

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

Unedited transcript

830th Meeting

Monday, 4 April 2011, 10 a.m.

Vienna

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

The meeting was called to order at 10.07 a.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, good morning. I now declare open the 830th 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 have received a request from the Russian Federation to show a 15-minute video entitled: Yuri Gagarin: Chosen by Stars. We will then continue and hopefully conclude our consideration of agenda item 3, general exchange of views. We will begin our consideration of agenda item 8, examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment. We will begin our consideration of agenda item 9, capacity building in space law. We will also begin our consideration of agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space. The working group on national space legislation will hold its first meeting.

I would like to cordially invite all delegations to the official opening of the exhibition to mark the fiftieth anniversary of the first human space flight by Russian cosmonaut, Yuri Gagarin, which will take place today, Monday, 4 April at 2 p.m. in the VIC Rotunda. Speakers will include Ms. Mazlan Othman, Deputy Director-General of the United Nations Office at Vienna and Director of the Office for Outer Space Affairs, His Excellency, Ambassador Alexander

Zmeyerovskiy, Permanent Representative of the Russian Federation to the United Nations at Vienna and His Excellency, Mr. Yuri Fedotov, Director General, United Nations Office at Vienna and myself as Chairman of the Legal Subcommittee. The ceremony will be followed by a reception at the Rotunda.

I would like to also remind delegations of a joint event by the delegation of the Russian Federation and the European Space Policy Institute at the fiftieth anniversary of UNCOPUOS and its Legal Subcommittee 'Perspectives for space law' to be held today from 7-9 p.m. at the European Space Policy Institute, Schwarzenbergplatz 6. An invitation has already been distributed to all delegations.

Finally, I would also like to remind delegations to provide the Secretariat with possible corrections to the provisional list of participants which was distributed as Conference Room Paper 2 so that the Secretariat can finalize the list. Any corrections should be submitted in writing by Monday, 4 April.

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

Therefore we have a video show for 15 minutes, Yuri Gagarin: Chosen by Stars.

The CHAIRMAN I thank the distinguished delegation of the Russian Federation for a very good video.

I give the floor to the distinguished delegation of Russia for a statement.

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.



Mr. V. TITUSHKIN (Russian Federation) (*interpretation from Russian*) Distinguished colleagues. For us it is indeed a great honour that the present jubilee session of the Legal Subcommittee is taking place at a time where we are about to mark the first manned flight into outer space. This is truly an important day, a great day for us, and I am sure that this is the case for many people around the world. It is a great day, first and foremost because it is a national of our country who had the good fortune, the honour and the responsibility, to perform and conduct that first manned flight into outer space, Yuri Gagarin was the man. We honour him and, at the same time, we also believe that his achievement is the achievement of all mankind. It is one of the first steps of mankind into outer space, it is the first step onto our joint exploration of that other world. His exploit not only turned the page in the scientific exploration of outer space and enabled the future exploration of that realm but it is also, we are sure, going to be the first step towards international cooperation, hand-in-hand, of outer space. Yuri Gagarin dreamt of doing joint space flights with other astronauts and now Russians and Americans, as well as astronauts and cosmonauts from other countries, fly together and their joint ventures of all countries, this is the proof, the testimony of the fact that Mr. Gagarin's dreams are coming true. We believe that this is what we are going to be celebrating tomorrow when we are going to be having the Gagarin flight staged tomorrow. There is going to be two Russians and one American astronaut sitting together and they are going to be performing a 262-day flight to the ISS.

The flight of Yuri Gagarin was not just an important event in outer space exploration and space activities, it is also a very important time that we are marking, a milestone in the development of legal affairs. In December of 1961, the UNGA adopted resolution 17/21 which first laid down the basic principles of the development of international space law. For example, the development of international law and its application to celestial bodies, also the declaration of the equal access of all States to celestial bodies which are not within the realm of respective States. There was also the important principles having to do with the use and exploitation of outer space for the benefit of all mankind, of all countries, irrespective of their degree of economic development, it also enshrined the importance of international cooperation in outer space. We must not forget that this UNGA resolution allowed the LSC to comprise all of the legal aspects having to do with outer space exploration. All

of this can be tied in to the importance of Yuri Gagarin's exploits.

Once again, I would like to invite all participants to the exhibition which is going to be opened today at 2 p.m. and let us hope that the celebration of this very important event will be a stimulus for our proper and successful work here in the Outer Space committee. Thank you very much.

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

General exchange of views (agenda item 3)

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

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

We have therefore concluded our consideration of agenda item 3, general exchange of views, this morning.

Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment (agenda item 8)

Distinguished delegates, I would now like to begin our consideration of agenda item 8, examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment.

First I would like to inform delegates that I have received a request from Mr. Martin John Stanford, Deputy Secretary-General of the International Institute for the Unification of Private Law (UNIDROIT), to present a statement under this agenda item. With your permission I would like to give the floor to Mr. Stanford.

Mr. M. STANFORD (UNIDROIT) Good morning ladies and gentlemen. The International Institute for the Unification of Private Law (UNIDROIT) greatly appreciates the invitation which it has received from the United Nations Office for Outer Space Affairs to report to this fiftieth session of the Legal Subcommittee of the United Nations

Committee on the Peaceful Uses of Outer Space on the developments that have taken place since the last session of the Legal Committee concerning the preliminary draft protocol to the Convention on International Interests in Mobile Equipment on matters specific to space assets.

In the first place, let me wish the Legal Subcommittee every success in its deliberations on this most auspicious of occasions.

UNIDROIT is pleased to be able to report excellent progress in respect to the preliminary draft protocol over the past 12 months. While the Convention on International Interests in Mobile Equipment and the protocol thereto on matters specific to aircraft equipment continue relentlessly to attract new contracting parties, at the present time, there are 42 contracting parties to the Cape Town Convention and 36 to the Aircraft Protocol and, whilst the international registry for aircraft objects goes from strength to strength in terms of the proportion of the world's commercial aircraft financing transactions recorded in that registry, as of 24 March approximately 260,000 registrations had been made in the international registry for aircraft objects against 110,000 aircraft objects and that is in the five years since it entered into operation on 1 March 2006.

While these two processes, as I say, continue relentlessly there has also been remarkable progress in the work of the UNIDROIT Committee of Governmental Experts for the preparation of a draft protocol to the Cape Town Convention on matters specific to space assets. The fourth session of this Committee was held in Rome, from 3-7 May last year. The session was attended by representatives of 37 governments including 34 members of COPUOS, five intergovernmental organizations and five international non-governmental organizations as well as 12 representatives of the commercial space, financial and insurance communities and a representative of the International Registry for Aircraft Objects. The session was chaired by Professor Marchisio whose appointment as chairman was confirmed and Professor Kopal was appointed deputy chairman and took over from Professor Marchisio when necessary.

At its fourth session, the Committee made substantial progress in resolving the outstanding issues identified at its previous session and also made a provision-by-provision review of the entire revised version of the preliminary draft protocol that had emerged from that session. At the conclusion of the fourth session, it was decided to refer further consideration of three key issues to intersessional

meetings of the two informal working groups of the Committee. These issues were: the definition of the term 'space asset'; the issue of default remedies in relation to components; and the question of limitations on remedies for public service. It was agreed that the opportunity of these intersessional meetings should be taken also to hold consultations with representatives of the commercial space and financial communities, notably with a view to building further consensus around the solutions taking shape within the Committee all the more important and that the UNIDROIT Governing Council decided, at its eighty-ninth session held in Rome from 10-12 May 2010, that the fifth session of the Committee of Governmental Experts would be the final session of the Committee.

The consultations were held in Rome on 18 October. They were attended by representatives of nine governments, six representatives of the commercial space and financial communities and one observer. They were moderated jointly by Mrs. Veneziano of Italy and Mr. Borello of Thales Alenia Space. Significant progress was made at the consultations in creating a keener awareness of the concerns and requirements of industry in particular on the key outstanding topics.

The informal working group on default remedies in relation to components met in Rome from 19-21 October 2010 and this meeting was also attended by representatives of nine governments and three observers. The Secretary-General of UNIDROIT acted as moderator and major progress was made at this meeting notably in working out a completely new definition of space asset.

The informal working group on limitations and remedies met in Rome on 20 and 21 October 2010. This meeting was attended by representatives of nine governments and two observers, once again the Secretary-General of UNIDROIT acted as moderator. This informal working group also made major progress in agreeing upon the essential features of a proposed new rule on public service.

The progress made at these three intersessional meetings greatly facilitated the work of the Committee of Governmental Experts at its fifth and final session held in Rome from 21-25 February 2011. This session was attended by representatives of 32 governments, including 29 members of COPUOS, three intergovernmental organizations and five international non-governmental organizations as well as seven representatives of the commercial space, financial and insurance communities and a

representative of the International Registry for Aircraft Objects.

At its fifth session, the Committee achieved consensus on three of the four outstanding key issues, agreeing first on a new definition of the term 'space asset'; secondly, on a new public service rule; and thirdly, on a rule specifying the criteria for the identification of space assets for the purposes of registration. On the one issue on which the reaching of consensus proved impossible in the time available, default remedies in relation to components, the Committee was, nevertheless, able to agree on alternatives to be referred therefore for decision to the diplomatic conference. Time clearly does not permit an exhaustive account of the discussions at the recent session but to give you a flavour, if I may say so, of the main developments, it is appropriate perhaps to say a word or two about first, the definition of the term 'space asset' and, secondly, the shape of the public service rule.

The new definition of space asset has been drawn in broad terms with a view to covering future technological developments. High value components such as transponders, as indeed any other component deemed bankable at the time, are intended to be covered by the future protocol. On the other hand, low value components and in particular those not deemed bankable, are intended to be excluded from the planned protocol so as to avoid the future international registry being cluttered up with countless registrations of international interests in what would amount to simple nuts and bolts. Space assets are defined according to a three-tier approach. First and foremost the term covers any man-made, uniquely identifiable, asset in space, or designed to be launched into space, that falls under one of the following categories. (1) A spacecraft such as a satellite, a space station and a space module; (2) a payload, whether a telecommunications, navigation, observation, scientific or other payload; or (3) a part of a spacecraft or payload such as a transponder.

On the ____ (?) issue of public service, it was agreed that any creditor seeking to exercise a default remedy under the convention that would interrupt a service that had been designated in the future international registry as a public service would have to give six months notice to the affected government or government agency of its intention to exercise its remedy. With that government or government agency being, during that time, invited to be directly involved in any proceedings of the regulatory authority of the licensing State of the asset that the defaulting debtor might also take part in, whether or not the creditor or the debtor was located within that State. That's quite a

mouthful but I hope that you have understood. As I say, there is additional time to ____ (?) perhaps.

Considerable work was done also by the drafting committee during the session on fine tuning the preliminary draft protocol. Additional drafting work, authorized by the Committee of Governmental Experts, notably to implement the decisions taken by the Committee in the final stages, was carried out by the Secretariat immediately after the session in conjunction with the co-chairman of the drafting committee.

At the conclusion of the session, speaking on behalf of the Committee of Governmental Experts, Professor Marchisio was able to recommend to the UNIDROIT Governing Council that it authorized the transmission of the preliminary draft protocol, as amended during the session, to a diplomatic conference for adoption. The new text of the preliminary draft protocol has been sent out with a report on the recent session to all those having participated in the session and would be laid before the UNIDROIT Governing Council at its ninetieth session to be held in Rome from 9-11 May for advice and consent as to the appropriate follow-up action. In the normal course of events the Secretariat would hope that the Governing Council will authorize the convening of a diplomatic conference for adoption of what would then would become a draft protocol in the first quarter of 2012.

I have, by the way, given the Secretariat a copy of this statement and attached to the statement you will find a copy of the new text of the preliminary draft protocol, i.e. the text as it emerged from the recent session but also with all the amendments made by the Secretariat in conjunction with the co-chairman of the drafting committee and that I gather will be in your pigeon holes in due course.

In conclusion then, UNIDROIT would reiterate how greatly it values the input that COPUOS members continue to make in the development of the planned protocol and looks forward to continue to working closely with them in what looks now very likely to be the final stages of this process. Thank you.

The CHAIRMAN I thank Mr. Stanford, Deputy Secretary-General of UNIDROIT for a very good statement.

Now I would like to turn to the list of speakers. The first speaker on my list is the distinguished delegate of Germany. I give the floor to the distinguished representative of Germany.

Mr. B. SCHMIDT-TEDD (Germany) During the last year Germany continued its active support of, and participation in, the UNIDROIT consultations which relate to the preparation of the draft protocol on matters specific to space assets to the Convention of International Interests in Mobile Equipment. The UNIDROIT Committee of Governmental Experts for the preparation of the draft protocol to the Convention of International Interests in Mobile Equipment on matters specific to space assets, had its fifth session in Rome from 21-25 February this year. This session was prepared by intersessional consultations in October 2010.

The fifth session in February 2011 completed its work on a preliminary draft protocol which now is open for approval by the UNIDROIT Governing Council and for submission to a diplomatic conference for adoption. Germany would like to express its satisfaction with the results achieved and is convinced that the new financing instrument will promote new space applications. The instrument will serve especially the interests of developing and emerging economies. Germany welcomes the integration of UNCOPUOS members in the finalization of the space asset protocol. Thank you.

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

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

Mr. V. KOPAL (Czech Republic) First of all in my brief intervention, I would like to thank Dr. Martin Stanford, Deputy Secretary-General of UNIDROIT, for his traditionally excellent report to the Legal Subcommittee on the activities of UNIDROIT in elaborating the Space Protocol to the 2001 Cape Town Convention. I believe that he very well characterized the spirit and results of the fifth session, particularly of the fifth session of UNIDROIT, that was held recently and completed its task. This is a very good news because, in this way, the draft of international space treaty that deals for the first time with private law matters has been achieved. Of course not all problems have been resolved so far, they wait for the convening of the diplomatic conference and it is up to the governing body of UNIDROIT to decide when and where such a conference should be held. Nevertheless, I believe that it has been a great and successful result so far and we should continue in the efforts to complete the remaining issues at the diplomatic conference if it is convened. I believe that a hard work has been done

by the UNIDROIT secretariat because it was an enormous effort necessary to complete everything at the level of the committee of experts and a great merit for it without doubt belongs to the Deputy Secretary-General of UNIDROIT, Dr. Martin Stanford. Thank you.

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

No more speakers on my list. Are there any other delegations?

I give the floor to the distinguished representative of Italy.

Mr. G. GHISI (Italy) As the Ambassador of Italy _____(?) within the general exchange of views. The Italian delegation has always supported the work done by UNIDROIT concerning the draft space asset protocol to the Cape Town Convention. It did so, not only as the host country of UNIDROIT and of the meetings of the Committee of Governmental Experts but also because it has always esteemed such an instrument as an important tool to protect investments in outer space. I have, in this regard, nothing to add to the excellent report made by the Deputy Secretary-General of UNIDROIT, Mr. Martin Stanford. I would only like to stress that one of the points that was of major interest for this Subcommittee, within the negotiation of the draft protocol on space assets, was the relation between the space asset protocol itself and the UN space treaties. I would like, in this respect, to underline that the Committee of Governmental Experts decided from the very outset of its work to include a conflict clause or, if you like a primacy? clause, into the text of the draft protocol. This is article 34 and I draw your attention to this article because this article 34 of the revised preliminary draft protocol, as amended by the last two sessions of the Committee of Governmental Experts, regulates the relationship with UN outer space treaties and instruments of ITU establishing that the Convention, as applied to space assets, does not affect State Party rights and obligations under the existing UN outer space treaties or instruments of the International Telecommunication Union. This clause is aimed at coordinating the application of the protocol not only with the UN space treaties and ITU legal instruments preceding in time in relating to the same matters but also with any possible future amendment or modification to these treaties that might be adopted in the future by the States Parties to these treaties. Of course, we took into careful consideration article 30, paragraph 2, of the Vienna Convention on the Law of Treaties of 1969, which is

the main set of rules applicable to this issue which says that 'when a treaty specifies that it is subject to, or that it is not to be considered as incompatible with, an earlier or later treaty, the provisions of that other treaty prevail'. You are well aware that, on the contrary, there is no conflict clause among the space treaties themselves so that inconsistency can be present among ____ (?). Thank you.

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

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

The next speaker is the distinguished representative of Brazil. I give the floor to Mr. Filho.

Mr. J. FILHO (Brazil) (*interpretation from Spanish*) My statement is to say that Brazil follows with great attention the process of studying developing this draft protocol on space assets. We still have not come to a definitive decision on this matter but we think that we do have in front of us a very professional document, carefully set out, and we all appreciate the recent additions hence we are very interested in this matter. We will continue to follow very closely the whole process which seems to us very positive at this stage. Thank you.

The CHAIRMAN I thank the distinguished representative of Brazil 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 our consideration of agenda item 8, examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, this afternoon.

Capacity building in space law (agenda item 9)

I would now like to begin our consideration of agenda item 9, capacity building in space law.

The first speaker on my list is the distinguished representative of Venezuela on behalf of the Group of 77 and China. I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) The Group of 77 and China would like to thank the Secretariat for

the prepared documentation on this agenda item and would also like to thank the Office for Outer Space Affairs for the activities carried out during the last year on the promotion of capacity building in space law.

The Group of 77 and China considers that more effective efforts are needed in order to increase awareness on the importance of space law and the legal framework in carrying out space activities and programmes.

Capacity building in space law, in particular in developing countries, needs to be promoted through international cooperation. Therefore, the Group of 77 and China calls on OOSA and member States for greater support to enhance cooperation of both North-South and South-South to facilitate the sharing of knowledge related to space law among nations.

The Group of 77 and China also calls upon OOSA and Member States to make available more opportunities for greater academic linkages, long term fellowships and further collaboration with universities, UN centres of research and other national and international institutions on space law with institutions in developing countries.

The Group would also like to highlight the activities organized by the Office for Outer Space Affairs, in cooperation with host countries, aimed to enhance the capacity building in space law and regional and international cooperation in the peaceful uses of outer space. The work carried out by UNOOSA with space law educators and representatives of the regional centres for space science and technology education, affiliated to the United Nations, should further focus on the development of the curriculum on space law. Thank you.

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

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

Mr. T. KASHIWAGI (Japan) On behalf of the Japanese government I am pleased to address the fiftieth session of the Legal Subcommittee of COPUOS. I would like to report on Japan's efforts to enhance capacity building in space law.

Japan continues to attach great importance to providing education and training opportunities in the area of space law and facilitating the exchange of

education materials and information relating to space law as a means to enhancing capacity building in space law. The Japan Aerospace Exploration Agency (JAXA) continues to support the area Manfred Lachs Space Law Moot Court, organized by the International Institute of Space Law (IISL), by funding since 2001, the _____(?) of the winning teams at the Asia/Pacific regional round of the world finals held during the International Astronautical Congress (IAC) reflecting a high level of interest in the Asia/Pacific region. Twenty-nine out of 48 _____(?) in total that participated in this event last year were from this region. We are pleased that the National Law School of India _____(?) was winner in 2009 and the National University of Singapore was runner-up last year.

We believe that the annual financial support provided by JAXA in this regard contributed to bringing attention to the region and has also helped to _____(?) the overall level of space law university programmes. JAXA is going to provide continuous support to the representative of the Space Law Japan Students Conference _____(?) to participate in ISA. The Space Law Moot Court and the colloquium on the Law of Outer Space organized by IISL. Japan, through this active _____(?) by JAXA, _____(?) continue to support these students through cooperation with IISL in order for them to gain practical experience in the application of space law, interact with other students from other countries and meet the leading space law experts from around the world. We believe that this will _____(?) environment for students studying space law in which they may gain broad knowledge and perspective and thus contribute to progressive development of space law in the future.

In its legal _____(?) division, JAXA receives students of law including those from other countries, _____(?) to assist in its work and conduct research _____(?) to international and domestic space law. The Division also continues to update the database on the international space treaties and domestic space laws, both in the original language and in Japanese as appropriate. The database I refer to is available to the public on Internet.

Through _____(?) space education and awareness working group, Japan is strengthening its efforts to expand opportunities for education and training and to exchange educational materials both of which encompass the area of space law. At the last meeting of the space education and awareness working group of APRSAF-16, held in Bangkok, Thailand, the working group agreed that its members should keep each other informed of any upcoming opportunities for university and graduate students in _____(?) that are

made available by their organizations, by other organizations in their countries, or by other entities within or outside the region.

_____ (?) education materials, the working group agreed to jointly produce and keep updating a list of _____ (?) measure education materials developed by organizations which are represented by its members either in the legal language or other language. The working group continued this discussion for its further _____ (?).

In this regard, we commend the excellent work done by the Office for Outer Space Affairs in providing the education opportunities in space law directory last year. We hope that this valuable source of information in academic programmes in space law _____ (?) can be distributed widely in Asia and the Pacific through APRSAF space education and awareness working group as well. We also hope that consideration could be given to compiling a list of _____ (?) opportunities in space law that are available around the world. We believe that such _____ (?) opportunities made available for students from other countries will contribute not only to expanding training opportunities for future space lawyers but also to deepening our _____ (?) understanding _____ (?) countries that are engaged in space activities. We also believe that these activities will encourage more countries to ratify the international treaties which promote the peaceful use of outer space. Thank you.

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

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

Mr. L. HE (China) (*interpretation from Chinese*) Space law is closely related to the development of space science and technology and is essential to regulating and guiding the orderly conduct of space activities. Capacity building in space law can lay a solid foundation for the development of space law and create conditions for countries, developing countries in particular, participating in space activities to familiarize themselves with and _____ (?) in the formulation of _____ (?) of space law so that they may participate in space activities on an equal footing and more effectively. The great significance of capacity building in this field. My delegation appreciates the fact that, for years, OOSA has taken a series of initiatives to promote international cooperation in space law and provide guidance and training opportunities for capacity building for developing

countries. We favour offering preferential policy treatment and practical help to developing countries in space law capacity building. We support OOSA and its affiliated regional centres as well as regional space collaboration organizations and research institutions to play leading roles in this area.

China is a developing country. In recent years, as our space activities have flourished, the Chinese government has accorded great importance to capacity building in space law and taken a string of initiatives to raise the theoretical and practical level of space law in China. First, we have put emphasis on basic research in space law. Quite a few institutions of higher learning across the country are offering space law courses within the international law faculties. The three universities teaching space law in China have been included in the directory of educational opportunities in space law compiled by OOSA. Since 2003, the Space Law Society of China has been organizing a mock court competition every year while higher learning institutions have organized lectures or forums by space law experts from _____(?) to explore the main _____(?) latest developments in space law.

Second, we have pushed to deepen forefront research in this field. As space technology has developed rapidly, space law is facing increasing numbers of new issues to respond to various challenges effectively. The government periodically organizes research on the newest topics in space law. _____(?) space law society of China provides a forum _____(?) on hot issues in space law _____(?) annual meetings or academic seminars attended by young students, international law scholars, space researchers, government officials etc.

Third, we have endeavoured to raise public awareness and knowledge of space law. The space research institutions in China are offering training courses extensively to disseminate knowledge of space law. In addition to classroom teaching, more and more space law publications, treatises and text books have been published. Furthermore, space law knowledge is disseminated via government websites, popular science teaching material and professional books to enhance public attention to space law. _____(?) our capacity building in space law has taken some preliminary strides but, compared to the huge needs of space activities, still has a long way to go. Extensive international cooperation is a necessary means to do a good job in this area. As a Chinese saying goes 'when everybody adds wood to the fire, its flames rise higher'. China has always attached importance to strengthening exchange and cooperation with other countries and international organizations and supported

OOSA and regional space cooperation organizations in their efforts in this regard.

As a host country to APSCO, China has good cooperative relations with this organization and helped organize cooperative space law projects like training courses on space law for the benefit of more developing countries which has played a positive role in promoting space technology application in the Asia/Pacific region. We are willing to carry out, in cooperation with APSCO, more similar activities. At the same time, we hope to extend useful experiences to cooperation with more countries and organizations to continue even further to promoting capacity building in space law in regions around the world. Thank you.

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

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

Mr. C. SCHMEICHEL (Canada) Canada supports strongly capacity building in space law. Space law is extremely important as it does regulate competing human interest that regulates space technology. On this point I would simply like to point out that the McGill University Institute of Air and Space Law has recently created several fellowships available to international students for graduate and post-doctoral studies in space law. The Canadian Space Agency has also recently started a grants and contribution programme which allows the finance of projects for students that are interested in space and in particular also space law. If I may also quote an old Chinese saying 'always aim for the Moon, therefore even if you miss you will be amongst the stars'. Thank you.

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

Mr. V. KOPAL (Czech Republic) I will not attempt to make a statement but at least a modest contribution to this item the importance of which we fully recognize. I would like to mention two results in this sphere that have been achieved during the past year.

First of all, it was the workshop organized jointly by UNOOSA and the Government of Thailand and our colleagues from Thailand that performed this task. I believe that the workshop was very useful and meaningful. The reports and the discussions were on a high level. I had the pleasure to witness this workshop and also to modestly contribute to it. What is particularly important is the fact that the Office for Outer Space Affairs succeeded in publishing the proceedings in a very short time - the workshop was held by mid-November and in March this year we have already received the proceedings which are before us.

The second important result was the finalization of the curriculum with the participation of many international experts in this work. I believe this is a very good basis for further efforts in this field, this means in efforts pending, in my opinion, to an international textbook on space law, it might be prepared in the next period.

Also, if I may record here, a workshop that was held prior to the International Astronautical Congress in Prague last Fall with the participation of a number of young people from developing countries was a contribution to the capacity building in space law, though it was conceived wider and dealt with problems of international cooperation particularly with the developing countries, it also touched the capacity building in space law. Thank you.

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

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

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

Mr. A. TARABZOUNI (Saudi Arabia) Saudi Arabia supports the capacity building in space law but I would like to ask, through you, Her Excellency Dr. Mazlan, what the status is of the affiliated Arab centre which the Arab groups of COPUOS asked for last year? Thank you.

The CHAIRMAN I thank the distinguished representative of Saudi Arabia.

I give the floor to Dr. Mazlan Othman.

Ms. M. OTHMAN (Director, OOSA) I would like to inform you that we have received a Note

Verbale from the Permanent Mission of the Government of Jordan that they are going to set up the regional centre for Arab speaking countries. We are in the process of strategizing the opening and also finalizing the letters of exchange and the agreement. Thank you.

The CHAIRMAN I thank Dr. Mazlan Othman, Director, UNOOSA, for your statement.

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

We will therefore continue our consideration of agenda item 9, capacity building in space law, this afternoon.

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

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

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

Mr. B. SCHMIDT-TEDD (Germany) As already announced during the session of the Legal Subcommittee in 2010, the preparations of the German act on national space activities are continuously pursued. The establishment of a German framework for national space activities is part of the new German space strategy which has been adopted on 30 November 2010. The German Space Act will cover, for example, licensing matters, registration of space objects, liability and insurance issues. The details are currently being elaborated by the Federal Ministry of Economics and Technology. For the time being the German government plans to finalize its space legislation during the present election period, that is, until 2013. As soon as the legislation procedure is completed, the German delegation will present the German Space Act to the Legal Subcommittee. The German delegation would like to appreciate the results achieved by the working group on national space legislation under the able leadership of Professor Marboe. The findings of this working group are supportive for any drafting procedure of national space legislation. Thank you.

The CHAIRMAN I thank the distinguished representative of Germany 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 see none.

We will therefore continue our consideration of agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space, this afternoon.

General exchange of views (agenda item 3)

Now under agenda item 3, general exchange of views, we have one statement by the National Space Society. I give the floor to the distinguished representative of the National Space Society.

Ms. A. MOORE (National Space Society) It is with great pleasure that I make this statement on behalf of the National Space Society at the fiftieth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

The National Space Society is a non-profit organization dedicated to promoting space exploration and manned activities in space. It is widely acknowledged as the pre-eminent grass roots voice on space issues with members and chapters around the world. The Society also publishes *Ad Astra* magazine, an award winning periodical chronicling the most important developments in space. NSS seeks to promote social, economic, technological and political change, to advance the day when humans will live and work in space when Earth will become a space-faring civilization. NSS makes special effort to increase public awareness of the UN role in promoting the peaceful uses of outer space and implementation of the Vienna Declaration from UNISPACE III. It is an active promoter of the annual UN World Space Week. I was privileged to take part in the UN DPI/NGO briefing dedicated to World Space Week on 14 October 2010 at UN Headquarters. The theme for the panel was 'Space and Society: Bringing the Benefits of Space Technology to Earth'. The panellists included Mr. Dumitru Dorin Prunariu, chairman of COPUOS and former Romanian astronaut; Mr. Kenneth Hodgkins, Director, Office of Space and Advanced Technology, US State Department; Ms. Mazlan Othman, Director, UNOOSA, and myself as a representative from civil society, the NGOs.

Public support for space is a major goal of this Society, to this end NSS takes pride in its outreach efforts. Each year at the ISDC, the NSS honours

individual and groups and these include awards of special significance.

The Robert A. Heinlein Memorial Award, selected by the membership and given only in even numbered years. The 2010 recipient was Peter Diamandis for his work to create and effectively run the X PRIZE Foundation. The NSS Wernher Von Braun Award, given in odd numbered years. The 2011 award will be given to the JAXA Hayabusa Team. The Gerard K. O'Neill Memorial Award for Space Settlement Advocacy, given occasionally as warranted. The most recent award, in 2010, was given to physicist Freeman Dyson, in recognition of his many years of support for the concept of human space settlements. Finally, the Space Pioneer Awards, usually three of which are given each year in recognition of significant accomplishments in opening the space frontier. All the 2011 recipients will be announced soon.

For 30 years, NSS members and other space advocates have gathered for the International Space Development Conference or ISDC. The theme for the 2011 ISDC is 'From the Ground Up: How do we get there'. It will start with a one-day space investment summit where the next wave of entrepreneurs will learn how to line up potential investors and how to market their ideas. The ISDC will also host several workshops and plenary sessions on future missions to the International Space Station, how to get a payload onto the International Space Station, space launch system mission development, commercial space activities and international space-based solar power symposium. For further details on NSS, its programmes and the ISDC, I invite the distinguished delegates to visit the National Space Society website, at www.nss.org.

In closing I would like to make a few remarks in honour of the fiftieth session of the Legal Subcommittee. NSS would like to take this opportunity to congratulate the Legal Subcommittee on its fifty-year history and wish it continued success. We would also like to express our warmest thanks to the Legal Subcommittee Secretariat and the entire staff of the Office for Outer Space Affairs for all their hard work throughout the year, over the years. The National Space Society looks forward to working with the Legal Subcommittee, the Outer Space Committee and the UN Committee, as we all continue to bring the benefits of space to the people of Earth and the people of Earth into outer space. Thank you.

The CHAIRMAN I thank the distinguished representative of the National Space Society for a very good statement.

We have concluded our consideration of agenda item 3, general exchange of views.

Distinguished delegates I will shortly adjourn the plenary meeting so that the working group on agenda item 11 can hold its first meeting under the chairmanship of Professor Irmgard Marboe of Austria.

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 8, examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment. We will also continue our consideration of agenda item 9, capacity building in space law and agenda item 11, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space. The working group on agenda item 11 will hold its second meeting under the chairmanship of Ms. Irmgard Marboe of Austria.

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

I would like to remind delegations to provide the Secretariat with possible corrections to the provisional list of participants which was distributed as Conference Room Paper 2 so that the Secretariat can finalize the list of participants. Any corrections should be submitted in writing by this afternoon.

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

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

The meeting closed at 11.31 a.m.