
**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee***Unedited transcript*728th Meeting

Thursday, 14 April 2005, 3 p.m.

Vienna

Chairman: Mr. S. Marchisio (Italy)

The meeting was called to order at 3.26 p.m.

The CHAIRMAN: Good afternoon distinguished delegates, I now declare open the 728th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This afternoon we will continue and conclude our consideration of agenda item 10, Proposals to the Committee on the Peaceful Uses of Outer Space for New Items to be Considered by the Legal Subcommittee at its Forty-Fifth Session. Time permitting, we will begin the adoption of the first part of the draft report of the Legal Subcommittee. I understand that the draft report has been circulated in all six languages as document A/AC.105/C.2/L.257.

Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-fifth session (agenda item 10)

Distinguished delegates, I would now like to continue our consideration of agenda item 10, Proposals to the Committee on the Peaceful Uses of Outer Space for New Items to be Considered by the Legal Subcommittee at its Forty-Fifth Session.

Are there any delegations wishing to take the floor on agenda item 10, New Items?

Germany, you have the floor.

Mr. S. KRAUPSE (Germany): Concerning the item 8 of this year's agenda, as we discussed during the substance of the report on the general protocol, there was a proposal to combine 8(a) and 8(b) and to have it as a combined title during the next session as a one year agenda item. Our proposal in this sense would be to have a one year agenda item in the sense of examining and preview of development relating to the UNIDROIT draft Protocol on Space Assets and then the full title.

Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of Germany.

I see the Ambassador of Chile. You have the floor.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you very much Mr. Chairman. I have no problem with the proposal made by Germany. However, I have a comment, a formal one, if you will. Allow me to say the following.

This proposal has to do with remote sensing. Other delegations too have suggested something along these lines. What we could do is consider the matter at the time of the next session of the Legal Subcommittee. The same applies to the proposal made this morning by Ukraine. It is very important to point out that these proposals are valid standing proposals even though in Ukraine's case, a formal

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agenda item had been suspended. So once again, we agree with what Germany said.

Thank you.

The CHAIRMAN: Are there any other delegations wishing to take the floor on agenda item 10?

Greece. Greece, you have the floor.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Thank you Mr. Chairman. In principle, I am inclined to agree with the German proposal but I see two conditions for that to happen. First, we need to have a text finalized by the Group of Experts by October. If there is no such final text, there would be no point in restarting discussions in a vacuum, as it were. So again, this agenda item should be deferred to next year.

Secondly, if we want to continue discussing developments concerning the Protocol on Matters Specific to Space Assets, we could, of course, do that under agenda item 7, I think it is 7, unless I am mistaken, it is about the contribution of international organizations. It is always possible for the Working Group toiling within the framework of that agenda item to consider the matter of the Protocol on Space Assets as well.

Those were the two comments I wanted to make. Thank you very much.

The CHAIRMAN (*interpretation from French*): I thank the distinguished representative of Greece.

Obviously it is hard to make these decisions now at this point. I do not know if we can put items on the agenda with certain conditions or provisos. I do not know if that is the accepted procedure. In my opinion, it would be wise to have these items included in the agenda, to have these issues submitted for the consideration of the Subcommittee and, of course, the Subcommittee will decide what it wants to do. We know the opinions of some delegations who are in favour of including these items, others disagree.

The distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic): Thank you Mr. Chairman. First of all, I would like to express my agreement with the proposal made by the distinguished representative of Germany. I believe that it will be indeed wise to have a mandate that would be more

general for the next consideration of the problems relating to Space Protocol.

As to the point of view of our distinguished colleague from Greece, I believe that, up to now, UNIDROIT has been always very helpful and informed the Subcommittee in greater detail about the progress that has been reached before our session. For example, we have received a new text of the preliminary draft Protocol after the first session of the Expert Group. We have received detailed information from Mr. Martin Stanford this year in his statement that has been distributed in his absence in writing to all delegations so we may be expecting a similar proceedings for the future.

As to the suggestion that this issue could be discussed under the scope of agenda 7, it means the activities of international organizations, I do not believe if it should be really practical because we still have the one interest, namely in provision, the preamble and/or in the text itself about the mutual relations between the rights and duties of States under the United Nations space treaties and the new Protocol and this very probably will be developed further during the forthcoming session of the Group of Experts of UNIDROIT so that we might be interested to have further possibilities to discuss it and to communicate our opinion about the results of those considerations in the Group of Experts to UNIDROIT on time.

Thank you very much, so that I would rather be incline to your own point of view that it should be a separate item. Thank you.

The CHAIRMAN: Thank you distinguished representative of the Czech Republic.

Are there any other suggestions?

I see none.

In this case, with the permission of the Subcommittee, I will summarize the understanding regarding the agenda for the forty-fifth session of the Legal Subcommittee.

The agenda will consist of the following items.

Under regular agenda items, we will consider:

One, General Exchange of Views;

Two, Status and Application of the Five United Nations Treaties on Outer Space;

Three, Information on the Activities of International Organizations Relating to Space Law;

Four, Matters Relating to (a) the Definition and Delimitation of Outer Space; (b) the Character and Utilization of the Geostationary Orbit Including the Consideration of Ways and Means to Ensure the Rationale and Equitable Use of the Geostationary Orbit, Without Prejudice to the Role of the International Telecommunication Union.

Under single issues items for discussions, we will consider:

Five, Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;

Six, Examination and Review of Developments Concerning the Preliminary Draft Protocol on Matters Specific to Space Assets.

We will also consider one item under Work Plan, namely:

Seven, Practice of States and International Organizations in Registering Space Objects in Accordance with the Work Plan Adopted by the Committee.

The Subcommittee will also consider proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-sixth session.

With regards to the proposal we heard from Ukraine and other States this morning, CRP.14, which was issued last year, is currently being edited and translated and will be made available to delegations as soon as possible as a Working Paper. That Working Paper could be discussed by the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space that will be reconvened at the forty-fifth session of the Legal Subcommittee next year.

Are there any questions or comments on the outlined agenda for the forty-fifth session of the Legal Subcommittee?

I see the distinguished Ambassador of Chile.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you very much

Mr. Chairman. You have been extremely precise and clear.

On the latter part, we can refer to it as the German agenda and we are positive about that. Maybe we could introduce a Latin nuance into the agenda to redress the balance of interests, in a manner of speaking, and this should, of course, be reflected in the report. Again, I have no problem at all, Mr. Chairman, with what you have just read out, on the contrary, but everything that has been said needs to be reflected in the report. The report should state that the proposal related to remote sensing was not formally withdrawn by the country that had originally put it on the table, or the group of countries rather, unless that group of countries decides to withdraw the proposal at the time we consider the report. That has not happened yet. Greece, Chile, Colombia, we have discussed the matter, have we not, and the report should clearly state that the proposal is still standing, that there should be no misunderstanding as to that. We could say that this is not reflected in the draft agenda for the next session. However, it does not mean that the matter has been dropped completely or disappeared into some black hole. We should very clearly say that it is still on the table.

Thank you.

The CHAIRMAN (*interpretation from Spanish*): I thank the Ambassador of Chile.

The Ambassador of Colombia has the floor.

Mr. R. J. SERRANO CADENA (Colombia) (*interpretation from Spanish*): Yes, thank you very much Mr. Chairman.

The distinguished Ambassador of Chile has already expressed what I wanted to say. What he said is entirely accurate. We need to find a solution and, as was correctly point out here, the report needs to reflect what was said and we should continue working on that. This is still standing.

Thank you.

The CHAIRMAN (*interpretation from Spanish*): Thank you.

Japan has the floor. But before I call on Japan, I would like Chile and Colombia to tell me if the proposal that they have referred to is the most recent proposal put forward by Brazil? Is that the one you are referring to or are you referring to the earlier proposal submitted by Brazil and other States?

Thank you.

Japan, you have the floor, Ambassador.

Mr. S. MORIMOTO (Japan): Thank you very much. My delegation is happy about the formation you presented to us at the outset. I just wanted to make one point clear, after having heard the comments made by the distinguished Ambassador of Chile and the distinguished Ambassador of Colombia.

If there should be some of the statement or description of the discussions we have here in the whole, on top of the agenda you described, I think that this has to be described in a very fair and balanced manner. We could live with such a description that the topic on remote sensing is there, which was withdrawn by Brazil while the other Latin American countries wish to have, is on the table. At the same time, it has to be pointed out that quite a number of countries are not yet agreed with that proposal made with the rest of the countries. I do not insist on any sort of formation but the balance has to be there. But that said, I think it would be much more complicated to formulate the sentence, so my alternative suggestion is just we agree on the agenda you presented.

Thank you very much.

The CHAIRMAN: Thank you distinguished Ambassador of Japan.

I think that there are two aspects to be considered. The first one is the discussion that we had this morning concerning new agenda items. And on this very point, of course, there will be a very precise report of these discussions and the different point of views that have been expressed in the report of the Committee. Then, as I understood the proposal of Chile and Colombia, in the paragraph of our report where it is stated, which are the proposals that we retain for possible discussion at subsequent sessions of the Subcommittee, we will leave the proposal on remote sensing, sponsored by Colombia, Chile and other countries, as well as we have other proposals that stand in this paragraph, like the French proposal on space debris, the Czech proposal on space debris and environmental norms and others like the Greece proposal on television by satellite. These are two different aspects, I think.

Chile, you have the floor.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you very Mr. Chairman. I think that, once again, you have set the

situation very clearly, that is exactly what we are aiming for. And in addition, this is our sovereign right. We have the right to make proposals if they are important for us, irrespective of how subsequent debate moves on. This all needs to be reflected in the report otherwise we will have total anarchy. Of course, the proposals need to be described and, of course, all proposals should be reflected. If something is not reflected, then we will have, do this undoubtedly essential exercise. This is why I support what you said.

The CHAIRMAN (*interpretation from Spanish*): I recognize Colombia.

Mr. P. SERRANO CADENA (Colombia) (*interpretation from Spanish*): Thank you very much Mr. Chairman. In my opinion, the Japanese Ambassador made one comment which I actually cannot agree with whatsoever, that is not wishing to include seven(?) obvious things in the report is something that this delegation cannot support. The report is a report on our work and not including that proposal in the report would mean essentially that we are not reflecting what was said and that we are simply passing it over in silence and this is why I entirely support what has just been said.

The CHAIRMAN: Japan, you have the floor.

Mr. S. MORIMOTO (Japan): Thank you Mr. Chairman. I thank you for your clear cut explanations and the way you thought it out. The issue is fine with us.

Thank you very much.

The CHAIRMAN: Thank you very much distinguished Ambassador.

Greece, I see the delegation of Greece. You have the floor Greece.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Mr. Chairman, I have asked for the floor having listened to colleagues, in particular because I wish to reply to what Chile and Colombia have just said. What is entirely clear is that proposals made, and I am referring to the two Greek proposals on transforming the Principles on remote sensing on the one hand and on direct television broadcasting on the other are something that need to be brought for discussion but we still have not discussed this year. We fail to discuss this and as a lawyer I would like to state here that we did not

withdraw our proposal, the proposals are there and it is up to us to decide what would be or is the right moment to start discussion on those moments.

And there you have it Mr. Chairman, there you have colleagues, what our proposal is and I think it is entirely clear and I think that in order to help you in your task, may I recall for the benefit of colleagues who have only arrived recently that, quite properly, every year what happens in the report of our Subcommittee is that we reflect these clarifications. So there are three proposals from Greece which are still on the table and still valid, one on remote sensing, one on direct television broadcasting and, thirdly, the other aspect that I mentioned earlier that we presented jointly with the Czech Republic.

Thank you.

The CHAIRMAN (*interpretation from French*): I thank the distinguished representative of Greece for his further clarifications and I look around the room to see if there are other requests for the floor.

I recognize Chile.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): I will be very brief, Mr. Chairman. I simply wanted to add my voice to the proposal made by Greece and the Czech Republic with regards to contamination of space.

The CHAIRMAN: Are there any other delegations wishing to take the floor on this agenda item?

I see none.

May I assume that the new agenda item is agreed upon for next year?

Thank you very much.

We, therefore, conclude our consideration of agenda item 10, Proposals to the Committee on the Peaceful Uses of Outer Space for New Agenda Items to be Considered by the Legal Subcommittee at its Forty-Fifth Session.

Distinguished delegates, I would like to begin the adoption of the first part of the draft report of the Legal Subcommittee.

The first part of the draft report has been circulated in all six languages as document A/AC.105/C.2/L.257. Do all delegations have the

document we are considering before them? That is why we leave five minutes to pick it up in the pigeon holes before starting.

The meeting was suspended for five minutes

The meeting resumed

The CHAIRMAN: There are some delegations looking for the text of the document.

Is the Russian Federation delegation ready? I do not see the main speaker.

United States, it is OK?

I see the others so we can now start with our document.

Adoption of the report

Distinguished delegates, we shall now proceed paragraph by paragraph adoption of the first part of the report, document A/AC.105/C.2/L.257.

Introduction, Opening of the Session.

Paragraph 1.

Any comment? No comments?

It is adopted.

Paragraph 2.

No comments?

Adopted.

Part B, Adoption of the Agenda.

Paragraph 3.

It is a long paragraph and there many sub-points. This has been our agenda for this meeting at this session. I think that will reflects carefully our agenda.

No comments?

Adopted.

Part C, Attendance.

Paragraph 4. Please check that your delegation is included among the delegations mentioned in the paragraph.

Comments? No comments?

Adopted.

Paragraph 5.

I asked the Director to explain to me why there is this bracketed part with “...” and he said that it could be that other delegations send letters concerning their participation.

Paragraph 5, no problems? No comments?

Adopted.

Paragraph 6.

Yes, the delegation of Greece. You have the floor.

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): Mr. Chairman, I am not entirely happy about the word used to describe the organization of the United Nations system. In French, I read the word “organisme” and in English I read the word “entities”, “organisme”. In French and “entities” in English. “Entities” sounds a little confusing to me in English and we know that the correct term in English is “specialized agencies” and the proper term in French is “institutions spécialisées”.

I am just wondering about the question of terminology here.

The CHAIRMAN: ... the following United Nations organizations ...

Mr. V. CASSAPOGLOU (Greece) (*interpretation from French*): (*interpreter: the speaker is off microphone*).

The CHAIRMAN: ... the International Atomic Energy Agency is of a quite slight mixed nature not only ...

Thank you.

Professor Kopal.

Mr. V. KOPAL (Czech Republic): Thank you Mr. Chairman. Mr. Chairman, I drew the attention of the Legal Subcommittee to this particular issue during

the several foregoing years that, indeed, the term “entities”, when speaking about international organizations is not the best one. I do not know who introduced this practice in the documents of the United Nations but usually in science, dealing with international organizations, we speak about the organizations of the United Nations system.

The CHAIRMAN: May I ask the Director of the Office for Outer Space Affairs to give us his opinion?

Thank you.

Mr. S. CAMACHO-LARA (Director, Office for Outer Space Affairs): Thank you Mr. Chairman. Because the reason is that, in this particular case we have two that are specialized agencies, the Atomic Energy Agency is not a specialized agency, it is a different type of body. If we had as one of our participants, the United Nations Environment Programme, that is not an organization, that is part of the United Nations and like this we could find more examples and this is how the term “entity”, and not just in this Subcommittee, came into the reports. Having said that, of course, the Subcommittee can choose any word that it wants.

Thank you Mr. Chairman.

The CHAIRMAN: Thank you very much Mr. Camacho for your explanation on this very point. But I see that Professor Kopal would like to speak again. Please.

Mr. V. KOPAL (Czech Republic): Mr. Chairman, I apologize for it and I do not wish to take too much time by this issue but this question has a long development in the United Nations and, first of all, the IAEA, though not being exactly a specialized agency, is an organization of the United Nations system as any other organization of this kind.

Second, I remember that some 20 years or more, the phrase “the organizations and bodies of the United Nations system” was used. Then the term “body” was omitted and we were speaking only about organizations of the United Nations covering not only specialized agencies and the IAEA but also such organisms, if you wish, as UNDP or United Nations Environment Programme. So this was the development of the question.

But as to the term “entities”, I would like to draw your attention that this term is in the main space treaty of 1967 in Article VI used for “non-

governmental entities” not “governmental entities” so that with regard to an important principle on State responsibility for space activities, for any space activities, those that are performed by States or States agencies or non-governmental entities. We should perhaps not use here the term “entity”.

Thank you.

The CHAIRMAN: I have no preference but I agree with you that “entities” is strange in this paragraph, even though the following paragraph uses the term of “international organizations”, for “organizations” the term “non-governmental organizations”, but what to do?

Are there any other delegations wishing to suggest something in this regard?

Yes, Greece. You have the floor.

Mr. V. CASSAPOGLOU(?) (Greece) (*interpretation from French*): Well, in any case, we need, whatever happens, a word of Greek origin where the “organisme” in French or “organization” in English taking over to avoid confusion. My English, after all, is very poor but even so I feel that that the word “entity” has a specific nuance to it. But as regards “international organizations”, “governmental” and “non-governmental” and so on, “entities” is rather a commercial word and I feel that in English we could very well use the word “organizations of the United Nations system”. In French, it is fine, I am very happy with “organisme Nations Unie” in French.

Thank you very much.

The CHAIRMAN: So may I take that one solution could be, might be “the following organizations of the United Nations system” were represented at the session, due to the fact that we have only three organizations and all organizations belong to the United Nations systems, at least for this paragraph. We will come back to this question at the next session probably but for the moment we can stay with the “organizations of the United Nations system”.

It is so decided.

Paragraph 7.

Comments or problems?

I see none.

Adopted.

Paragraph 8.

No comments?

Adopted.

So we pass now to Part D, Organization of Work.

We have here paragraph 9 with letters (a), (b), (c), (d), (e).

The Czech Republic, you have the floor.

Mr. V. KOPAL (Czech Republic): Thank you Mr. Chairman. Mr. Chairman, I would like to draw your attention that in paragraph 9, sub-paragraph (a), in the second sentence of this paragraph, it is the information about suspension of the Working Group which is also reflected later on in paragraph 26, almost in the same terms. So I would suggest to keep it at one place only, either here in sub-paragraph 9(a) or later on in paragraph 26 and I, myself, believe that it would be better to express it, to include it in paragraph 26.

The CHAIRMAN: And delete in paragraph 9(a)?

Mr. V. KOPAL (Czech Republic): Here we have a list of the Working Groups established and then when speaking about the work of these Working Groups, we could spell out that the work of this particular Working Group was suspended.

The CHAIRMAN: Fine, so on your wisdom so I think that it will be better to just list here the Working Groups and then to make more precise the clarification in paragraph 26.

Are there any other comments for paragraph 9?

With the modification proposed by the Czech Republic, paragraph is adopted.

Paragraph 10.

India, you have the floor.

Mr. R. LOCHAN (India): I am sorry Mr. Chairman, it is not about paragraph 10, it is about paragraph 8 where it refers to entities again there so we make a correction in paragraph 6(?) and change it

to “organizations”. So here also it should be “organizations”.

The CHAIRMAN: Thank you very much for your statement because I think it is right to have the same language also in paragraph 8. Thank you.

So paragraph 8 is re-approved with the modification of India.

Paragraph 10.

No comments?

Approved.

Paragraph 11.

On the Symposium we had on the first day of the session.

Approved.

Paragraph 12. I have been informed that the exact dates of the next session of the Subcommittee are from 3 to 13 April 2006.

Greece, you have some comments to make?

Mr. V. CASSAPOGLOU (Greece) ... 10 working days, 10 days, not two weeks, just 10 days, 3 to 13.

The CHAIRMAN: I am not aware. May I ask the Secretary of the Committee to make some clarification on that?

Ms. N. RODRIGUES (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, it is only nine days because the Friday that would complete the second week is the Easter Friday which is typically a holiday within the United Nations.

The CHAIRMAN: Are you satisfied? Yes. OK.

Then, Part E, Adoption of the Reports of the Legal Subcommittee. Of course, the text will be completed by the Secretariat with the exact numbers of meetings we had and another point at the end of the quotation of the COPUOS Legal etc., I do not know what it is.

Adopted.

Paragraph 14 (*13 missing?*). The same for the missing parts that will be completed by the Secretariat.

We pass now to Part II, General Exchange of Views.

Paragraph 15.

Paragraph 15, are there any comments?

I see none.

Adopted.

Paragraph 16.

Chile, has the floor.

Mr. R. GONZALEZ ANINAT(?) (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. It is more of a grammatical correction in the Spanish version of the text, “outer space law” should be starting with capital letters. Thank you.

The CHAIRMAN: Thank you distinguished representative. I cannot answer to your question about the Spanish language and how to manage the words “space law” in Spanish but I rely on your wisdom and competence.

It is OK?

It is approved.

Paragraph 17. These are paragraphs which reflect different points of views expressed during our general exchange of views.

No comments on paragraph 17?

Paragraph 18.

Chile, you have the floor.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. I have a comment on paragraph 17(*bis*) actually. Before we state that the matter was not discussed at the time of the general exchange of views, let me point out the following. Would it say, very clearly, that there was a proposal on the table and there is an aspect to it that I would like to come back to at this point. I am going to read this new paragraph 17(*bis*).

“That the militarization of outer space also threatens human security.”

Thank you Mr. Chairman.

The CHAIRMAN: So “the view was expressed that...”

Any comments on paragraph 17(*bis*).

I see none.

Paragraph 18.

No comments?

Adopted.

Paragraph 19.

Any delegation wishing to raise comments or problems? No.

Adopted.

Paragraph 20.

No comments?

Chile. Chile, you have the floor.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. I think the expression “the view was expressed” is fine but I think we should be very clear and point out that this is a matter of political importance. There are practical matters and then there are political matters and it is the function and the mandate of the United Nations and its various bodies to discuss political issues, everything we do here is political. So I find it surprising when I read in this paragraph not convincing to me.

Thank you.

The CHAIRMAN: I thank the distinguished representative of Chile. Of course, you have stated this is the view of one delegation.

Are there any other comments?

I see the United States of America. You have the floor.

Mr. K. HODGKINS (United States of America): Just as a point of clarification, I listened with

interest to the views just expressed by the representative of Chile. I just want to make sure that I do not understand him to be suggesting that the paragraph needs to be changed in the way on merely that he was expressing a view that he had a particular view that is expressed in this paragraph. This paragraph is important to our delegation and we would expect it to stay as stated and I do not think that is in any way at odds but I just wanted to hold(?) out a point.

The CHAIRMAN: The Ambassador of Chile, you have the floor.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you. I think there is a misunderstanding here. I want to state quite clearly that I respect the view was expressed, it is just that I fail to understand that view. It is a comment that I am making in the margins of these proceedings, as it were, a reflection. Yes, we have approved this paragraph and I have approved it. That is what I said. It is fine to refer to a view expressed by a delegation but my opinion is, nevertheless, it is befitting to the United Nations to discuss political issues. This is not an academic forum, this is a political forum. But again, I do not, in any way, object to this paragraph.

Thank you.

The CHAIRMAN: ... Chile. So the paragraph stays as it is and we approve it as it is.

Any comment?

It is decided.

Part III, Status and Application of the Five United Nations Treaties on Outer Space.

Paragraph 21.

No comments?

It is approved.

Paragraph 22, “... the Subcommittee noted with great satisfaction that the Secretariat ...”.

Approved.

Paragraph 23, points (a), (b), (c), (d), (e), the list of the space treaties and the number of States Parties.

Colombia. You have the floor Colombia.

Mr. C. AREVALO YEPES (Colombia) (*interpretation from Spanish*): Thank you Mr. Chairman. This is not an objection to the text in this paragraph rather a suggestion with a look to the future. I think it is important to have a separate paragraph for each treaty in the future, going forward to see if from one session to the next there has been a change in terms of ratifications, accessions to this or that treaty for we are here to promote accession to the five treaties. So it will be clearer, it will be easier to react.

As far as I understood you suggest that next year we add a paragraph in which we state that we list the States that have signed or ratified these instruments in between sessions. No problem with that.

The CHAIRMAN: So, paragraph 23 is approved.

Paragraph 24. This is something that goes along the line suggested by the distinguished Ambassador of Colombia but you want more complete information on that.

Approved.

Paragraph 25.

The Czech Republic.

Mr. V. KOPAL (Czech Republic): Thank you Mr. Chairman. Mr. Chairman, my observation does not relate exactly to paragraphs 24 or 25 but in between these paragraphs. I believe that we should also mention the declarations made by international organizations that accepted the rights and duties arising from three of the United Nations treaties. It should be also listed here, mentioned here because it is also included the addendum to the status of international agreements prepared by the Office for Outer Space Affairs.

The CHAIRMAN: The Secretariat has no problem in including such information as was requested by the Czech Republic.

If there are no objections, the paragraph is adopted with the integration suggested by the Czech Republic. Thank you.

Mr. V. KOPAL (Czech Republic): It should go either immediately after paragraph 23 or after paragraph 24, as you like it.

The CHAIRMAN: Paragraph 23, I think.

We turn now to paragraph 25.

Are there any comments on paragraph 25?

So we have still to adopt paragraph 24.

It is adopted.

Paragraph 25.

We have time and we can read them carefully. I do not want to press or push.

Paragraph 25? No comments? No problems?

Adopted.

Paragraph 26. This is about the suspension of the Working Group on Agenda Item 4 that we decided upon at the beginning of our session.

No comments?

Adopted.

Paragraph 27.

Paragraph 27 is adopted.

Paragraph 28.

Adopted.

Paragraph 29.

Chile. You have the floor Ambassador.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. In the Spanish version of paragraph 29, at the end, it says here "universal comprehensive convention". In the Spanish text at least there should be three adjectives "universal, far-reaching and complete" literally, and again capital letters for space law.

The CHAIRMAN (*interpretation from Spanish*) This refers to the Spanish version, Spain?

Mr. F. DE ASIS BARRERA LÓPEZ (Spain) (*interpretation from Spanish*): Thank you Mr. Chairman. I asked for the floor to second the suggestion made by Chile. Space law should be with capital letters. This is the right way to write it in Spanish.

Thank you.

The CHAIRMAN (*interpretation from Spanish*): I thank the distinguished delegate of Spain.

Thus, paragraph 29 is approved with the amendments made in the Spanish version.

Ambassador, you have the floor.

Mr. R. GONZALEZ ANINAT (Chile?) (*interpretation from Spanish*): Mr. Chairman, this was a grammatical or a spelling suggestion that has been supported here but there was another suggestion. It refers to the end of the paragraph. The way we refer to the universal comprehensive convention, in the Spanish version it should say “universal, far-reaching and complete or comprehensive”, three adjectives.

The CHAIRMAN: ... (*no microphone – large chunk missing/statement read out by Chairman cannot be heard*) ... do you have any problems?

Mr. V. KOPAL (Czech Republic): I do not have problems with this suggestion if it is agreeable for other delegations but I believe that in the past we used always only this adjective “universal comprehensive convention”.

The CHAIRMAN: The Russian Federation. You have the floor Russian Federation.

Mr. Y. KOLOSOV (Russian Federation) (*interpretation from Russian*): Thank you Mr. Chairman. It is a good suggestion. It sounds elegant, if I may say so. However, as far as I recall, the working document in which the Russian Federation and a number of other delegations co-sponsoring this proposal made it in the first place, in that document we had just the two adjectives, universal and comprehensive and nothing else. I think it would be correct if we retained that original wording the way it is stated now in the report.

Thank you.

The CHAIRMAN: Thank you very much Russian Federation.

Chile. You have the floor Chile.

Mr. R. GONZALEZ ANINAT (Chile) (*interpretation from Spanish*): Thank you very much Mr. Chairman. There is a very simple solution, I think. We could have paragraph 29(*bis*) which would say “the

view was expressed that this convention should also be far-reaching”. Thank you.

You see, Mr. Chairman, in the Spanish version it said “far-reaching”, “amplia”. The word “comprehensive” was missing but the three should be present somewhere, either “amplia” in the previous “far-reaching” in the previous paragraph and “comprehensive” here but it should all be there. Spain maybe could help.

The CHAIRMAN: Are there any comments on this proposal made by the Chilean delegation?

I see Mexico. You have the floor Mexico.

Mr. A. F. VIVANCO CASELLANOS (Mexico) (*interpretation from Spanish*): Thank you. The Chilean Ambassador has pointed out that in the English version the phrase “universal comprehensive convention” is fine but in the Spanish version it says “universal, far-reaching” instead. The word “amplia” is used in the Spanish. So we should add the word “comprehensive” at least in the Spanish version because in the Spanish version “far-reaching” and “comprehensive” is not the same thing.

The CHAIRMAN: ... The Secretariat to spell out the language for the new paragraph 29(*bis*). Thank you.

Ms. N. RODRIGUES (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Possibly there are two different proposals. The first proposal was to include a paragraph 29(*bis*) and it would say something along the following lines “the view was expressed that this convention should be universal, comprehensive and far-reaching”. However, based on the intervention from the representative of Mexico, I understand that it actually the Spanish version in paragraph 29, there might be a word that does not exist in the English version so the word “amplia” would be replaced with comprehensive, would that be correct?

Thank you Mr. Chairman.

The CHAIRMAN: May I go to the Director of the Office for Outer Space Affairs in order to be more precise please?

Mr. S. CAMACHO-LARA (Director, Office for Outer Space Affairs): Thank you Mr. Chairman. It is only because my Spanish is a little

better than my colleagues so I can read it in Spanish as it is.

The difficulty comes in the Spanish version. It says “universal” (“universale y amplia) and what the distinguished representative from Chile is saying, “amplia y comprensiva” are different things. So “comprensiva?” is missing in the Spanish. So now it has been replaced.

Thank you Mr. Chairman.

The CHAIRMAN: Thank you very much.

No further comments?

So paragraph 29(*bis*) is adopted as suggested by Chile.

Paragraph 30.

Ukraine. You have the floor Ukraine.

Ms. N. MALYSHEVA (Ukraine) (*interpretation from Spanish*): I apologize, Mr. Chairman, but I would like to go back to paragraph 28. You have been moving a little too fast for me.

In paragraph 28, the penultimate line “not yet accepted those treaties”, I suggest replacing that with “not yet acceded to those treaties and would consider becoming parties in 2005”. So “not yet acceded to those treaties” instead of “not yet accepted”. Legally speaking, it would be more accurate.

Thank you.

The CHAIRMAN: I have no problem in accepting this proposal but the Secretariat informs me that it would perhaps be better to use the expression “that had not yet ratified or acceded to those treaties”.

Do you agree with this new formulation of paragraph 29 (28?).

Approved.

So now turn back to paragraph 30.

No comments on paragraph 30? It is a very short one so we can approve it.

The same for paragraph 31. It is a very short paragraph. You may remember that this was the statement made by the delegation of Argentina.

Approved.

Paragraph 32.

Any comments?

Ecuador. Ecuador, you have the floor.

Ms. R. VÁSQUEZ DE MESSMER (Ecuador) (*interpretation from Spanish*): Thank you very much Mr. Chairman. We should talk about international space law in the Spanish text as well Sir. It is a grammatical question in Spanish.

The CHAIRMAN (*interpretation from Spanish*): I do not see any great problem with that with using that term in Spanish in the Spanish text.

(*Continued in English*) Are there any other comments?

I see none.

Paragraph 32 is approved.

Paragraph 33.

Burkina Faso. Burkina Faso, you have the floor.

Mr. P. R. TIENDREBEOGO (Burkina Faso) (*interpretation from French*): Thank you Sir. I wanted just to suggest that in the French text, as is relevant in the other texts, the other languages, in the second line, after the words “the low level of participation”, we should say “in the outer space activities, for instance, the work of the Committee ...” and so on because, in fact, the problem was the overall activities and the participation in the work of the Committee is only one example amongst those cited.

The CHAIRMAN (*interpretation from French*): I thank the distinguished representative of Burkina Faso.

(*Continued in English*) The Secretariat took carefully note of your observation.

Any other comments?

Ukraine. Ukraine, you have the floor.

Ms. N. MALYSHEVA (Ukraine) (*interpretation from Russian*): Thank you very much Mr. Chairman. In this paragraph, in the Russian text

in line 5, we suggest that the Russian phrasing “the topic of outer space was distant”, the way it is phrased in Russian we feel we do not need the word “hezto” in Russian. We can just say “the topic of outer space was distant” without the word “hezto” in the Russian text. This has no bearing on the other texts.

Thank you Sir.

The CHAIRMAN: Thank you very much distinguished representative of Ukraine. Of course, we have no problem in following you for the Russian text.

Any other comments on paragraph 33?

I see none.

Paragraph 33 is adopted.

Paragraph 34.

No comments?

Adopted.

We move now to Part IV, Information on the Activities of International Organizations Relating to Space Law.

We begin with paragraph 35.

No comments?

I see the Czech Republic. You have the floor Czech Republic.

Mr. V. KOPAL (Czech Republic): Thank you very much Mr. Chairman. Mr. Chairman, here again we have this rather horrible term “entities” so perhaps we could say “should address the level of participation of the organizations and entities having permanent observer status” or something like that.

The CHAIRMAN: If you want to make a distinction between intergovernmental organizations and other entities, it could be a good solution.

Can we use the term “intergovernmental organizations and other entities” for this paragraph? Yes?

If there are no other comments, we can adopt it with the proposals of modification made by the Czech Republic and endorsed by myself.

It is adopted.

Paragraph 36.

Here, I think, it is fine, international organizations, because it is a more general and comprehensive expression.

Have you any comments on paragraph 36. If not, we can approve it.

Paragraph 38.

Approved.

I am sorry, I have to come back to 37. I did not mention it but it must be approved.

No problems? No comments?

It is approved.

We go now to paragraph 39.

Ukraine.

Ms. N. MALYSHEVA (Ukraine) (*interpretation from Russian*): Thank you very much Mr. Chairman. In paragraph 39, I do not feel that the French and the English texts amount to the same thing and we get the impression we are talking about an organization, if you look at the Russian text whose sphere of activities is different from space law but carries out individual measures or organizes events within the area of space law. So I suggest that we change this wording and bring it into line with the French and English texts “the Subcommittee was also informed on the activities carried out by the International Center for Space Law in Kyiv, Ukraine, the University of Perggia, Italy and the Indian Space Research Organization (ISRO) in relation to space law” and then follow in the English text.

And one other point, the name of the International Centre for Space Law, which my delegation reported upon, should also be brought into line with its proper initial name, the International Centre of Space Law, the preposition is wrong in the Russian text but there is no problem with the English text Sir.

The CHAIRMAN: Thank you very much distinguished representative of Ukraine for your precisions.

I call upon the Secretariat to take note of them and to correct the report accordingly.

Paragraph 39 is approved.

Paragraph 40.

No comments?

We can approve it and pass to paragraph 41.

The Czech Republic, you have the floor.

Mr. V. KOPAL (Czech Republic): Yes, Mr. Chairman, thank you. Mr. Chairman, this paragraph reflects or should reflect the view that was presented here by our delegation but if I read it now it seems to me that the end of this paragraph is rather too sharp. I would, therefore, kindly request your approval of a more moderate text saying that “and a close cooperation between UNESCO and the Committee on the Peaceful Uses of Outer Space, particularly its Legal Subcommittee, should be promoted”.

The CHAIRMAN: Thank you Czech Republic for your suggestion. I think that nobody has a problem with that so we can approve the entire paragraph 41 with the modification proposed by the Czech Republic. Thank you.

Now paragraph 42.

The same question of “entities” again so we have to change the language in order to be consistent with the modifications that we adopted earlier. So it will be “the participation of United Nations organizations” or “organizations of the United Nations system” better “in the work of the Committee and its Subcommittees”.

And the same in the following phrase and there is another reference to the United Nations entities that shall be prevented at the organizations of the United Nations system.

Mr. V. KOPAL (Czech Republic): Mr. Chairman, only a very _____ (*not clear – no microphone*) correction. Instead of “preventing the organizations of the United Nations system” “prevented some organizations”.

The CHAIRMAN: Yes, I think it is a good idea and then, of course, “those entities” must be changed into “those organizations could announce their participation”, in the seventh line.

Is it acceptable, paragraph 42 with all the modifications that have been introduced?

I see no objection.

It is approved.

Paragraph 43.

Ukraine, you have the floor.

Ms. N. MALYSHEVA (Ukraine) (*interpretation from Russian*): Thank you very much Mr. Chairman. Just a brief editorial change to the Russian text out of the word “_____” (*Russian Script*) can we please have a comma in the Russian text, the English and French texts are fine.

Thank you very much.

The CHAIRMAN: Thank you. This was a remark to paragraph 43 for the Russian text.

We can approve paragraph 43.

There are no comments.

It is approved.

Paragraph 44.

Comments on paragraph 44?

I see none.

It is approved.

Then paragraph 45.

No comments?

So paragraph 45 is approved.

Paragraph 46.

No comments?

It is approved.

Paragraph 47 now.

No comments?

We can then approve also paragraph 47.

Paragraph 48, the next Workshop on Space Law in Nigeria.

It is approved.

And the end, paragraph 49.

If there are no comments, paragraph 49 is adopted.

Thank you very much.

Colombia, you have the floor.

Mr. C. AREVALO YEPES (Colombia) (*interpretation from Spanish*): Thank you very much Mr. Chairman. Before we move on to approve the report in its entirety, I would like to make a remark which I think is appropriate on paragraph 11. Now there is mention here about remote sensing, a very interesting mention here and I forgot to make in this regard. The paragraph mentions those who took part in this very interesting event but we do not see any mention of what we have actually said, whereas we find three paragraphs elsewhere discussing what UNESCO has said, whereas here we do not even see what the conclusions were of this Symposium. Whereas you sought to present the conclusions of other matters that we dealt with but we do not see any conclusions here. My understanding is that there is going to be a report annex to this containing all the statements. Now, if such a document actually exists, I would very much like to see it mentioned, that there should be some mention of it here for those who are particularly interested in remote sensing. This would mean that people would be better able to follow it a bit which I think is very important.

The CHAIRMAN: Following your consideration, your statement, we can add to the end of the paragraph 11 a _____ (*not clear*) phrase saying at least that “the proceedings of the Symposium are contained in document A/AC.105/C.2/2005/CRP.8 and Add.1.”

Colombia, you have the floor.

Mr. C. AREVALO YEPES (Colombia) (*interpretation from Spanish*): Thank you very much Mr. Chairman. I am very grateful to you for coming back to this paragraph which is of great importance to my delegation but I only do have a question in this regard. Does this document also contain your conclusions, your summary? Because countries that took part in the debate following your presentation made a number of relevant remarks.

The CHAIRMAN: So we can add this, come back to paragraph 11 and adopt once again paragraph 11 with this modification.

I give the floor to the Director of the Office for some more clarification.

Mr. S. CAMACHO-LARA (Director, Office for Outer Space Affairs): I am sorry to hold it up, Mr. Chairman, I just wanted to add that in addition to this phrase, we could include the website because we will put them then on the website so that it is available for everyone in one document.

Thank you.

The CHAIRMAN: Thank you very much Mr. Camacho.

We have now adopted, thanks to your cooperation, at least the first part of our report until paragraph 49. I do not know if we have to adopt, no, we do not have to adopt this part as a whole. We will adopt the entire report at the end of our deliberations tomorrow.

I come back to my notes to see what is expected from us and after the adoption of the first part of the report, we will proceed, of course, with the adoption of the two remaining parts tomorrow morning.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee. Before doing so, however, I would like to inform delegations of our schedule of work for tomorrow morning's meeting.

We will reconvene here tomorrow morning promptly at 10.00 a.m. At that time, we will suspend the plenary meeting in order to allow the Working Group on the Practice of States and International Organizations in Registering Space Objects to hold its fifth meeting to adopt its report and the Working Group on the Preliminary Draft Protocol on Matters Specific to Space Assets to hold its eighth meeting to adopt its report.

I then intend to reconvene the 729th meeting of the Subcommittee to continue and hopefully conclude agenda items 8 and 9 so that the Chairmen of the two Working Groups on those items can introduce the reports of their Working Groups for our adoption.

We will also continue the adoption of the draft report of the Legal Subcommittee. I inform delegations that the two remaining parts of the draft report would be circulated in all six languages

tomorrow morning as documents
A/AC.105/C.2/L.257/Add.1 and Add.2.

Are there any questions, comments on this
schedule of work?

I see none.

This meeting is now adjourned until 10.00 a.m.
tomorrow morning.

Thank you.

The meeting closed at 5.10 p.m.