

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

Unedited transcript

824th Meeting

Wednesday, 30 March 2011, 10 a.m.

Vienna

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

The meeting was called to order at 10.08 a.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, good morning. I now declare open the 824th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would first like to inform you of our programme of work for this morning. We will continue our consideration of agenda item 3, general exchange of views. We will continue our consideration of 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.

Time permitting, we will begin our consideration of agenda item 6 (a) the definition and delimitation of outer space and (b) the character and utilization of the geostationary orbit. We will then adjourn the plenary meeting so that the working group on agenda item 4, status and application of the five United Nations treaties on outer space, can hold its third meeting under the chairmanship of Mr. Jean-François Mayence of Belgium. After the working group and time permitting, we will have informal consultations on organizational matters of this Legal Subcommittee in this conference room.

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 His Excellency, Ambassador of South Africa. I give the floor to the distinguished representative of South Africa.

Mr. X. MABHONGO (South Africa) On behalf of the South African delegation, I wish to express our gratitude to you for presiding over this fiftieth session of the Legal Subcommittee. Given your long outstanding leadership in carrying through the deliberations of this Subcommittee during the forty-ninth session, we are confident that progress will be made on the various agenda items and assure you of our full support. My delegation also expresses its appreciation to the Office for Outer Space Affairs for the preparations and outstanding efforts to facilitate the work of the Legal Subcommittee. Our delegation would like to express condolences to the victims of the multiple disasters that struck Japan on 11 March 2011. We associate ourselves with the statement made by the delegation of the Islamic Republic of Iran on behalf of the Group of 77 and China.

It is gratifying for our country to have this opportunity to participate and contribute to the development of international space law. South Africa traditionally has actively participated in the work of the Subcommittee because of our interest in developing international and national outer space law. We attach great value to the work of the Subcommittee since we believe that it is the most important forum to create a

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.

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legal order that provides for the peaceful uses of outer space. As we commemorate the fiftieth anniversary of COPUOS and its subcommittees as well as the fiftieth anniversary of human space flight, South Africa affirms its determination to carry out the peaceful exploration and use of outer space on the basis of respect for the international agreements and generally recognized principles of space law.

South Africa will continue to support the use of space technology for human development. To this end, we urge member States to ensure that the work of the working group on the long-term sustainability of outer space progresses to achieve its objectives. South Africa has made substantial progress since the last session of the Subcommittee and we would like to briefly refer to the salient features of those activities which are conducted by the various space stakeholders in our country.

Our cabinet has appointed the third South African Council for Space Affairs. The Council has the responsibility, in terms of the Space Affairs Act 84 of 1993, to authorize and supervise space activities in South Africa. The Council must also ensure that all these activities are undertaken in compliance with international agreements. Specific actions according to the five-year workplan of the Council are as follows: to develop, review and implement appropriate regulatory instruments for the development of a vibrant and sustainable domestic space sector; to maintain a fair and stable regulator regime that promotes economic growth and innovation in the space sector; to ensure compliance with relevant legislation; to prevent loss of life, injury to persons and damage to property caused by space objects; to fulfil international obligations and responsibilities with respect to international instruments and other agreements entered into by South Africa; to promote the use of space applications for socio-economic benefits in collaboration with other stakeholders; to promote confidence in South Africa's space activities.

We are pleased to announce the formal launch of the South African National Space Agency in December 2010. SANSA is an implementing agency for the South African space programme. This affirms the commitment by the government of South Africa in terms of the national space policy, namely, to develop and maintain a robust and appropriate set of space capabilities, services and products, to support national priorities through coordination and cooperative governance.

South Africa values bilateral and multilateral cooperation in the space arena. We strongly believe

that international cooperation should be promoted in order to disseminate the benefits associated with the use of space technologies and the utilization of satellite remote sensing data.

In the past year, South Africa has entered into international cooperation initiatives with a number of countries. The India/Brazil/South Africa satellite programme is a new initiative emanating from the long-standing relationship amongst these three countries. The satellite will not only benefit the IBSA countries, it will also benefit other countries in the areas of agriculture, transport and telecommunication.

The African Resource Management Constellation is a constellation of satellites between South Africa, Algeria, Nigeria and Kenya. We also look forward to negotiating similar agreements with other countries in the future.

As one of the finalists in the bid to host the Square Kilometre Array telescope, South Africa is excited about the progress made in this regard. The South African Interministerial Committee on the SKA bid was established in November 2010. The IMC, the Interministerial Committee, provides strategic direction for the project on local and international lobbying, site preparation in all the SKA partner countries including regulatory and legal matters as well as resolving high-level challenges as the bidding process approaches the final stages. The African Union has also endorsed the importance of the South African Square Kilometre Array bid as an engine for capacity building across our continent.

Let me now address some of the topics that will be discussed during this session. With regard to the status and application of the five UN treaties on outer space, we continue to appreciate the efforts of the working group to promote the universal application of the five instruments.

On capacity building in space law, South Africa is pleased with the continued inclusion of this item on the agenda of this Subcommittee. In this regard, we are committed to the strengthening and the development of capacity in space law and related fields.

In conclusion, South Africa is honoured to host the 62nd International Astronautical Congress in our beautiful city of Cape Town in October 2011. All delegates are invited and urged to attend this event. Over 2,200 abstracts have been submitted for the first IAC to be held on the African continent. Preparations are well underway and delegates are assured of a warm

South African welcome and we are sure that you will enjoy our renowned hospitality. Thank you.

The CHAIRMAN I thank His Excellency, Ambassador of South Africa, for a very good statement.

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

Ms. A. BEHIRI (Algeria) (*interpretation from French*) Let me start by expressing our satisfaction at seeing you in the Chair at this fiftieth session of the Legal Subcommittee, your competence and wisdom will make sure that we make good progress in our discussion. I would also like to thank Dr. Mazlan Othman, Director of OOSA, and her team, for the work carried out to ensure the success of our deliberations and for promoting cooperation in the space area. On behalf of the Algerian delegation, I would like to extend our condolences to Japan following the earthquake that struck that country with a heavy toll in human lives, material assets and the environment.

Algeria inscribes its space programme within the perspective of development and prosperity. Space applications require a legal framework which would regulate these activities and define the responsibilities of the various actors. In this regard, the Algerian delegation believes that it is important to step up international cooperation in the sphere of space law particularly for the benefit of developing countries.

On a national level, Algeria is focused on creating a national legal framework for these activities and promote university education in this sphere.

Internationally, Algeria takes part in various activities linked to space law, we have taken an active part in the work of the forty-ninth and fiftieth sessions of the Committee of Intergovernmental Experts to prepare a draft protocol on space assets and a convention on international interests in mobile equipment. In this context, we believe that this protocol should have a provision ensuring the continuity of public service, this is of vital importance.

Regarding items on our agenda for this session, the Algerian delegation believes it is necessary to define and delimit outer space as opposed to air space. Such definition is very important if we are to establish the responsibility and liability of States engaged in space activities. The absence of such

delimitation leads to legal ambiguities which enhance the risks faced by States.

As regards the use of the geostationary orbit, Algeria believes that the first come first served principle disfavours developing countries which are thus penalized unfairly. It is important to have a legal regime for equitable access to orbital positions based on the principle of peaceful uses of outer space and non-appropriation of space.

Finally, with regard to the application of the five outer space treaties, Algeria works within the framework of an international legal regime and pays close attention to consultations among States regarding the practice of States and international organizations in this regard. I would like to recall that Algeria has ratified the 1967 Outer Space Treaty, the Liability Convention and the Registration Convention. Thank you.

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

No more speakers on my list. Are there any other speakers on general exchange of views at this time? I see none.

We will continue our consideration of agenda item 3, general exchange of views, this afternoon.

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.

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

Mr. S. McDONALD (United States of America) Thank you for this opportunity to provide the views of the United States on this agenda item.

The four core treaties governing the use of outer space, the Outer Space Treaty, the Agreement on the Rescue and Return of Astronauts, the Liability Convention and the Registration Convention, have served States Parties well over many decades. The United States is honoured to serve as one of the depositories for three of these treaties, the Outer Space

Treaty, the Rescue and Return Agreement and the Liability Convention. I have consulted with the State Department's Treaty Office regarding actions taken in Washington with respect to these treaties and can report that, since the Legal Subcommittee's last meeting in 2010, the Republic of Estonia deposited on 19 April 2010 an instrument of accession to the Outer Space Treaty.

We would welcome any further information from other depositories on any relevant treaty action since the Subcommittee's last meeting. We would also welcome further adherence to these treaties and hope that those States and international organizations, including some members of COPUOS and some organizations that participate as observers to this Subcommittee that have not yet become Party to these treaties will carefully consider their status with respect to them in the coming year. Thank you for this opportunity to comment on this agenda item.

The CHAIRMAN I thank the distinguished representative of the United States 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.

Ms. A. CAMPOS (Venezuela) (*interpretation from Spanish*) With regard to this item, the status and application of the United Nations treaties on outer space, this delegation believes it is necessary to review and update the existing instruments providing guiding principles for space activities pursued by States. In particular, it is important to strengthen international cooperation for the benefit of our nations and, first and foremost, maintain the peaceful uses of outer space. It is well-known that the exploration and use of outer space should be based on the principle of exclusively peaceful use. However, the 1967 Treaty established certain provisions for the Moon and other celestial bodies on the one hand and outer space on the other hand. Article IV does not fully apply the principle of peaceful use. It is forbidden on these celestial bodies to establish bases, military installations, any type of weapons or carry out military manoeuvres.

As regards outer space, the obligation to engage an entirely peaceful use is only partial. According to article IV it is only forbidden to place in terrestrial orbit weapons of mass destruction, however, placing conventional weapons in space is not expressly prohibited. In this regard, the applicable legal regime governing outer space activities does not, at the moment, guarantee keeping space free from the arms

race. We need effective measures that would prevent an arms race in outer space.

Furthermore, it is necessary to give more attention to other critical issues, such as space debris, possible collisions of space objects with space debris and, most particularly, with regard to those spacecraft that carry nuclear power sources on board.

Another important issue is the equitable and rational use of the geostationary orbit. There are other issues as well.

In this context, my delegation believes it is imperative that these issues continue to be under discussion within this Subcommittee. The existing uncertainties and the absence of regulations on the issues I have mentioned above would not make it possible in future to maintain outer space for peaceful purposes and in the medium-term would pose an obstacle to space activities carried out by States.

To conclude, let me specifically mention the issue of the definition and delimitation of outer space. In the opinion of this delegation we should proceed with the analysis of this subject. We suggest that the Scientific and Technical Subcommittee should also study this issue. Thank you.

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

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

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) With regard to the statement delivered by the United States of America and the information provided that the Republic of Estonia deposited its instrument of accession to the Outer Space Treaty on 19 April 2010, the Secretariat apologizes for an error in the status update that we prepared for the purpose of this particular session. A corrected version will be made to the online text of this particular insert and there will also be a corrected version submitted during the COPUOS session in June. In total, the States Parties status of the Outer Space Treaty is 101, so we are beyond 100. Thank you.

The CHAIRMAN Thank you Mr. Hedman for the explanation.

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

We will therefore continue and hopefully suspend our consideration of agenda item 4, status and application of the five United Nations treaties on outer space, this afternoon, pending deliberation of the working group on this item.

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.

The first speaker on my list is the distinguished representative of the International Law Association, Dr. Williams. I give the floor to the distinguished representative of the International Law Association.

Ms. M. WILLIAMS (International Law Association) At this stage I feel that most of the distinguished delegates to this Committee know about our work and, moreover, many of them are part of our Space Law Committee. So I shall simply recall that the International Law Association was set up in Brussels, in 1873, at the same time of the Institut de droit international. Its headquarters are in London, the Head of the Executive Council is Lord Mance, Justice on the Supreme Court of the United Kingdom and its Director of Studies is Professor Christine Chinkin from the London School of Economics.

I shall not pause on the objectives of ILA, on this question I refer you to the written report we submitted. I will mention that the focal point of the activities of the International Law Association is the task of its international committees which work permanently in-between the biennial conferences, there are 20 of these committees at the moment, to report on different issues of contemporary international law and there has been 74 conferences to date, the following one is programmed for August 2012 in Bulgaria, possibly in Sofia.

The ILA Space Law Committee was set up in New York in 1958, its present officers are Professor Stephan Hobe from the German branch and the Chair is the present speaker. The Committee has been a permanent observer to COPUOS since the beginning of the 90s.

What follows will be a quick word on the activities of the ILA Space Law Committee during 2010. Before I move on to the focal or centred part of this presentation, namely, the 2010 ILA Conference at The Hague, its results and its decisions.

In that order, the ILA Space Law Committee was represented at the forty-ninth session of the Legal Subcommittee by the Chair, the General Rapporteur and the conference session reporter and we were privileged to have Professor Armel Kerrest from France joining this team.

ILA Experts took part in the meeting of the third United Nations Expert Meeting on Promoting Education in Space Law, currently underway. Further comments were made on this occasion on a later draft version by OOSA.

Forty-seventh session of the STSC. ILA committee members, including its officers, were asked to form part of the International Advisory Board of a project conducted by the University of Nebraska at Lincoln, with the support of the Secure World Foundation on legal aspects of NEOs. A final presentation was made by Professor Steven Freeland on 15 February 2010.

Permanent Court of Arbitration. A number of members of the ILA Space Law Committee were invited by this Court to be part of an advisory group on dispute settlement in space law, chaired by Judge Pocar from Italy, with a view to ascertaining the need for optional rules for dispute settlement arising from space activities and, if so, the drafting. The group has been working without interruption. The first draft was produced last year, the second draft and its final reading are ready and they are going to be submitted in May to the Council of the Permanent Court of Arbitration.

International Law Commission of the UN. The ILA Study Group on Responsibility of International Organizations has continued to work in close cooperation with the International Law Commission and its study group on this matter which, shortly in 2011, completes the final and second reading of its draft articles. The ILA group, of which both the Chair and rapporteur of this Committee are members, is currently preparing a report to be sent to the ILC Special Rapporteur, Professor Gaja, showing the ILA's concern on questions of substance included in the ILC draft articles as they now read, particularly on the question of effective control and some recent case law related to peace-keeping operations. So far on the intergovernmental level.

Other activities on the private level. As customary, the ILA Space Law Committee has joined in the work and activities of, inter alia, its contemporary the International Institute of Space Law, the International Academy of Astronautics, the European Space Policy Institute, the European Centre for Space Law, and has been in touch with some national space agencies as well. May I mention, in this respect, the second United Nations/Argentina International Conference on the Use of Space Technologies for Water Management which took place a couple of weeks ago in Buenos Aires and it was of a very marked interdisciplinary connotation.

Last October, a number of members of the ILA Committee were invited, in different capacities, to make presentations at a workshop organized in London by the Institute of Space Policy and Law entitled: Evidence from Space. This topic, namely, the value of satellite data in international litigation has been for some years a matter of concern to the ILA Space Law Committee and cause for special attention. May I refer you to the books reflecting the proceedings of the conference, starting by the New Delhi conference in 2002 to date. In previous years we have mentioned this concern of ILA on the value of satellite data in international litigation particularly where boundary disputes are concerned, which include very delicate issues on sovereignty.

In the next few minutes I intend to highlight the main conclusions of the Seventy-Fourth Conference of the International Law Association. Under the heading: Legal aspects of the privatization of space activities, this fourth report of the Space Law Committee addressed, remote sensing and the value of satellite data in court, national space legislation, registration issues, space debris in new light and dispute settlement. In addition, once this report is submitted to the next conference, we have already started to work on future terms of reference of this Committee, particularly the review of the Moon Agreement and the question of the legal aspects of NEOs.

The suggestions and conclusions on these topics were as follows.

Concerning satellite data and its evidence in court. ILA Committee members considered that practical solutions were needed to encourage the use of satellite data in court in a field where precision is essential, particularly, as said before, concerning boundary disputes. The main problem is the wide margin of interpretation by the experts and, unlike aerial photographs where changes are relatively easy to

determine, satellite data may be manipulated once the raw data is collected with no possibility of detecting, *ex post facto*, changes. Indeed, the current lack of agreed international standards, examples of which may be found on regional scenarios but not on the international level, is a major obstacle to the use of these technologies in court at the moment. The problem is aggravated, as mentioned earlier, when it comes to delimitation of land and waters on international fronts where thorny issues involving sovereignty are in play. A number of cases decided in recent years by the ICJ and other international arbitrations are clear examples of the underlying difficulties. In the 90s, Qatar/Bahrain, Botswana/Namibia, Nigeria/Cameroon. Nowadays, the technical experts taking part in other international disputes in the Caribbean area, such as land and waters in Guatemala and in Nicaragua, they are having exactly the same problem as the experts had in Qatar/Bahrain. In other words, small, very tiny islands, unknown so far, were detected off the coast of these countries but on the free waters covering the continental shelves. The problem was to determine whether these were islands, in the legal sense as Montego Bay establishes on the Law of the Sea, and if so, they would have a title to claim sovereignty over territorial waters.

On the validity of the 1986 UN Principles on Remote Sensing, a question entrusted by the Council of ILA to the Space Law Committee, it was observed that we are now in a different international context where commercial activities in space are gaining momentum. Developing countries which, at the time of the adoption of the Principles, were only sensed States are now increasingly engaged in space activities and accessing the new technologies. Therefore they have become sensing States as well. It may be anticipated that, all in all, the use of Earth Observation Satellites has been faring well in the different scenarios and groups of countries, with no sharp dissent and only minor claims and that the guidelines for interpretation of the UN Principles are stemming from state practice itself, both from the industrialized and developing world.

The other topic addressed at The Hague was a draft model law on national space legislation. This first draft was prepared by our chairman and rapporteur, Professor Hobe, and it was discussed and subjected to a first reading. The Committee agreed that a second reading would take place shortly after the meeting of this Legal Subcommittee and, after the second reading, the final text will be submitted to the next conference in 2012 for adoption. So we have a great deal of work ahead, analysing word by word and paragraph by paragraph, this proposal on a modern draft on national

space legislation. May I add that the International Institute of Space Law and ESPI have been of great assistance in this regard.

The topic space debris in new light following its inclusion on the agenda of the Legal Subcommittee. The Committee's Chair is currently evaluating the answers received from States in accordance with the 2007 COPUOS Guidelines on Space Debris Mitigation concerning domestic measures implemented by States to that effect.

Likewise the ILA International Instrument on Space Debris, adopted in 1994, continues under permanent study by the ILA Committee. Article 1 of that instrument containing definitions, or rather descriptions, on what should be considered space debris is now being revised by technical experts to determine its consistency with the advances of science and technology.

National institutions in different countries have responded as well to these questions on space debris within their own environments, by conducting research projects where the legal aspects of space debris are now being discussed. In this sense, the Universities of Cologne and McGill have conducted studies on space debris. Last April there was a meeting on the matter, organized in Cologne, conducted by our general rapporteur and Professor Jakhu, who is another Committee member, and at the end of the day a declaration was adopted recommending, inter alia, that States adopt and implement national space legislation concerning the COPUOS measures.

Similarly, the National Council for Scientific Research of Argentina is working on a project on the matter, conducted by the present writer, with special accent on space debris and Earth Observation Satellites. Among other examples, the University of Mississippi and its National Remote Sensing Space Law Centre. I am flanked by Professor Gabrynowics who is the Head of all these bodies are working on the problem and the common denominator of these projects, and a number of others around the world, is they are marked interdisciplinary implications.

On registration issues, the ILA Space Law Committee is following currently the development and impact upon States and international organizations of General Assembly resolution 62/101.

On dispute settlement, as informed earlier, the Space Law Committee members are keeping the 1998 ILA draft convention on the settlement of disputes related to space activities, under permanent review.

Now we have taken up further responsibilities, as I said before, in the framework of the Permanent Court of Arbitration. This new experience in the Permanent Court is providing useful to view matters in different lights and different shades, particularly if we have in mind that the ILA draft convention included, from its initial stages, an article opening the door to private entities to avail themselves of the mechanisms of this draft convention.

As to the new topics we are beginning to look at. The ILA Committee believes that in the present world context a review of the 1979 Moon Agreement, with emphasis on the regime applicable to the exploration and exploitation of its natural resources, is appropriate. There are aspects of this text that remain outstanding as new technologies continue to unfold. In fact, the ILA was already involved in such an analysis in New Delhi in 2002, may I refer you to the report in book format, this is also on the ILA website www.ila-hq.org but I would prefer you to have a look at the book format because it brings with it the debates that took place in the working session which were very stimulating.

At this point in time it appears advisable to start a fresh discussion on some controversial aspects of this Agreement considering the low number of ratifications it has achieved so far. A myriad of changes have taken place in the international and regional settings since 1979. Indeed, the Moon Agreement and its unresolved questions are back in the limelight.

As regards NEOs, the ILA concurs in the importance of looking at this topic strongly linked to space security and for some time now under discussion at the STSC. The time appears right for the ILA to start thinking of the major legal and political aspects in this area of far-reaching humanitarian connotations.

In conclusion, our report to the 2012 conference will focus on:

Remote Sensing. Minor adjustments to the 2004 ILA Berlin Conclusions and special reference to satellite data in international litigation and the drafting of international standards and the effectiveness of remote sensing to supervise compliance with international law.

National Space Legislation, focusing on the adoption of a model law on the basis of the working session at The Hague and its aftermath.

Space debris mitigation in light of UNGA resolution of 2007. The ILA is concerned because these guidelines coming from the STSC were drafted without intervention of the Legal Subcommittee and furthermore the resolution was not adopted by consensus.

Dispute settlement related to space activities. Review of the ILA draft adopted on the matter in 1998 and the recent drafting experience of its officers and members in the framework of the Permanent Court of Arbitration will be reflected there as well.

Initial views for the study of new topics, as I explained before, with emphasis on the revision of the Moon Agreement to determine its consistency today and the legal and political aspects of NEOs, such as comets and asteroids and the like.

Now, I shall indeed conclude, as permanent observer to COPUOS since the early 90s it has been a renewed pleasure for us in the ILA to report to the Legal Subcommittee on the progress and results of our work. We would be honoured to look into any other topic the Legal Subcommittee may wish to entrust to us. Many thanks.

The CHAIRMAN I thank the distinguished representative of the International Law Association for a very good statement.

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

I give the floor to the distinguished representative of Belgium.

Mr. J-F. MAYENCE (Belgium) (*interpretation from French*) I would also like to thank Professor Williams for this very detailed report, all about the fascinating activities in space law in the context of the International Law Association and what they do there. I particularly would focus on one item mentioned by Professor Williams, the Permanent Arbitration Court and what it does on the draft of the settlement of disputes. We were informed of this draft two years ago at most and it would be interesting to note that the Legal Subcommittee should be apprised of what is being done there. Could the International Law Association relay that request to the Permanent Court? It would be an interesting subject where we should be kept up to date. There is a mechanism in the context of the Convention on Liability linked to all damage caused by space objects and, for my delegation at least, we would be most interested to hear how the

mechanism, that we have in place in the context of the Arbitration Court, will interact with the mechanism as set out in the 1972 Convention. I do not know whether we could call on the International Law Association to pass on this request to the Arbitration Court but I truly think it is a subject that we ought to be monitoring. Thank you.

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

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

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

The definition and delimitation of outer space (agenda item 6 (a))

The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union (agenda item 6 (b))

I would like now to begin our consideration of agenda item 6 (a) and (b). Definition and delimitation of outer space and the character and utilization of the geostationary orbit.

There are no speakers on my list. Are there any other delegations wishing to make a statement under this agenda item at this time?

I give the floor to the distinguished representative of the International Law Association.

Ms. M. WILLIAMS (International Law Association) I just wanted to say that we are very happy and wide open to requests from the distinguished delegate of Belgium and any other of the distinguished delegates. Apart from being on the website, at the end of our report to the LSC you might find our details, emails, faxes and phones and all that is necessary. Please do not hesitate to get in touch, we are delighted to send around whatever you may wish to have. Thank you.

The CHAIRMAN I thank the distinguished representative of the International Law Association for your comment.

Are there any other delegations wishing to make a statement under agenda item 6, definition and delimitation of outer space and the character and utilization of the geostationary orbit? I see none.

We will therefore continue our consideration of agenda item 6, definition and delimitation of outer space and the character and utilization of the geostationary orbit, this afternoon.

Distinguished delegates, I will shortly adjourn this meeting so that the working group on the status of treaties can hold its third meeting. Before doing so, I would like to remind delegates of our schedule of work for this afternoon.

We will meet promptly at 3 p.m. At that time we will continue our consideration of agenda item 3, general exchange of views. We will continue and hopefully suspend our consideration of agenda item 4, status and application of the five United Nations treaties on outer space, pending deliberations of the working group on this agenda item. We will continue and hopefully conclude agenda item 5, information on the activities of international intergovernmental and non-governmental organizations relating to space law. We will continue our consideration of agenda item 6, definition and delimitation of outer space and the character and utilization of the geostationary orbit. We will then adjourn the meeting so that the working group on agenda item 4 can hold its fourth meeting.

I would like now to remind delegates of the following informal consultations. Thursday morning, 31 March at 9-10 a.m. in room M7, the Chair of COPUOS will have informal consultations on the participation of 1 June draft 2011 declaration. Thursday, 31 March at lunch time, 1-2 p.m. in room M7, the Chair of the working group under item 11, national space legislation will have informal consultations on the draft report of the working group.

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

I now invite Mr. Jean-François Mayence of Belgium to hold the third meeting of the working group on agenda item 4, status of treaties and time permitting we will have informal consultations on organizational matters.

This meeting is adjourned until 3 p.m. Thank you for your attention.

The meeting closed at 11.07 a.m.