 5)**

Distinguished delegates, further to agreement, I would now like to open our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, in order to discuss the Seminar on the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, organized by the Austrian Permanent Mission to the United Nations Organization in Vienna.



The first speaker on my list is the distinguished delegate of Austria. I give the floor to the distinguished representative of Austria.

**Mr. P. BITTNER** (Austria): Thank you Mr. Chairman. I would like to take this opportunity to thank delegations for their interest in and their support for the Seminar on the Moon Agreement of last Thursday. In particular, I would like to thank all participants, including the distinguished panellists, for their active engagement in the discussion. It was precisely this active engagement in the informal discussion that made the Seminar a success.

We heard arguments and reasons for and against and adherence or immediate adherence to the Moon Agreement and also learned what some consider a benefit and others a deficit.

We also gained insight in considerations of some States why or why not they have become a Party to this Agreement. This helps us to better understand where we are and what prospects the Moon Agreement could have.

The informal character of the Seminar allowed us to address issues which are usually not addressed in a formal session. The discussion of the Seminar thus provides for a valuable input in our deliberation in this forum.

I am looking forward to continuing the discussion on this agenda item and in the Working Group next year.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Austria for your statement.

Are there any other delegations wishing to make a statement under this agenda item?

The distinguished representative of the Czech Republic. I give the floor to the distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic): Thank you Mr. Chairman. Mr. Chairman, my delegation as well shares the view that has been so eloquently and briefly expressed by the distinguished representative of Austria. Indeed, the Seminar on the Moon Agreement was very well prepared and it was also very well balanced because we heard views that were not quite identical but at the same time, all of them completed each other so that a complex observation on the present

state of issues has been indeed offered. And I believe we should thank for this organization of the Seminar and it indeed will help us to continue the discussion next year. To our regret, this year's discussion was rather short and not quite complete due to the circumstances that are known to us so that we will have to continue and build up on the basis of the Seminar and other views that were expressed during the Legal Subcommittee this year.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of the Czech Republic for your statement.

Are there any other delegations wishing to make a statement under this agenda item?

I see none.

We will, therefore, continue and hopefully suspend our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, this afternoon, pending the adoption of the report of the Working Group.

### Technical presentation

Distinguished delegates, I would now like to proceed with the technical presentation. The presenter is kindly reminded that the technical presentation should be limited to 20 minutes or less.

I give the floor to Mr. Hiroshi Kataoka of Japan who will make a presentation on "Japanese Space Law Legislation on Space Activities".

**Mr. H.L. KATAOKA** (Japan): Thank you Mr. Chairman. My name is Hiroshi Kataoka and I work at the Secretariat of the Strategic Headquarters for Space Policy established by the Basic Space Law in August 2008.

I appreciate this opportunity to give a brief presentation on the current situation in Japan concerning legislation on space activities.

These are the items I will talk about.

In October 2008, a Working Group comprising of members from academia and industry was established under the Strategic Headquarters to deliberate on the new legislation to be developed. Last summer, the Working Group produced a draft interim report containing recommendations for the new

legislation which was finalized recently. My presentation today will be a summary of the recommendations of the Working Group.

Taking these recommendations into consideration, the Government is in the process of preparing for the new legislation. In that sense, the work towards a new space legislation is still an ongoing process and nothing has been officially determined yet by the Government so I would like to ask you to bear in mind this status.

The Strategic Headquarters Space Policy, established in August 2008, had three initial tasks mandated by the Basic Space Law.

The first task was the formulation of the Basic Plan which was completed in June 2009. An English version of this document is available through the United Nations website.

The second task is the restructuring of space-related organizations. There are various ministries and organizations related to space development and utilization and the Basic Space Law mandated the Government to consider the restructuring of those organizations. This task is still under consideration.

The third task, legislation on space activities, mandated by Article 25 of the Basic Space Law is the topic of my presentation.

Let me briefly touch upon the organization. The Strategic Headquarters is headed by the Prime Minister and comprises of all the Cabinet members. Under the Special Committee on Space Policy, there are two Working Groups, one of which is the Working Group for Legislation on Space Activities, chaired by Professor Kosuge, who is a Board Member of the International Institute of Space Law. Professor Aoki, who is sitting next to me today as a regular participant of the COPUOS Legal Subcommittee, has also played a very important role in the discussions of the Working Group as an expert in international law and space law, and the Secretariat owes very much to her earnest contribution.

The Working Group held six meetings from November 2008 to August 2009 and produced a draft interim report. The report was then submitted to the Special Committee, went through the public comment process and was finalized just three weeks ago.

Background of the new legislation. The reason why we did not need a special legislation on space activities until now is that JAXA was the only

actor in the launching of space objects. JAXA is a so-called independent administrative organization, a quasi-governmental organization, established by a special Act and its activities are supervised by the Ministry of Education, Culture, Sports, Science and Technology, MEXT, through the JAXA Act.

In April 2007, H-IIA launch vehicles were transferred to MHI, Mitsubishi Heavy Industry, a private company which had been an important player in the development and manufacturing of H-IIA launch vehicles. This was not a complete privatization because, from a legal standpoint, the responsibility for the launching of H-IIA continued to lie with JAXA. So until now, the supervision by MEXT, under the framework of the JAXA Act, continues to apply.

In 2008, the Basic Space Law entered into force. One of the important goals of the Law was to further promote private space activities and the Law tasked the Government to develop a legislation on space activities which enables private space activities under the control of the Government.

The new legislation to be developed has four objectives: create a framework to comply with international agreements in the area of private space activities; establish a framework for liability and compensation for damages; promote the development of industry; and make sure that space activities are in line with national and international interests.

Let me now turn to the contents of the Working Group recommendation concerning authorization of space activities.

Concerning the scope of authorization, there are five types of activities that require authorization by the Government, launch, procurement of a foreign launch, re-entry, satellite operation and launch and re-entry site operation.

Concerning the scope of application, both territorial jurisdiction and personal jurisdiction apply, that is, the new legislation should apply to all activities on the territory of Japan as well as activities carried out by a natural or legal persons who are nationals of Japan, irrespective of the places.

Let me explain the criteria for authorization. Items shown in this slide are the criteria for authorizing launch or re-entry. First, from the standpoint of policy, the activity should be consistent with national and international peace and security and obligations under international agreements.

Second, technological and financial ability of the operator is required. Financial ability here means the ability to compensate for third party damage.

Third, safety review of launch or re-entry vehicle and payload will be conducted. Launch must be conducted at authorized launched sites. Safety measures for both ground and flight safety must be put in place.

Finally, the debris mitigation requirements must be met.

As shown in the bottom of this slide, the same items apply to the authorization of procurement of a foreign launch but, of course, there may be certain exemptions where appropriate review has been conducted by the State where the launching will take place.

These are the criteria for authorizing the other two types of activity, satellite operation and launch and re-entry site operation.

The items are similar to the criteria for launch. I showed you in the previous slide except that for satellite operations, a safety review is not required. This is because a safety review of launch should be conducted for the purpose of securing the safety of the public on the ground while such a risk can be considered negligible in the case of satellite operation.

By the way, a satellite operator may operate several satellites with one licence. Information on each satellite must be provided to the Government but operators need not obtain a separate licence for each satellite.

Regarding the authorization of launch or re-entry site operation, a safety review is required because naturally the location and the facilities of the site are important factors in the protection of the public.

As I explained just now, the criterion of space debris mitigation is included in the authorization of three of the five types of activities, launch, procurement of a foreign launch and satellite operation. In Japan, space debris mitigation measures have been taken in line with international guidelines. The details of the space debris mitigation requirements under the new legislation are yet to be determined but it is recommended that the current policy be basically continued. At the same time, since we are aware of increased international attention towards space debris issues, it is recommended that the Government

promote efforts such as research and development to better cope with debris issues.

Which Ministry is going to be in charge of administering the new legislation on space activities? A proposal was made to let the Cabinet Office be in charge of the new legislation but this is not yet determined.

As I mentioned at the beginning of my presentation, the task of the restructuring of space-related organizations is still under consideration. We need some more time before we can reach a conclusion on this issue.

Let me now turn to the issue of liability for third party damage. First, the principle of strict liability is introduced for damages on the surface of the Earth or to aircraft in flight in order to ensure the protection of victims. For damages caused elsewhere, including outer space, fault liability is applied because the general public is not involved in such cases.

Second, the principle of exclusive liability of the launch provider or re-entry operator is introduced for damages on the surface of the Earth or to aircraft in flight caused by launch or re-entry. By this measure, other parties concerned, such as manufacturers, including suppliers of equipment and components and customers of the launch servers, are exempted from third party liability.

Third, launch providers and re-entry operators are required to obtain third party liability insurance and within the limit of the insurers, launch providers and re-entry operators pay for the damage. The coverage of the insurance will be decided by the Government, taking into account various conditions such as enough coverage to save the victims, acceptability in the insurance market, etc.

In the current practice for the launch of H-IIA, the upper limit of the insurance is 20 billion Yen, which is approximately US\$ 200 million. It is likely that the same amount will be required for the launch of H-IIA under the new legislation.

Beyond the coverage of the insurance, the Government will indemnify claims against the launch provider or a re-entry operator. The risk that such a case actually occurs is considered very low because the upper limit of the insurance should be set at a sufficiently high level.

This chart illustrates the case of damages on the surface of the Earth caused by launch or re-entry.

The yellow section in the right hand side corresponds to damages for which no one is liability. For example, damages caused by wars, civil wars and huge natural disasters are included here.

The green and the orange section corresponds to damages for which the launch provider or the re-entry operator is liable.

Most of the claims are covered by obligatory insurance shown by the green section but there is an upper limit of insurance coverage, 20 billion Yen in the case of the current H-IIA launch and there are also some types of damages not covered by insurance. Such claims outside the coverage of insurance shown by the orange section should be indemnified by the Government.

In summary, the Working Group report, together with information on legislation in outer space will form a basis for the Government's consideration of the new legislation. The Government is currently in the process of drafting the new legislation.

Strict and exclusive liability is applied to launch providers and re-entry operators for damages on the surface caused by launch or re-entry and for those damages, TPL insurance is provided.

The schedule from now on as to when we will submit the Bill to the DIET is not yet clear except that it will probably not be during the current session of the DIET ending in June which means the discussions in the legislative branch would be later this year at the earliest or perhaps next year.

There are some issues that the Working Group could not fully consider. For example, industry is asking for additional measures to further promote a robot space industry and the issues of human space flight, air launch and sea launch have not been discussed in-depth. So we need more time to consider those issues.

Thank you very much for your attention.

**The CHAIRMAN:** Thank you Mr. Kataoka for your presentation.

Are there any delegates who have questions for this presenter?

Yes, the distinguished representative of France. I give the floor to the distinguished representative of France.

**Mr. M. HUCTEAU** (France) (*interpretation from French*): Thank you Mr. Chairman. First of all, I would like to thank the distinguished delegate of Japan for his extremely interesting presentation.

I have a small question. I noticed foreign launches. What is your vision of the relationship that exists between your legislation and French legislation, particularly the fact that the Japanese satellite operator has carried out a launch jointly with an operator on the French soil. Do you have a view? Do you have a vision regarding the way these two legislations relate to each other?

**The CHAIRMAN:** I thank the distinguished representative of France for your question. I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA** (Japan): Thank you for your question. As I mentioned in my presentation, the Working Group report proposes that in the case of launching a space object from outside of Japan, part of the Japanese Government's review could be omitted where the Japanese Government considers that an appropriate review has been conducted by the relevant foreign operator. The Working Group proposes that in such cases the operator should report to the Government the result of the review by the foreign operator which the Government would then take into consideration when authorizing the launch. During the discussion of the Working Group, the Working Group had in mind examples of such cases like the procurement of launching by Ariane rockets under the authorization by the French Government and CNES.

Thank you.

**The CHAIRMAN:** Thank you distinguished representative of Japan for your answer.

Is there any other delegation wishing to ask questions?

China. I give the floor to the distinguished representative of China.

**Mr. Y. XU** (China): Thank you Mr. Chairman. First of all, China would like to thank our colleague of Japan for his presentation and we do appreciate the information-sharing with us on the new developments of Japanese space law.

I have several small questions. The first one is according to the presentation that when the satellite operator when the country's authority carries out a

satellite operating review there will be no safety review because this on the explanation that there will be the safety review will take care of the safety on the surface of the Earth. But I wonder whether there is any kind of review on the operating safety or those kind of reviews can incorporate into a space debris review because even the satellite is operating in orbit, it will still have some safety concerns for this satellite operating.

My second question is that it is quite interesting that a launching provider will have a strict and exclusive liability. My understanding is that under Japanese law, the launching provider is JAXA, the only launching provider is JAXA so I wonder whether in the future if there is any new emerging launching provider, that means if the launching providers bankrupted(?). So how can the victims get reimbursement from others like satellite manufacturers, as well as operators, because this law, the launching provider has the sole responsibility to make reimbursement.

There is also a very small question concerning the law that a satellite operator can operate several satellites with one licence and I wonder whether it was stated clearly in the licence or it is a space law?

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of China for your question. I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA** (Japan): Thank you very much for all your questions.

The first question concerning the space debris issues of the satellite operators. As I mentioned in my presentation, a safety review is conducted for the purpose of securing the safety of the public on the ground and the space debris mitigation requirements are also required. I mean, a safety review is not required for the satellite operators but space debris mitigation primers(?) are required for satellite operators. So in that sense, space debris issues are taken care of.

The second question was related to launch service providers other than JAXA. Currently, as I said, Mitsubishi Heavy Industry is providing a launch service under the framework of the JAXA Act and it can already provide its launch service by itself. So through this legislation, MHI will be able to provide commercial launch services by itself. Additionally, there are some other private entities that are thinking of entering into space activities. So this legislation is necessary for those actors also.

Your third question was the licence for satellite operators. Satellite operators can operate several satellites with one licence.

**Ms.** \_\_\_\_\_(?) (Japan): Excuse me, if I understand, you have questioned correctly, your question refers to why only one licence? Based on the one licence, a satellite operator can carry out several space activities. Is it right? It is more than a business licence and a satellite operation does not mean the mission for remote sensing or some other remote sensing or positioning. It is more like housekeeping or station keeping or the orbit and the debris mitigation and since the requirements are duly to be satisfied by launch providers that channelling of responsibility on a \_\_\_\_\_(?) system work in that way, in that manner.

If I do not answer your question, could you ask me again please?

**Mr. Y. XU** (China): Thank you Mr. Chairman. Thank you first, thank you for those clarifications. I do have some follow-up questions on those answers to my question. The first one is concerning, I know that there are new actors which are considering to entering into the launching industry. My question is this is a new launch that a launching provider will hold a strict and exclusive liability. My question is that is it safe and predictable for those new actors to hold those strict and exclusive liability because this law there will be no reimbursement from others even the actual costs by satellite operators. I wonder whether we can have a mutual exchange of views on that.

And on the satellites with one licence, my question is that whether in this licence, you give clear ideas of what kind of satellites you can operate or you just give a blanket authorizing that you can operate several satellites with this licence because it seems to me that there are different kinds of satellites so I wonder whether the licence will give a clear definition of what kind of satellite you can operate or just a business(?) licence that you the capability to operate a satellite no matter what kind.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of China for your questions.

I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA** (Japan): Thank you Mr. Chairman. Regarding the first question, as I showed you in the chart, the launch provider must obtain insurance. It has a certain upper limit and beyond the limit, the Government will indemnify so there is no, you do not have to worry about the bankruptcy of the company and the victims will be compensated.

Regarding the second questions, the details of the legislation are going to be developed from now so we do not have the actual law now so I cannot answer exactly that question. But, of course, the information concerning each satellite should be submitted to the Government. It does not mean that once you get a licence you can operate any satellite with that licence.

Thank you.

**The CHAIRMAN:** Thank you distinguished representative of China for your answer.

Is there any delegate who has questions for this presenter?

India. I give the floor to the distinguished representative of India.

**Mr. V. GOPALAKRISHNAN** (India): Thank you Mr. Chairman. We thank the Japanese delegation for their presentation on their national space legislation which was quite informative.

In this context, we would like to request for some details on the liability issues associated with the launch of small satellites on a non-commercial basis and on a commercial basis also.

Thank you.

**The CHAIRMAN:** Thank you distinguished representative of India for your question.

I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA** (Japan): The insurance required for launch providers is not required for satellite operation. I mean the satellite operator can obtain insurance if they wish to but it is not mandatory typical insurance.

**Ms. \_\_\_\_\_** (?): Now Japan has only one H-IIA rocket for commercial launching so it is Mitsubishi Heavy Industry who is to be responsible for the liability not the owner and operator of a small satellite.

Thank you very much.

**The CHAIRMAN:** Thank you distinguished representative of Japan for your explanation.

Is there any other delegate with questions?

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

**Mr. M. HUCTEAU** (France) (*interpretation from French*): Yes, thank you Chairman. Forgive me for taking the floor again but just one piece of information. It is not a question. Let me come back to the question from the delegate of China about a licence for an operator.

The idea, at least as we see it, of having a licence for a family of satellites, well today an operator is perhaps working at geostationary orbit or in the telecommunications field and at the same time, he may be in Earth observation, so I think the question does not really come up too often. Hence, our idea of having one licence per operator, to the extent that he operates a flot of satellites with a relatively homogenous mission, that is to say, geostationary aspects with telecommunications facilities or observation satellites in low orbit. So the idea behind this, this clustering of missions with one mission and just one licence.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of France for your comments.

I give the floor to the distinguished representative of Austria.

**Ms. I. MARBOE** (Austria): Thank you very much Mr. Chairman. I would also like to thank the delegation of Japan for this excellent and informative presentation which, for sure, will be a valuable input for our Working Group as well. However, also a quick question and relating to the questions which have been put forward already regarding one licence for several satellites because you said it is open and under discussion and not yet finalized. Is the system comparable to the one in France where we have a general licence for operators and then different smaller, easier licences for different projects? Or is your system even more liberal regarding more satellites for one licence?

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Austria for your questions.

I give the floor to the distinguished representative of Japan.

**Ms. \_\_\_\_\_(?) (Japan):** Thank you very much for your important question. As the French delegation explained, it is mission specified and it is not a liberal system for getting one licence for operating many kinds of satellites. If you have one licence for operating the same kind of two or three telecommunications satellites, you have to inform the necessary information to the Government. It is just a redundancy. It is to be avoided by allowing one licence for making operators for several licences.

The safety review, the technical viability and the technical capability and the financial capability and the space debris mitigation capabilities are thoroughly examined before giving one umbrella licence. So there should not be any problem for giving a licence and giving a loose(?) authorization system.

**The CHAIRMAN:** I thank the distinguished representative of Japan for your explanation.

Are there any other questions please?

The distinguished representative of the Republic of Korea. I give the floor to the distinguished representative of the Republic of Korea.

**Mr. W. PARK (Republic of Korea):** Thank you Mr. Chairman. Appreciating the presentation of Japan and the listening to other interventions, I am a bit confused about the licence. And we talk about a licence for, are we talking about the giving a licence to a series of launching or a licence to one operator with a certain group of satellites? That is my question. I am a bit confused.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of the Republic of Korea for your question.

I give the floor to the distinguished representative of Japan.

**Mr. H. KATAOKA (Japan):** The authorization for launch should be conducted each time of the launch and the licence for operating satellites are provided for one operator, one licence.

**The CHAIRMAN:** Thank you distinguished representative of Japan for your explanation.

Are there any questions?

The distinguished representative of Colombia. I give the floor to the distinguished representative of Colombia.

**Mr. J. OJEDA BUENO (Colombia)** (*interpretation from Spanish*): Yes, good morning Chair, thank you very much.

It is not so much a question, more a comment. Give the controversy, I say the exchange of opinions, provoked by the issue of licences for operators, that is per operator or per operations, I think it is a very valuable contribution to the Working Group, led with such wisdom by the Professor, thinking about national legislation and its contribution, not just probably in the evolution of private law but also in the evolution of international law in this field. So I would like to thank our colleagues from Japan for this very enlightening presentation which, without doubt, leaves us all with some thoughts about which steps we should take, the operators, will they have just one licence to conduct all the missions they wish to and all types of services based in space or for each operation, as we said. Will it be like other manned missions? Will they have to have an individual licence for each? So the question remains opened for the distinguished colleagues.

Thank you very much. Thank you.

**The CHAIRMAN:** I thank the distinguished representative of Colombia for your comments.

The next speaker is the distinguished representative of France. I give the floor to the distinguished representative of France.

**Mr. M. HUCTEAU (France)** (*interpretation from France*): Yes, thank you Chairman. Sorry to take the floor again but there is no controversy, I think, it is simply something I wish to clarify. In a few words, let me just say that, on the one hand, at least as we see it, it is quite clear. On the one hand, we have one launch operator for France today, who is well known, who launches from French territory in the French Guyana. There is the principle, we have already explained it, maybe we need to set out again the principle of a global licence linked to a family of launchers which should be for Ariane-5 and others and at each launch there will be an authorization process. This is what we have already set out, a launch authorization. There

may be particular characteristics linked to one mission so it may have an authorization for launch. That is for the operator. Then there are satellite operators, *per se*, and there a satellite operator may run a fleet of satellites, as I said. They tend to have the same mission. If I could take the example of a satellite operator in the geostationary field, I think working in telecommunications. It could be a company based in France. It will have an operating licence. We have explained that it is valid for 10 years and that will allow us to ensure that the competence of this company to work this satellite in line with technical norms and to ensure that they are adhered to.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of France for your comments.

Are there any other questions?

I give the floor to the distinguished representative of Japan.

**Ms. \_\_\_\_\_(?) (Japan):** Thank you Mr. Chairman. Again, this misunderstanding(?) about the one licence for satellite operators so let me elaborate the question further.

The national legislation we are now preparing is one for the launch providers and other space-related laws already govern the space activities in Japan. For instance, if one operator wants to have a satellite in outer space, for each case you need to get a licence based on radio law from the Ministry of Internal Affairs and Communications and frequencies and those programmes are to be addressed at the ITU. And the Ministry of Internal Affairs and Communications permit(?) is duly conducting continuing the supervision of it. And there is a different licence between telecommunications and remote sensing. We still do not any legislation about the operation for remote sensing satellites. And satellite operation licence, just explained by Mr. Kataoka, is about housekeeping, station keeping and debris mitigation measures, not about remote sensing models. It is mission-specified, mission-oriented and not only by the Space Activities Act but by radio laws and other \_\_\_\_\_(?) laws and other kinds of Japanese domestic laws are responsible for making Japan being in line with Article 6 of the Outer Space Treaty.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of Japan for your explanation.

Are there any other questions or comments please?

I see none.

Again, thank you very much to the distinguished representative of Japan for a very good technical presentation and answers of the questions.

Distinguished delegates, I will shortly adjourn the plenary meeting so that the Working Group on Agenda Item 12 can hold its second meeting under the chairmanship of Mrs. Irmgard Marboe of Austria.

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 suspend our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space.

Pending the adoption of the report of the Working Group, we will also continue our consideration of agenda item 8, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, and agenda item, Examination and Review of the Developments Concerning the Draft Protocol on Matters Specific to Space Assets to the Convention on International Interests in Mobile Equipment.

We will continue our consideration of agenda item 12, General Exchange of Information on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

We will then adjourn the plenary meeting so that the Working Group on Agenda Item 12 can hold its third meeting under the chairmanship of Mrs. Irmgard Marboe of Austria.

Immediately after the plenary at 6.00 p.m., all delegates are invited to attend a reception in the Mozart Room of the VIC Restaurant, hosted by the United States. The invitations for the reception have already been distributed to delegations in their pigeon holes.

Are there any questions or comments on this proposed schedule?

I see none.

I would like to remind delegates to provide the Secretariat with possible corrections on the



provisional list of participants which was distributed as Conference Room Paper 2 so that the Secretariat can finalize the list of participants. Any corrections should be submitted in writing by Tuesday, 30 March, in the afternoon.

I now invite Mrs. Irmgard Marboe of Austria to chair the second meeting of the Working Group on Agenda Item 12.

The meeting is adjourned until 3.00 p.m. today.

Thank you very much for your attention.

*The meeting adjourned at 11.48 a.m.*