

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

*Unedited transcript*

816<sup>th</sup> Meeting

Tuesday, 30 March 2010, 3 p.m.

Vienna

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

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

I see none.

**The CHAIRMAN:** Good afternoon distinguished delegates, ladies and gentlemen, I now declare open the 816<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 of this afternoon.

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

We will also continue and hopefully conclude 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.

We will continue our consideration of agenda item 13, Proposals to the Committee for New Agenda Items.

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

Are there any questions or comments on this proposed schedule?

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

**Mr. W. PARK** (Republic of Korea): Thank you Mr. Chairman. We have another Working Group meeting in the afternoon on agenda item 12 after the adjournment of this Subcommittee meeting. In case we finish the Working Group earlier than expected, and having some time left over, one hour or two hours more, can you reconvene this meeting of the Subcommittee so that we can finish earlier than expected, maybe one day earlier than the time expected to finish our job.

Thank you.

**The CHAIRMAN:** Of course, a good question.

I give the floor to the Secretariat. Mr. Hedman, do you have comments?

**Mr. N. HEDMAN** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. The Secretariat has sent down parts of the report that we have concluded and as all delegations know, all the parts of the report, they have to be produced for adoption of the report, they have to be produced formally edited and in all United Nations languages. And that is the process that takes time. Normally the editorial translation functions of the United Nations, they are highly efficient and we already expect the

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

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



introductory part of the report for tomorrow as well as the report of the Working Group under agenda item 7 and the Working Group under agenda item 5 so that we can adopt as many parts of the report as possible during tomorrow, in particular tomorrow afternoon.

Now, the Working Group 12 report, the Working Group that we are finishing today, it would not be possible to have it ready tomorrow morning or tomorrow lunch because it takes time to edit and translate a report of that character. So there will be part of the report that we have to adopt on Thursday. The Secretariat is doing its utmost to release the Legal Subcommittee by Thursday lunch. This is something that we are really working hard to achieve.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you Mr. Hedman for your explanation.

Are there any questions or comments?

I give the floor to the distinguished representative of Venezuela.

**Mr. R. BECERRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you Mr. Chairman. This morning we asked the Secretariat to re-open agenda item 5 but I do not see and did not hear you mention that we are going to re-open item 5 this afternoon.

**The CHAIRMAN:** Thank you very much distinguished representative of Venezuela for your comments. We have scheduled the next item is to re-open agenda item 4 and, of course, re-open agenda item 5 because we have a statement of your country and we have a statement under agenda item 4, of course, too.

Any other questions or comments?

I see none.

I would also like to kindly remind all delegates to review the provisional list of participants which was distributed in document Conference Room Paper 2 and provide the Secretariat with any comments or edit they wish to make in writing by close of business today.

#### **General exchange of views (agenda item 4)**

General exchange of views, agenda item 4.

Distinguished delegates, I have a request from a delegation to make a statement under agenda item 4, General Exchange of Views. With your permission, I would like to re-open our consideration of agenda item 4 to hear a statement by the delegation of the United Kingdom of Great Britain and Northern Ireland.

I now invite the distinguished delegate of the United Kingdom. I give the floor to the distinguished representative of the United Kingdom.

**Mr. R. CROWTHER** (United Kingdom of Great Britain and Northern Ireland): Thank you Mr. Chairman. In our statement last week under agenda item 4, General Exchange of View, we mentioned that the United Kingdom would establish a new Executive Space Agency and that we would share more information on our plan with delegations later in this meeting.

We are pleased to reconfirm that the United Kingdom Space Agency will be launched on 1 April 2010. The new Agency will replace the British National Space Centre and bring together for the first time a range of United Kingdom space activities under one single management to enhance efficiencies and improve strategic decision-making.

This will start with the United Kingdom's subscription to ESA and subsequently will include United Kingdom interests in EU projects including the space component of GMES and Galileo.

In addition, the United Kingdom will start a new £40 million International Space Innovation Centre called ISIC at Harwell, near Oxford, which is at the heart of Government plans to support Britain's growing space sector.

ISIC will be sited with the ESA facility opened last July providing a central hub for British space.

Funded through public and industry investment, the ISIC will establish Centres for Excellence in the United Kingdom to exploit the data generated by Earth observation satellites, use space data to understand and counter climate change and advise on security and resilience of space systems and services.

In addition, we would develop a National Space Technology Strategy to make sure that the United Kingdom space sector delivers its full potential.

Finally, we will establish a Senior-Level Expert Panel to take a view of emerging space capabilities to reflect these in future national security and defence planning.

Through the new United Kingdom Space Agency, we look forward to working with our international colleagues in a range of exciting and challenging projects in the years to come.

Thank you Mr. Chairman.

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

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

**Mr. C. ROISSE** (European Telecommunications Satellite Organization) (*interpretation from French*): Thank you Chairman. Thank you for giving me the opportunity to come back to an issue that I touched upon during my presentation last week that is a very serious problem of interference, constant interference which affects the Intergovernmental Conference on EUTELSAT and the frequencies currently used by the EUTELSAT-SA operator with transmissions of certain programmes which are intentionally blocked.

Now, since my presentation, I thought it important to point out that checks are being conducted by the ITU Technical Office in \_\_\_\_\_(?), last Friday a decision was taken about which press communiqué has appeared, this is available in the appropriate room, on the table, so it says that after examination, the Radiocommunications Office of the International Telecommunications Union considers that it is appropriate to ask urgently the Iranian authorities to suspend interference, deliberate interference which has occurred constantly against the EUTELSAT satellite on the basis of evidence presented as to the origins of these transmissions. It appeared clear to the representative of this Committee that the technical documentation was sufficiently complete and precise to be able to show that this jamming originated from Iranian territory. Hence, I would ask that the Iranian authorities urgently, as also ask where the International Telecommunication Union, to do what is necessary to cease as soon as possible, immediately, that this state of affairs, which is prejudicial not just to transmissions by satellite from EUTELSAT, and which constitute a violation of international frequencies attributed to

EUTELSAT, but also it poses a serious problem to the peaceful use of a satellite to the extent that, once again, this is a question of deliberate jamming.

Now we may wonder about what the different provisions of the Space Treaty of 1977, which must be looked into with regard to this violation, in any event, I ask urgently on behalf of my Organization that this jamming be ceased as soon as possible, it being pointed out that it is difficult today to gain information from Tehran because they are celebrating their New Year. Unfortunately when it comes to the interference, there has been no let up and I regret, therefore, that this situation such and urge it to be ceased as soon as possible.

Thank you.

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

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

Iran. The distinguished representative of Iran, I give the floor to the distinguished representative of Iran.

**Mr. N. SHIRAZI** (Islamic Republic of Iran): Thank you Mr. Chairman and my apologies to take the floor. I am taking the floor to provide a reply to the explanation/comments raised by the distinguished delegate from EUTELSAT.

My delegation really is disappointed and it is a matter of regret because we have already bilateral discussions in the margin of the meeting and we request that to prevent to raise this politicized matter in the COPUOS that merrily(?) is to promote international cooperation on the peaceful uses of outer space. We believe that raising such allegations against a member State definitely jeopardized the constructive and cooperative spirit prevails in COPUOS.

My delegation also believes that such an attempt should be considered as an attempt to politicize our deliberation in COPUOS. And in addition to that, because such an allegation based on a political motivation would be harmful to the spirit of understanding among member States and consequently produces(?) the consensus currently prevails in the work of the Committee. And my delegation is of the view that raising allegations against member State is in contradiction with the constructive contribution which the Permanent Observers are supposed to make to our deliberations. As a matter of fact, in our view, the

expectations of constructive involvement of entities with a permanent status in the deliberation, through the deliberation of the Committee's meeting, was the main rationale behind the consent for decisions on granting them such a status.

Mr. Chairman, again I repeat that the concern of the distinguished delegates from EUTELSAT have been already notified to my delegation through you and you, Mr. Chairman, already carried out your impartial and professional role. My delegation was aware of the fact and reflected to the capital and we expected that the distinguished representative from EUTELSAT avoid to raising such a politicized matter in the COPUOS meeting.

I thank you.

**The CHAIRMAN:** I thank the distinguished representative of Iran for your statement and your comments.

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

First is China, the distinguished representative of China. I give the floor to the distinguished representative of China.

**Mr. Y. XU** (China): Thank you Mr. Chairman. Just as a matter of clarification, I am not sure under which agenda item that EUTELSAT makes the statement. Maybe we can seek clarification from the Secretariat, under which agenda item that we heard the statement made by the representative of EUTELSAT, then we will all know the context for the understanding of the statement made by the representative of EUTELSAT.

Thank you Mr. Chairman.

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

The next speaker is the distinguished representative of France. I give the floor to the distinguished representative of France. I am sorry, the distinguished representative of Germany. I give the floor to the distinguished representative of Germany.

**Mr. R. LUEDEKING** (Germany): Thank you Mr. Chairman. I would quickly like to respond to the points which have just been made. I think the point raised by EUTELSAT is a valid one because it is of immediate relevance to the work of this Committee.

I would also like to stress that I have not quite understood the response by the distinguished representative of Iran who referred to a politicization. As I said, there is a concern which stems from the fact that EUTELSAT has been subject to interference emanating from the territory of the Islamic Republic of Iran and that, of course, needs to be looked at also in the context of the basic provisions and basic norms governing the use of outer space. And in my view, the activity that has been the subject of the concern expressed by EUTELSAT seems to infringe on some key provisions of the Outer Space Treaty and, therefore, I think it would only be due to have a proper look at what has happened and take this concern very seriously because their concern, in my view, concerns in particular the fundamental provision contained in Article 1 of the Outer Space Treaty. Therefore, from the perspective of my delegation, it would be quite improper to dismiss the concern raised as something which has nothing to do with the work of this Subcommittee. Indeed, in my view, it is going to the very heart of what this Subcommittee should consider.

Thank you Mr. Chairman.

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

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

I see none.

We have, therefore, concluded our consideration of agenda item 4, General Exchange of Views.

#### **Status and application of the five United Nations Treaties on Outer Space (agenda item 5)**

Distinguished delegates, I have a request from a delegation to make a statement under agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space. With your permission, I would like to open our consideration of agenda item 5 to hear a statement by the delegation of the Bolivarian Republic of Venezuela.

I invite the distinguished delegate of Venezuela.

**Mr. R. BECERRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you Mr. Chairman. Since this is my first official statement, let me start by congratulating you on your election as Chairman of this Subcommittee. We are very happy to

see you at the helm of this meeting. And we would also like to thank you for kindly re-opening agenda item 5 and we will take very little time to briefly make a statement.

With regard to the status and application of the five United Nations Treaties on Outer Space, this delegation believes it is necessary to continue reviewing, updating and modifying these treaties with a view to strengthening the guiding principles that govern space activities by States in this area. In particular, it is necessary to thank the international cooperation, makes space technology accessible to people and most of all, to maintain the peaceful use of outer space.

To cite one well-known example, the exploration and use of outer space are governed by the principle of its peaceful use. Still, the 1967 Treaty has drawn a distinction between the Moon and other celestial bodies on the one hand, and outer space as such on the other hand. Article 4 of the Treaty does not fully apply the principle of peaceful use to the latter, only to the former. With regard to celestial bodies, it is forbidden to set up bases, military installations or testing any type of weapons or conducting military manoeuvres.

Now with regard to outer space as such, the obligation of peaceful use is only partial. In accordance with Article 4, it is only forbidden to place in terrestrial orbits objects carrying nuclear weapons or other types of weapons of mass destruction. Thus, it seem that deploying conventional weapons in outer space is not expressly prohibited.

In this regard, the legal regime applicable to outer space does not guarantee its preservation from a possible arms race in outer space and, therefore, it is imperative that States should take adequate and effective measures to prevent an arms race in that space.

Furthermore, it is necessary to give more attention to other critical issue such as space debris, the collision between space object and space debris, especially those space objects that carry nuclear power sources on board as well as the equitable and rational use of the geostationary orbit, *inter alia*.

From this point of view, this delegation believes that it is absolutely indispensable to retain this subject on the agenda of the Subcommittee. The existing ambiguities, the lack of regulations with regard to the above-mentioned issues do not make it possible to reach a future where the peaceful use of

outer space is guaranteed. If not addressed, these ambiguities might become a serious obstacle to space activities of States in outer space.

To conclude, allow me, Mr. Chairman, to mention the specific subject of the definition and delimitation of outer space. This, in the opinion of my delegation, must be further analyzed and we suggest that it should be re-taken by the Scientific and Technical Subcommittee of COPUOS.

I hope I have not taken too much time. Thank you very much Mr. Chairman.

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

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

The distinguished delegate from Germany. I give the floor to the distinguished representative of Germany.

**Mr. R. LUEDEKING** (Germany): Mr. Chairman, thank you very much and with your indulgence, I have not seen anybody asking for the floor under this agenda item. Therefore, I would briefly like to come back to the previous discussion on the EUTELSAT satellites and the question of the interference with it. You had stopped the discussion on this issue and I wonder how you plan, Mr. Chairman, to deal with it. As I said, there is a fundamental concern which had been raised.

**The CHAIRMAN:** Excuse me distinguished delegates.

The distinguished delegate of China and the distinguished representative of Iran, they have statements.

**Mr. Y. XU** (China): Thank you Mr. Chairman. We do have a point of order. It seems to me that we have closed the discussions under item 4. It seems to me that if you can make somewhere we open that agenda item then some delegations can make a statement but I did not hear that. So we are now under item number 5. If any delegation wants to make a presentation on that item, I think we are open for that but if you go back to the item that has already been closed, it is up to the Subcommittee to make a decision on that.

**The CHAIRMAN:** Thank you distinguished representative of China. With your permission, I close

agenda item 4 and, of course, agenda item 5. Now we are going to continue to agenda item 8.

It is so hard for me this decision but, of course, with agenda item 4 we have closed and only reopened the statement of Venezuela because they have a statement to this agenda item and if you agree, we close this agenda item because I think enough discussion on this agenda item. If you want to speak on another.

OK, I will give the floor to the distinguished representative of Germany.

**Mr. R. LUEDEKING** (Germany): Thank you Mr. Chairman. The first remark. I had not any intention to make a presentation or statement but to put a question to you.

Secondly, as we are on agenda item 5 relating to treaties, I had raised in my early intervention the concern which relate to fundamental provisions of the Outer Space Treaty, and if you permit, I would just like not to make a presentation but finish my question which was addressed to you because we finished the earlier discussion without any follow-up and, of course, as we are under agenda item 5, it is only appropriate if I speak to questions relating immediately to the relevance of the Outer Space Treaty.

My question, therefore, was as the concern was raised and we had a brief exchange, I was wondering, and that was my question, how you planned to deal with the concern that was raised by the representative of EUTELSAT. And to make the link to the consideration of agenda item 5, let me state that by jamming the link-up, the up-link of EUTELSAT satellite and blocking the functioning of some of its transponders, there is a limitation of rights of the use of that satellite which \_\_\_\_\_(?) (*interruption*) be relevant to Article 1 of the Outer Space Treaty.

Thank you.

**The CHAIRMAN:** Distinguished representative of Germany, you received the floor for just a question but I am sorry, you gave a statement and we have here the representatives of China and Iran.

**Mr. R. LUEDEKING** (Germany): Another point of order, I just wanted to ...

**The CHAIRMAN:** No, no, I give now the floor to you because we have enough discussion about agenda item 4 and agenda item 4 or is it closed to our

agenda and now I will continue our consideration of agenda item 8.

Thank you distinguished representative of Iran and distinguished representative of China. I think this item will be more discussion if everybody agrees or, with your permission, I go to agenda item 8. If you have a statement dealing with the discussion with agenda item 8, you can have a statement order.

Of course, if I give the floor to you then China, please.

**Mr. R. LUEDEKING** (Germany): Could I just ask for your response to the question I have put?

**The CHAIRMAN:** Yes, of course. Thank you so much. As long as we have a schedule here and we publish this schedule every day by the Secretariat and I think we have enough discussion in our agenda and we have a Working Group, of course, for the agenda and I think we have enough time for the statement of all delegations.

**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 continue and hopefully conclude our consideration of agenda item 8, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

We do not have any speakers on the list.

Yes, of course, the first speaker on my list is the distinguished representative of Venezuela. I give the floor to the distinguished representative of Venezuela.

**Mr. R. BECERRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Yes, thank you Chairman, thank you for giving me the floor.

The Bolivarian Republic of Venezuela acknowledges the importance of using nuclear energy source to render viable certain inter-planetary missions. Nonetheless, it considers inadmissible the use of these sources of energy in terrestrial orbits beginning with the premise that any activity conducted in outer space should be governed by the principles of preservation of life and the environment. We should look in greater depth at corresponding research to optimize the use of other option for generating this energy, considering, at

the same time, other safer source of energy and of proven efficiency.

It should be emphasized that the Venezuelan delegation, with profound respect for international norms, points out that the regulatory activity associated with the use ...

Apologies, Chairman, but we are presenting our statement. Now I understand that there is discussion in the room but nonetheless might I please make my statement.

**The CHAIRMAN:** I thank the distinguished representative of Venezuela. Do you want to continue?

**Mr. R. BECERRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Yes, definitely.

It should be emphasized that the Venezuelan delegation, with profound respect of international norms, points out that regulatory activity associated with the use of nuclear energy sources in space, is exclusively a duty of States, irrespective of their degree of social, economic, scientific or technical development and is incumbent on all of humanity.

It is pointed out, furthermore, that the international responsibility of governments in national activities which supposes the use of nuclear energy source in outer space conducted by governmental bodies or non-governmental bodies, and that these must be used for the benefit of peoples.

Similarly, referring to the Framework of Security relating to the use of nuclear energy sources in outer space, adopted by the Committee at its fifty-second period of sessions, this delegation is of the opinion that the matter should remain under examination, especially the analysis by the Legal Subcommittee, and being to create binding norms in this matter which is of such importance.

Hence, we should promote revision and updating of the existing principles and continue to the second phase of codification and generation of international legal norms.

For all of these reasons, this delegation consider essential that we increase interaction with the Scientific and Technical Subcommittee, the aim being to promote its international regulation and not just on this issue but also in other critical matters such as space debris.

Chairman, might I take the opportunity to refer specifically to the issue of space debris. The delegation of the Bolivarian Republic of Venezuela considers as progress the reception given to the Guidelines for Reduction of Space Debris by the General Assembly in its resolution 62/217, and it applauds the information provided by Germany, Italy, Japan, Myanmar, Poland and Thailand in these matters, as pointed out in document A/AC.105/951.

Nonetheless, we would like to express it dissatisfaction at the absence of information provided by States which, for decade, have generated space debris, including debris derived from platform with nuclear energy source.

This delegation is of the opinion that we should continue enhancing and optimizing the existing guide to reduce space debris, in particular given the absence of clear existing requirements in this field which constitutes space for discretion of the countries which traditionally have used technological resources without any restrictional checks and which, in some cases, have used them to the detriment of life or the environment and generally they lead to the demands for restrictions and controls for other countries, which in their legitimate right, aspire to take up technology as a mechanism to consolidate standards of living for their people.

From this perspective, the delegation of Venezuela insists that this Subcommittee must increase its interaction with the Legal Subcommittee, the aim being to promote the drafting of binding international norms which pertain to these issues due to the great impact on and links which they have with the activity and life on the planet, bearing in mind that one of the principles, the main responsibilities of the United Nations in the legal field is to provide emphasis to progressive development of international law and regulation in this case as regards the environment of outer space.

Finally, with the greatest optimism, this delegation urges State to focus on the critical aspects which, at the moment, put at risk space activities in order to create, update and modify existing international space legislation.

Thank you very much Chairman.

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

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

**Mr. V. Y. TITUSHKIN** (Russian Federation) (*interpretation from Russian*): Thank you Mr. Chairman. First of all, we would like to note that space activities involving nuclear power sources are totally legitimate and permitted by the international law in effect, first of all, the Outer Space Treaties and also the Guiding Principles for the Use of Nuclear Power Sources in Outer Space.

In this context, we believe that revising one of key instruments in the system of international outer space law would not be in the interests of the exploration and use of outer space. It would hardly help the creation of new, more effective technologies in this area, nor would it promote international cooperation in this area.

The Guiding Principles for the Use of Nuclear Power Sources in Outer Space have proved their effectiveness. They retained their topicality and their significance and, therefore, we see no formal reason for raising the matter of their revision, still less for developing any legally binding instrument.

To conclude, this is particularly obvious in the light of the work of the Scientific and Technical Subcommittee's experts, as well as the IAEA experts. That work has resulted in the adoption of the Safety Framework for the Use of Nuclear Power Sources. That Safety Framework brings together the most advanced experience of States in the practical application of nuclear power sources and ensuring the highest level of safety in that regard.

The Principles and the Safety Framework create the necessary foundation for regulating the space activities of State involving the use of such power sources. These instruments ensure steady, sustainable development of space technologies. These documents contain all the necessary requirements for ensuring the safety of launching and using in orbit space objects carrying nuclear power sources, including all possible risks related to space debris.

It is well-known that space-faring States that have programmes involving the use of nuclear power sources have created a firm technological foundation and developed all required national measures to ensure the safety of such flights.

The Russian Federation, like a number of other States, is convinced that nuclear power sources

play an extremely important part in the exploration of outer space, *inter alia*, within the framework of Russia's National Space Programme. For a large number of space missions, these power sources remain the only possible source of power.

If we embark upon the path of unjustified restrictions or bans in this area, a whole array of promising research projects will be threatened and those are projects that are of key significance to the development of space science and technology. And if that were to happen, it would not be in the interest of promoting progress in the exploration and use of outer space or international cooperation in this area.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Russia 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 Republic of Korea.

**Mr. Y. JUNG** (Republic of Korea): Thank you very much Mr. Chairman. As my delegation has drafted the previous sessions, a multi-faceted international cooperation to enhance technical safety relating to the use of nuclear power sources is paramount. In this respect, my delegation supports the adoption of the Safety Framework for Nuclear Power Source Applications in Outer Space at the forty-sixth Scientific and Technical Subcommittee.

Thank you Chairman.

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

Are there any other delegations wishing to make a statement?

I see none.

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

**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 continue and hopefully conclude 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.

There are no speakers on my list.

Is there any delegation wishing to make a statement?

The distinguished delegate of Algeria. I give the floor to the distinguished representative of Algeria.

**Mr. A. LOUNI** (Algeria) (*interpretation from French*): Yes, thank you Chairman. Now, in the context of this draft Protocol on Space Assets, I would like to restate one of the points which I touched upon in the statement last Tuesday about the need to consider a public service these satellite systems for developing countries. It is important to preserve such tools for the benefit of developing countries and, on the other hand, we also need to preserve the interests of lenders and backers. So we need to find a balance which can preserve the interests of developing countries on the one hand and those of potential backers on the other.

Thank you.

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

Are there any other delegations wishing to make a statement?

I see none.

We have, therefore, concluded 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.

### **Proposals to the Committee for new agenda items (agenda item 13)**

Distinguished delegate, I would now like to continue our consideration of agenda item 13, Proposals to the Committee for New Agenda Items.

I have no speakers on my list.

Are there any delegations wishing to make a statement?

The distinguished delegate of Russia. I give the floor to the distinguished representative of Russia.

**Mr. V. Y. TITUSHKIN** (Russian Federation) (*interpretation from Russian*): Thank you Chairman. As you know, next year we will celebrate two important dates, 50 years since the first space flight, 12 April 1961, and fifty years since the creation of the United Nations Committee on Space. As we know, we have done some preparatory work as to how we should celebrate this particular anniversary. And in this regard, we would like to call upon delegations to think about the following proposal because traditionally decisions of this Legal Subcommittee are held at the end of March or the beginning of April and that would be the next opportunity we will have to hold some actions within the framework of this Subcommittee to mark the fiftieth anniversary of the first manned mission in space.

Russia has some specific proposals as to such commemorative events in term of information to be disseminated. We might suggest an exhibition to mark that occasion, the anniversary of the first manned space flight and we will ask others to participate in that exhibition. Also we think it would be important to take advantage of this opportunity and invite some individuals to attend the Legal Subcommittee session, people who have in the past and continue to make a significant contribution to the international development of outer space law. Many countries around the world have such outstanding individuals and I think it would be only right if the fiftieth session of the Legal Subcommittee invites some of these people to attend. It could be a seminar or merely a solemn commemorative session but it will be an excellent opportunity, in our view, to give the floor to some of those people who have made an invaluable contribution to the elaboration of outer space law. We are still guided by the documents they developed in their time. It would be an excellent opportunity to exchange views regarding the future prospects for the development of outer space law as well.

Finally, it will be an excellent opportunity to remind the world's public of the important work conducted by this Legal Subcommittee. Once again, we would like to invite all delegations to give it some thought and come up with the best ways of commemorating that event.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of Russia for your comments and suggestions.

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

I see none.

If the Subcommittee has no further statements under this item, may I take it that it wishes to consider in 2011, the item as set up under Point 1 of Conference Room Paper 17?

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

**Mr. V. KOPAL** (Czech Republic): Did I understand you correctly that you wish now to close the discussion on the agenda of the Subcommittee for the next session now?

Not yet. There will be still the opportunity to speak about it tomorrow?

**The CHAIRMAN:** Yes, for agenda item 13, you can give comments or suggestions tomorrow.

And may I also take it that the Subcommittee wishes to invite the International Institute of Space Law and the European Centre for Space Law to organize a symposium at its next session?

Distinguished delegate, for agenda item 13, we have speakers, the Republic of Korea and China.

I give the floor to the distinguished representative of Korea for a statement for agenda item 13.

**Mr. W. PARK** (Republic of Korea): Thank you Mr. Chairman. With a little confusion, I raised my hand because you said that we agreed to inviting IISL and ECSL for another symposium next year. With regard to these questions, there is nobody to support your proposal. I think they took the floor that we need to invite these two institutes to make another symposium and are wondering whether we are still discussing agenda item 13.

Thank you.

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

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

**Mr. Y. XU** (China): Thank you Mr. Chairman. I just echo what has been said by the distinguished delegate of Korea with a pertinent(?) suggestion to send an invitation to IISL and ECSL for organizing another symposium. But if we can also get more information about the upcoming symposium, the theme of the symposium or the context of this symposium, that will help the delegations to think about whether we support or not. So not just only a symposium but we have to indulge the title or the theme of the symposium which will help us. So maybe we can seek further information from the sponsor of the symposium.

Thank you Mr. Chairman.

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

I give the floor to the Secretary who can explain about the symposium for next year.

**Mr. N. HEDMAN** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, first to respond to the concern or the question by the Republic of Korea, we are addressing the agenda for next year in 2011 and the symposium is part of the agenda so that is why we are addressing the symposium in this context.

And just to relate to what was said by the distinguished delegate of the Republic of China, the practice so far has been that the IISL and ECSL are invited to organize a symposium and they then choose the subject for the symposium. This has been the practice so far.

Thank you.

**The CHAIRMAN:** I thank the Secretary for his explanation.

The distinguished delegate of Saudi Arabia. I give the floor to the distinguished representative of Saudi Arabia.

**Mr. M. A. TARABZOUNI** (Saudi Arabia): Thank you Mr. Chairman. As far as I support, we will have the symposium but anyhow in the previous(?) when we were asking for making a presentation here in Vienna, we were asking that it is actually to be given

on time in November so that it may be reviewed by the delegate and we were asking it to be in the language of the United Nations so it is actually we can participate(?) otherwise we will just have someone to come over here and be like a teacher just give us a lecture or actually I would say like a \_\_\_\_\_ (not clear) somebody who will come and stand and give us a preach. I support China and we would like to get the subject for this symposium in time so that we can review it and I would like to have it if we can have it in the international languages of the United Nations.

Thank you.

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

Are there any other statements?

According to the questions of the distinguished delegate of China and the distinguished representative of Saudi Arabia, may I ask the representatives of IISL and ECSL to prepare the information and submit it to the Committee for distribution to all members of the Committee.

Dr. Kerrest, do you have ...

**Mr. A. KERREST** (European Centre for Space Law) (International Law Association(?)): Thank you. I am only the Vice-Chairman of the ECSL but perhaps I can give you some points.

As the Secretary told us, of course, the item, the issue is decided by IISL/ECSL and, of course, I think that we can take note of the proposal of the distinguished delegate of Saudi Arabia to have rather soon the issue of this colloquium. I cannot on the top now give you the issue which is going to be discussed next year but we will, of course, try to give, to publish it as soon as possible, so that delegations can think about this issue and turning to discussion the best way as possible.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you distinguished representative of IISL, Dr. Kerrest, for your explanation.

Do you another comment or question?

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

**Mr. Y. XU** (China): Thank you Mr. Chairman. We do appreciate the information provided by Professor Kerrest. Based on the understanding that we will receive the information on the issue of the symposium in due time, China can support that we send the invitation to the IISL and ECSL for organizing a symposium in the fiftieth session of the Legal Subcommittee. Although I have to make it quite clear that China reserve our rights to revisit this issue in the June COPUOS meeting because at that time we will adopt the agenda for this Legal Subcommittee for the next year and reserve our right to revisit this issue in the June session.

Thank you Mr. Chairman.

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

Any other comments?

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

**Mr. R. BECERRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you Chairman. Very briefly. What we have just heard from the distinguished delegate of China, I do not think that this practice is the most correct. I think we ought to be careful because we do not know which items exactly are going to be discussed.

Thank you very much.

**The CHAIRMAN:** Thank you distinguished representative of Venezuela for your statement.

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

**Mr. V. KOPAL** (Czech Republic): Thank you very much Mr. Chairman. I am here as a delegate of the Czech Republic but I have to tell you that I am also Vice-President of the IISL so I would like now to speak with you as Vice-President of the IISL. The Secretary of our Subcommittee correctly informed us that usually that this is the usual practice. It has been left to the IISL and ECSL, the organizers of this symposium, to select the topic and to inform them about it, of course, the Legal Subcommittee in due time.

However, I do not know what was the result of the discussions of the Board of Directors of the IISL that was held during last weekend but it seems to me that this question has not been decided yet and,

therefore, I would like to ask distinguished delegation for a certain patience in this respect. It means that there will be a proposal of the subject of the topic of the next symposium. However, it will come as soon as possible but probably during the second half of this year because the IISL and ECL has not only to establish the topic but also to discuss to invite appropriate speaker and to have their approval with their coming here so it take still some time.

Thank you very much.

**The CHAIRMAN:** Thank you very much distinguished representative of IISL, Dr. Kopal, for your explanation.

Any other comments or questions?

We can re-open this matter about the next symposium tomorrow and, of course, we can discuss tomorrow and if you have any other question or comments, we will wait until tomorrow and then decide.

I give the floor to the distinguished representative of the Secretariat for comments about this matter.

**Mr. N. HEDMAN** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, to refer again to Conference Room Paper 17 that we have before us, Mr. Chairman, the Secretariat explained certain issues related to the symposium. Tomorrow, which will be that the item comes up again tomorrow morning, the Subcommittee will then agree on the agenda of the Subcommittee at its session in 2011. The Subcommittee will also then obviously agree on the IISL/ECSL symposium and whether the organizations in question should use the practice as has been used before or whether there should be a consensus on the topic to be addressed in that symposium next year. And the Subcommittee will finally come back to the issue that are referred to in Conference Room Paper 17. These are proposals from before that have been retained in the list as you have before you and these are, of course, proposals for items of the agenda so they have to be seen in the context of agreeing to the agenda of the Subcommittee for 2011. So these three main issues we will address tomorrow morning and come to a conclusion.

Thank you Mr. Chairman.

**The CHAIRMAN:** Thank you Dr. Hedman for your explanation.

Are there any other comments or questions?

OK. We will, therefore, continue and hopefully conclude our consideration of agenda item 13, Proposals to the Committee for New Agenda Items, tomorrow morning.

Distinguished delegates, I will shortly adjourn the plenary meeting so that the Working Group on Agenda Item 12 can hold its fifth 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 tomorrow morning.

We will meet promptly at 10.00 a.m. At that time, we will continue and hopefully conclude our consideration of agenda item 13, Proposals to the Committee for New Agenda Items.

If the documentation is available in all languages, the Working Groups on Item 5 and Item 7(a) will meet to adopt their respective reports. We will then meet in the plenary to conclude our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, and agenda item 7(a) the Definition and Delimitation of Outer Space, with a view to endorsing the reports of the Working Groups on Item 5 and Item 7(a).

Time permitting, and if the documentation is available in all languages, we will begin the adoption of the report of the Legal Subcommittee.

Are there any questions or comments on this proposed schedule?

I see none.

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

The meeting is adjourned until 10.00 a.m. tomorrow.

Thank you very much for your attention.

*The meeting closed at 4.30 p.m.*