

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

*Unedited transcript*

834<sup>th</sup> Meeting

Wednesday, 6 April 2011, 10 a.m.

Vienna

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

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

**The CHAIRMAN** Excellencies, distinguished delegates, ladies and gentlemen, good morning. I now declare open the 834th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

We will begin our consideration of agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. We will continue our consideration of agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space. We will continue with our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee, to consider proposals for new agenda items.

We will then adjourn the plenary meeting so that the working group on agenda item 11 can hold its fifth meeting under the chairmanship of Professor Marboe of Austria. I would like to announce that today at 2 p.m. informal consultations by the Chair of COPUOS on the draft declaration of the fiftieth anniversary of human space flight and the fiftieth anniversary of COPUOS will be held in Room M7.

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 7)

Distinguished delegates, I would like to begin our consideration of agenda item 7, 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 Venezuela, on behalf of the Group of 77 and China. I give the floor to the distinguished representative of Venezuela.

**Mr. M. CASTILLO** (Venezuela) Ambassador Ali Soltanieh from Iran could not be here this morning so I will give the statement of the Group of 77 and China on his behalf.

The Group of 77 and China would like to thank the Secretariat for the preparations of this agenda item and would also like to share its views with the subcommittee on this item.

The Group of 77 and China would like to refer to the use of nuclear power sources in outer space, specifically in the geostationary orbit and low-Earth atmosphere. More consideration should be given to this issue in order to address the legal aspects of the problem of potential collisions of nuclear powered space objects in orbit and the incidents or emergencies that may be created by an accidental re-entry in the Earth's atmosphere and impact on its surface by these objects, and their consequences on health and life of people and the ecosystem.

---

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.

V.11-82462 (E)



The Group considers that increased attention should be given to these issues through an adequate interaction with the Scientific and Technical Subcommittee in order to develop strategies, long term planning and regulations related to these matters, considering the recommendations included in the Safety Framework for Nuclear Power Sources Applications in Outer Space. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Venezuela, on behalf of the Group of 77 and China, for a very good statement.

The next speaker on my list is the distinguished delegate of Colombia, on behalf of GRULAC. I give the floor to His Excellency, Ambassador de León, Ambassador of Colombia.

**Mr. F. PADILLA DE LEÓN** (Colombia) (*interpretation from Spanish*) As regards our study and possible review of the pertinent principles for the use of nuclear energy sources in space GRULAC, profoundly respecting international standards, considers that the regulatory activities associated to the use of nuclear sources in space is exclusively the duty of member States without reference to its grade of social development or economic, scientific or technical development and it is something which is open to and incumbent upon the whole of humanity.

We would like also, in addition to that, to repeat international responsibility for governments in national activities which presuppose the use of nuclear energy sources in space whether these be done by governmental or non-governmental bodies and the importance of these to be carried out in favour of the peoples and not to the detriment of peoples. On that basis and pursuant to the Safety Framework for Nuclear Power Source Applications in Outer Space which was approved by COPUOS at its fifty-second session, GRULAC would urge that the subcommittee carry out the corresponding legal analysis as well as promote binding standards in order to guarantee that all activities developed in space be governed by the principles of the conservation of life and peace and, specially speaking, it is necessary to pay greater attention to associated legal questions associated with satellite platforms which have nuclear energy sources in Earth orbit and particularly in order to prevent their use in Earth orbit in the light of the faults which have been reported and the possible collisions which represent a very high risk for humanity. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Colombia, on behalf of GRULAC for a very good statement.

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

Distinguished delegate of the Russian Federation. I give the floor to the distinguished representative of the Russian Federation.

**Mr. V. TITUSHKIN** (Russian Federation) (*interpretation from Russian*) Good morning to colleagues. Our delegation would like also to express its point of view on this particular item. First of all, we base ourselves on the fact that space activities using nuclear energy sources are perfectly justified activities in space, since they have been sanctioned by the actions of the valid space legislation, in particular the Principles Relevant to the Use of Nuclear Power Sources in Outer Space which have been adopted under resolution 47/68 of the General Assembly.

We are convinced that the revision of one of the basic documents within the system of international space law does not correspond to the interests in research into the use of space for peaceful purposes and it could well be an obstacle to the development of international cooperation in that particular sphere. The thesis that the use of nuclear energy sources, *a priori*, contains within itself a threat to the population on the planet, is not a position which has any truly fundamental basis. The States which are developing space programmes related to the use of nuclear energy sources have created a very solid technological basis and have taken all necessary measures to ensure a very high reliability in the launching of space satellites with such sources and has also, in respect of further functioning, taken every step to make them reliable.

The Russian Federation is convinced that nuclear energy sources on space devices play a very important role in research into space. This fact is confirmed by the very wide use of such sources within the framework of the national programme of Russia. The reason for that is a simple single one, to study space missions. On that side they are the only possible sources of energy and if we follow the path for strengthening and making much harder and more strict the basic requirements, if we go that way, then a considerable number of promising research projects which are of very important significance for the development of space technology and science will, in principle, turn out not to be possible. What we therefore think is that the use of these sources is one of the priorities for national space programmes and we are, in every possible way, prepared to cooperate with any interested member State in work along such lines. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Russian Federation for a very good statement.

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

I give the floor to the distinguished representative of Chile.

**Mr. A. LABBÉ** (Chile) (*interpretation from Spanish*) Our delegation has listened with considerable attention to the statements made this morning in respect of this item. We have had the opportunity of taking part, with other members in our delegation, in the final session of the subcommittee on scientific and technological questions. We have heard some technical presentations and interventions which seem to us to be very serious and very well founded which indicated that the use of these nuclear energy sources was indispensable for the development of activities, particularly in distant outer space.

I remember a statement made by the Director of the Argentine Space Agency, Dr. Raoul Barotto?, who stated that without nuclear energy there will be no future in space and this is a phrase which impressed me most profoundly. Not only because it came from a Latin American country with which we have absolutely excellent relations in respect of cooperation in all areas but also because this is a country which as, Dr. Marotto? said, has a very considerable experience in nuclear energy. It is absolutely clear that there is no zero risk in handling nuclear energy and recent events have very clearly demonstrated that but, in the same way, this is a complex theme with variables which are important for countries who wish to take up much work in space. The Space Agency of Argentina maintains that there will be no future in space without nuclear energy, this is a statement which the delegation of Chile takes most seriously. It takes it most seriously because we will continue to listen to positions on this topic and we will avoid a situation where consideration of such a delicate subject be the prisoner of political tensions which often affect multilateral organizations.

What I am trying to say is that this delegation will be keeping its ears very wide open to listen to all statements made on this topic and is ready to interact with delegations interested in order better to understand and better to know and not to take up positions simply based on a rigid conceptual posture. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Chile, for a very good statement.

Any other delegation wishing to make a statement under this agenda item?

I give the floor to the distinguished representative of China.

**Mr. Y. ZENG** (China) (*interpretation from Chinese*) [No interpretation!]

**The CHAIRMAN** Is it possible, we do not have English language, please.

(*continued in English*) The Chinese delegation has observed the statement by the distinguished delegate from the Russian Federation and Chile. China has not put the nuclear power source in our space activities but we are now proceeding our project of Moon exploration and in the future we might use nuclear power source in the Moon exploration activities. Our research and relevant activities are strictly in accordance with the Principles adopted by the Legal Subcommittee and the General Assembly. Our opinion is that, just like the distinguished delegates from Russia and Chile said, it is inevitable to use nuclear power sources in space activities and our focus should be on how to properly use such power sources. We should not limit ourselves in the space exploration too much. Thank you.

**The CHAIRMAN** I thank the distinguished representative of China for a very good statement.

Are there any other delegations ..

I give the floor to the distinguished representative of Brazil.

**Mr. J. FILHO** (Brazil) (*interpretation from Spanish*) Good morning, ladies and gentlemen, distinguished delegates. The position of Brazil on this item up till now is a very simple point of view. We very much understand that for deep space flights or the deep research into the universe there is no doubt that it is important, indeed indispensable, to use nuclear energy sources. However, projects close to the Earth we must be extremely cautious, this is a principle which has been very clearly put forward in the resolution from the General Assembly on this particular topic, which is to avoid using nuclear energy close to the Earth, in principle that is the idea. This is above all important when we come to decisions on space debris or rather we should join these two things together and we must pay a lot of attention to that subject for the safety of our globe and the security of humanity. It is most important that this should be

studied very, very, seriously and with much international responsibility focused on it. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Brazil for a very good statement.

Any other delegation wishing to make a statement under this agenda item? I see none.

We will continue our consideration of agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, this afternoon.

**General exchange of information on national legislation relevant to the peaceful exploration and use of outer space** (agenda item 11)

Distinguished delegates, I would now like to continue our consideration of agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space.

No speakers on my list. Are there any 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 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space, pending the adoption of the report of the working group, this afternoon.

**Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its fifty-first session** (agenda item 12)

Distinguished delegates, I would now like to continue our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee.

This morning I would like to begin our consideration of this item by inviting member States to present new proposals or keep existing proposals on items for inclusion in the agenda of our subcommittee. I propose that we proceed by considering the proposal by the Czech Republic, already made at this session and then by reviewing other proposals.

First you may recall that the current session we have already received a proposal made by the

delegation of the Czech Republic entitled: Review of the legal aspects of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space with a view of transforming the Guidelines into a set of principles to be adopted by the General Assembly. I would like to remind delegations that the proposal is contained in A/AC.105/C.2/L.283. I would now like to open the floor for views on the proposal made by the Czech Republic on the possibility of its inclusion on the agenda of the subcommittee for the fifty-first session in 2012.

The first speaker on my list is the distinguished delegate of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic) Thank you for your introduction of our working paper of the Czech Republic to this discussion, I only wanted to recall that I already made a detailed introduction during the consideration of agenda item 10. I do not believe that it will be necessary to repeat it now and we will listen very carefully to the comments and perhaps suggestions by other delegations. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Czech Republic.

Are there any delegations wishing to make a statement?

I give the floor to the distinguished representative of Greece.

**Ms. E. RAPTİ** (Greece) Greece would like to state that it supports the initiative of the Czech Republic.

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

I give the floor to the distinguished representative of France.

**Mr. L. SCOTTİ** (France) (*interpretation from French*) My delegation would like to start off by thanking the Czech Republic for its contribution to the thinking process on this whole issue of space debris. You know that it is a particularly important subject for France and we are very attentive to this whole issue which was partially taken into account in the French Space Act which very recently went into effect. This said, France at this stage is not favourable to the issue of putting this on the agenda of the LSC, this is something that has been broached within the STSC, in the working group on the long-term sustainability of

space activities, and that this thinking process does comprise, to the greatest extent, all these issues of space debris and the long-term sustainability working group is planning once the STSC process of deliberation is fairly advanced then the Legal Subcommittee can be triggered and folded into this general thinking process. It is at that point in time, further down the road, that we believe that the time will really have come for useful consideration by the LSC of this whole nexus of space debris issues. Thank you.

**The CHAIRMAN** I thank the distinguished representative of France for a very good statement.

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

**Mr. Y. ZENG** (China) (*interpretation from Chinese*) The Chinese delegation is of the view that the proposal proposed by the Czech delegation regarding transforming of the Guidelines into a set of principles has its reason behind it and is important. My delegation also is of the view that the current document L.283 which contains the title of the new agenda item and taking it as an item for the Legal Subcommittee seems a little bit too long. Therefore our proposal is whether we can consider to cut the second part of the proposal, that is with a view to transforming the Guidelines into a set of principles to be adopted by the General Assembly, can we delete this part, so that this title will be shorter and more focused. As our understanding of it, the proposal by the Czech Republic is to increase the effectiveness of the Space Debris Mitigation Guidelines but at this stage if we prejudge the objective or the future orientation of the agenda item, is a little bit too premature. Maybe the outcome of our discussion on this item will be more positive if we only restrict it to a set of principles to be adopted by the General Assembly, that would just restrict the future possibility of the outcome of the item. We would like to hope that we have some flexibility and some room to manoeuvre on this item and at the same time as we propose it, this item will not obstruct the principal purpose of this item because what we are going to do is to give a substantive review of the existing guidelines and the first part of the title already serves the purpose alright.

In addition, we also have noticed that on the agenda of the Legal Subcommittee there is another one related to space debris, then we have two agenda items relating to space debris. Whether this is the most appropriate way of doing things we still have some doubts. Whether we can somehow combine the two

agenda items, we can further consider it. This is our proposal. Thank you.

**The CHAIRMAN** I thank the distinguished representative of China for a very good statement.

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

**Mr. V. TITUSHKIN** (Russian Federation) (*interpretation from Russian*) We would like to thank the delegation of the Czech Republic for the initiative that it has taken with regard to this consideration within the framework of the LSC of this issue of space debris. If we are to assess this idea from the exclusively legal standpoint then this is perfectly warranted and understandable, this step which is intended to ensure the progressive, the gradual development of existing outer space law. However, we are plunged within the world of reality and other delegations have already referred to the documents adopted within the Scientific and Technical Subcommittee, they have referred to what measures for implementation there are being taken at national level in various States and thus our country is in precisely that same sort of situation.

At present, in the Russian Federation, there is a whole process ongoing of adopting national sectoral standards having to do with measures to mitigate, to prevent the generation of outer space debris. This process is going to be so radical that, as we see it, it really should result in the very basic amendment of some national legislative standards and norms including amendment of the national federal law on outer space activity. Therefore, we do not want to find ourselves in a situation where we are going to have national legislation worked up and developed and literally in parallel we are going to be reaching the conclusion to amend that legislation might be necessary just because here in the committee there is provision made for the development of an obligatory document having to do with space debris mitigation.

We would rather venture to propose a somewhat different approach. Let us make it possible for work to be taken and conducted on the guiding principles within the Scientific and Technical Subcommittee. Let us take a look at how these guidelines are then going to be subsequently implemented within the national legislation of the respective States in our world and then, after we perform the proper analysis here within the Legal Subcommittee, we can usefully start broaching

consideration of the issue about what can usefully then be done on the issue of space debris mitigation within the Legal Subcommittee. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Russian Federation for a very good statement.

The next speaker on my list is the distinguished delegate of Chile. I give the floor to His Excellency, Ambassador of Chile.

**Mr. A. LABBÉ** (Chile) (*interpretation from Spanish*) Our delegation has carefully studied the proposal which has been put forward by the Czech Republic through Mr. Vladimír Kopal. We would like to thank the delegation of the Czech Republic for submitting this document which is clear, deep, well structured and well thought out, which helps those delegations where we have delegates who are working for the first time in the work of this subcommittee, it helps those newcomers to study this material. Our delegation understands that the proposal of the Czech Republic is a step forward towards achieving a better legal certainty in respect of the complex and very important topic, namely space debris. This has been handled by the Scientific and Technical Subcommittee in its February meetings and that was an occasion when a document was distributed, I have the document here, it is entitled 'Towards long-term sustainability of space activities: overcoming the challenges of space debris', this is the report of the International Interdisciplinary Congress on Space Debris. It is a very interesting document which we are also studying very carefully and we read the following and I am going to read this out in English

'The leading international arrangement to mitigate space debris is the 2007 UN COPUOS Space Debris Mitigation Guidelines. The Guidelines are legally non-binding and their implementation is voluntary. States that choose to adopt these Guidelines do so through their respective domestic policies, laws and regulations. They are operational in nature and apply only to mission planning and operation of newly designed spacecraft and orbital stages.

The UN COPUOS Guidelines are a first and important step towards long-term sustainable use of the near-Earth outer space environment, but the Guidelines have limitations. Furthermore, international space law does not establish a sufficient and appropriate legal regime to internationally regulate the challenges created by space debris.'

This is a scientific and interdisciplinary document and the delegation of the Czech Republic has in fact got a point is what it amounts to. May I say the same as we said at the disarmament conference, the including of an item on the agenda would make it possible to open a structured debate on a particular subject and it is a procedural decision which, in itself, does not, *per se*, prejudice the result of the negotiations or the discussions. In other words, simply to include a new agenda item is not something where we are deciding or anticipating what the result will be of the discussion and eventually any kind of negotiation which that item might lead to. For that very same reason since the subcommittee, and we work by consensus, the rights of all the actors in space and all the members of the subcommittee and the Commission itself are procedurally guaranteed their rights. Taking into account the scientific elements which have been put forward from the congress on space, the effects they have on the long-term sustainability of space, all this means that this delegation is prepared to support inclusion of a new item, namely the one put forward by the Czech Republic.

**The CHAIRMAN** I thank His Excellency, Ambassador of Chile for a good statement.

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

**Mr. P. BITTNER** (Austria) We would also like to congratulate the Czech Republic for this thoroughly elaborated proposal and we support it as it stands. However, we have heard that there are also some concerns about it and we would like to discuss it and follow-up on this to find a suitable way to include this agenda item, or a similar agenda item, into our agenda as the overall feeling is that this is a very important subject and it is worth discussing, also legal aspects of space debris. As I said, we have to find a way to accommodate all concerns. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Austria for a very good statement.

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

**Ms. A. PASTORELLI** (Italy) As anticipated under the general exchange of views, my country supports the proposal of the introduction of a new agenda item in the agenda of next year's Legal Subcommittee. We appreciate the proposal of Professor Kopal and we thank him for this proposal,

we might agree with some previous delegations' observation that the title could be shortened namely, review of the legal aspects of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space. The item could be discussed with a view of harmonizing our discussions in this subcommittee, of course, with the discussions going on in other fora within COPUOS but also in other fora outside COPUOS dealing with this very important issue of space debris. We would probably think it is necessary to consult also outside this \_\_\_\_\_(?) in order to find a mechanism of updating the discussions in our field and also to adapt our workplan to the discussions going on in other fora. This would be our observation but we fully support this proposal. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Italy for a very good statement.

The next speaker is the distinguished representative of the United States of America. I give the floor to the distinguished representative of the United States.

**Mr. S. McDONALD** (United States of America) We would like to thank, through you, the delegate from the Czech Republic for this proposal which we certainly appreciate and we have been studying it here and we will need to study it back in Washington during the course of the year. This committee has paid great attention to the issue of space debris mitigation and has done great work in its subcommittees, both through the elaboration of the Space Debris Mitigation Guidelines and through the agenda item that we have in this subcommittee on reviewing our domestic implementation of those Guidelines.

In our consideration of this proposed agenda item however, we have noted a few concerns. First, as our colleagues from Russia have noted, we have already, and other States have already, moved forward to incorporate the Guidelines into our national legislation, this is something that we explained in detail two years ago during our statement on the agenda item on the national incorporation and implementation of the Space Debris Mitigation Guidelines. We are concerned that this could raise questions in the minds of both our regulators and our operators with regard to the laws and regulations that we amended in order to incorporate those standards and the expectations that they have created if, at the same time, we begin negotiating a whole new separate document with the possibility of new standards. Additionally, we are concerned that creating a parallel structure now could

also create a disincentive to States that have not yet adopted the Guidelines from moving forward with their incorporation of those Guidelines which were only adopted several years ago. We think it is important that States move forward with the work of adopting the Space Debris Mitigation Guidelines as adopted by COPUOS and by the General Assembly, we are concerned that this might confuse that process. Again we certainly appreciate the proposal by the Czech Republic, we will continue to study it. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the United States for a very good statement.

Are there any other delegations?

Distinguished delegate of the Netherlands. I give the floor to the distinguished representative of the Netherlands.

**Mr. R. LEFEBER** (Netherlands) When we discussed the proposal under agenda item 10, we already indicated our support for the proposal of the Czech Republic, we would like to repeat that in the context of this discussion on new agenda items. We do not have any objection to a shortening of the title and we would also like to emphasize that we find it extremely important that this Legal Subcommittee will work more in cooperation with the Scientific and Technical Subcommittee. They both contribute to the Main Committee and, as I mentioned before in one of our discussions, we do not think that legal issues should be discussed in isolation of scientific, technical and policy issues. It is very important to see how we can better coordinate our activities with that of the other subcommittee of COPUOS. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Netherlands for a very good statement.

Are there any other delegations wishing to make a statement?

Distinguished delegate of Brazil. I give the floor to the distinguished representative of Brazil.

**Mr. F. FLORES PINTO** (Brazil) Firstly, I would like to thank the Czech delegation for this excellent proposal. We agree with the proposal in principle, we would like to discuss this topic at international level and in legal terms, we know it has been discussed technically in the other subcommittee but we would like to see a more legal discussion of space debris particularly. We agree with China that this

item could be somehow merged with the other item on space debris, it would make things simpler and we have no objection to shortening the title. Nevertheless, we would like to see a discussion under this possible new item of potential additional costs to developing countries of an eventual adoption of binding rules, this would have implications in technical development, in the development of our space programmes and would like to discuss this under this possible new item. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Brazil.

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

**Mr. A. TARABZOUNI** (Saudi Arabia) (*interpretation from Arabic*) We would like to congratulate the Czech Republic on this very good proposal and we would like to have it as a new item. This is all the more so because human activity in outer space in the last decade has become a source of danger and it has been discussed extensively in the sessions of COPUOS and its two subcommittees. We have to provide effective protection against debris which poses a danger to celestial bodies and in order to protect both the Earth and space. This is a topic that was taken up by the international conference in Brazil, agenda 21, as well as other conferences, at the level of heads of State and not only members of delegations, as it is the case here. In view of all of this we believe that we have to start discussing this topic as proposed by the Czech Republic. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Saudi Arabia for a very good statement.

Any other delegation wishing to make a statement?

Distinguished delegate of Spain. I give the floor to the distinguished representative of Spain.

**Mr. S. ANTÓN ZUZUNEGUI** (Spain) (*interpretation from Spanish*) We would like to thank the Czech delegation for the proposal put forward by them. We believe this is a very deep proposal and a very interesting one. This is a unique occasion to set up cooperation between the two subcommittees in the area of the Scientific and Technical Subcommittee since they are working on long-term sustainability of space activities and we consider, therefore, that the working group could study this possibility which is that the

experts in the working group on sustainability in the long term and who are looking at questions of debris in space could well take part in the discussions which would be held under this new agenda item, if finally this item passes into approval. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Spain for a very good statement.

Any other delegation wishing to make a statement?

Distinguished delegate of Brazil. I give the floor to the distinguished representative of Brazil.

**Mr. J. FILHO** (Brazil) (*interpretation from Spanish*) As has just been stated by my colleague in our delegation, we support, very enthusiastically, the proposal made by the Czech Republic and we are doing this at the earliest possible moment. We think it is important that it be understood that it is very important for the development of our legal committee to study and discuss this question. This would certainly give this subcommittee a very important status because we would be discussing, under its mandate, a topic which is globally something where the majority of countries already consider that this matter must be looked at much more profoundly. Bearing in mind this very important question in relationship with our subcommittee we, in Brazil, would fight strongly to have a consensus here so that this item can be studied and discussed in the Legal Subcommittee. It would be a very unhappy situation if we had to announce that we could not approve, at this meeting, a discussion on a legal question which is so relevant. That is the Brazilian position and we think that we can start on this topic here in the Legal Subcommittee. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Brazil for a very good statement.

Any other delegation wishing to make a statement? Finally, I give the floor to the distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic) I would like first to thank very much, on behalf of my delegation, all colleagues in other delegations for their valuable comments that they made, we will certainly take them into account in our future deliberations on this topic.

However, I would like to say a few words about the reason why we were seeking the elaboration of the Principles to be adopted by the General Assembly in a special resolution. Our aim and efforts



are not directed against the work of the Scientific and Technical Subcommittee, that has been done during many years up to now and that will be done also in future years. We certainly would like to take into account the new conclusion that might be reached within the S&T because this would be an item that should be discussed under a workplan, that is, even if we take a decision to include it in the agenda of the Legal Subcommittee it would start next year and then it will be analysed and discussed for three or four years and, in the meantime, if the Scientific and Technical Subcommittee comes to some fresh conclusions it will certainly be taken into account during the debate in our own subcommittee.

I also listened to the proposals of some delegations that perhaps the title of this new item might be shortened and that it might become by \_\_\_\_ (?) wider. However, I would like to add to this question, notwithstanding the fact that we remain open to any efforts to reach consensus also in this particular question, that the aim and purpose of the submission of our working paper was just the aim of transforming the Guidelines into a set of principles to be adopted by the General Assembly so that we could reach a certain step forward in developing and discussing the legal aspects of the whole issue because in our opinion the legal aspects have not been dealt with at all in the Guidelines, it was a technical document but there are also legal aspects of the issue of space debris. On the other hand, we did not wish to change anything in the present wording of the Guidelines, this would become the basis for consideration for the review of the Guidelines at the Legal Subcommittee but of course we have also to add some elements that are purely legal because these elements are not in the Guidelines.

In this respect we bore in mind the example of the elaboration of the NPS Principles in 1992. At that time, there were also principles already set up in the Scientific and Technical Committee and then, during the consideration of the NPS issue in the Legal Subcommittee, we always took into consideration the views of the engineers and technicians and scientists in the Legal Subcommittee and finally this issue was elaborated. Moreover, the form of principles .. General Assembly was an established form, we always hear that it was the success of COPUOS that it was able to draft and adopt five international treaties and five General Assembly principles, some were called declarations, some were called only principles, so that it would be an addition to the existing form that was already applied in discussing and resolving area topics.

My delegation is flexible enough in taking into account all these aspects, we are ready to consult,

if it is so decided, to participate in informal consultations, we are ready to continue in our discussion, if necessary during the session of the Main Committee in June, and if it is still necessary at the next session of the Legal Subcommittee. Thank you and I also thank all delegations for their kind approach and attention.

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

Distinguished delegates, we will continue this new agenda item for this afternoon but I would ask the distinguished representative of the Czech Republic, Mr. Kopal, if it is possible to consult delegations during lunchtime or before the afternoon's session?

**Mr. V. KOPAL** (Czech Republic) .. available for any such consultation, however, I would like to draw your attention, Mr. Chairman, that starting from 2 p.m. there should be a continuation of the consultations on the declaration, if I understood this correctly. So there is not much time available for such additional consultation on another topic.

**The CHAIRMAN** Ok, if you are right, we can continue our discussion this afternoon.

Distinguished delegates, I would now like to continue by inviting member States to make a proposal on new items to be included in the agenda of the subcommittee for its fifty-first session in 2012. Delegations may also wish to use this opportunity for keeping proposals made in the past as contained in the report of the Legal Subcommittee on its forty-ninth session in 2010, A/AC.105/942, paragraph 170.

Are there any suggestions or comments or statements under this proposal? New proposals for the fifty-first session of the Legal Subcommittee.

If no, we will therefore continue our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee, this afternoon.

I give the floor to the distinguished representative of France.

**Mr. L. SCOTTI** (France) (*interpretation from French*) I understand we are concluding our study of item 12 this morning. What I would like to know is whether the question of organizing sessions and the methods of work for the subcommittee is on the agenda

this morning or are we going to look at this question this afternoon because I would like to speak on that subject?

**The CHAIRMAN** I give the floor to the Secretariat.

**Mr. N. HEDMAN** (Secretariat) Thank you for the question posed by the French delegation. The intention was to devote our remaining time to new proposals or, if delegations wish, to retain proposals already made that are contained in the report from last year. We have already had opportunities to discuss organizational matters however the Chair and I have consulted and since France raised this concern about organizational matters we would propose that we bring this matter up in the afternoon.

In the afternoon, first we will deal with proposals to be made for the fifty-first session of the subcommittee which means delegations can bring up any proposal they wish. They can also state, if they wish, to retain proposals on the list that was produced last year. We will also get back to the specific proposal made by the Czech Republic. After that, we will bring up organizational matters if this is in agreement with the subcommittee. Thank you.

**The CHAIRMAN** I thank Mr. Hedman for your comments.

Any other comments? I see none.

Distinguished delegates, I will now adjourn this meeting. Before doing so I would like to inform delegates of our schedule of work for this afternoon.

Before I adjourn the meeting, I give the floor to His Excellency, Ambassador of Germany, for a statement.

**Mr. R. LUEDEKING** (Germany) I was just wondering, as we were approaching the end of today's business, whether we could not continue. If France have a point to make on a subject which is also very much of interest to my delegation and which also requires some consideration of the subcommittee, but we would be, of course, in your hands.

One of the issues at stake is the proper utilization of the conference services that are being provided and also to look at ways to improve the effectiveness of the work, not only of this subcommittee but also in the Scientific and Technical Subcommittee as well as the plenary and I would just

like to draw attention to the importance that we attach to this issue and also the proposal and suggestions that we have submitted together with Italy on this subject matter overall and hopefully we will find some time to consider those and discuss those. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Germany, for your statement.

I give the floor to Mr. Hedman of the Secretariat for comments.

**Mr. N. HEDMAN** (Secretariat) Yes, we heard from the distinguished ambassador of the German delegation the wish to raise some issues regarding organizational matters. The Chair and I have been consulting here, we need time for the working group this morning but if you look at the \_\_\_\_\_(?) right now we have enough time for the working group. So the Chair asks, with your permission, that we allow the German and French delegation to make their points on organizational matters. We have some time for discussion and we can continue then in the afternoon. So, with your permission, we would then deal with organizational matters for a while this morning. Thank you.

**The CHAIRMAN** I give the floor to the distinguished representative of France.

**Mr. L. SCOTTI** (France) (*interpretation from French*) My delegation would like to point out some factual matters as to how we make use of the conference services of the United Nations Office at Vienna. We have counted the number of hours that meetings are held, opened and closed, in this meeting and we have had meetings with representatives of conference services and the conclusion is that the average duration of the meetings that we have had over the first seven days of this session has been one hour and 20 minutes instead of the time that we actually pay for, that is like 47 per cent or even less. At that pace we only would have had to need seven plenaries rather than the 14 plenaries actually programmed and scheduled and planned for over the first seven days of our schedule, which means that we could have saved three full days of meeting time.

Several States have recalled, when we discussed working methods, that dispatching experts to Vienna is something that has significant cost implications, especially for developing countries. These financial implications are all the more costly when we actually realize that we only usefully exploit 45 per cent of that time that is allotted. I just wanted to draw the attention of the committee to this matter so

that we could, together, think usefully as to a better way of managing the time available. Various proposals have been made as to how to cut down on the sessions of this committee which obviously is not making the most out of the resources made available to it. Suggestions made to transfer part of its meetings to the plenary committee meetings in June where there is a very heavy agenda and the number of technical presentations there make it almost impossible for the Secretariat to even keep up with the pace of presentations. I just wanted to share the burden of all these concerns that we have had with the forum and the representatives in the room. Thank you.

**The CHAIRMAN** I thank the distinguished representative of France for a very good statement.

Any other delegation?

I give the floor to His Excellency, Ambassador of Germany.

**Mr. R. LUEDEKING** (Germany) The statistics just being cited speak for themselves, I wonder what kind of conclusion to draw from it. I understand that we have had some discussions already in the past few days, I was unfortunately not privy and able to attend those.

In any case, I think one of the conclusions to be drawn is first, do we need to consider a possible shortening of the session of the subcommittee? Secondly, I also observe that there might be scope for streamlining the organization of the work in the subcommittee itself, for example, it might be useful to just have items on the agenda and conclude them in one go, rather than repeatedly calling on those items to be again discussed on various days of the subcommittee. Lastly, this is something that also might be considered, we are now perhaps deviating from the practice in the Scientific and Technical Subcommittee, namely, that we have consecutive meetings of the plenary and the working groups whereas, as I understand, in the Scientific and Technical Subcommittee they are working in parallel. These are all things which at least would need to be considered and hopefully they can also be taken up in a broader sense in order to streamline overall the work of COPUOS in the plenary session. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Germany, for a very good statement.

Any other delegation wishing to make a statement?

I give the floor to the distinguished representative of Italy.

**Ms. A. PASTORELLI** (Italy) My delegation, on previous occasions, pointed out the need to discuss about the effectiveness of our work within this Legal Subcommittee. We already proposed to shorten the session, we carefully followed the negotiations and interventions from other delegations who pointed out that they do not agree on the shortening of the sessions but we would like to continue discussing the problem of making our work more effective.

We are open to consider passing some days to the other subcommittee or the Main Committee in June and we are open also to consider the possibility of having meetings of other working groups, such as the one on long-term sustainability, during the time we do not use in this session. I remember that in this working group there was a need for translation and we are here not using our many hours of translation which are available so I wonder if some other proposals could be discussed in order to have a full use of the time during this Legal Subcommittee. My delegation would like to continue having informal/formal consultations on streamlining the work of the two subcommittees and the Committee in June, we are also available for intersessional consultations in any kind of forum. We would like to raise these issues because we cannot accept, that is for sure, that we waste our time especially after conference services pointed out that they have a deficit in their budget. We are all member States of the United Nations, we would like to work in order to have more development, this is a waste of resources we cannot allow. That is what my delegation would like to point out. We are open to discuss in which format how to have a better use of the time. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Italy for a very good statement.

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

**Mr. V. TITUSHKIN** (Russian Federation (*interpretation from Russian*)) We agree with the views that hold that the work of the LSC, the STSC and the Main Committee must be optimized, streamlined and rationalized. We have to re-order the way in which we work on the programme, we have to amend and somehow change our working methodology in order to have informal consultations usefully ensured. As we have heard here, we could do this by tightening up

working discipline and to also ensure a better structuring and redeployment of the way documents are handled. We could usefully talk about the alternative of having the working groups and plenary work in parallel as well. Here also the question arises, how can we manage this properly so as not to, in any way, impinge upon the rights of delegations, first and foremost. Here I am referring to the delegations which travel to be present in deliberations here with not too many members in their delegations. Very often they simply cannot man two parallel meetings. Once again there is also the language problem as well that arises, sometimes we are talking about problems that are so difficult that this calls for the proper interpreters around and it is not always possible to talk about the details of something in just one single language. Yet another point that we have already mentioned before that we would like to recall again, the Scientific and Technical and the Legal Subcommittee are those fora where basically experts should be tapped upon and participating. It is precisely on the basis of their views, these expert views, that a full picture then emerges which then is crystallized in the reports coming from these subcommittees. It is precisely that general opinion that emerges that then is presented to the summer COPUOS meeting. We believe that COPUOS should be used in such a fashion as to present general statements of political import as well as to make it possible for some delegations which believe that their views were not quite properly or perfectly put in the reports of the subcommittees which have taken place, to make it possible for them to take that opportunity, to rectify, explain, expand, flesh out, whatever. In this fashion, probably we do not even have to talk about redeploying the work resources available from the subcommittees into the summer plenary rather, I believe, we should start focusing on how to best rationalize and optimize our use of the committee sessions and then subsequently it would become clear what can be done in subcommittees. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Russian Federation for a very good statement.

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

**Mr. R. LEFEBER** (Netherlands) We have been discussing this matter of organizational work for quite some time in the last weeks and our position is well known, we associate ourselves with France, Italy and Germany on this matter. However, it has become clear that we will not reach an agreement during this meeting on a shortening of the duration of the Legal

Subcommittee next year. Next year we should continue these discussions and we should continue them in the context of agenda item 1, adoption of the agenda and the agenda item related to new items. It would be very helpful if the Secretariat could address this issue in the annotated agenda under agenda item 1 and pick up the suggestions that were made by France in relation to how to handle agenda items during the sessions and not to spread them out over too many sessions. I also think that working groups should only be established after we have exhausted the discussion in plenary. The initial discussion, then we have the working group and then there will be a report back and that there should not be parallel initial discussions in plenary while the working group has already been established. Also it would be very useful if, in the annotated agenda under agenda item 1: adoption of the agenda, there could be a proposal next year on how to streamline our report. We discussed that matter in the course of the last two weeks as well and perhaps, by looking at best practices of other bodies in Vienna and perhaps in New York and Geneva, we can look at a proposal which will make our report more action-oriented. Then, as we have done this year under agenda item 12, we can look at organizational matters for future sessions and then we can address, under that agenda item, rationalization and optimization of work, that could also be included in the annotated agenda for next year under that agenda item. This year we have, under agenda item 12, the issue of organizational matters related to unedited transcripts and I propose that next year we can have there optimization and rationalization of work in the future. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the Netherlands for a very good statement.

I give the floor to the distinguished representative of Venezuela.

**Mr. M. CASTILLO** (Venezuela) (*interpretation from Spanish*) Our delegation would like to say the following. Given the explanation tendered by the conference services, we cannot cut down on the duration of meetings. This seems to be something which is demotivating things, not sufficient importance is being attached to topics related to the Legal Subcommittee in this area. Let me repeat what was repeated by the conference service that we must use available time, any reduction would make it impossible to cooperate in the distant future given the budget and the international crisis and the economic situation in which we are living now. This delegation is of the opinion that this topic does require very deeply seen from the point of view of the contents of this

subcommittee, we feel therefore that the topic in future sessions must be a discussion which enriches things given the importance of this subcommittee. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Venezuela for a very good statement.

Any other delegation wishing to make a statement?

I give the floor to the distinguished delegation of Germany, His Excellency Ambassador of Germany.

**Mr. R. LUEDEKING** (Germany) Just to say, perhaps to avoid any understanding, for example shortening of the session is not an end in itself. I agree with those who have been advocating that this subcommittee is important. However, the subcommittee must demonstrate that it can do, and is doing, operational work. In some regard, there have been subjects on the agenda which have been consistently on the agenda without any action-oriented recommendations coming out of the subcommittee, so one has to critically look at what we are doing here with a view to make it as relevant as possible and there is the fundamental point of departure for the consideration of the issue of any rationalization or optimization of the work. My impression is that there is scope for improving the work and I sense, from all that have taken the floor so far, there is agreement with regard to that. So one possibility would be for you, for example, to conduct informal consultations in order to steer the work in the most effective way possible. Again I would say if we come to the conclusion that, with regard to our agenda, it would not be wise or possible to really use efficiently the resources which are being made available for this subcommittee, we should also not shy away from shortening the session. That is also something which is quite important with regard to how the subcommittee presents itself to the outside world and how it is seen as conducting its work. I fully share the points which have just been made by my Dutch colleague, who referred to the possibility of streamlining the report and making it more action-oriented. That is, in my view, the way to go and we can, of course, only go that in areas where we can narrow differences, where we can bridge differences and where we can achieve a consensus. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Germany, for a very good statement.

I give the floor to the distinguished representative of Spain.

**Mr. S. ANTÓN ZUZUNEGUI** (Spain) (*interpretation from Spanish*) First of all, we are grateful for the information from France and the work done by France in this respect, all that data is quite a matter of concern and we, in the Spanish delegation, would like to support the proposal made by the delegate of the Netherlands in regard to the possibility that next year, under the heading of organizational matters, what would be included and discussed would be topics on the rationalization and the greater efficiency in the work of this subcommittee. We also would associate ourselves with the Secretariat apart from including that subject under item 12, there might be also the proposal to rationalize the work of the subcommittee bearing in mind the different points of view and the different visions which have been expressed in this forum so that we can have a discussion on those too. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Spain.

I give the floor to the distinguished representative of France.

**Mr. L. SCOTTI** (France) (*interpretation from French*) My delegation would like to fully endorse what has just been said by the Ambassador of Germany. Cutting down on meetings is not an end in itself it is just the conclusion we have come to that we do not have enough substance to fill our meeting time. I would like to recall something that got lost sight of in the course of discussions and that was when we spoke in general debate we said that it was necessary to cut down now but we were not in any way precluding subsequent re-expansion to fill necessary substance requirements further down the road, we can always redeploy and re-extend. We believe that certain issues cannot be usefully legitimately addressed here but in the very near future that might be the case so then we should be able to re-expand. So yes, now, we can possibly consider reducing the time allotments made available but that this process should, in no way, be irreversible, so that we could do this in COPUOS without referring back to New York to make use of the global package of time allotted to us here in Vienna to redeploy within the package given us, by way of time allotments, between the subcommittees and the plenary. That would be a more rational, proper way of injecting some order into our methodology and it would be a better way of managing the assets available as well. Thank you.

**The CHAIRMAN** I thank the distinguished representative of France for a very good statement.

I give the floor to the distinguished representative of Brazil.

**Mr. J. FILHO** (Brazil) (*interpretation from Spanish*) We would like to thank the delegations of France, Germany, Italy, the Netherlands and Russia for their comments in the very important information which has been put forward for us. We understand that the decrease in the number of sessions is not a final point in itself, we need to repeat what has already been stated that we must have a wider ranging study. When we talk about optimization and rationalization of services, we must take into account not only questions of costs and so on but at the same time we must know why, as was stated already, we do not have material to fill up the time that we have available. The situation that our subcommittee is going through is not just a situation of relating to management it is a question of substance too. We are absolutely in agreement with the proposal made by the Netherlands that there should be an agenda item next year with a clear proposal which we will discuss and so, in that way, we will achieve a consensus on this and we will discuss this question so as to diminish our time if all of us associate ourselves with that proposal but in principle our point of view, which was clearly put forward by the Ambassador of Germany and the distinguished representative of France, is that the decrease in the number of days is not, *per se*, a final point of view, so we would like to just make that statement and with that I conclude. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Brazil for a very good statement.

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

**Mr. S. McDONALD** (United States of America) My delegation agrees entirely with the prior speakers on the need to rationalize and streamline the work of the committee and its subcommittees and we are open to the question of redeploying meeting time from the Legal Subcommittee to the full Committee with the understanding that, if we need more time for the Legal Subcommittee subsequently, those resources could be redeployed from the full Committee. The other point that I would like to make is, just to reiterate the point we have made in earlier discussions, the question of documentation which is extremely expensive from what I understand from the Director of Conference Service. I would like to call delegations' attention to Bulletin 22 of the Director-General and Executive Director concerning documentation and the

need for intergovernmental bodies to limit their reports to 20 pages. In that document it also had guidelines from the Secretary-General, in a letter dated 21 April 2004, which gives you a list of things to do and things not to do concerning the drafting of reports. If we adhere to those guidelines in this subcommittee and in the S&T and in the full committee, we would see some serious cost savings. According to the Director of Conference Service, it costs \$246 to produce one page for a report in one language, if we do it in all six languages the S&T subcommittee report for example from our last session, was 49 pages long, we estimate that it costs close to \$60,000 just to produce that one document in all official languages. You can see that there is room for considerable cost savings and this should also be added to our equation in terms of streamlining the work of the subcommittee. Thank you.

**The CHAIRMAN** I thank the distinguished representative of the United States for a very good statement.

The next speaker is the distinguished delegation of Colombia. I give the floor to His Excellency, Ambassador of Colombia.

**Mr. F. PADILLA DE LEÓN** (Colombia) (*interpretation from Spanish*) I have a question to the Secretariat on the basis of what we have been listening to here in the room because some matters which have been brought up here are not things that can be picked up. We cannot discuss statistics here, 42 per cent of this or that, we do not know about that. Since this is a subcommittee which uses technical and scientific people, as was expressed by Russia, then translation is fundamental for scientific and technical matters and it is very difficult unless we have experts handling those. My question is since we are talking about putting this discussion forward to next year, if we have not thought about this beforehand and, after all, this is a new topic at this session, it would be justified to look at it in depth. If we had discussed this earlier then we would come to a conclusion and then we would have to look at the matter and postpone it indefinitely, that is really the gist of my question. Thank you.

**The CHAIRMAN** I thank His Excellency, Ambassador of Colombia for a very good statement. For your question, after the statement of the delegation, I will give the floor to the Secretariat for conclusion and an answer.

The next speaker on my list is the distinguished delegation of Chile. I give the floor to His Excellency, Ambassador of Chile.

**Mr. A. LABBÉ** (Chile) (*interpretation from Spanish*) It is clear that a discussion on the measures to be used to make material multilateral work has to move down to the depths in order to understand the reasons why we find ourselves in the situation we are in right now. Nobody disputes the fact, that is, the statement that the means are not being well used. The statistics which were given by the delegate of France are really of great concern but they are very clear, the problem itself does not reside in the procedure it never resides in the working methods. I recently joined the work of COPUOS, I perceived that the problem of substance is a policy or political one and in this case of this subcommittee the fundamental problem is the lack of consensus in respect of the usefulness, in a practical way, of progress in codifying space law, for conforming it also with practical and traditional uses. There is a conceptual division which is expressed in various different ways but I would say it is important for all of us to call a spade a spade. There is a lack of consensus, a lack of political consensus, which has to do with the mandate which has been given to this subcommittee in order to make progress in space law. The statement I am making does not signify that Chile is necessarily in agreement with a reduction in the time allocated to sessions. In point of fact, my country and my delegation are very much in support of the vision that the Latin American Group has on this subject and we take due note of the fact that friendly delegations have very deep convictions in respect of the importance of this subcommittee and of the work that it can do in the future.

Taking as a basis the useful proposal made by our colleague from the Netherlands may I add something more. It is important that we have a dialogue but not a microphone dialogue in a formal session when the expressions are recorded. What we want is a dialogue which could be held somewhere aside where, in a very frank manner, the delegations which are particularly involved in this matter could exchange points of view, discuss the topic and tell the truth to each other in regard to why is there no consensus, what is it what we hope for from this body and how we can achieve progress in space law.

There are various alternative ways of making progress and that involves experts but my function here is not to put forward an expert's point of view but the point of view of a member State in a political body of the United Nations and if there is no consensus then my bilateral experience tells me that it will be difficult to accept this fact. If we go in a contrary way, we would have to ask ourselves why there is no consensus. I think the Secretariat could very well set up conditions for a dialogue in a room set aside, this would be

nothing new in the UN system, but some place where we could discuss these matters, not missing anything out but speaking in a positive manner, to see how we can rescue a body which has a very distinguished and important history behind it.

**The CHAIRMAN** I thank His Excellency, Ambassador of Chile, for a very good statement.

Any other delegation wishing to make a statement?

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

**Mr. A. TARABZOUNI** (Saudi Arabia) (*interpretation from Arabic*) My delegation does not support reduction in the duration of this subcommittee. We are for the rationalization of our work so that we get best profit from the time we have, to have more discipline in the work of the subcommittee, to study in a more effective way all the documents, to have a deep study here and to give replies based on consensus. On that subject may I make it clear that the symposium which we had on the first day of this session was very instructive for my delegation and it made it possible for us to see more clearly as to how to implement space law, both nationally and internationally. I also had the opportunity to take part in other parallel manifestations, in fact I spent something like no less than 10 hours doing that. Everything has been very useful and it was possible to understand the subject we are looking at much better. It is the type of activities that I appreciate and that I would like to see organized on the occasion of the session of the subcommittee particularly as the statistics, which were supplied to us by one of the delegations, do indicate that a certain percentage for the distribution of time for this session, well it is better to multiply this sort of scientific meeting in order to take better advantage. Thank you.

**The CHAIRMAN** I thank the distinguished representative of Saudi Arabia for a very good statement.

According to the time, I give the floor to the Secretariat for conclusion and answer some questions.

**Mr. N. HEDMAN** (Secretariat) The Secretariat will try not to summarize the entire debate we have had on this important topic but just to relate to certain issues where the Secretariat sees that we, as part of the Secretariat and in servicing this body and for the administrative work, can improve our part.

First I would like to say that many of the issues and proposals that we have heard in this discussion are issues of a political nature and also are issues that the Secretariat needs a mandate to implement. There is a need then to discuss further how we approach this particular issue on organizational matters and rationalizing our work. Clearly, as the Secretariat sees it, we need a mechanism next year to continue our discussions we have had this year. One way is to include a new item, I am just proposing now, on the agenda on organizational matters or, make it more clear that organizational matters will be brought up under the existing agenda item 12. The Netherlands proposed to bring these issues also up under agenda item 1, adoption of the agenda. As the Secretariat understands it, it would then be after the adoption of the agenda, so that the agenda is first adopted and then there is a discussion on organizational matters because otherwise we would not have an agenda for the session. As delegations are aware the agenda is already distributed in advance of the session.

The Secretariat proposes that we could come back to this matter in the afternoon but there is one thing that the Secretariat would like to make clear. When it comes to the scheduling of the work there is a lot we can do there already. We have that mechanism, the schedule of work, as delegations are aware, is part of the annotated agenda. We have already discussed for the past two years a certain means of rationalizing and optimizing the work by using the scheduling mechanism and, as delegations that follow the work of the Scientific and Technical Subcommittee will clearly see, that we used that mechanism for this year's S&T and, in fact, it worked. OK, the Secretariat almost died but it worked! It was a successful way of starting looking into new ways of looking into the agenda. For instance, general exchange of views, as you remember we had it for many many years during the first days, it always dragged out, we did not come into the substantive items, now we decided to have general exchange of views, piece by piece, during the first week which then gives time for substantive discussions already by the first day of the respective sessions and that is an important improvement for the Secretariat's point of view for our work.

Now, when it comes to certain issues that we have heard in this discussion on using the schedule of work, using the agenda, we also stated this in the S&T and we got good language in the S&T report to be able to schedule the work for the next year's Scientific and Technical Subcommittee. We would like to have the same mandated flexibility given to the Secretariat to simply reshuffle agenda items in a very aggressive way, if I may say so. It means that working groups that

need more time than other working groups, their items could be scheduled already in the first week in the beginning of the session. I am saying this because in the past there has always been, for whatever reason, questions to the Secretariat if we do anything, there might be a complaint. There are always complaints, we cannot satisfy everyone but we need to have an understanding on that, we are working together here to maximize, optimize, rationalize, the work. Which means that what delegations might expect to see next year is, I am just exemplifying the order, item 3, item 5, item 6, item 12, item 1, item 11, you see what I mean. So that there is a complete reshuffling of the agenda items. That is as far as the Secretariat can get a mandate. To streamlining the agenda items, to bring up an item, conclude the item before opening the working group or concentrating a particular day to two items and their working groups then finalize that and go to the next. Currently, the Secretariat does not have that mandate so this is something that we can come back to and discuss in the afternoon, if there should be a wish by delegations to really look into the schedule of work and use that opportunity to streamline the use of time for the items but the Secretariat cannot do that without a mandate. What we can do is to reschedule the agenda items in order to maximize the use of time.

When it comes to documentation, in particular the drafting of the reports, the Secretariat is in the hands of delegations. Our reports are long standing, the Secretariat always tries to reduce the length of the report and when it comes to how to draft the report in accordance with what we see in the bulletin here, how to streamline the report, how to make the report shorter, that is a decision that delegations should make and there we need to discuss further any such measures.

This is not intended to be a summary of the discussions today but merely just to state that the Secretariat is, to 170 per cent, willing to take any measure that the delegations wish to mandate the Secretariat to take but for certain measures we need a clear understanding and a mandate because we do not want to have unnecessary criticism that we are doing things and stepping beyond our mandate. This takes some more discussion to come to such a conclusion on a consensus basis. There are certain administrative measures that we can take which I have already outlined now.

For next year, the Secretariat would welcome a clear indication from this meeting on how to treat the mechanism for discussing this further next year so that we bring it up under item 12, which is proposals for new agenda items or, we create a new item or, we



create a subitem to item 12 or in any other way. Mr. Chairman, we could discuss this further in the afternoon and see if we can get some understanding on what is possible to realize already after this session. I could also say to delegations that the reflection of this debate that we have had over these past days on organizational matters will be properly reflected under agenda item 12 in the report. Thank you.

**The CHAIRMAN** I thank the Secretariat for a very good conclusion. Therefore, we will continue our consideration and discussion on this item, this afternoon.

Distinguished delegates, I will now adjourn the meeting. Before doing so, I would like to inform delegates of our schedule of work for this afternoon. We will meet promptly at 3 p.m. today. At that time, we will continue our consideration of agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. We will continue and hopefully suspend our consideration of agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space, pending the adoption of the report of the working group on this agenda item. We will continue with our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee.

Are there any questions or comments on this proposed schedule? I see none.

I would like to remind delegates of the informal consultations to be held today at 2 p.m. by the Chair of COPUOS on the draft declaration of the fiftieth anniversary of human space flight and the fiftieth anniversary of COPUOS, will be held in Room M7.

I now invite Professor Marboe of Austria to chair the fifth meeting of the working group on agenda item 11.

This meeting is adjourned until 3 p.m. today.

*The meeting closed at 12.23 p.m.*