

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

Unedited transcript

837th Meeting

Thursday, 7 April 2011, 3 p.m.

Vienna

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

The meeting was called to order at 3.17 p.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, good afternoon. I now declare open the 837th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

We will continue and conclude our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee. We will then continue the adoption of the report of the Subcommittee.

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 and conclude our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee.

The first speaker on my list is the distinguished representative of Colombia on behalf of GRULAC. I give the floor to His Excellency, Ambassador of Colombia.

Mr. F. PADILLA DE LEÓN (Colombia, on behalf of GRULAC) (*interpretation from Spanish*) GRULAC has very attentively followed the statements presented by various States in this forum on the possibility of reviewing the duration of the sessions of

LSC and we believe that it is necessary to clear up the following points.

GRULAC is persuaded of the importance and the value of the LSC and the important role that it has played in the development of the legal instruments which govern the activities of States in outer space. We are furthermore persuaded of the importance and relevance of its work on space-related activities and the legal implications thereof and the fact that they are increasing and developing at a pace. Given what we have said, we believe that the work of our subcommittee should be reviewed, the purpose being to stimulate the interest at large as to the way to broach the issues broached by our agenda items. That is the first point.

Second point. We believe that any reduction in the duration of the sessions would impede the ability of the committee to improve the effectiveness of the results which we are aiming at, i.e. the peaceful exploitation of outer space. We believe that it is necessary to think about the actual contribution which can be made by this Legal Subcommittee, we can be more productive, more efficient, more effective, and all of the States involved must join in this effort and GRULAC is doing this and intends to pursue this sort of activity in the future as well. Thank you.

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

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

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

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



I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) (*interpretation from Spanish*) My delegation has indicated in plenary that the issue of space debris must be addressed and that the angle of approach to this matter must be legal. Given the thrust of the STSC document which has been produced, that is purely scientific and technical and this document should comprise the concerns of all countries and the guidelines that we can develop in this subcommittee can prove most useful in the development of such activities around the world. The trend is to promote sustainable development of activities and given this trend we are perforce interested in implementing these guidelines which are long-term efforts which we certainly hope to see being in compliance with environmental safeguards and concerns which also have an impact on socio-cultural and economic development which are environmentally aware issues in any case and outer space activities, as conducted in the present, should in no way detract from the potential of future activities and impede the proper conduct of those activities. This is why we believe that we should address the nexus of issues having to do with space debris mitigation, we should commence the appropriate work within the level of deliberations of our activity here in the LSC. The absence of legally binding standards and the vague nature of certain concepts and definitions have, as a result, the effect of lack of control over the way in which such activities are conducted by various countries. Of course, developing countries quite rightly aspire to making peaceful use, in present and in the future, of outer space activities and technological applications potential benefits and a legal analysis of the guidelines having to do with space debris mitigation would be a useful way of broaching this whole issue, the objective and general purpose being the peaceful exploitation of outer space for development purposes. It is of course contradictory that sometimes these two matters lack linkage whereas we know that it is necessary to have proper linkage in order to ensure proper effectiveness of the activities conducted by one and all. Thank you.

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

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

We have therefore concluded our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee.

Adoption of the report of the Legal Subcommittee

Distinguished delegates I would now like to continue with the adoption of the report of the Legal Subcommittee contained in A/AC.105/C.2/L.284 and Add.1. I would like to remind delegations that there are some outstanding paragraphs which require our additional consideration and adoption. In accordance with our request this morning, the Secretariat has prepared a list of these paragraphs for our consideration. I would like to ask the Secretariat to display them on the screen.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) While we are setting up the system so that we can reflect all those paragraphs, the Secretariat would simply propose that we continue with the remaining part of document in Addendum 1 and then, after that, we go back to the remaining paragraphs.

The CHAIRMAN I thank the Secretariat.

Therefore we will continue with the adoption of the report of the Legal Subcommittee, A/AC.105/C.2/L.284/Add.1.

Document A/AC.105/C.2/L.284/Add.1.

Paragraph 22. Do all delegations have a copy of this document?

Paragraph 22. No objections.

Adopted.

Paragraph 23. No objections.

Adopted.

Paragraph 24. No objections.

Adopted.

Paragraph 25. No objections.

Adopted.

Paragraph 26. No objections.

Adopted.

Paragraph 27. No objections.

Adopted.

Paragraph 28. No objections.

Adopted.

Paragraph 29. No objections.

Adopted.

Paragraph 30. No objections.

Adopted.

Paragraph 31. No objections.

Adopted.

Paragraph 32. No objections.

Adopted.

Paragraph 33. I give the floor to the distinguished representative of Iran.

Mr. A. SHAFAGH (Islamic Republic of Iran) Concerning this paragraph and also the previous paragraph. I would like to know if there is any clear result of such developing or measures undertaken for reducing debris mitigation? Is there any report concerning the result of those? For example, in paragraph 28 'the Subcommittee noted with satisfaction that some States were implementing space debris mitigation measures'. Just for developing our work, I would like to remind that expressing the result of such measures would be useful for some developing countries that are in the early steps of such activities. Thank you.

The CHAIRMAN I thank the distinguished representative of Iran for your comments.

Any other comments to this paragraph? No comments and no objections.

Adopted.

Paragraph 34. Distinguished delegate of the Czech Republic.

Mr. V. KOPAL (Czech Republic) I have just been looking into this part which deals with item 10 of our agenda, general exchange of information on national mechanisms relating to space debris mitigation measures and, during the discussion on this item, I had

the honour to introduce the working paper of the Czech Republic and there is not a single word about it and now here, in paragraph 34, there is the idea of our working paper, it is true, but something is missing and it is very important in our assessment 'with a view to transforming the Guidelines into a set of principles to be adopted by the General Assembly' this is missing completely. So at least this should be completed here and I would like to kindly ask the Secretariat to advise us how he would record our introduction to this working paper, whether here or under item 12, but I did it during the discussion under item 10. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comments.

I give the floor to the Secretariat for more explanation.

Mr. N. HEDMAN (Secretariat) The distinguished delegate of the Czech Republic is indeed correct that the presentation of the proposal was made under item 10 but the discussion of the proposal was made under item 12 as this is the item where we have proposals for new agenda items. The Secretariat, when drafting the entire report, was indeed aware of this, we were also of course indeed aware of any repercussions in terms of editorial standards which means that, if we refer to an introduction of a proposal, it has to be with a full reference to the proposal with the symbol number and everything and we thought that we could have that in one place where it also reflects the debate that took place on that particular proposal. In the part of the report that we will adopt tomorrow which contains agenda item 12, we have seven paragraphs relating to this particular topic with a proper reference to the proposal as such. Frankly speaking, the Secretariat would need to go back and look into the editorial standards on how to reflect this and if there is a possibility to have a cross reference to say that a proposal to this effect was introduced under this item as reflected in paragraphs under agenda item 12 in the report. We have to go back to that and maybe we can see if there is a wish to have such a cross reference in the report, if the Czech Republic would like to see that we certainly will do so and propose that we come back to that later on. This is just to explain administrative issues in this regard but we are absolutely ready to see if we can have a cross reference. Thank you.

The CHAIRMAN I thank the Secretariat.

I give the floor to the Czech Republic.

Mr. V. KOPAL (Czech Republic) I certainly, on behalf of our delegation, do not wish to introduce some burdens against how the Secretariat will decide to handle this question, we understand the practical reasons and do not wish to hinder their application. So far as I remember there was, after my introduction, also part of a discussion about this in addition to my introduction, so how to deal with this situation. As a matter of fact I believe that the discussion during the item 10 was more substantive than the continuation on item 12.

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

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) In this matter the Secretariat is in the hands of delegations. What could be of course possible is to move all the paragraphs from agenda item 12 where we have the introduction of new proposals and move them all into item 10. To split the discussion is very difficult in drafting the report because the discussions we had later on under item 12 was more or less repeating the points and adding new reflections so that is why we have seven paragraphs under item 12. In this case, Mr. Chairman, we need guidance from the Subcommittee whether to move all paragraphs from item 12 into this particular section of the report or, to retain them under item 12 and if it is decided to make a cross reference in this paragraph we are considering now or vice versa making a cross reference under item 12 to the discussions under item 10. So, we are in the hands of delegations in this matter but we are absolutely ready to take any action that delegations may wish to see. Thank you.

The CHAIRMAN I thank the Secretariat.

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

Mr. S. McDONALD (United States of America) My recollection of the chain of events was that the proposal from the delegation of the Czech Republic was presented under this agenda item not for discussion or for a decision but as a courtesy to other delegations that they could begin to start to look at this proposal as it was related in some way to agenda item 10 but the purpose was not to have a discussion of this. Now, there were delegations that made their opinions known after the introduction of that proposal, and that is certainly within their rights, but my delegation's preference would be to keep the discussion of that proposal under agenda item 12 where we took it up as

a formal proposal. Splitting it up or moving everything to this particular agenda item 10 would just create more work for the Secretariat and it may even create more confusion, so it would be my delegation's preference to keep the substance of discussion of that proposal under agenda item 12. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States for your comment.

Any other comments please?

If you agree we can transfer this to agenda item 12. Distinguished delegate of the Czech Republic, if you agree?

I thank the distinguished delegate of the Czech Republic.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) There is just one element that we need to consider in paragraph 34 and that is the point raised by the distinguished delegate of the Czech Republic. In the last line of paragraph 35 that it would read 'with a view to transforming the guidelines into a set of principles to be adopted by the General Assembly' instead of having 'on space debris'. This is merely a question to the distinguished delegate of the Czech Republic whether he would maintain that position because that was an outstanding issue in this paragraph.

The CHAIRMAN Distinguished delegate of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Yes, Mr. Secretary, this I would appreciate, to leave at least this small paragraph here in the report on item 10, as completed by me, but otherwise I agree that you would summarize all the discussions when reporting on item 12.

I would only like to tell you that I found my notes and for your information, after my introduction these were the following, I will not list the names of the countries, ten countries which contributed to the discussion on our working paper during the discussion on item 10. So this is only for information for recollection of the actual situation that occurred. Thank you.

The CHAIRMAN I thank the distinguished delegate of the Czech Republic for good information.

Paragraph 34 with the suggestion of the Secretariat. Any comments with this suggestion?

If no objections, therefore adopted.

Paragraph 35. No objections.

Adopted.

Paragraph 36. No objections.

Adopted.

Paragraph 37. No objections.

Adopted.

Paragraph 38. No objections.

Adopted.

Paragraph 39. No objections.

Adopted.

Paragraph 40. No objections.

Adopted.

Paragraph 41. No objections.

Adopted.

Paragraph 42. No objections.

Adopted.

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Just to inform delegations that we will now display on the screen the pending paragraphs in the documents that we have considered so far. Also to inform delegations that we have received Addendum 2 to the draft report in all languages and we will distribute it right after we have completed these pending paragraphs. We will then distribute Addendum 2 containing the following parts of the report: examination and review of the developments concerning the draft protocol on matters specific to space assets; capacity-building in space law; and general exchange of information on national legislation. So, after we have completed the pending paragraphs we will distribute this document and

delegations will be given time to study the document before we adopt. Thank you.

The CHAIRMAN Before starting with the Secretariat I give the floor to the distinguished representative of France for comment.

Mr. L. SCOTTI (France) (*interpretation from French*) I am sorry to speak on paragraph 9 at this stage which is information on debris. Unless I am wrong, the fact that the French delegation made a technical presentation on Monday afternoon this week is not there. This was on space debris, it was also on matriculation and space debris was the major part of what was presented. We should see that the French delegation made that technical presentation, it is not appearing in the text.

The CHAIRMAN I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) Thank you to the French delegation to bring this to the attention of the Secretariat. In Addendum 2 that I referred to earlier, delegations will see in paragraph 35 of that document, you do not have it before you I am just relating to it, two technical presentations included there, the presentation by the representative of France that was right now referred to and the technical presentation by the representative of the United States. We can, of course, take that technical presentation and reflect it under this item. The Secretariat was a bit uncertain whether it was under item 10 or item 12, that is why we put it in 12 but we can come to that when we adopt Addendum 2 and then we see where we reflect the presentation but it is there.

The CHAIRMAN I thank the Secretariat for your explanation.

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

Mr. V. KOPAL (Czech Republic) If you allow me, I would like to return a little bit to paragraph 37. I read it once again and, frankly speaking, I do not know or understand what the author of this view, this is the view of one delegation, was meaning and to which aim was this contribution directed. 'The view was expressed that duplication in the work of the Scientific and Technical Subcommittee and its working group on the long-term sustainability of outer space activities and the Legal Subcommittee should be avoided.' This I really do not understand. If it was aimed to somehow indicate that there might be duplication with our own project that was included in our working paper it was

completely wrong because the consideration on the long-term sustainability will be based on a different mandate, on different points, and our own proposal was also directed towards quite another aim. I, of course, recognize that each delegation may say whatever it wishes but it must be the truth. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comments.

Any other delegation have a comment to the suggestion by the distinguished delegate of the Czech Republic?

Any other delegation wishing to have a comment to the question of the Czech Republic?

Distinguished representative of the Czech Republic thank you so much for your question, therefore no comments to this question.

I ask the Secretariat for a list of these paragraphs for our consideration displayed on the screen.

Mr. N. HEDMAN (Secretariat) Distinguished delegates we then turn to the first part of the report in L.284 and the outstanding paragraphs. We have on the screen now paragraph 14, delegations can clearly see the changes made to that paragraph.

The CHAIRMAN Thanks to the Secretariat for this paragraph. Any delegations wishing to make a statement or comment to this paragraph?

Distinguished delegate of the Czech Republic and then the distinguished representative of the Russian Federation.

Mr. V. KOPAL (Czech Republic) I think that something is missing in this text 'and the commemorations in 2011 - the fiftieth anniversary of human space flight and the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. So, the permanent Committee on the Peaceful Uses of Outer Space was established two years earlier, in 1959 to my knowledge, but in 2011 it was the first session of this committee and therefore it should be 'and the fiftieth anniversary of the first session of the Committee on the Peaceful Uses of Outer Space'.

The CHAIRMAN I thank the distinguished representative of the Czech Republic, Mr. Kopal, for your comment.

The next speaker is the distinguished representative of the Russian Federation.

Mr. V. TITUSHKIN (Russian Federation) A small correction in the same sentence that the distinguished representative of the Czech Republic mentioned. My first correction was regarding the first session of the Committee and the second one, we would like to see qualification 'first human space flight' in the line above the correction proposed by the Czech representative. Thank you.

The CHAIRMAN Thanks to the distinguished representative of the Russian Federation. Any other comments to this paragraph?

No objections therefore adopted.

I give the floor to the distinguished representative of China.

Ms. K. PAN (China) As to this paragraph, according to my memory maybe 1959, but we should confirm later, is only the ad hoc Committee on the Peaceful Uses of Outer Space and after two years it becomes the formal committee. So I am not sure whether we need to insert the first session as proposed by our Czech colleague but anyway I suggest that the Subcommittee can confirm this again. Thank you.

The CHAIRMAN I thank the distinguished representative of China. I give the floor to the distinguished representative of the Czech Republic and then to the Chairman of COPUOS.

Mr. V. KOPAL (Czech Republic) I do not wish to extend this debate by details but certainly in 1958 the ad hoc committee was established and one year later it was the permanent committee that was established in 1959. Two years later there was the adoption of resolution 1721 in 1972 and then there was the first session of both subcommittees. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comment.

I give the floor to the Chairman of COPUOS.

Mr. D. PRUNARIU (Chairman of COPOUS) I just want to confirm what the distinguished representative of the Czech Republic just said. I fully agree with the paragraph with this modification, the first human space flight and the first session of the Committee. Thank you.

The CHAIRMAN Thank you very much for your comment.

I give the floor to the Secretariat for comment.

Mr. N. HEDMAN (Secretariat) Delegations will recall that in COPUOS in 2010, when the session of the Committee discussed the preparations for what will happen this year in June, it operated with the word celebration or fiftieth anniversary of the first organizational meeting. It was the first organizational meeting of the permanent committee that was held in November, if I am correct, 1961. Now, one reason why we are celebrating the first organizational meeting is because that meeting facilitated the adoption, by the General Assembly, of resolution 1721A to E later that year.

Now, the General Assembly in 2010 in its resolution 65/97, the last paragraph has a reference to the two anniversaries to be celebrated this year and there it was a generic language the fiftieth anniversary of human space flight and the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. Now, to make it correct in this particular paragraph, of course it is for delegations to decide, we refer to the fiftieth anniversary of the first human space flight, that is OK but then when it comes to the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space then we, unfortunately I believe, have to go back to the language of celebrating the first organizational meeting of the permanent Committee on the Peaceful Uses of Outer Space, that is the most correct phrase. It is up to delegations to decide whether we have the generic 'we celebrate the fiftieth anniversary of COPUOS' which means the permanent committee or whether we are correct and refer to the first organizational meeting. Thank you.

The CHAIRMAN I thank Mr. Hedman from the Secretariat for more information.

Any other delegation has comments to this paragraph?

Distinguished delegate of the United States.

Mr. S. McDONALD (United States of America) I think we should stick with what was actually said and what we have been using in our reports, particularly the report of COPUOS. Having in here the first organizational meeting of the committee is a level of detail that I am not quite sure is relevant to what we are trying to get across in this paragraph which was that you made note in your statement of commemorations that were occurring and I do not

think that it is within the Subcommittee's purview to decide if we are going to call this the first organizational meeting of the committee or whatever else, let us just stick to what we have been using to describe the commemorative events. I would suggest that we have the phrase the first session of the UN Committee on the Peaceful Uses of Outer Space and drop the organizational. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States for your comment.

Any other comments?

If no comments to this paragraph, finally if no objection we can adopt it.

Next paragraph. Please read it and we are waiting for comments.

Mr. N. HEDMAN (Secretariat) I am just looking here, paragraph 22. If I correctly understood this is the paragraph introduced by Venezuela. Correct?

The CHAIRMAN *If no objections this paragraph is adopted.*

Next paragraph please.

Mr. N. HEDMAN (Secretariat) The next paragraph relates to the item on status and application. We had a proposal by the Czech Republic to reflect, when we were discussing paragraph 31, the status of international intergovernmental organizations in declaring their acceptance under the respective treaties that open up for such declaration. The Secretariat looked into paragraph 31 and this is just a suggestion that we include this information in the paragraph 29 as a fact of status for those treaties concerned. Thank you.

The CHAIRMAN I thank the Secretary for the announcement.

Any other comments? No objections.

Adopted.

Next paragraph.

Mr. N. HEDMAN (Secretariat) We come to paragraph 37 in that same chapter. There were modifications proposed by some delegations.

The CHAIRMAN I thank the Secretariat for the announcement.

Any other comment to this paragraph?

No objections.

Adopted.

Next paragraph please.

Mr. N. HEDMAN (Secretariat) We now move on to document Addendum 1, paragraph 17, there was a remark made by the distinguished delegate of the Czech Republic to align the language closer to the Treaty and this the Secretariat has tried to follow that closely and still retain also some elements that pertain to the views expressed by those delegations. This is paragraph 17.

The CHAIRMAN Any comments to this paragraph?

No objections.

Adopted.

Distinguished delegates, the Secretariat has informed me that Addendum 2 to our report is now available in all official languages of the United Nations. Do all delegations have a copy of this report?

I give the floor to the Secretariat for a statement.

Mr. N. HEDMAN (Secretariat) Addendum 2 is now being distributed in the room and the Secretariat proposes that delegations be given some 15 minutes to consider this document.

The CHAIRMAN I thank the Secretariat, therefore we have 15 minutes to review and then we will adopt paragraph by paragraph.

Distinguished delegates, I would now like to continue with the adoption of the report of the Legal Subcommittee contained in A/AC.105/C.2/L.284/Add.2.

Paragraph 1. No objections.

Adopted.

Paragraph 2. No objections.

Adopted.

Paragraph 3. No objections.

Adopted.

Paragraph 4. I give the floor to the distinguished representative of South Africa.

Mr. K. GORRINGE (South Africa) It is not really an issue of substance it is more of drafting. If I can take you down to the second last line, that sentence is incredibly long I would recommend that we put a full stop after the word 'purposes' and start a new sentence and then say 'the Committee had also agreed'. It is like a five-line sentence and it has got a number of issues that are dealt with in that sentence. Thank you.

The CHAIRMAN I thank the distinguished representative of South Africa for your comment.

Any other comments to this paragraph?

Distinguished delegate of Canada.

Mr. C. SCHMEICHEL (Canada) From my knowledge and participation in the negotiations of the Rome Protocol, I suggest to make a small change at the end of paragraph 4 where it says 'had also been agreed on alternatives with regard to default remedies' it is to 'a default remedy in relation to components'. The statement gives the impression that is the remedies in cases of default but that was not the case. It is a default remedy which could be contracted out of which had not reached consensus, which is more minor than what it appears to be. Thank you.

The CHAIRMAN I thank the distinguished representative of Canada. Any other comments to this paragraph?

Distinguished representative of Brazil.

Mr. F. FLORES PINTO (Brazil) Let me just go back to paragraph 1 if I may, it is more of a question. The last line there is a comma and 'a single issue/item for discussion' this is not the phrasing we were using in others it used to be 'as a regular item of its agenda'. Is there something special for this one or could it be corrected? Thank you.

The CHAIRMAN Thank you very much. I give the floor to the Secretariat for more information on paragraph 1.

Mr. N. HEDMAN (Secretariat) Just to ensure that this is correct. There are three ways of expressing the different types of agenda items we have in the Legal Subcommittee, regular items, single issues/items

for discussion and items considered under work plans. So this is the terminology used for the structure of the agenda in the Subcommittee. Thank you.

The CHAIRMAN I thank the Secretariat for the explanation and thanks to the distinguished representative of Brazil.

Paragraph 4 with the suggestion of the distinguished delegate of South Africa and Canada. Any other comment to this paragraph?

Distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) If I understood both amendments correctly, there will now be a full stop after the words 'for registration purposes' and a new sentence 'It had also agreed' and so on, up to the end. Is it so?

The CHAIRMAN I give the floor to Mr. Hedman.

Mr. N. HEDMAN (Secretariat) It would read as follows, according to the proposals made by South Africa and Canada and I start reading at the fourth line from the end 'a new public service rule and a rule specifying the criteria for the identification of space assets for registration purposes. The Unidroit committee had also agreed on alternatives with regard to a default remedy in relation to components for which consensus had not been reached.'

The CHAIRMAN I thank the Secretariat for your statement. Any other comment?

If no objections.

Adopted.

Paragraph 5. Distinguished representative of South Africa.

Mr. K. GORRINGE (South Africa) It is just about the consequent use of terminology. I see that in paragraph 5 we refer to the preliminary draft protocol and from then on we use different terms, we sometimes call it the future protocol, we call it the draft protocol. Our delegation would like to suggest that we use one term and use it throughout this portion of the report. Maybe the use of the term 'future protocol'.

The CHAIRMAN I thank the distinguished representative of South Africa for your comment.

Any other delegation wishing to make comments to this paragraph?

Distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) I believe we should use the term 'the preliminary draft protocol' because it was agreed upon, with some exception, by the Committee of Experts. It was not agreed by the Governing Council of Unidroit or later on by a diplomatic conference, it is a preliminary draft protocol.

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

Any other comments?

If you all agree with this paragraph with the comments of the Czech Republic. Distinguished representative of South Africa, is this OK with you?

Mr. K. GORRINGE (South Africa) Sorry, Mr. Chairman, what is the actual decision? What term are we going to use?

The CHAIRMAN I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) The elements here are a bit different because in paragraph 5 it is a note, it is a fact, the subcommittee noted and there we have to use the correct term of this protocol. Now, in paragraphs that follow, it is the views expressed by delegations relating to what would become the future protocol on space assets. So it is not that those delegations were of the view that the draft protocol would promote new space applications, it is the future protocol when it is adopted, that is the intention. So, if we use the term 'the preliminary draft protocol' throughout we would need to make consequential changes in the drafting because we cannot say that a preliminary draft protocol would promote something because then it would be an adopted protocol, we have to carefully consider the use of terms in this sense.

The CHAIRMAN I thank the Secretariat. Any other comments?

Distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Just to say that when I was suggesting the preliminary draft protocol it related only to paragraph 5.

The CHAIRMAN Any other comments?

Distinguished representative of Spain.

Mr. S. ANTÓN ZUZUNEGUI (Spain) (*interpretation from Spanish*) There is a minor grammatical mistake in the translation into Spanish. It says that the council will examine this question in the sessions that will be held on 11 May 2011 in Rome. It should not put _____ (?) it is a Spanish grammatical error, it does not concern other languages. Thank you.

The CHAIRMAN I thank the distinguished representative of Spain for your comment.

Any other comments to this paragraph?

No objections.

Adopted.

Paragraph 6. No objections.

Adopted.

Paragraph 7. No objections.

Adopted.

Paragraph 8. No objections.

Adopted.

Paragraph 9. Distinguished representative of China.

Mr. L. HE (China) If my understanding is correct this paragraph 9 is supposed to reflect our statement under this item, is that correct?

In our view this reflection does not completely match what we expressed under our statement and the Chinese version interpreted according to this paragraph is not very satisfactory. The Chinese delegation would like to suggest to rephrase this paragraph as follows, I will read out in English. 'The view was expressed that the current draft protocol kept a proper balance between the continuation of public service and the interests of the creditor and the new definition of space assets provided flexibility for keeping room for future new space vehicles in particular and that provisions of

draft article I, paragraph 3, would improve the applicability of the draft protocol.' Thank you.

The CHAIRMAN I thank the distinguished representative of China. If it is possible please write your suggestion and give to the Secretariat.

Any other comments to this paragraph.

Distinguished delegate of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Are we discussing paragraph 8 now? Or which one? 9! So allow me to say one small comment to paragraph 8. At the end of the text, the last but one line it should read 'the distinct issue of private international law' not 'transactional law'. There was never used the adjective 'transactional law' in the discussions of the Unidroit committee. Private international law and as a matter of act I was also speaking about the importance of this draft protocol as a first instrument of private international space law.

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

Paragraph 9. No objections.

Adopted.

Paragraph 10. No objections.

Adopted.

Paragraph 11. No objections.

Adopted.

Paragraph 12. No objections.

Adopted.

Paragraph 13. No objections.

Adopted.

Paragraph 14. No objections.

Adopted.

Second part is capacity building in space law.

Paragraph 15. No objections.

Adopted.

Paragraph 16. No objections.

Adopted.

Paragraph 17 with subparagraphs (a) (b) (c) (d) (e) (f).

I give the floor to the distinguished delegation of Colombia.

Mr. F. PADILLA DE LEÓN (Colombia) (*interpretation from Spanish*) I am talking about the Spanish version, (f) in the Spanish paragraph, it has a different letter.

The CHAIRMAN I thank His Excellency, Ambassador of Colombia. Any other comment?

No objections.

Adopted.

Paragraph 18. No objections.

Adopted.

Paragraph 19. No objections.

Adopted.

Paragraph 20. No objections.

Adopted.

Paragraph 21. Distinguished delegate of Japan.

Mr. Y. TAKEUCHI (Japan) I would like to make a proposal to put a paragraph 20*bis* because according to the understanding of my delegation there were several delegations who stated about the specific importance of the financial assistance to the Manfred Lachs Space Law Moot Court, so I would like to propose the new clause 20*bis* as follows. I would like to read it once and then provide it to the front of the whole text if all other delegations agree with me, of course. '20*bis* The Subcommittee noted that some member States of COPUOS provided financial assistance to young students for ensuring the attendance at the Manfred Lachs Space Law Moot Court, annually held during the meetings of the International Astronautical Congress (IAC). Thank you.

The CHAIRMAN I thank the distinguished representative of Japan. Any other comment to the suggestion of the distinguished delegate of Japan? If it is possible, distinguished delegate of Japan, write this and give to the Secretariat.

No objections.

Adopted.

Paragraph 21. No objections.

Adopted.

Paragraph 22. No objections.

Adopted.

Paragraph 23. No objections.

Adopted.

Paragraph 24. No objections.

Adopted.

Paragraph 25. No objections.

Adopted.

Paragraph 26. No objections.

Adopted.

Paragraph 27. No objections.

Adopted.

Paragraph 28. No objections.

Adopted.

Paragraph 29. No objections.

Adopted.

Paragraph 30. No objections.

Adopted.

Paragraph 31. No objections.

Adopted.

Paragraph 32. Distinguished delegate of China.

Mr. L. HE (China) (*interpretation from Chinese*) My delegation, under agenda item 11, made a statement. We just want to remind you and the Secretariat of this fact. We would like to propose that in paragraph 32 the first sentence, China be added. Thank you.

The CHAIRMAN I thank the distinguished representative of China for your comment, of course the Secretariat will add the name of China.

Distinguished representative of Spain. I give the floor to you.

Mr. S. ANTÓN ZUZUNEGUI (Spain) We would have exactly the same request as China just made because our country also made a statement under this agenda item 11. Thank you.

The CHAIRMAN I thank the distinguished representative of Spain. For sure the Secretariat will add your name in this paragraph too.

Any other comments to this paragraph?

No objections.

Adopted.

Paragraph 33. No objections.

Adopted.

Paragraph 34 with subparagraphs (a) (b) (c) (d) (e). No objections.

Adopted.

Paragraph 35 with subparagraphs (a) and (b).

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

Mr. S. McDONALD (United States of America) Subparagraph (b), we would like to make the following change. Delete the word 'definitions' and in its place add 'and delimitation' - so it would read 'Federal Aviation Administration and delimitation'. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States. Any other comments to this paragraph?

No objections.

Adopted.

Paragraph 36. No objections.

Adopted.

Paragraph 37. No objections.

Adopted.

Paragraph 38. No objections.

Adopted.

Paragraph 39. No objections.

Adopted.

Paragraph 40. No objections.

Adopted.

Paragraph 41. No objections.

Adopted.

Paragraph 42. I give the floor to the distinguished representative of China.

Ms. K. PAN (China) I wonder whether it is the final text of the report regarding item 11 because according to my memory, in the discussion of the working group under this item yesterday, it seems Madam Chair of that working group has listed the issue to prolong the working group for one more year but it seems there is no reflection of this issue here in this report, so I am not sure how the committee will do with this issue. Thank you.

The CHAIRMAN I thank the distinguished representative of China for your comment. I give the floor to the Secretariat for an explanation.

Mr. N. HEDMAN (Secretariat) This part of the report of the plenary relating to agenda item 11 was submitted for preparation for editing and translation before we had the meeting yesterday in the working group. However, I refer delegations to paragraph 33 of the document that we have before us where it says that

the Subcommittee ... endorsed the report of the working group contained in annex to the present report. Tomorrow morning, the working group under agenda item 11 will hold its last meeting with a view of adopting its report and there there will be a clear language to the effect that the working group recommended that the working group be extended to 2012, one more year. We have not put any language to that effect because the plenary endorses the entire report of the working group but if it is the wish of delegations to have that element reflected in the plenary part of the report that the subcommittee decided to extend the mandate of the working group for one more year to 2012, we bring it up tomorrow after the adoption of the report of the working group. So it is a matter of choice whether delegations would like to have that reflected. We can have that of course but just to recall the procedure that the working group will adopt its report and there is a clear paragraph to that effect and the plenary endorses the entire report of the working group. Thank you.

The CHAIRMAN Thank you. I will give the floor to the distinguished representative of China.

Ms. K. PAN (China) Thank you for the explanation given by the Secretariat, so for our delegation we can wait until the report of the working group comes out.

The CHAIRMAN I thank the distinguished representative of China for your comment. Any other comments?

Distinguished delegates we have therefore adopted the third part of the draft report.

I will now adjourn this afternoon's meeting. Before doing so I would like to inform delegates of our schedule of work for tomorrow morning. We will meet promptly at 10 a.m. tomorrow. At that time we will proceed with the adoption of the report of the working group on agenda item 11, general exchange of information on national legislation. We will then continue with the adoption of the remaining section of the report contained in Addendum 3 to A/AC.105/C.2/L.284.

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Just to clarify that tomorrow morning the working group on agenda item 11 will have its last meeting, as I said earlier, with a view to adopting its report. When it comes to the last addendum to the draft report of the Legal

Subcommittee, Addendum 3, delegations will have it before them for adoption tomorrow morning. It contains the two last remaining agenda items, the review and possible revision of the principles relevant to the use of nuclear power sources in outer space and, the very last substantive agenda item, 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 and, as delegations recall under that particular agenda item, we also considered organizational matters and other matters. So that is the very last part of the report.

The CHAIRMAN I thank the Secretariat for the announcement.

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

This meeting is adjourned until 10 a.m. tomorrow morning.

The meeting closed at 5.19 p.m.