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Committee on the Peaceful Uses of Outer Space

Legal Subcommittee

Unedited transcript

823rd Meeting
Tuesday, 29 March 2011, 3 p.m.
Vienna

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

The meeting was called to order at 3.06 p.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, I now declare open the 823rd meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would first like to inform you of our programme of work for this afternoon. We will continue our consideration of agenda item 3, general exchange of views; agenda item 4, status and application of the five United Nations treaties on outer space; and agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law.

I will then adjourn the meeting so that the working group on agenda item 4, the status of treaties, can hold its second meeting under the chairmanship of Mr. Jean-François Mayence of Belgium.

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

General exchange of views (agenda item 3)

Distinguished delegates, I would now like to continue our consideration of agenda item 3, general exchange of views.

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

Ms. N. PHETCHARATANA (Thailand) Mr. Chairman, distinguished delegates, ladies and gentlemen, it is a great pleasure and honour for me to be here with distinguished legal experts at the fiftieth session of the Legal Subcommittee of COPUOS. At the outset, please allow me, on behalf of the Thai delegation, to thank you and OOSA and its staff members for the excellent arrangements for this session. Further, I wish to express our appreciation to you, Mr. Chairman, for your great efforts and contribution in conducting the work of the Subcommittee. I believe that under your able leadership this session will be a complete success.

On behalf of the Thai delegation, I would also like to take this opportunity to convey my sincere condolences to New Zealand, Japan and more recently Myanmar, and to the peoples of those countries with regard to the terrible tragedy that they have experienced and are still experiencing. Thailand stands ready to fully support them in this time of crisis.

I am pleased to briefly inform you of a recent activity concerning a promotion of our capacity building in space law that took place in Bangkok, Thailand, last year. During 16-19 November 2010, the Royal Thai Government, through the GeoInformatics and Space Technology Development Agency, in cooperation with UNOOSA, the European Space Agency and the Asia-Pacific Space Corporation Organization, jointly organized the United Nations/ Thailand workshop on space law with the theme: Activities of States in Outer Space in Light of New Developments: Meeting International Responsibilities and Establishing National, Legal and Policy Frameworks. This workshop was the 7th United

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Nations workshop on space law and its main objectives are as follows.

Firstly, to promote understanding, acceptance and implementation of the United Nations treaties and principles on outer space. Secondly, promote an exchange of information on national space legislation and policies for the benefit of professionals involved in national space activities. Thirdly, to consider trends and challenges to international space law. Fourthly, to consider development of university level studies and programmes in space law with a view to promoting national expertise and capability in this field. Lastly, to consider mechanisms for increasing regional cooperation in the peaceful uses of outer space.

Four sessions of the workshop were dedicated to discussion on the issues of the international legal framework governing space activities; the national legal and policy frameworks; the mechanism for international and regional cooperation in the exploration and use of outer space and; the promotion of education in space law. In addition, the matters of the protection of space assets, the commercial human space transportation and space traffic management were focused and widely discussed among participants in the workshop. The workshop was successfully concluded with a number of concrete recommendations and conclusions. Moreover, it was a useful forum for experts, practitioners and authorities concerned to share their views, knowledge and experiences for further development of both international and national space law.

I would like to take this opportunity, on behalf of the Thai Government, to express our deep gratitude to you and OOSA, the European Space Agency and the Asia-Pacific Space Corporation Organization, for their great support of the workshop. Also I wish to convey our sincere appreciation to all invited speakers and participants from 22 countries for their contribution to the event.

In conclusion, please allow me to reaffirm Thailand's continued commitment to actively contribute to the work of COPUOS. Regarding current issues of space law, we are confident that, with strong collaboration of COPUOS members, the various pending issues before the Subcommittee will achieve substantive progress, such as the definition and delimitation of outer space, the registration of space objects and the character and utilization of the geostationary orbit. Finally, I wish you all success in the deliberations of the agenda items and look forward to a fruitful outcome at the end of the session. Thank you.

The CHAIRMAN I thank Her Excellency, Ambassador of Thailand, for a very good presentation and statement.

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

Mr. S. RIFFI TAMSAMANI (Morocco) (*interpretation from French*) The delegation of Morocco would like to note with satisfaction your contribution to the progress of work of this fiftieth session of the Legal Subcommittee. We would also like to thank all of the people involved in the work of the Office for Outer Space Affairs for the work accomplished in preparing this session. We in turn, in our delegation, are going to be helping by contributing our thoughts in order to ensure the success of our work.

On behalf of my delegation, I would like to take this opportunity to present our most sincere condolences to Japan and the Japanese people following the unfortunate events which this country has been subjected to over the last weeks.

All of the countries of the world are concerned by space techniques and their applications but, realizing the specific objectives which are intended to respond to the requirements of human development level, this requires the corresponding setting up of space programmes which can also contribute to the improvement of economic and social life for citizens at large and can also contribute to improving international cooperation for States as well as for humankind as a whole. Given this evolution, it is important to stress the importance of taking on board developing countries' concerns. The concerns of countries which have experienced difficulties to enable them to cope with the challenges of economic and social development that they are confronted with especially poverty, hunger, natural disaster management, etc. All of these aspects can only be ensured if there is peaceful and equitable access to all space techniques in the applications, it is for this reason that the UN treaties on space have become so important. A point of transition is important in promoting outer space law and consequently access to outer space and this is especially of importance to developing countries.

The programmes of OOSA which are focused on promoting these treaties in developing countries and stressing the assistance that this can afford States to enable them to fold these legal principles into their national legislation is one of the fundamental aspects of international cooperation and that has to take place at all planes of effort and with all the actors concerned. It

must comprise, at one and the same time, scientific, technical as well as legal aspects. International cooperation in the field of outer space activities can only ensure nations equitable access to outer space and therefore allow for the proper integration of the spin-off benefits from space technologies and research.

In order to involve the decision makers and institutions concerned in the use of the technology of outer space, through its Royal Centre for Remote Sensing (CRTS), Morocco, together with its international and regional partners, continues to pursue implementation of its sensitivation, awareness enhancing techniques and activities at the regional level. For example, the organization of regional seminars, international workshops on various themes within the field of outer space law, promoting integrating education in this subject into the university programmes, in regional centres promoting national expertise in this field. The Royal Centre for Remote Sensing is always in charge of the teaching of outer space law, both introducing it and ensuring its support and this especially for the benefit of French-speaking African students which are enrolled in this Rabat Centre and this is going to be continued in the future.

During 2010 CRTS, together with the European Centre for Space Law (ECSL), with the support of the African Regional Centre for Science and Technology in the French-speaking areas (CRASTE-LF), organized from 3-4 June 2010, in the Mohammedia School for Engineers, an international workshop entitled: The law of the technology of outer space and its applications. This was organized and coordinated by international legal experts in this field, they presented the treaties, international conventions, their applications, they encouraged debate about the evolution of outer space law in order to harness it for the latest technological developments. This workshop had many participants coming from various French-speaking countries in Africa, many international/ national experts in telecommunications, remote sensing, satellite navigation, etc. It was noted that most of the African countries concerned by space techniques and their application just do not have enough information, enough competence, enough qualifications, on basic questions such as access to data, access to space applications, the fundamental principles of the law of outer space. It is a pity that the BAS? was absent from this event because that would have helped its success.

The delegation of Morocco is very happy to see that item 9 is being maintained on the agenda, stepping up and reinforcing capacities within the field of outer space law. We believe that the Subcommittee should try to work towards a fair solution, enabling the developing countries, especially African countries, to effectively participate in activities and space programmes focusing on development. That would encourage them to become more interested in this field. Stepping up capacities in the field of outer space law in Africa cannot be done without involving students, university circles and direct users and beneficiaries of space techniques and it is the latter which should be given the material and financial needs to enable them to participate in these summer courses.

Morocco, along these lines, would like to hope that summer classes be annually organized in Africa dedicated to all African potential beneficiaries of these courses, be they English or French speaking, and all those people involved in the use of outer space techniques. This course could be run in collaboration with both BAS? as well as African institutions, governmental and non-governmental, all those specialized in space technology and possibly the European Centre for Space Law (ECSL).

Concerning item 6 of the agenda, especially definition and delimitation of outer space. Here we believe that the absence of such a definition or delimitation could create uncertainties as to the sovereignty of States as to air space. At the same time the absence thereof, could also promote a proper application of the principles of the freedom of use and non-appropriation of outer space. For this reason Morocco would hope that the Legal Subcommittee could continue to consider thoroughly all the aspects related to this matter in order to ensure and guarantee the utilization of outer space by all States, whatever be the technical means that they have available and this under fair conditions especially focusing on the requirements and interests of developing countries. The ideas and the prospects advanced during the ECSL and IISL organized seminar, which was held on 20 March, should be examined and developed in order to address this matter from a slightly different angle.

As for item 10 of our agenda, here our delegation can but support retaining on the agenda of this Subcommittee this matter of space debris. Given the spiking number of debris and their impact on all of space activities, Morocco considers that it is necessary to set up adequate measures to mitigate the consequences of this phenomenon. Morocco is also satisfied that in some States, guidelines having to do with space debris mitigation coming from OOSA are being implemented, that would encourage other States, indeed they should be encouraged, especially emerging countries involved in space technology to do the same. Direct users of space technology, universities, _____(?)

authorities, should all cooperate in order to work up standards and criteria which would be adequate in order to ensure and step up the firmness of the guidelines having to do with this sort of mitigation in order to get common guidelines which could be applied by all States.

Under item 7, because of its importance as well as the impact of the use of nuclear energy sources in outer space on security, Morocco is satisfied that this be gone into very closely. We have to see exactly what safety network and framework is necessary to use this kind of energy. We would also hope that the LSC should go into the recommendations resulting from the consideration of that framework to make sure that they can properly be put into effect following resolution 47/68 of the General Assembly. We are going to be speaking more in detail when we get into the appropriate agenda item's consideration. Thank you very much for your attention.

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

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

Mr. A. SHAFAGH (Islamic Republic of Iran) At the outset please allow me to express our pleasure at seeing you again presiding over the Legal Subcommittee session as chairman. I am convinced that under your leadership the session will successfully accomplish its tasks. I would like to take this opportunity to thank Dr. Mazlan Othman, Director of UNOOSA, and her dedicated staff for their efforts and diligent preparations for this meeting.

I would like also to express our deep condolences and solidarity with the people of New Zealand and Japan for the recent natural disasters and the loss of life.

In both national space endeavour and international cooperation, the Islamic Republic of Iran advocates peaceful uses of outer space and consistently follows the common and mutual benefit and development in space cooperation. In this regard, Iran firmly sticks to its international legal commitments in the field of space activities. Iran has signed and ratified the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space and the Convention on International Liability for Damage Caused by Space Objects. The Islamic Republic of Iran also signed the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and other Celestial Bodies and the Convention on Registration of Objects Launched into Outer Space. Approving the two above-mentioned signed treaties is under serious consideration by competent authorities. I am pleased to inform you that an extensive and intersessional effort has been initiated in Iran to prepare a comprehensive national space act.

One of the recent developments in the legal aspects of national space activities is related to the present status of the Iranian Space Agency. It was confirmed by the legal authority and declared by the First Vice-President of Iran to all executive bodies. On 29 September 2010, the mission of the Iranian Space Agency (ISA) was promoted by the ruling of the Supreme Council of the Governmental Administrative Office. According to that, all the active authorities in the space field were integrated under the umbrella of the Iranian Space Agency and the governance has been detached from the Ministry of ICT and is granted to the Institution of the Iranian presidency. Since the new mission assignment, the President of the Iranian Space Agency is directly chosen and nominated by Iran's President and work as his deputy. Its mission is integrated management and providing technology in space products in all stages of localization, technology development, system design and even _____(?) of _____(?) parts.

Various outer space activities, which are supported by the government, should mobilize all efforts to enhance activities of Iranian space scientists in order to pave the way for further telecommunication applications and for further research aimed at sending men into space. Development of educational and research infrastructure in space science and technology as well as widening the activities of the Iranian Space Agency in satellite imaging, acquisition and processing, and participation in national and international forums are also a main focus of the Iranian Space Agency in the coming years. Moreover, preparing national laws and regulations governing space activities is also among the agenda of the Iranian Space Agency as space law is an inseparable part of space activities.

In line with the remarkable process which has been made in our space activities, I have the honour to inform the Legal Subcommittee that last month, two domestically manufactured fixed ground station and a mobile one for receiving remote sensing images were unveiled. Also, four domestically manufactured satellites, Fajr, Rasad, Amir Kabir and Zafar, as well as a satellite carrier, Kavoshgar, were unveiled by the

President of the Islamic Republic of Iran. Such achievement aiming at benefiting from outer space technology for sustainable development and socio-economic prosperity paved the way for regional and international cooperation for our common cause. In this context, I would like to inform you that UNOOSA is organizing, jointly with the Islamic Republic of Iran, a workshop on satellite application for tele-health to be held on 16-19 July 2011 in Tehran. This workshop intends to elaborate on the use of space technology in human health improvement.

Outer space is regarded as the common heritage of all mankind and must be preserved from a likely arms race. We are fully convinced that a globally negotiated, transparent and non-discriminatory approach is necessary in this regard that could constitute _____(?) of actions to be made for strengthening international peace and security. The rational and non-discriminatory exploitation of the geostationary orbit as a limited natural resource is also a common concern of all developing countries. The Islamic Republic of Iran shares the views expressed on the equitable and fair access of all States to it, particularly taking into account the needs and interests of developing countries. My delegation believes that the United Nations Committee on the Peaceful Uses of Outer Space which plays a pivotal role in setting up the core principles of space law has the same role for upholding and strengthening them. Following the targets of the Legal Subcommittee, the Iranian delegation will work creatively and collaboratively to ensure the success of this session and contribute to the evolution of space law. Thank you.

The CHAIRMAN I thank the distinguished representative of the Islamic Republic of Iran for a very good statement.

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

Mr. S. McDONALD (United States of America) I would like to begin by congratulating you on your service as chairman of this Subcommittee. This Subcommittee has made, and will continue to make, important contributions to the refinement and development of outer space law under your leadership.

Before I begin, my delegation would like to join the chorus of voices in expressing our condolences to and solidarity with Japan and New Zealand, in light of the tragic events that have recently occurred.

It is a pleasure to be here in Vienna to meet with this distinguished group of legal experts particularly as we celebrate the fiftieth session of this Subcommittee. This Subcommittee's last session was a very productive one and we look forward to continued progress in addressing issues of practical concern to all of us. COPUOS and this Subcommittee have a distinguished history of working through consensus to develop space law in a manner that promotes rather than hinders the exploration and use of outer space for peaceful purposes. In particular, this Subcommittee should be commended for its role in establishing the core outer space treaties, the Outer Space Treaty, the Rescue and Return Agreement, the Liability and Registration Conventions. Under the legal framework of these treaties, use of space by nations, international organizations and private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

This session is also an opportunity for us to consider the fact that many States have not yet acceded to the four core treaties, including some members of COPUOS. This Subcommittee should invite States and international organizations to consider ratifying and implementing the four core space law instruments cited above and, of course, it should encourage States that accepted the core instruments to look at the sufficiency of their respective national laws to implement them.

Before turning to the work of the Subcommittee for this session, I would like to comment briefly about recent space related activities in the United States. I would like to note for the member States that President Obama approved and released a new US national space policy in June 2010. The new policy calls for increased emphasis on international cooperation to promote the peaceful use of outer space in a wide range of areas. The United States will work within the United Nations, with other organizations and with other governments, to address the growing problem of space debris and to promote best practices for sustainable use of space.

The United States will also pursue pragmatic transparency and confidence-building measures to mitigate the risk of mishaps, misperceptions and miscalculations. The new policy reaffirms the long-standing and bipartisan US policy that we are open to space-related confidence-building and arms control concepts and proposals provided they meet the rigorous criteria of equitability, effective verifiability and consistency with our national security interests. The new policy encourages the United States to pursue enhanced cooperative programmes with other space-

faring nations in space science, human and robotic space exploration and in the use of Earth observation satellites to support weather forecasting, environmental monitoring and sustainable development worldwide. Under the new policy, the United States also intends to promote suitable commercial space regulations, international standards that promote fairer market competition and the international use of US capabilities such as launch vehicles, commercial remote sensing services and the civil services of the Global Positioning System or GPS. A copy of the US national space policy and a related fact sheet can be found on the web at www.whitehouse.gov.

During 2010, NASA completed three space shuttle missions, all to the International Space Station. The February 2010 mission of the space shuttle Endeavour delivered the final two elements of the US segment, the node Tranquillity and the window cupola. The April 2010 mission of the space shuttle Discovery was especially noteworthy because the combined crews of the shuttle and the ISS included four women, the first time in history that four women were in space at one time. In May 2010, the space shuttle Atlantis made its final scheduled mission as it delivered the Russian mini-research module Rassvet to the ISS. I would note that, on 2 November 2010, the ISS partnership celebrated ten years of humans living and working continuously on the space station. More than 196 people had visited the on-orbit complex by that date and at that time the ISS had completed 57,361 orbits of the Earth, travelling some 1.5 billion miles. To date this year, the space shuttle has flown to the ISS in February and will fly again in April. The final flight in the space shuttle programme is presently planned for June 2011 after which all the space shuttles will be retired.

The twin Mars Exploration Rovers, Spirit and Opportunity, continue to produce scientific results while operating far beyond their design life. The mission, scheduled to last 90 days, celebrated its seventh anniversary in January 2011. Although Spirit has become a stationary research platform and both rovers show signs of aging, they are both still capable of exploration and scientific discovery. Meanwhile, development continues on the Mars Science Lab (MSL) recently named Curiosity. It may launch in November 2011 and become the first red planet rover since Spirit and Opportunity. Though it will be hard to match the twins' toughness, Curiosity will have a much greater range, more instruments and a bigger, stronger robotic arm.

In 2010, the NASA space telescopes continued to make unprecedented observations. Hubble with its imagery; GLAST looking at black holes and the origins of cosmic rays; Spitzer looking at the universe in infra-red; Chandra with its x-ray observatory; Kepler searching for planets; and Fermi, exploring the most extreme environments in the universe. All contributing enormously to the world's knowledge of outer space.

Of special note, I am very pleased to report that NASA's Voyager-1 spacecraft, launched over 33 years ago in September 1977, as of December 2010 has reached a distant point at the edge of our solar system, some 17.4 billion kilometres from the Sun, where there is no outward motion of solar wind. It is the most distant human-made object in space and along with its sister spacecraft, Voyager-2, is still providing data to five science teams. These missions, and many more that I do not have time here to mention, are being undertaken to unlock the mysteries of our universe for the benefit of all mankind.

Let me now highlight US activities in the Earth observation realm. The latest Geostationary Operational Environmental Satellite, GOES-15, operated by the US National Oceanic and Atmospheric Administration (NOAA), was launched in March 2010. This satellite captures high resolution images of weather patterns and atmospheric measurements that help forecasters track life threatening weather. It will, in addition, improve forecasts and warnings for solar disturbances using its solar x-ray imager. Last year, I reported that the United States would replace the decommissioned GOES-10 with GOES-12 and I am pleased to report that this transition occurred in May 2010 allowing South American users to continue crucial satellite detection of severe storms, floods, drought, landslides and wild fires. This is a good example of the kind of international cooperation envisioned by the Global Earth Observation System of Systems.

As we look to the future of polar operational environmental satellites, the preparations to transition from the National Polar-orbiting Environmental Satellite System to the new Joint Polar Satellite System continue on schedule. In addition, NOAA plans to launch its next generation geostationary programme, GOES-R in 2015. The new JPSS and GOES-R systems will provide unprecedented amounts of weather and climate-related data to the environmental and research communities worldwide.

The US Geological Survey of the US Department of the Interior continues to operate the Landsats 5 and 7 satellites and make their data available to users worldwide. Landsat provides

essential information for land surface monitoring, eco-systems management, disaster mitigation and climate change research. Both Landsat 5 and 7 are operating well beyond their design lives with Landsat 5 in its 26th year and Landsat 7 in its 11th year of operation. Since 2008, when the full US Landsat image archive was made available to users free of charge over the Internet, we have witnessed phenomenal growth in the delivery of Landsat scenes to users worldwide. From an average of just over 50 scenes per day in USGS's best sales year to more than 3,000 scenes per day in 2009. By December 2010, the USGS has provided four million Landsat scenes to users in 180 countries. The free availability of this GIS-ready land imaging data is having a tremendous global impact on Earth system science and land surface monitoring. NASA and the USGS are working in partnership to develop the space and ground systems for the Landsat data continuity mission which will be renamed Landsat 8 after its December 2012 launch and on-orbit checkout. This satellite will continue the collection of moderate resolution land imagery that began in 1972.

As we proceed with our work at this session, I would like to reflect once again on the extraordinary record of success this Subcommittee has had in advancing the field of space law. I believe that much of the success is due to this Subcommittee's ability to focus on practical problems and to seek to address any such problems via a consensus-based and results oriented process. We should aim in our discussions to continue that tradition and to avoid the temptation to focus on theoretical rather than practical issues. In addition, the Subcommittee's success may be attributed to its avoidance of protracted debate on extraneous political issues. Thank you for your consideration, my delegation looks forward to a productive and collegial session.

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

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

Mr. R. YÁÑEZ PILGRIM (Venezuela) (*interpretation from Spanish*) First and foremost we, on behalf of my delegation, would like to congratulate you and other members of the bureau presiding over the deliberations of this Subcommittee, we wish you every success.

Furthermore, I would like to join in with other delegations and, speaking on behalf of my government, show our solidarity and convey our condolences to the people of New Zealand, Japan and Myanmar for the loss of human life caused by the natural disasters that have occurred in the past month. In the same spirit of cooperation and solidarity, this delegation supports the statement made by His Excellency, Ambassador Ali Soltanieh of the Islamic Republic of Iran, on behalf of the Group of 77 and China and the statement made by the distinguished representative of Colombia on behalf of GRULAC, the Group of Latin American and Caribbean Countries.

At this point in time the Bolivarian Republic of Venezuela is guided by international legal principles that underpin the exploration and use of outer space for peaceful purposes. In this connection, the Venezuelan government has tasked itself with the progressive development of space legislation at the national level in keeping with the local needs and the technological level of the space programmes that are being implemented. As an example of national technological progress, I would point to the implementation of the VeneSat-1 programme, this is the Simon Bolivar satellite, we have developed this in cooperation with the People's Republic of China. The Venezuelan satellite platform is operating at 100 per cent of its nominal design capacity and making a contribution to the promotion of cultural values, education, public health, provision of rural telephony services, Internet, tele-health and tele-education programmes and, of course, TV and radio broadcasts at the national level. To do so we have installed 2,427 aerials throughout the territory, in addition to which coverage over the Caribbean area and South America makes a contribution to foster integration in Latin America and the Caribbean and international cooperation throughout the region.

Likewise, we continue to address the implementation of institutional programmes in the area of Earth observation, the applications of satellite technology for social programmes and the R&D central project since this covers manufacturing of small-scale satellites. Seeking to generate its own space technology via the fostering of integrated scientific networks in special areas such as research into materials, electronics, chemistry, telecommunications, education, IT, geomatics and geophysics among others. Along these lines the government has devised its policy via a legal framework that is contained in the constitution and the authority that the law gives the Bolivarian Agency for Space Activities (ABAE). These build up on the recognition of the fact that science technology innovation and applications are tools to promote development of social programmes, tele-medicine, tele-health and enhance the quality of life for all

Venezuelan nationals, bringing about a process of social inclusion and technological independence.

Thus, since 1999 the Venezuelan Government has brought about a set of governmental activities in the legal framework intended to gradually consolidate both the subject and the institutional structure of space activities in my country as contained in article 11 of the constitution expressing the rights of the Republic over outer space as the common heritage of humankind, the establishment of a ministerial commission in 2004 and the Presidential commission in 2005. It should be noted that the Bolivarian Agency for Space Activities, in keeping with the legislation that establishes it, is an independent institute with its own legal personality and its own assets reporting to the Ministry of the Popular Power for Science, Technology and Intermediary Industries. It started up its activities on 1 January 2008. Among its responsibilities, it determines public policy in space matters in addition to promoting and fostering scientific research and technological development in space-related areas.

To refer to other substantive issues of this Subcommittee, my delegation believes it is necessary to step up interaction between this Subcommittee and the Scientific and Technical Subcommittee thus to promote the preparation of binding international standards, referring to critical issues such as the use of nuclear power sources in outer space and space debris, among other issues. Bearing in mind that one of the main responsibilities of the United Nations in the legal area is to foster the progressive development of international law and in this case it would relate to the environment of outer space.

Likewise, we believe it is necessary to review and update the five United Nations treaties governing outer space. The purpose of this would be to bolster the guiding principles that govern the space activities of States, in particular the peaceful access to outer space without discrimination and in an equitable manner and strengthening international cooperation bringing space technology to all peoples.

For the above-mentioned reasons, this delegation is of a view that the legal regime applied to outer space does not, *per se*, ensure the preservation or protection from an arms race in outer space which is why it is imperative to adopt appropriate steps that are effective and that prevent an arms race in that area. The fact that there is no regulatory text for this means that we cannot, in future, ensure an exclusively peaceful use of outer space and for the medium period it will be an obstacle for space activities of certain States.

To conclude, may I particularly mention the topic of definition and delimitation of outer space which, in the opinion of this delegation, must continue for purposes of analysis and it is suggested that this again be studied in the Scientific and Technical Subcommittee.

Turning to another matter, you are aware of this as are other colleagues in this room that, our government, via the Bolivarian Agency for Space Activities, believes that the revision and updating of the five international treaties would be a very good thing and we are looking into signature and ratification where this is justified and also future instruments for bilateral and multilateral cooperation in space.

In this period of time, we drafted and discussed this matter with Russia, France, Argentina and Bolivia. We entered into a space agreement with Brazil in 2008 and we made headway in implementing cooperation programmes based on bilateral instruments that we entered into with China and India, signed in 2005. It is with a lot of optimism that my delegation turns to States and encourages them to focus on critical aspects that, at present, create a risk for space activities in order to create, update and modify space legislation on an international level and to continue to progressively develop international law and regulation thereof. Thank you.

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

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

Mr. C. SCHMEICHEL (Canada) On behalf of Canada I wish to express our sincere condolences to the people of Japan as they cope with the effects of the earthquake of 11 March. Our thoughts are with all those affected by this tragedy.

Over the past few years a number of devastating natural events have demonstrated the value of space-based assets. The provision of timely remote sensing imagery is just one of the ways in which space activities can have a real and positive effect on efforts to deal with these events on Earth. However the steady increase in space activities, either from States themselves or from private concerns, has created an evermore congested space environment. In order to continue reaping the benefits that space has to offer, we need to adhere to the existing international legal framework governing outer space activities and to encourage implementation of the various guidelines

designed to improve our conduct in outer space. Canada reiterates its strong support for the core United Nations conventions on outer space and welcomes further initiatives in strengthening them. Canada trusts that the work of the Legal Subcommittee will ultimately contribute to building a more secure and accessible space environment in that respect.

One of the biggest threats to our continued use and access to outer space is the accumulation of space debris. In 2010, the Canadian Space Agency was pleased to be officially accepted as the 12th member of the Interagency Space Debris Coordination Committee (IADC). Canada looks forward to making a positive contribution to the important work of that Committee. In this Legal Subcommittee, Canada hopes that the exchange of information on national mechanisms relating to space debris mitigation will help encourage a more widespread implementation of the current Space Debris Mitigation Guidelines.

Canada has a unique interest in the issue of nuclear power sources in outer space. As a nation that was struck by a nuclear powered space object, Canada was and continues to be a strong supporter of the current principles relevant to the use of nuclear power sources in outer space adopted by UN General Assembly in December 1992. These principles have served and continue to serve the international community well. Canada was pleased with the adoption of the safety framework for nuclear power source applications in outer space and the multi-year workplan endorsed at the forty-seventh session of the Scientific and Technical Subcommittee of COPUOS which is focusing on ways of promoting and facilitating the implementation of the framework through workshops and other outreach activities. Canada encourages all actors involved in the development of nuclear powered systems used for outer space activities to look into ways to implement this safety framework.

Canada has also been pleased with the exchange of information over the past few years under the agenda item dedicated to national legislation relevant to the peaceful exploration and use of outer space. This agenda item has been very useful for all members of the Legal Subcommittee and the report of the Working group should help contribute to the establishment of effective legal frameworks to govern space activities in all States.

Over the past 50 years, the United Nations Committee on the Peaceful Uses of Outer Space has played an important role in the development of international space law. As we celebrate the fiftieth anniversary of COPUOS, Canada sincerely hopes that the Committee can continue to make a significant contribution to human activities in outer space by focusing on practical legal issues that confront space exploration in an efficient manner. Thank you.

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

Are there any other speakers under general exchange of views at this time? I see none.

We will therefore continue our consideration of agenda item 3, general exchange of views, tomorrow morning.

Status and application of the five United Nations treaties on outer space (agenda item 4)

Distinguished delegates I would now like to continue our consideration of agenda item 4, status and application of the five United Nations treaties on outer space.

No speakers on my list. Are there any other delegations wishing to make a statement under this agenda item? I see none.

We will therefore continue our consideration of agenda item 4, status and application of the five United Nations treaties on outer space, tomorrow morning.

Information on the activities of international intergovernmental and non-governmental organizations relating to space law (agenda item 5)

Distinguished delegates, I would now like to continue our consideration of agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law.

No speakers on my list. Are there any other delegations wishing to make a statement under this agenda item? I see none.

We will therefore continue our consideration of agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law, tomorrow morning.

Distinguished delegates, I will shortly adjourn this meeting so that the working group on the status of treaties can hold its second meeting but, before doing

so, I would like to remind delegates of our schedule of work for tomorrow morning.

We will meet promptly at 10 a.m. At that time we will continue our consideration of agenda item 3, general exchange of views. We will also continue our consideration of agenda item 4, status and application of the five United Nations treaties on outer space and item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law. Time permitting, we will begin our consideration of item 6 (a) the definition and delimitation of outer space; (b) the character and utilization of the geostationary orbit.

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

Distinguished delegates I would like to make the following announcement regarding informal consultations to be held this week.

Tomorrow morning, Wednesday, 30 March at 9-10 a.m. in room M7, the German delegation invite all interested delegations to informal consultations as follow-up to the discussion during STSC on organization of satellite data.

Also tomorrow, Wednesday morning, right after the conclusion of the working group in this conference room, M1, I invite all interested delegations to formal consultations on organizational matters and methods of work of the Legal Subcommittee. This is done in line with the recommendation of the Committee at its fifty-third session in 2010 in A/65/20, paragraph 318.

Thursday morning, 31 March from 9-10 a.m. in room M7, the Chair of the Committee on the Peaceful Uses of Outer Space invites all interested delegations to informal consultations on the presentation of the 1 June High Level Segment and the draft 2011 declaration. The draft declaration has been distributed in A/AC.105/L.283 and non-paper with _____(?) has also been distributed.

Thursday lunch, 31 March from 1-2 p.m. in room M7, the Chair of the Working Group on National Space Legislation under agenda item 11, invites interested delegations to informal consultations on the draft report of the working group as contained in Conference Room Paper 4.

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

Mr. S. McDONALD (United States of America) I just have a question about the consultations occurring tomorrow morning after the working group meeting. I am not sure what is being proposed. Is it being proposed that we hold, I thought I heard you say formal consultations on the methods of work in this room at the end of our business tomorrow morning. Is that with full interpretation? I have some questions as to how we are going to proceed with this. Clarification would be appreciated.

The CHAIRMAN Thank you very much for a very good question. I give the floor to the Secretariat for an explanation.

Mr. N. HEDMAN (Secretariat) The Chair of the Legal Subcommittee outlined the schedule of informal consultations, so the informal consultations that the Chairman outlined here are informal. Therefore, tomorrow Wednesday after the conclusion of the working group in order to provide the most convenient way for delegations to _____(?) these informal consultations we will use this conference room but they will be informal so there will be no interpretation. All these informal consultations that we have outlined are of equal importance which means that there will be no interpretation, we will just sit in this meeting room to have the benefit instead of moving to somewhere else. Thank you.

The CHAIRMAN I thank the Secretariat. I give the floor to the Secretariat for another comment.

Mr. N. HEDMAN (Secretariat) The Chairman invites the Secretariat to also make an announcement. Distinguished delegates you have heard about the informal consultations, those informal consultations will be provided on the monitors and you will also be updated tomorrow morning, so you will get the information regularly.

Time permitting, today, this afternoon, and in order to use our time efficiently we will also have informal consultations after the working group has concluded its work this afternoon. Informal consultations with no interpretation but we will sit in this conference room where the Secretariat will introduce Conference Room Paper 8 that you have already been presented with. This is the draft contribution of the Committee on the Peaceful Uses of Outer Space to the Rio+20 Conference. It will be introduced and we will have, if possible, a brief discussion on this document and it is foreseen to have further opportunities for informal consultation on that particular document. So, time permitting, after the conclusion of the working group today, we will

continue in this meeting room, informal consultations with no interpretation. Thank you.

The CHAIRMAN I thank the Secretariat for the clarification.

Distinguished delegates I now invite Mr. Jean-François Mayence of Belgium to chair the second meeting of the working group, agenda item 4, status of treaties.

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

The meeting closed at 4.13 p.m.