

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

*Unedited transcript*

748<sup>th</sup> Meeting

Monday, 26 March 2007, 10 a.m.

Vienna

---

*Chairman:* Mr. R. González (Chile)

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

**The CHAIRMAN** (*interpretation from Spanish*): Good morning, distinguished delegates, I am delighted to be back with you. Sometimes I am told that I go outside what is written on my programme but I feel entitled to do that. I am delighted to see you all and my colleague from Colombia is looking at me with some doubt in his eyes but, without further ado, I would like to call the meeting officially to order. I am pleased and honoured to welcome you to the meeting. I call the forty-sixth session and the 748th meeting of the Legal Subcommittee of COPUOS to order.

**Adoption of the agenda**

We will now turn our attention to the adoption of the agenda. I would like to propose for your approval and adoption, the provisional agenda of the session contained in document A/AC.105/C.2/L.264. This provisional agenda has been prepared on the basis of the agreement reached at the 2006 session of the Committee, which was subsequently endorsed by the General Assembly in resolution 61/111. Please observe that the annotations are not part of the agenda and that there is an indicative schedule of work in the annex of that document.

If I hear no objections may I take it that the agenda is adopted.

*It is so decided.*

**Participation of non-members in the session**

I would like to inform the Subcommittee on Tunisia, Azerbaijan, Dominican Republic, Bolivia and Switzerland requesting participation in our meetings as observers. I would therefore suggest, that in conformity with past practice, we invite these delegations to attend the current session, for the entire session that is, and that they address the Subcommittee as appropriate. This, of course, without prejudice to further requests of this nature and this does not involve any decision of the full Committee concerning the status. It is simply a courtesy that we customarily extend to such delegations and therefore, if there is no objection, we will proceed accordingly.

*It is so decided.*

**Programme of work**

I would now like to look at the programme of work of the current session in accordance with the agenda we have just adopted. This session of the Legal Subcommittee following, we should particularly take account of the concerns of all countries, in particular developing countries, at this session of the Legal Subcommittee this month.

The first of our regular items is general exchange of views, during which delegations may provide general information of activities related to space law and here might I say the following, a brief supplementary comment.

The general exchange of views, as its name implies, should allow us to exchange diverse views and

---

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.



we are not limited here in the way that might be the case in other committees, we do not expect simply a presentation of a number of statements by delegations and one delegation gets on with presenting their speech while others leave the room or simply wait for their turn. I do not want that to happen and I think that we should take account of ideas to make sure that we really do have an exchange of views as the name of the agenda item implies because otherwise this would not reflect the mandate that the General Assembly resolution has given us. In addition, the whole point is that the word debate here has been replaced by the term exchange of views, hence my intervention here.

The second regular agenda item is item 4: Status and application of the five United Nations treaties on outer space and with respect to agenda item 4 \_\_\_\_\_(*inaudible*) resolution 61/111 of the General Assembly noted that the Legal Subcommittee would convene its working group on this item, would review the need to extend the mandate of the working group beyond the current session of the Subcommittee. Delegates will recall that last year at the forty-fifth session, the Subcommittee agreed at its current session it would review the need to extend the mandate of the working group beyond 2007. This is something that I would particularly like to underline the importance, this is a question of great significance.

The fortieth session, as my friend states, is the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. At its fortieth session, in 2001, the Legal Subcommittee agreed that the discussions of the working group would include the status of the treaties, review of their implementation, that is very important, actually putting into practice, which has not actually been the case in my judgement, an obstacle to the universal acceptance, as well as promotion of space law as established in preambular paragraph 3 of the relevant resolution, especially through the United Nations Programme on Space Applications.

At its forty-first session in 2002, the Legal Subcommittee agreed that the working group would also review any new similar issues which might be raised in discussions in the working group, provided those issues fall within its existing mandate, which is fairly extensive, so a number of initiatives could be countenanced.

The third regular item is agenda item 5: Information on the activities of international organizations, both intergovernmental and non-governmental organizations, relating to space law. Under this item, international organizations, I urge, I would say not just invite, because this is a duty of these

organizations, I urge the reports of the Subcommittee on their activities relating to space law.

The reports that were received from international organizations by January 2007 will be in document A/AC.105/C.2/L.265. It is anticipated that during the session of the Subcommittee, addendum 1 to this document will be made available, that is one which contains a recently submitted report of the International Institute of Space Law which, of course, is very prestigious. Any further reports received by the Secretariat will be made available to delegations in a conference room paper.

Under this item the Subcommittee will also consider activities of international organizations and educational institutions related to capacity-building in space law, UNESCO among others, it is very important for all to discharge in this connection and UNESCO has a major observer role at this meeting, amongst other agencies incidentally.

Finally, the Subcommittee will consider the results of the space law workshop held in Kyiv, Ukraine, from 6 to 9 November 2006, for a report of this workshop, which was very successful, see document A/AC.105/880.

The fourth regular item is agenda item 6: Matters relating to the definition and delimitation of outer space and the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunications Union.

In paragraph 7 of its resolution, the General Assembly noted that the Legal Subcommittee would reconvene this year its working group on this item, only to consider matters relating to the definition and delimitation of outer space. The working group will have before it addenda 14 and 15 to the document A/AC.105/635 entitled, "Questionnaire on possible legal issues with regard to aerospace objects: replies received from member States".

The working group will continue its consideration of national legislation and practice relating to the definition and delimitation of outer space, that is in document A/AC.105/865/Add.2 and of the analytical summary of the replies to the questionnaire on possible legal issues with regard to aerospace objects, A/AC.105/C.2/L.249/Add.2.

This year the working group will also consider two new documents namely, questions on the

definition and delimitation of outer space: replies from member States, contained in document A/AC.105/889 and proposals of member States concerning criteria for analysing the replies to the questionnaire on aerospace objects contained in document A/AC.105/C.2/L.267.

The Subcommittee shall also consider two single issues/items for discussion. The first single issue/item is agenda item 7 entitled: Review and possible revision of the principles relevant to the use of nuclear powered sources in outer space which, in the Scientific and Technical Committee, was already thoroughly studied.

The second single issue/item is 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.

The Subcommittee will continue its consideration of agenda item 9: Practice of states and international organizations in registering space objects. Under a four-year workplan, covering the period from 2004 to 2007, this year marks an important milestone in the work of the Subcommittee on this item. In accordance with its four-year work plan the Subcommittee should finalize a report containing conclusions and recommendations regarding the practice of States and international organizations in registering space objects and should present a report to the Committee. The Subcommittee will reconvene its working group on this item to extend assistance to the Subcommittee in preparing the above-mentioned report to the Committee.

At its forty-fifth session in 2006, the Subcommittee endorsed the recommendation of the working group that to facilitate its work and the forty-sixth session of the Subcommittee with regard to the above-mentioned report to the Committee. The Chairman of the working group, Kai-Uwe Schrogl of Germany, could conduct informal consultations open to all interested member States before the forty-sixth session of the Subcommittee, by electronic means or in any other appropriate manner. Such consultations were held inter-sessionally with the assistance of the Secretariat through electronic means.

There was also a meeting held in Berlin from 24 to 25 January 2007 and here a request to the German delegation, let us hope that the deliberations of the meeting in Berlin may be brought to the attention of other delegations because I think that would be a tremendous fillip for us, to work on the basis of some additional background on this item.

The Subcommittee will have before it document A/AC.105/C.2/L.266 reviewing the work of the working group on the practice of states and international organizations in registering space objects.

### **New items**

Finally the Subcommittee should consider its proposals for the Committee regarding new items for consideration and of work plans. Single issues/items for discussion at the forty-seventh session of the Legal Subcommittee in 2008 and, if my memory does not fail me, I think there was a proposal from the Russian Federation and one from Chile, I think there was a proposal from Vassili from Greece which was a marvellous proposal of course, a tremendous experience in this field, as is the case for many others but also my distinguished advisor, the Chair of the next Legal Subcommittee. Let us be patient to get this work done in the appropriate time.

### **Establishment of working groups**

Distinguished delegates. As I have already pointed out and, in keeping with paragraph 6 of General Assembly resolution 61/111, we should reconvene the working group on item 4: Status and application of the five United Nations treaties on outer space.

Can I propose that we now re-establish the working group on item 4 of our agenda under the chairmanship of Mr. Vassilios Cassapoglou of Greece, who ably led the work of this working group last year. Not only did he steer this meeting ably, I think he did it excellently, so I cannot imagine there would be any objection. Thank you.

The working group is reconvened under the same chairman, I think we can all be rest assured that the work will be done properly and I would like to congratulate Vassilios because I am sure he is going to be a tremendous assistance to the chairmanship and I am sure we will be working very closely. There is a critical mass here in the stewardship of that working group.

In accordance with paragraph 7 of General Assembly resolution 61/111, the Legal Subcommittee will, this year, reconvene its working group on item 6 but only to consider matters relating to the definition and delimitation of outer space. I cannot see him here but the chairmanship last year was held by José Monserrat Filho. Is he here this year? That's great because he was a fine chairman. Could I also ask us to re-elect him to this important office on this important issue.

*It is so decided.*

I would like to extend congratulations via the Brazilian delegate to Monserrat Filho. I would like to thank my friend from Brazil for passing on those congratulations and he is vital for cooperation amongst all of us, I am looking to everybody on this podium as well, the Secretariat as well to a fine job.

Finally, in accordance with paragraph 8 of General Assembly resolution 61/111, the Legal Subcommittee will, this year, reconvene its working group on item 9. I therefore propose that we now re-establish the working group on item 9 of our agenda under the chairmanship of Mr. Kai-Uwe Schrogl of Germany, he is a good friend of mine. I am sure that he will give us all the necessary support we need and I would like to see him re-elected as chair. Is he present? Thank you.

*It is so decided.*

I congratulate my friend Kai-Uwe on his appointment.

Before moving on to the use of conference services and organizational matters, perhaps the Director would allow me to say something here. It has taken me 26 hours to get from Chile to here and, with the problems of flight, I have not really had a chance to get any sleep but I have had some ideas come into my mind as a result with regard to substance for this meeting.

Bearing in mind that two events, which I think we have to face successfully this year, first of all the anniversary of the Treaty from 1967 and also the other anniversary and I would like to mention these points by way of queries I put to you and see how we might better focus our debate. This is not binding, these are just ideas of the Chair but they would be reflected as such in the report and, if you like, you can take them on board and if you do not want to, then do not, \_\_\_\_\_ (*inaudible*) the representatives of sovereign countries. This long night I have had to experience has allowed me to put forward some of these ideas, sometimes in the middle of a period of insomnia that all sorts of ideas come to mind but I will give them to you anyway.

The first one, is that I think we need to raise the basic question, that is, a democratic deficit with regard to international law especially when it comes to outer space and it is a democratic deficit which has been generated by the debate which has been going on in the Sixth Committee of the United Nations for some

years now, talking about fragmentation and dispersion of international law, there has been no real progress on this. This points to what some other delegations have said about a democratic deficit in international public law, of course, States may contribute to these rules but the question is, whether those rules are actually implemented or not. Bearing in mind the heady developments in the scientific and technical fields but also, bearing in mind, the apparent rejection or delay we have seen in the legal regulations which have to go hand in hand with the scientific and technological developments, especially for developing countries, which is a positive form of discrimination, which is already agreed in the resolution of the General Assembly for 1973, which was the one that gave rights to space law, so I look at Yuri Kolosov from the distinguished delegation of the Russian Federation. Is he present with us? He was the author of the space treaty but a lot of time has passed since and that is the first question I wish to raise.

I also think there is another question which we have to mull upon and that is, to what extent there is analogy between space law and shared responsibility, a differentiated responsibility of course, vis-à-vis space issues. In other words, a way of establishing a new form of responsibility, reversing of the burden of proof. To what extent also, this should be dealt with in this Subcommittee and what relation is there between the common heritage of mankind, general interests of mankind, the future of mankind? These are different conceptual frameworks which have been established and structured in various international treaties, especially environmental treaties, and some people also say that this is something which involves an interpretation related to articles 1, 2 and 3 of the Space Treaty, 1967, specifically in 11.1 of the Moon Treaty. Very few of the States countries here have actually ratified that Treaty. I am just putting forward all of these ideas as one big question mark.

Secondly, what is the value or legal content, essential content of \_\_\_\_\_ (*inaudible*) of the legal provisions we have, especially taking into account, without neglecting scientific or technical issues, I do not have the Treaty to hand but there is a positive discrimination in the space treaties.

Fourthly, what is the role being played on the question of objective responsibility \_\_\_\_\_ (*inaudible*) in others? Objective responsibility fits within the context of broader issues, aeronautical and nuclear space applications, it is relatively novel, it dates back to 1972.

Another question. Are there grounds for talking about the use of space law, which has been spelt out in the resolution of the United Nations, in 2002, related to space debris, which is a resolution also pertaining to the IAEA, that also may fit in the context given the question of space debris. Again, this is just food for thought which we may wish to think about or may wish to discard.

A very good study was produced not so long ago by a Californian academic, \_\_\_\_\_ (*inaudible*), who established a whole series of questions upon which one could categorize \_\_\_\_\_ (*inaudible*) in international law. What provisions fall within that category and which do not. What happens with respect to the principles of space law in the context of globalization with Brazil's proposal on an issue which is directly or indirectly related to this, I cannot remember exactly what the content of that was, but the question of international cooperation is a crucial issue, that it is not just globally the case in the United Nations but also in other international agreements adopted by consensus in this Committee. Should that take a form of a solemn declaration, for example?

There are two other elements which are obviously related but I am putting them forward for debate. A very legal issue, the legal effect of treaties which I think should be subject for a study.

Then, there is a very long-standing United Nations resolution on other issues too. I hope that these are issues which will be of interest. These are personal feelings of the Chair which, of course, are certainly not ones I am going to impress upon you. I am not suggesting that these should be removed or inserted on the agenda, they are just food for thought.

### **Organizational matters**

Let us now move on to organizational matters. I would like to say a few words concerning organizational matters. The members of each body are to be informed at the beginning of each session of the resources available to it, that is under General Assembly resolution 3271.

I would like to inform you of the arrangements made for this session of the Legal Subcommittee. This session is scheduled to be held from 26 March - 5 April 2007, a total number of 18 meetings are expected to be held. Conference Room III, Conference Room VII and offices C0713 and C0727 are available. There will be simultaneous interpretation in Arabic, Chinese, English, French, Russian and Spanish, that is, all the official languages

of the United Nations. Sound recordings will be made for the plenary meetings, the original language and in English. I would have liked to have seen Spanish but I do not think anyone is going to accept it. Unedited verbatim transcripts will be made available following this session in all the official languages of the United Nations.

Please note in the annex to resolution 56/242, that the General Assembly adopted guidelines on limiting the duration of meetings, including the following. Meetings should normally be held during regular meeting hours from 10 to 1 and 3 to 6 on working days. We should start punctually, we started three minutes late today but tomorrow we will be starting on the dot so that our work is not delayed. Secondly, intergovernmental bodies shall undertake a review of their meeting patterns of reporting cycles in coordination with Conference Services, adjust their meeting requests for subsequent sessions accordingly.

In addition to this, over the last few years the budget of the United Nations has placed a number of constraints and restrictions, this is bad news but old news. I was hoping to see the day when the funds would be increased but conversely the obvious has happened, again I am just speaking in a personal capacity but there will be restrictions therefore on the capacity of Conference Services to deliver services as they did in the past, they have always done it very well, so why place restrictions on them. It is just one of those paradoxes, that we complain that the United Nations does not do its job properly, in particular unscheduled meetings, ad hoc informal consultations, meetings beyond regular hours may take place, could I ask Conference Services to do everything possible to cover such unscheduled meetings, there may be informal consultations as well, which are very important. Meetings beyond regular hours, meetings on non-working days and extended meetings or sessions will not be covered by Conference Services.

I would also like to remind delegates of the General Assembly's request to cut down the length of reports issued by the Secretariat, including the reports of intergovernmental bodies.

I would like to inform you, that there has been no request from the General Assembly to cut the duration of the session, it has already been cut more than enough. Since the meetings of this Subcommittee have been taking place, it used to be five weeks, then it was cut to four, then three weeks, now we are down to just ten days. Matters of an utmost legal detail, for example, Vassilios has already made tremendous progress on the issue which he has been chairing, we

find ourselves in a very difficult situation as a result but all of this is something we cannot debate. I have to stick to the mandate with regard to agreements which have been signed for several years now. I am not in a position to open up discussion on that issue.

With regard to this session, the Secretariat will endeavour to further shorten the length of the report in keeping with the guidelines issued by the Secretary-General, without this affecting its quality or content.

Lastly, I would like to ask delegations to do something obvious, which is to switch off their mobile phones. When a delegate is speaking and to hear a mobile phone, they are going to interrupt the statement immediately. Out of respect for all delegates, who all deserve equal respect, no delegation is more important than others, no country is more important than others, no delegate is more important than others, we all deserve the same respect. So out of respect to ourselves, I would ask mobile phones to be switched off.

I would also like to outline a tentative schedule for the next meeting. We will shortly be having a general exchange of views, then this afternoon we will continue with the same item. I remind you that at 4 p.m. in the same room, there will be the first part of a symposium on capacity-building in space law and I would like to thank my friend from Austria, from the University of Vienna I believe, who is going to be helping us with this issue. He does not appear to be here but anyway I would like to thank that delegation for its help in developing this symposium. It has been co-organized by the International Institute of Space Law and the International Astronautical Federation, the European Centre for Space Law. The second part will take place in this conference room tomorrow afternoon.

I would like to inform delegates, that at 6 p.m. following the symposium, there will be a reception organized by the IISL and ECSL in the Mozart Room at the Vienna International Centre restaurant, that is on the ground floor of F building.

Tomorrow morning we will again take up the general exchange of views, thereafter begin our work on item 4, that is Vassilios's item, Status and application of the five United Nations treaties on outer space. Time permitting, the working group on item 4 might convene its first meeting and I hope it will have the largest amount of time possible within the constraints which exist. Any questions or comments regarding this humble presentation. Thank you.

Let us move on to the general exchange of views. The first speaker on my list is the distinguished representative of Thailand, to whom I give the floor.

### General exchange of views

**Mr. J. THIRAWAT** (Thailand): I would like to congratulate you for your election to the Chair and under your able guidance and dexterity, Mr. Chairman, I am confident that this meeting will fully attain its purposes and objectives.

The Thai delegation would like to submit that, with regard to delimitation of outer space, it is obvious that nowadays the tendency to take the lowest satellite orbit as criterion for the delimitation between outer space and airspace has become obsolete because the space flight put a newly invented \_\_\_\_\_ (*inaudible*) which are regarded as space \_\_\_\_\_ (*inaudible*) is qualified as sub-orbital. It signifies that the beginning of outer space could very well be below the lowest satellite orbits and thus greater and greater risk of catastrophes caused by the ever-increasing space activities of private enterprises. It has become an important matter to determine where airspace ends and outer space begins. Failing which, international dispute of the liabilities of States and insurance companies would be really difficult, given that liability regimes applicable to that \_\_\_\_\_ (*inaudible*) are different, regarding the ways and means to ensure the so-called rational and equitable use of geostationary orbit. It should be noted that the prevailing rudimentary three-phase procedure established by the International Telecommunication Union, which a new satellite system operator has to fulfil to gain an international sanctioning of its orbital position has a large \_\_\_\_\_ (*inaudible*) detrimental to third world countries. In fact there has already been a precedent, where the priority \_\_\_\_\_ (*inaudible*) was construed to signify that operative can actually launch its satellite first \_\_\_\_\_ (*inaudible*) than others. \_\_\_\_\_ (*inaudible*) priority \_\_\_\_\_ (*inaudible*) orbital slot into tension. Such an assertion permits unscrupulous space powers, which have all the launch facilities at their disposal, to outdate any pre-existing launch schedules of third world countries. \_\_\_\_\_ (*inaudible*) satellite system operator \_\_\_\_\_ (*inaudible*) and technical facilities to \_\_\_\_\_ (*inaudible*) use the orbital slots in question \_\_\_\_\_ (*inaudible*) that such conditions cover the situation where proposed new satellite system operator has already concluded \_\_\_\_\_ (*inaudible*) procurement, insurance and launch contracts for the satellites in question. I do not mean the actual launching of the satellite \_\_\_\_\_ (*inaudible*) of space objects, there are a number of legal issues and practical problems that are not clear or need to be clarified. For instance, in the

case where the entire satellite system has been sold to another satellite operator in a foreign country, whether the satellite in question will need to be registered \_\_\_\_\_ (*inaudible*) of the acquisition country and whether, in such event, the transferring country perceives to be regarded as a launch State. It is a matter of international concern that space debris at low orbit and medium orbit will have adverse impact on the international community, it could jeopardize the lives of astronauts and all space activities. In light of the projects of several space powers to establish installations on celestial bodies, the use of nuclear power for such projects may be \_\_\_\_\_ (*inaudible*) as a source of penalty to supplement the current use of solar energy.

With respect to the activities of international organizations relating to space law it is not \_\_\_\_\_ (*inaudible*) that there have been active cooperation and mutual assistance in the Asia and Pacific region and in the framework of the Asia-Pacific Space Corporation \_\_\_\_\_ (*inaudible*) or APSCO, an institute of international space law, in conjunction with the Information and Communications Technology Ministry of Thailand, that had organized an international space law conference in August 2006.

As to the space activities of Thailand itself, \_\_\_\_\_ (*inaudible*) has been launched in May 2006 and \_\_\_\_\_ (*inaudible*) of GeoInformatics and Space Technology Development Agency is scheduled to be launched in October 2007. Thank you.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of Thailand for his statement and I now give the floor to my friend, Professor Kopal, who will be the Chair as of 2008. That is the distinguished representative of the Czech Republic.

**Mr. V. KOPAL** (Czech Republic): Thank you Mr. Chairman. Mr. Chairman let me make a number of brief observations on some of the items of our agenda as endorsed by the United Nations General Assembly in its resolution 61/111 of 14 December 2006. Prior to doing so, I would like, on behalf of the delegation of the Czech Republic, to warmly greet you, Excellency, in the Chair of the Legal Subcommittee also this year. As during the first part of your chairmanship, we wish you full success in the guidance of discussions on legal aspects of the peaceful exploration and use of outer space.

We would also like to greet the Director of the Office for Outer Space Affairs who, with great dedication, has led this important Unit of the United Nations Secretariat. Our delegation has repeatedly

appreciated the work of the Space Office which has so efficiently, under his guidance, assisted COPUOS and both its Subcommittees in their demanding dealings.

Turning now to our agenda, the delegation of the Czech Republic fully supports the efforts of the Committee and its Legal Subcommittee to increase the number of States and international organizations adhering to the United Nations Space Treaty.

First and foremost from among these instruments, the 1967 Outer Space Treaty, celebrates this year its fortieth anniversary as a legal tool which laid down the foundations of the whole building of international space law. The discussions on the status and application of the five United Nations space treaties in the Legal Subcommittee and its working group on this subject, led so ably by the distinguished representative of Greece, Vassilios Cassapoglou, contributes to the fulfilling of the mandate of the Legal Subcommittee. It includes, not only the status of the treaties but also the review of their implementation and obstacles to their universal acceptance, as well as the promotion of space law, especially through the United Nations Programme of Space Applications. In this context, I would like to recall the substantive contribution to this aim, made by the successful organization of the United Nations Ukraine Workshop on Space Law, held in November 2006, in Kyiv. That meeting was governed by the willingness of all participants to strengthen the role of space law in the present international relations.

Led by the positive experience from the United Nations workshops held in all five regions of the world during the last five years, the delegation of the Czech Republic welcomes the intention of the Office for Outer Space Affairs and the Space Applications Programme to effect such a workshop again under the Space Applications Programme in 2007.

As far as the item, definition and delimitation of outer space and the character and utilization of the geostationary satellite orbit is concerned, my delegation welcomes, that by the efforts of the working group under the guidance of Professor José Monserrat Filho, a new impetus has been given to advance in this topic, the consideration of which has been on the agenda of the Legal Subcommittee for so many years.

Our delegation also believes that the decision to keep the item: 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 on the

agenda of the Legal Subcommittee has been sound. The delegations should be informed by Unidroit about its further efforts concerning the draft space protocol and comment on them.

Mr. Chairman, during the last session of the Legal Subcommittee, a substantive progress was reached in the discussions on practice of States and international organizations in registering space objects. This was due to a high personal input of the Chairman of the working group on this subject, Dr. Kai-Uwe Schrogl of Germany. He outlined a set of elements which could constitute the basis for a consensus on conclusions and recommendations coming from this endeavour. We are aware that these hopeful prospects have been strengthened during the informal consultations convened by the Federal Republic of Germany, in January 2007, in which experts of a number of COPUOS member States, including the Czech Republic, participated. The Legal Subcommittee and its working group should develop all efforts to bring the consideration on this item to a successful conclusion which should be, in our opinion, enshrined in a draft resolution for the United Nations General Assembly.

Mr. Chairman, may I recall that the delegation of the Czech Republic brought repeatedly to the attention of COPUOS and its Legal Subcommittee, during the consideration of new items for the agenda of the Subcommittee that, practice of States and international organizations in registering space objects, remain the only item dealt with by the Legal Subcommittee under a workplan. Yet, the items to be discussed under an agreed workplan are the most essential for the progressive development of space law, which is the main task of COPUOS in the legal field. With the prospect for finalizing the one and only such item on the present agenda of the Legal Subcommittee, it is absolutely necessary to reach an agreement on one or more new items of this category for the Subcommittee's agenda.

Some possible items to be considered have been suggested for years and have been listed in the reports of the Legal Subcommittee, some new proposals may be also expected at this session, under its agenda item: Proposals to the Committee on the Peaceful Uses of Outer Space for items to be considered by the Legal Subcommittee at its forty-seventh session. Our Subcommittee should act towards this purpose.

Thank you very much.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of the Czech Republic. The next speaker on my list is the distinguished delegate of the Republic of Korea.

**Mr B-H. KIM** (Republic of Korea): Thank you, Mr. Chairman. It is a great pleasure for my delegation to see you again, chairing the forty-sixth session of the COPUOS Legal Subcommittee this year. Under your able and skilful leadership I believe that this session will prove to be a rather productive deliberation. To this end, my delegation will fully support you in \_\_\_\_\_ (*inaudible*) your noble mandate successfully.

My delegation would also like to express a special thanks to Dr. Sergio Camacho-Lara, Director of OOSA, for his dedication to OOSA and COPUOS during the past decade.

Mr. Chairman, this year, 2007, could be a memorable year to the COPUOS and space community. In addition to the fiftieth anniversary of the launching of the first \_\_\_\_\_ (*inaudible*) satellite, we will celebrate the fiftieth anniversary of the establishment of COPUOS. This year is also the fifth anniversary of the adoption of the Outer Space Treaty which is known as the Magna Carta of space law. During the last half century, tremendous technological and scientific advances have been achieved in the field of outer space and COPUOS, including the Legal Subcommittee, continues to exert its role in establishing the institutional framework to regulate and facilitate the peaceful use of outer space, thereby contributing to achieving the sustainable development and the millennium development goals.

Mr. Chairman, among developments of the last 50 years, the expansion of space activities, both in quality and quantity, \_\_\_\_\_ (*inaudible*) sector involved in those activities, are most noticeable. In this regard, the Legal Subcommittee in recent years has contributed to meaningful discussions on how to address the legal issues arising from the ever-changing space environment.

My delegation believes that the first step to \_\_\_\_\_ (*inaudible*) challenges arising from the ever-changing space environment is to achieve the universality of the \_\_\_\_\_ (*inaudible*) system and to establish an effective national implementing system to that end.

My delegation is pleased that the Legal Subcommittee will finalize its four-year workplan and practice of States and international organizations in

registering space objects. I hope that the efforts will come to fruition and help enhance the effectiveness of registration convention as well as other space treaties.

At the last session of the Legal Subcommittee, my delegation announced, that the Republic of Korea, as a State party to the Outer Space Treaty, the Rescue Agreement, the Liability Convention and the Registration Convention, has enacted the National Space Law and its Regulations in November 2005. To complement the space law system, the Korean parliament, the National Assembly, is now deliberating the bill on compensation for third-party damages caused by space objects, which ought to provide more precise criteria and liability structure which was mandated by the National Space Law.

Mr. Chairman, last year, Korea achieved significant technical advances in space activities. In July 2006, my Government launched the Korea multi-purpose satellite, Kompsat-2, from the Russian rocket launch vehicle from a space centre in the Russian Federation. In a parallel effort, a Korean private telecommunication company, Korea Telecom, launched KOREASAT-5 last August from a launch platform ship stationed south of Hawaii, near the equator.

As the space activities of both governmental and non-governmental entities of Korea are increasing, the establishment and development of a national space law system is quite timely and will help Korea to effectively implement United Nations space treaties.

Mr. Chairman, concerning the agenda item and the review of principles relating to the use of nuclear powered sources in outer space, my delegation notes with satisfaction the progress made in the Scientific and Technical Subcommittee on this matter, which endorsed the 2007/2010 workplan between the Subcommittee and the IAEA.

My delegation is of the view that the joint cooperation could be a good example of cohesion among international organizations and that the joint effort would contribute to securing the safe environment of our planet.

Mr. Chairman, agenda item 8, draft protocol on matters specific to space assets, my delegation is of the view, that the conclusion of the protocol on space assets would help maximize the use of limited resources, thereby expediting the expansion of outer space activities.

My delegation notes that the second pillar of the Convention on International Interests in Mobile Equipment \_\_\_\_\_ (*inaudible*) Protocol on Railways, Rolling Stock was adopted by diplomatic conference this February.

My delegation hopes that the forty-sixth Legal Subcommittee will continue to clarify the key concepts and to contribute to the drafting of the third pillar of the Convention, the space asset protocol, at the coming Unidroit intergovernmental meeting. Thank you, Mr. Chairman.

**The CHAIRMAN** (*interpretation from Spanish*): I would like to thank the distinguished representative of the Republic of Korea's statement and I should now like to recognize the distinguished representative of Brazil.

**Ms. C. RIBEIRO MOURA** (Brazil): Allow me at the outset to join previous delegations in congratulating and commending you for chairing this Legal Subcommittee and assure you of the full cooperation of the Brazilian delegation, also for your information that Professor Monserrat is already in Vienna.

2007 is a very auspicious year, for it marks not only the fiftieth anniversary of the space age but also the fortieth celebration of the signing of the Treaty Governing the Activities of Space in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which was signed in London, Moscow and Washington on 27 January 1967. The signing of this treaty was the result of a negotiating process where the spirit of cooperation prevailed over competition. The recognition of outer space as the province of human kind stands as a necessary condition and the basis of cooperative endeavours in its peaceful use and exploration for the benefit of all nations. In the forty years since the signing of the treaty, space technology has become indispensable for applications in several areas of societal benefits, such as, disaster management, mitigation and response, monitoring of the environment, agriculture, public health, climate change, tele-education and medicine, to highlight but a few.

Mr. Chairman, the role of this Legal Subcommittee is instrumental in enabling the adoption of instruments that allow for fair and just opportunities for all nations to benefit from the access to space technologies for sustainable development. It is, therefore, our prerogative to constantly review the adequacy of the instruments we have adopted vis-à-vis the needs of nations in the twenty-first century. The

increased participation of the private sector in space activities, which were the exclusive domain of States in the beginning of the space age, half a century ago, require continued reflection by this Legal Subcommittee. Brazil is committed to working within this forum in order to refine and strengthen the legal framework so that it may continue to provide an ample and solid platform for international cooperation in the peaceful uses of outer space. Thank you.

**The CHAIRMAN** (*interpretation from Spanish*): Thank you for the statement, I now recognize Austria.

**Mr. T. LOIDL** (Austria): Thank you Mr. Chairman. Let me say that it is with great pleasure that we see you again chairing the Legal Subcommittee. We are confident that our work during the forty-sixth session of the Legal Subcommittee will greatly benefit from your skill and creative spirit.

I would also like to extend a very warm thanks to the Director of the Office for Outer Space Affairs and his hard-working team for their excellent and thorough preparation of this session. Considering the Office's small number of staff and its limited financial resources, we all the more appreciate the creativity and endurance in handling an ever-increasing number of tasks and demands. The Office for Outer Space Affairs deserves all our support and we will continue to contribute our share in this respect.

Mr. Chairman, Austria very much welcomes the symposium to be held at the close of this afternoon's meeting and tomorrow's meeting, under the theme of capacity-building and space law and sponsored by the International Institute of Space Law and the European Centre for Space Law. We are convinced that the consideration of how to build capacity in space law, particularly with regard to developing countries, is an important topic in order for member States to develop proposals on how to support and enable peaceful uses of outer space.

Mr. Chairman, the United Nations General Assembly at its fifty-sixth session in 2001, agreed on the establishment of a working group on item 4 of our agenda: the status and application of the five United Nations treaties on outer space. We are satisfied that a decision to extend the mandate of this group has already been taken during this session. We hope that the work to be undertaken in the framework of this group will, inter alia, contribute to explore the reasons for the low numbers of ratifications of certain treaties. While not under-estimating the role of non-binding instruments and rules for the development of

international law, treaty law, in our view, remains the cornerstone of the applied rules and customs of international law and international space law in particular. As one of the States having ratified all of the five United Nations treaties on outer space, Austria would also be ready to consider amendments of those treaties that have not been ratified by many States, in order to make them more attractive for other States to become contracting parties but while at the same time preserving the basic legal concepts of these treaties.

Mr. Chairman, the international community is at a crossroads given the increasing reliance on space for civil, military and increasingly commercial purposes. Satellites have become fundamental to modern society in the developed world and also in many developing countries. The benefits derived from space objects are increasingly provided by commercial entities. Many satellites and launches are owned by the private sector or international consortia rather than nation States. This reality has posed a number of challenges for the existing legal framework governing outer space and, in particular, the legal framework governing the registration of space objects. This is now not to suggest that existing treaties are to be re-opened, the legal machine has served us well and we support its full and effective implementation but, the fact remains, that technology and commercial activities have changed and existing treaties have to be complemented by other measures.

Under agenda item 9, practicing registering space objects, we will discuss recommendations to enhance the adherence and strengthen the practice under the Convention on the Registration of Objects launched into Outer Space. We are looking forward to a fruitful discussion under this item and hope for the adoption of recommendations of the working group on the practice of states and international organizations in registering space objects at this session of the Legal Subcommittee.

The topic of registration of space objects leads me to one of the most important space projects Austria is currently developing. Last year the contract for the development of the first Austrian satellite, scheduled to be launched in 2008, was signed. The satellite known as Bright Target Explorer will be used to observe stars of high mass. Data on their vibration may reveal new insights on the composition of the stars as well as on the chemical evolution of the universe. In addition to the astronomy mission, the project which is funded by the Federal Ministry of Transport, Innovation and Technology, has the aim to develop a satellite platform for the scientific and technological missions in the

future, one of them might include a payload for monitoring natural or man-made disasters.

In conclusion, allow me to note, that my delegation is ready to continue to provide strong support to the work of the Subcommittee as well as to the Office for Outer Space Affairs. In this spirit we are looking forward to a productive and rewarding forty-sixth session of the Legal Subcommittee. Thank you very much Mr. Chairman.

**The CHAIRMAN** (*interpretation from Spanish*): I should like to thank the distinguished representative of Austria for his statement. The next speaker on my list is the distinguished representative of the Syrian Arab Republic. I recognize Syria.

**Mr. B. SAFIEY** (Syrian Arab Republic) (*interpretation from Arabic*): Thank you Mr. Chairman, I should like to start by thanking you on behalf of my delegation Sir, my sincere thanks to you and I would like to underline the confidence that we have in you having been elected to the Chair of this Committee. We are willing to work with you, Sir, to ensure the success of our work. We would also like to express our congratulations and gratitude to the Chair and the Bureau of the COPUOS Committee and we would like to thank them for all the efforts that they have made to make sure that space science and technology is placed at the benefit of humankind in its entirety and we would particularly like to thank the Chair of COPUOS for the statement made at the forty-ninth session and, in particular, we would like to underline the question of the application of the recommendation of UNISPACE III to make sure that developing countries have access to these technologies and to make sure that we take up the challenges of assisting agriculture, better managing water resources, countering illiteracy and promoting remote education as well as public health. The COPUOS report also mentions the local and regional needs and capabilities by way of implementing UNISPACE III recommendations and to make sure that this is \_\_\_\_\_ (*inaudible*) for work, it is important for the working groups to reinforce their action plans which contain objectives and the very clear aims and ways and means of achieving those aims. We are convinced that bolstering a transparency in the area of space activities, whether we are talking in terms of peaceful uses of space or international efforts in any scientific activities in outer space, all of this is particularly important.

We also consider that we should see States participate more, in particular developing countries, in the international cooperation systems to ensure the peaceful use of outer space.

We also welcome the assistance provided by the Space Applications Programme for developing countries and for transition economies to make sure that they are in a position to participate in space activities.

In addition, we should like to express our concern at the funding available for programmes which continues to be extremely limited. We therefore appeal to donor countries to increase their support for these programmes via donations.

Mr. Chairman, the report demonstrates to what extent capacity-building, when it comes to remote sensing, is important. This is particularly important when it comes to the needs of developing countries. The report particularly stresses the importance of remote sensing technology for sustainable development to make sure that on a non-discriminatory basis, data can be provided from remote sensing. The most recent data can be provided and that all information can be provided at a reasonable price at the right moment. My delegation welcomes the two projects launched under the United Nations Space Applications Programme for the countries of South-east Asia and North Africa. We would like to underline that the question of space debris in outer space continues to be a major danger when it comes to the work of satellites. It is therefore particularly important that the international community be in a position to enjoy the uses of outer space.

Mr. Chairman, natural disasters which have been a feature of the landscape in countries of the Indian Ocean and the Pacific Ocean recently, place us before a new concern, that is, how can we bolster our work to make sure that we can set up a world system for disaster management and this should be done via satellites. In addition, these disasters have led to the fact that all States need to adopt, or have become involved in new scientific initiatives, to manage disasters, particularly by information exchange.

My delegation considers that the Asian Observation Centre is an important initiative in this regard. However, we would like particularly to stress the fact that, all mechanisms for early warning need to be improved, as well as mechanisms for prediction, information exchange, observation and exchange of experience. All these things need to be enhanced to make sure that the technology can be made available to all countries on a non-discriminatory basis and internationally.

Mr. Chairman, promoting international cooperation for the peaceful uses of outer space is an urgent necessity, it is a priority, I should like to

underline that. Outer space should be placed at the service of all the world's countries so that it is in a position to promote and achieve the objectives of all the countries and peoples of the world. Outer space therefore needs to be available to humanity as a whole. It is therefore our sense that the introduction of weapons in space is likely to undermine the peaceful uses of outer space. Such action, therefore, constitutes a threat to international non-proliferation efforts and that any kind of rationale to defend this principle should be rejected. We took part in the disarmament conference in Geneva recently and we are participants in all the negotiations going on in the disarmament commission and we consider that this is a matter of great significance. Thank you, Sir.

**The CHAIRMAN** (*interpretation from Spanish*): I should like to thank the distinguished representative of Syria for his statement. Next speaker on my list is the Chair of the working group under item 4, the distinguished representative of Greece.

**Mr. V. CASSAPOGLOU** (Greece) (*interpretation from French*): Thank you very much, Sir. I have taken the floor at the outset to congratulate you on your re-election to the Chair of this Subcommittee. I should also like to underline my gratitude at having been re-elected of the working group on item 4 of our agenda. It is a matter of delight for me to be able to contribute to the work of this Subcommittee of COPUOS.

We are talking about work that goes back over more than quarter of a century, as the eminent colleagues are aware, in particular, Professor Kopal and Professor Koslov. I do not actually think there are that many people who were here right at the very beginning but, I was going to say veterans but I do not know if that is the word because we are on-going combatants, not veterans, when it comes to the efforts being made in this august assembly which brings together our nations.

This year we are celebrating three anniversaries, the fiftieth anniversary of the heroic efforts made by humanity when it came to the launch, in October 1957, when the first artificial satellite was launched.

Secondly, we are celebrating the fiftieth session of the plenary and thirdly, we are also celebrating the fortieth anniversary of the signature of the first outer space treaty.

Three historic events therefore, falling in the year 2007 and we need to make the most of this

opportunity because celebrating an anniversary is not just having the birthday cake and singing happy birthday, it is first and foremost an opportunity to think, it is an opportunity to look forward, it is an opportunity to plan the future, given the prospects of the future activities of the Committee.

Friends and colleagues, mention has been made of issues raised during the meeting of the United Nations Sixth Committee on the development of international law and, in particular, on the fragmentation of international law. Unfortunately, if we sum up what has happened in the last few years, I am thinking of the 1990s and following, if we sum up the situation we can see that productivity has declined in our Committee and our two subcommittees and what I mean by that is, that we are not doing the work that was achieved by those bodies in the 1960s and 1970s and into the 1980s, by our bodies at the time I mentioned was made. In the past, the Legal Subcommittee met for three or four weeks but at the time, as you will recall, whether we are talking about New York or Geneva, at the time we were drafting the standards and the principles underlining international space law and since 1990 we have been doing almost nothing in this regard. We have been talking of course, debate is a democratic process which contributes to social development but, and our eminent colleague, Professor Kopal, recalled this just a little while ago, we do not have substantial points on which we are going to have to work and take a decision. Hence my feeling is that, given the anniversaries that we are celebrating in 2007, what we ought to be doing is reviewing our work for the next few years, we should look at that work.

The Chair of the Committee, France, mentioned this last year and also most recently at the meeting of the Scientific and Technical Subcommittee, our French colleague submitted a proposal on rejuvenating our committee and my feeling is that we should go further and we should get rid of the anxieties that we have as a result of what has happened in the 1990s, I am not just talking about technological and scientific advances but I am talking about geo-political changes as well. Factors have become differentiated and this has led humanity to approve the five United Nations treaties and to put together international space law and this is what prompts me to say, that we should look forward, we need to move forward. In my opinion, we should be seeking to make an additional contribution here, it is very important for this meeting to take place in a situation of continuity, it should not just be a little flash in the pan amongst all the work being undertaken by the special agencies of the United Nations under the chairmanship of the Secretary-General. What we need to see is continuity and, at the

same time, we need to see cooperation with relevant bodies when it comes to the formulation of international space law and the law dealing with space activities. I am thinking of that in the broadest sense because, and I am taking up here on what our colleagues from Austria said, and I think this is also the implication of what the Syrian Arab Republic was saying, namely, that socio-economic changes have been taking place, in particular in the private sector and that is a matter which does not necessarily mean that countries will not continue to control and survey the activities of their citizens.

Those are just a few points that I wanted to make, Mr. Chairman, in particular when it comes to the thought process that needs to go on with regards to planning our future and this is the contribution that we should be seeking to be made as we celebrate the three anniversaries that I mentioned at the beginning of my statement. The anniversaries celebrating these memorable historic events in the twentieth century which have an impact on the twenty-first century as well. Thank you, Sir.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of Greece for his important observations and I now give the floor to the distinguished representative of the United States.

**Mr. M. SIMONOFF** (United States of America): Thank you, Mr. Chairman. I would like to begin by congratulating you on your re-election and on your continuing successful service as Chairman of this Subcommittee. This Subcommittee has made and will continue to make important contributions to the refinement and development of outer space law under your leadership. I would also like to add my thanks to the Director of the Office for Outer Space Affairs.

It is a pleasure to be here in Vienna to meet with this distinguished group of legal experts. The Subcommittee's last session was a very productive one and we look forward to continued progress in addressing issues of practical concern to all of us. COPUOS and the Subcommittee have a distinguished history of working, through consensus, to develop space law in a matter that promotes, rather than hinders, the exploration and use of outer space for peaceful purposes. In particular, this Subcommittee should be commended for its role in establishing the core outer space treaties. The Outer Space Treaty whose fortieth anniversary we celebrate this year, the Rescue and Return Agreement and the Liability and Registration Conventions. Under the legal framework of these treaties, use of space by nations, international

organizations and now private entities, has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

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

Before turning to the work of the Subcommittee for this session, I would like to comment briefly about recent activities in the United States that bears significantly on our space programme. On 31 August 2006, President George W. Bush signed a new United States National Space Policy that establishes over-arching national policy governing the conduct of United States space activities. It has been nearly ten years since the United States National Space Policy was updated. Advances in technology have, without question, increased the importance and use of space globally. Our new policy accounts for those changes and reflects the fact that space has become an important component of United States economic, national and homeland security.

Mr. Chairman, the United States space policies, which address civil, commercial and national and homeland security space activities are available on the Internet under United States Office of Science and Technology Policies website, and that website is [www.ostp.gov](http://www.ostp.gov). I would like to highlight that our National Space Policy has, as one of its guiding principles, our national commitment to the exploration and use of outer space by all nations for peaceful purposes and for the benefit of all humanity.

With regard to the United States civil space programme, NASA made excellent progress over the past year in moving forward to implement the vision for United States space exploration. Additional international conferences were carried out to enhance global understanding of the vision for United States space exploration to encourage international cooperation and to exchange information on a global exploration strategy that will include both commercial and international participation for lunar science activities, lunar robotics and lunar operations and ultimately, human exploration beyond low earth orbit. The United States is prepared to build upon its rich

history of international cooperation to achieve its goals in space exploration.

Consistent with guidance in our National Space Policy, the United States is also prepared to pursue other forms of international cooperation with foreign nations and international consortia on space activities that are of mutual benefit and that further the peaceful use of outer space. Potential areas for expanded cooperation include the provision of United States space surveillance information to satellite operators, as well as the development and operation of new earth observation systems.

During 2006, the space shuttle's twenty-fifth anniversary year, three missions resumed construction work on the International Space Station. The stage is now set for an active 2007 that will see the ISS's size and research capabilities dramatically grow.

In the area of space science, NASA has achieved notable success with space activities in 2006 that included the continued operation of the Rover Spirit and Opportunity on the surface of Mars; the arrival in Mars orbit of the Mars Reconnaissance Orbiter; the return of cometary samples to Earth on its Stardust mission and; the launch of its first-ever robotic mission to Pluto, which has just made its closest approach to Jupiter in February and will arrive at Pluto in 2015.

Also in 2006, GOESN now 13, a geostationary satellite was successfully launched. This is the first in a new series of geostationary satellites which feature a more stable platform enabling improved instrument performance. As part of the United States contribution to the international Global Earth Observation System of systems, GOES, NOAA agreed to reposition a geostationary satellite, GEOS-10, over South America to provide better meteorological coverage to that region. GOES-10 reached its destination at 60° West in early December 2006. The repositioning of this satellite is a key demonstration of the type of international effort needed to achieve the integrated earth observation benefits envisioned by the Group on Earth Observations or GEO.

As we proceed with work at this session, Mr. Chairman, I would like to reflect once again on the extraordinary record of success this Subcommittee has had in advancing the field of space law. We believe that much of the success is due to the Subcommittee's ability to focus on practical problems and to seek to address any such problems via consensus-based and results-oriented process. We should aim, in our

discussions, to continue that tradition and to avoid the temptation to focus on theoretical, rather than practical, issues. In addition, the Subcommittee's success may be attributed to its avoidance of protracted debates on extraneous issues.

Mr. Chairman, the United States will address specific agenda items when those agenda items are under discussion. Thank you for your consideration, my delegation looks forward to a productive and collegial session.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished delegate of the United States. I give the floor to the distinguished representative of Nigeria.

**Mr. R.A. BOROFFICE** (Nigeria): Thank you Mr. Chairman for giving us the floor. The Nigerian delegation is confident that under your guidance and leadership as Chairman of the Legal Subcommittee the work of this session will be successful. We also take this opportunity to greet the Director of the Office for Outer Space Affairs and members of his team who are at the podium with you.

Mr. Chairman, Nigeria is firmly committed to securing universal adherence of States to the United Nations treaties on space law. Despite advances in technology which necessitates the need to expand our understanding of the scope, content and application of space law rules. Consequently, in addition to voluntary provision of information regarding the registration of Nigeria-Sat-1 in August 2004, in accordance with the United Nations General Assembly resolution 1721B, we wish to report that, following signing of an instrument of accession to the Convention on Registration of Objects Launched into Outer Space, the necessary administrative steps to deposit this instrument of accession are in progress. While we endorse the work conducted by the Subcommittee as a whole, Nigeria also fully supports the task before the Subcommittee with respect to the analysis of State and international organizations practices in registering space objects.

Mr. Chairman, as part of Nigeria's commitment to promotion of existing United Nations treaties on space law, you will recall that Nigeria hosted the first African Space Leadership Conference on Space Science and Technology for Sustainable Development in November 2005. That conference included a panel on space law which recommended adherence to the United Nations treaties by African States. We wish to add, that the summary report of that African Space Leadership conference was presented to

the African Union through the African Regional Conference of Ministers of Science and Technology at its meeting held in Addis Ababa, January 2007.

Furthermore, during the course of 2006, representatives of Nigeria participated at space law events intended to, among other things, promote understanding and adherence to the United Nations treaties on space law. \_\_\_\_\_ (*inaudible*) in Rabat at the second Moroccan Royal Centre for Remote Sensing/European Centre for Space Law workshop and in Kyiv at the United Nations/Government of Ukraine workshop. We would like to pay tribute to these fine initiatives and express our appreciation to the organizers of both events.

Mr. Chairman, Nigeria recognizes the need for effective laws and policies on space activities at the international level as well as the national level and we are continuing attempts to strengthen and perfect our domestic legal frameworks in line with our international obligations. This recognition comes in addition to the fact that, \_\_\_\_\_ (*inaudible*) of space law policies and institutions \_\_\_\_\_ (*inaudible*) relies on the presence of suitably qualified professionals. My delegation is therefore pleased to see the inclusion of a symposium with the theme of capacity-building space law on the agenda of the Subcommittee as Nigeria has considered inclusion of studies on space law in the curriculum of eligible Nigerian institutions. We also wish to state that preliminary steps have been taken to introduce a general course in space law at the Regional Centre for Space Science and Technology \_\_\_\_\_ (*inaudible*).

Mr. Chairman, the Nigerian delegation notes the work of the Subcommittee on the definition and delimitation of outer space as a process, which should continue to be pursued in the interests of \_\_\_\_\_ (*inaudible*). We have provided responses to two additional questions proposed at the Subcommittee's forty-fifth session by the working group on matters relating to the definition and delimitation of outer space. We hope the responses will facilitate the deliberations on this important subject.

Mr. Chairman, Nigeria is a member of UNIDROIT and, in the spirit of our unwavering commitment to the proper implementation of the existing international legal instruments, attaches great importance to the subject of the draft protocol to the Convention on International Interests in Mobile Equipment. \_\_\_\_\_ (*inaudible*) views of the Nigerian delegation for which specific interventions have been made on individual agenda items in the course of the session as may be appropriate.

Mr. Chairman, the Nigerian delegation looks forward to a very fruitful session under your guidance. Thank you.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of Nigeria. The next speaker on my list is the distinguished representative of Egypt to whom I give the floor.

**Mr. M. MAHMOUD** (Egypt) (*interpretation from Arabic*): Thank you, Mr. Chairman. The Egyptian delegation would like to congratulate you on your election to chair this Subcommittee. We wish you every success in your office.

Mr. Chairman, distinguished delegates, Egypt feels that the United Nations treaties and principles relating to [interruption] ...

**The CHAIRMAN** (*interpretation from Spanish*): I apologize to the representative of Egypt but the Chair is not in a position to hear the interpretation. Could I ask you to resume your statement at the start, we are all very interested in listening to you from the start of your statement.

The distinguished representative of Egypt has the floor.

**Mr. M. MAHMOUD** (Egypt): First my delegation presents its greetings to you Mr. Chairman, for your re-election for the Chairman of this Legal Subcommittee and wishing you very fruitful production.

Egypt is looking for the cooperation, my statement includes some main points. Point 1 is concerning the Egyptian space programme, which is a fully peaceful programme for the exploration and use of outer space. This programme has begun its work by producing Egyptsat-1 satellite which is a remote sensing satellite of the class of enhanced micro-satellites, it is low earth orbit and its resolution is 7.8 metres, it is completely used for peaceful development purposes.

Point 2 is the Egyptian dependence on international cooperation and the exploration and use of outer space and seeing that dissemination of technology of space industry is the main issue that can push and encourage States to ratify and adhere to the treaties and principles of the United Nations concerning the peaceful use of outer space.

Point 3, that Egypt is looking to have cooperative programmes with all States having the intent to do so in accordance with the principles of the United Nations Treaty for the Exploration and Use of Outer Space and the Vienna Declaration. These are my main points.

May I continue my statement in Arabic please?

**The CHAIRMAN** (*interpretation from Spanish*): You can continue in your mother tongue, you are perfectly entitled to do so. I am so sorry for interrupting you at the start of your statement but it was just a demonstration of genuine interest which the Chair has and which all the delegations have in listening to your complete statement, the language which you are officially entitled to speak in. You may continue.

**Mr. M. MAHMOUD** (Egypt) (*interpretation from Arabic*): Mr. Chairman, Ladies and gentlemen, delegates, the Egyptian delegation feels that the treaties and principles of the United Nations pertaining to outer space constitute a legal system which allows us to regulate States' use of outer space for peaceful purposes, particularly the 1967 treaty, which is the Magna Carta, so to speak, within this legal system. Egypt stresses the need of States to comply with the principles and legal rules which are enshrined in those treaties, especially the principle of freedom to explore and use outer space, including the Moon and other celestial bodies, without any discrimination and on an equal footing, in keeping with international law.

I would also like to add the principle of the peacefully exclusive use of outer space as well as the principle of international cooperation in all space activities. This legal regime, Mr. Chairman, can be attributed to the efforts of COPUOS and its two subcommittees and it is an adequate legal basis for governing the activities of States with respect to the peaceful use of outer space, taking account of the need to establish additional legal rules which would make it possible to keep pace with technical and scientific innovations, as well as the need to make commercial use of outer space. Indeed, these are issues which necessitate legal rules, the best safeguard for ensuring accession of all States to the United Nations treaties, all five outer space treaties, is the dissemination of space technology to the greatest possible extent while ensuring there is effective participation of States, especially developing States, in such space activities. Those States will sense the need for such treaties and the need to accede to them. On the basis of these general premises and the policy which has been

declared and which is being implemented by Egypt, we are exclusively devoted to peaceful use of outer space, given our need to uphold peace and to develop our capacities.

At the start of the twenty-first century we began implementing a peaceful programme for outer space in order to expedite comprehensive development and we have started to derive social, economic and developmental benefits as a result. Indeed, we count on the principle of freedom of exploration of outer space, a principle of international cooperation as well as for space activities which has been asserted through declarations on international cooperation for the peaceful use and exploration of outer space in order to guarantee the interests and benefits of all States, particularly developing countries, as well as the principle of the exclusively peaceful use of outer space. We are wedded to these principles, especially that of the peaceful use of outer space in a transparent fashion, especially as regards space activities to promote our development.

The European space programme is completely peaceful, Mr. Chairman. It is implemented by the National Remote Sensing and Space Science Agency as well as our technical cooperation \_\_\_\_\_ (*inaudible*). these are both civilian institutions responsible to the Ministry for Scientific Research. The first steps have been taken to implement this programme with an international tender which is open to all countries wishing to take part, \_\_\_\_\_ (*inaudible*) Design Office which won this contract. The contract has been signed and in the next few days it should come into effect.

We have launched an advanced micro-satellite operating in lower earth orbit with a resolution of 7.8 metres, these are specifications which are consistent with peaceful purposes. We count on the credibility of our political positions, we wish to enhance peaceful international cooperation with space nations in order to guarantee transfer of technology as well as manufacturing of satellites. This is essential if we are to safeguard the principle of free exploration and use of outer space. This is a consistent principle pursuant to the 1967 Treaty, as well as the principle of the common heritage of humanity, which means that for one to undertake peaceful exploration of space, including the Moon and other celestial bodies, one has to ensure that all States benefit whatever their level of economic development or scientific development.

The Egyptian delegation also calls on the RSA and the United Nations Programme for Space Applications to play an effective role in disseminating space technologies and promoting their peaceful use.

We are aware of the fact that space activities are important and can contribute a great deal to our development, we are also convinced of the role of the United Nations treaties and principles governing outer space, we are therefore party to the Outer Space Treaty of 1967 as well as to the Treaty on Rescue and Return of Astronauts, Registration of Objects Launched into Outer Space. We have also signed the Convention on International Liability for Damage Caused by Space Objects, that is the 1972 Convention.

In response to the message of the Secretary-General which referred to the interests of acceding to this Convention, we are envisaging acceding to the Liability and Registration treaties and we are developing national regulations in this field. We are cooperating with friendly countries to promote the peaceful uses of outer space. Thank you, Sir.

**The CHAIRMAN** (*interpretation from Spanish*): I thank the distinguished representative of Egypt for his statement. Once again I do apologize for interrupting him but it was just so that I could benefit from listening to you fully.

We now turn to the observers and the distinguished representative of Switzerland to whom I give the floor.

**Mr. M. STRUB** (Switzerland) (*interpretation from French*): Thank you, Mr. Chairman. My delegation is delighted to see you at the helm of this session of the Legal Subcommittee and we are certain that under your chairmanship we will move rapidly ahead in our work and I can also guarantee you, Sir, that you will be able to count on the cooperation of my delegation.

My delegation is delighted to announce to the Subcommittee that Switzerland is a candidate for accession to COPUOS. Our country's candidacy was officially conveyed in a note verbale, at the forty-fourth session of the Scientific and Technical Subcommittee, which took place here in February this year.

Switzerland is a regular observer of the activities and sessions of COPUOS and of its Scientific and Technical Subcommittee and it has been so since UNISPACE III in 1999. We supported the COPUOS Programme on Space Applications, in particular via the funding provided in November 2004 for the workshop on remote sensing and the service of sustainable development in mountain areas. This was a workshop which was organized by the Office, in conjunction with the European Space Agency and the Austrian,

Nepalese and Swiss Governments, and it was hosted by the International Centre for the Integrated Mountain Development (ICIMOD) in Kathmandu.

France has been part of a spatial Europe since the foundation of the European Space Agency and has been an active participant in joint programmes of the European Union, such as the GALILEO programme on geographical navigational positioning and the Earth Observation Programme for environment and security \_\_\_\_\_ (*inaudible*). My country now wishes to become involved in more global cooperation on the use and applications of space technology. As part of a revision of its space policy, which is underway this way, my Government seeks to coordinate its legislation with the space conventions drafted by the Legal Subcommittee. My delegation therefore wishes to participate more assiduously in the future in the work of this Committee.

Mr. Chairman, given the support provided by Switzerland to COPUOS activities in the past and the support that it wishes to provide in the future, as a fully-fledged member of COPUOS, my delegation would like to express the wish that it could count upon the support of member countries with regard to our candidacy. Thank you, Sir.

**The CHAIRMAN** (*interpretation from Spanish*): I would like to thank the representative of Switzerland and might I say how interested I am to hear what you have had to say today and this request to accede to COPUOS seems to me to be very promising when it comes to your contribution to the Committee and I would, on behalf of the chairmanship, like to thank you very much for your statement and it is my hope that this will be ratified by the General Assembly.

I do not see any further speakers on my list under this agenda item, general exchange of views. However, we have not reached the end of our work because, as we agreed, we must have a debate, otherwise it is completely pointless meeting. Otherwise we will just be voicing our opinions in thin air and, after all, we have heard some very interesting things this morning in the statements already made and quite provocative when it comes to our thought processes. I think a number of important concepts have been presented this morning. I was particularly struck by what the Republic of Korea had to say for instance.

It is very important for the Committee to be effective in its contribution to reaching the millennium development goals because the technological tools that are available to us are very closely linked to achievement of those aims and Brazil, for instance,

mentioned the contribution of the private sector to these aims, an event that the treaties should take account of this new situation, this is something which we should look at in a broader perspective.

We also heard about seminars held and ratification of the treaties. The point here is that, as a Legal Subcommittee, our main aim is to ensure that treaties are ratified and a lot of issues fall under item 4 of the agenda, this is something that was also mentioned, for instance, by the United States delegation, ratification of treaties is the cornerstone of the activities of this Legal Committee.

In addition, we heard about funding issues from the Syrian Arab Republic. We entirely agree with what was said there.

There is also the question that early warning mechanisms need to be improved. What else have we heard this morning? A number of different issues, for instance, the fiftieth anniversary and the fortieth anniversary of the Outer Space Treaty and the fact that we have one of \_\_\_\_\_ (*inaudible*) think about these matters, to reflect upon them. These are all issues which I think deserve to be underlined.

I do not wish to pass over the fact that there was the 2005 seminar, it was November 2005, there was that fascinating seminar on that occasion and from Egypt, we have heard this morning, about a matter that was not mentioned by many others, although no doubt many other delegations share Egypt's opinion on this, namely, that space is part of world heritage and therefore there are legal considerations which arise, this is a fundamental point, I think we need to agree on this, we have got to reach a consensus on these matters, this was something touched upon by the United States. We are talking about a fundamental question here. I think we will no doubt hear other statements but these are the points that I wish to draw out of this morning's statements so that we can move forward.

When it comes to the fortieth anniversary of the Outer Space Treaty, we have to bear in mind that we are not just talking about any old treaty, we are talking about the Magna Carta of what goes on in space and some thought about it as a kind of space constitution and, if one issue is changed, then it would have an impact on the entire treaty and therefore, it is so important to think about this anniversary celebration. I do not think we saw any contradictions in the statements, there was complementary elements.

If you have any comments to make when it comes to the statements made this morning one should

feel quite free to. I would be delighted to give the floor to anyone who has anything further to say under this agenda item.

This leads me to the following point, given a number of requests made by delegations to the effect that, we should make the best possible use of the time at our disposal to have a real debate, this is, after all, the point of this agenda item. We want to promote an exchange of views and interaction here. Do I see any comments from the floor? I recognize the Netherlands.

**Mr. E. KOK** (Netherlands): I have a statement which I would like to read and that may just add to the discussions, by the Netherlands. I would need to take it from my bag which is outside because I was expecting the statement to be done in the afternoon. If you would allow me?

**The CHAIRMAN** (*interpretation from Spanish*): The distinguished delegate is entitled to go and collect his statement from his suitcase. Do I see anyone who wants to say anything else? You are all happy with what has been said? Is that what I am supposed to conclude? Some people say we do need to revise the treaty, others say we do not. It would be interesting to hear what people have to say on that point. Whether we should, or should not, revise the treaty.

Without further ado, I recognize the Netherlands, regretting that the text has not yet been photocopied and handed to the interpreters. Thank you

**Mr. E. KOK** (Netherlands): Mr. Chairman, I am very sorry for the delay and I would like to congratulate you on your re-election. It pleases the Kingdom of the Netherlands to inform you, that recently our legislation concerning activities in outer space has been published in our official journal. This, however, does not imply that our legislation has entered into force, this is expected to take place later this year. I would like to use this opportunity to bring you up to date as to the contents of this legislation, together with some issues that we ran into during the drafting process.

First of all, I would like to observe that this legislation is only applicable to the Netherlands, the United Nations outer space treaties are also applicable to the other parts of the Netherlands kingdom. The Government of the Netherlands Antilles and Aruba are still considering the modalities of the implementation of these treaties in their territories.

Three main issues are addressed in our legislation. Firstly, Dutch citizens, both legal and

natural persons, will only be allowed to carry out activities in outer space from the Netherlands territory with a licence. For the purposes of the legislation, the Netherlands territory has been defined to include ships, planes and other moveable objects under the jurisdiction of the Netherlands.

Secondly, a national register will be maintained, consisting of two sub-registries.

Thirdly, under the legislation the Government will have the right of recourse in cases where the Netherlands is held liable under article 7 of the Outer Space Treaty or the Liability Convention.

In defining when a licence should be given, the drafters of the legislation had to interpret activities in outer space more precisely. It was decided to use the following definition.

Activities in outer space comprise all activities with regard to launching, testing and operating space objects. We have made a proviso for the case of space tourism, but for the moment, the Netherlands is of the opinion, that legislative regimes of the countries which grant permission for space tourism would also apply to Dutch space tourists. We also created the possibility to extend the legislation to Dutch natural or legal citizens, in the case that they are responsible for activities taking place from the territory of a non-Party to the Outer Space Treaty.

Mr. Chairman, a national register will be maintained for the registration of space objects. This registry will consist of two sub-registries. In one sub-registry, space objects will be registered in respect of which the Netherlands is the launching State under the Registration Convention. For the time being, this sub-registry will only contain information on the \_\_\_\_\_ (*inaudible*) satellite which was launched in early 1983. It ceased operations at the end of 1983 but it is still in orbit.

The other sub-registry will contain the other space objects for which the Netherlands bears responsibility, in conformity with article 6 of the Outer Space Treaty. This registration will, for example, contain information on the satellites of New Skies Satellites, this is a Dutch company.

In cases where the Netherlands is held liable, under article 7 of the Outer Space Treaty or the Liability Convention, the legislation confers the right of recourse to the Government against the person carrying out the activities in outer space. To obtain a licence, a person will have to purchase insurance to

cover his potential liability towards the Government up to an amount that will be determined by the Minister of Economic Affairs and that Minister will determine that amount on a case-by-case basis. The Government will not have recourse for a higher amount than the required amount of insurance.

Mr. Chairman, we are at this moment working on the translation of the legislation in English and we expect this translation to be ready shortly. When it becomes available, we will make it available to OOSA for dissemination.

Thank you very much for your attention and again excuse my delay.

**The CHAIRMAN** (*interpretation from Spanish*): I should like to thank the representative of the Netherlands and we were delighted that he did go and fetch his statement because it was of great interest and it is, indeed, interesting to hear comments of this kind. I wonder if this has led to any response of other delegations.

I would like to make an informal comment myself, with regard to the participation of observers and this is what I should like to say. I would ask observers to participate in our work and to be present throughout our session because this means we will be able to enjoy their contributions and they will be able to benefit from the discussions taking place in this Subcommittee.

In addition, we have the unofficial list of observers which I will read out: Holy See, United Nations Secretariat. Specialized agencies: International Institute for the Unification of Private Law (UNIDROIT); European Space Policy Institute, I am delighted to see so many delegates here today; International Astronautical Federation; International Space University; Space Generation Advisory Council; and that seems to be the end of the list.

However, I am surprised to see that some bodies such as, UNESCO, are not here or the IMO and ITU and other organizations that one might have expected to see them here as observers. These organizations would, no doubt, have a great deal to contribute and ought to be here represented. I would very much like to see them here, personally speaking. I recognize Colombia.

**Mr. C. ARÉVALO-YEPES** (Colombia) (*interpretation from Spanish*): Mr. Chairman, this afternoon I will present the Colombian position as part of this agenda item but I would just like to take up the

excellent idea that you had of reading the list of observers to us.

Past experience has demonstrated that their presence is fundamental but sometimes their participation is sporadic in nature. What happens is that sometimes these organizations are here and they tend to be here for certain issues dealt with and less for others, the experience in the Scientific and Technical Subcommittee where ITU was only present when we examined the report, that is something that upset us, not just my delegation but a number of others as well. It bothered us, in fact we made an official complaint about this. We feel that if observers are going to participate they should participate wholly and, pursuant to their mandate, they should be fully present and this is particularly true when it comes to bodies such as ITU. Thank you.

**The CHAIRMAN** (*interpretation from Spanish*): I should like to thank the representative of Colombia. With regard to the Scientific and Technical Subcommittee, a specialized agency did take the floor for 10 minutes and then disappeared and that is not the appropriate approach, taking the floor and then leaving the room. The point is that, reports are here to be discussed and when people make comments then others need to have an opportunity to come back. I take up the word sporadic as well, let us make sure that participation is not sporadic but on-going and continuous. We do not want people just to turn up out of the blue and then vanish.

I would particularly like to thank Colombia for that statement.

The Director of OOSA would like to take the floor before the Legal Subcommittee and without further ado I will therefore give him the floor.

**Mr. S. CAMACHO-LARA** (Director, Office for Outer Space Affairs): It is a delight to see you in charge of this session Sir and I am convinced that this will be a very productive session and you have our full support.

\_\_\_\_\_ (*inaudible*) to address the Legal Subcommittee in order to review the work of the Office for Outer Space Affairs relating to international space law over the last year and to touch on plans for the future.

During the last year the Office continued to discharge the responsibilities of the Secretary-General under the United Nations treaties on outer space. With reference to the 1976 Convention on Registration of

Objects Launched into Outer Space, the General Assembly resolution 1721 (XVI)B of 20 December 1961, the Office continued to maintain the United Nations Register of Objects Launched into Outer Space. Information received in accordance with the Registration Convention, as well as, General Assembly resolution 1721 (XVI)B, has been circulated to all member States and can be found in document series ST/SG/SER.E/1-508 and A/AC.105/INF.1-415 respectively. In the past year, Brazil, China, France, India, Kazakhstan, Republic of Korea, Luxembourg, Malaysia, Russian Federation, United States of America, European Space Agency and the European Organization for the Exploitation of Meteorological Satellites (EUMETSAT), furnished registration information on their space objects. The registration documents in an online index of objects launched into outer space can be found on the Office's website, which continues to be updated.

In addition, Belarus notified the United Nations that it had established a national registry of space objects in accordance with article 3 of the Registration Convention. This information was distributed to member States in document ST/SG/SER.E/INF.18.

The Office is also pleased to inform the Subcommittee that as part of its technical assistance programme, it has responded to requests from a number of member States and intergovernmental organizations, on mechanisms for registering space objects in accordance with the Registration Convention.

The Office also continued to discharge other responsibilities entrusted to the Secretary-General under the legal regime governing activities in outer space, in particular, disseminating information provided by member States under article 11 of the 1967 Outer Space Treaty and the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

The Office, along with a number of other international organizations, is part of the Joint Radiation Emergency Management Plan of the international organizations, established within the context of the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency. Both these conventions serve as the prime legal instruments that establish an international framework to facilitate the exchange of information and the prompt provision of assistance in the event of a nuclear accident or radiological emergency with the aim of minimizing consequences. The Office plays a

role in the joint plan within the context of its duties to fulfil the responsibilities of the United Nations Secretary-General in accordance with the provisions of certain instruments adopted by the General Assembly which are particularly relevant to the use of nuclear power sources in outer space.

Last year the Office participated in the June 2006 Joint Plan Co-sponsors Meeting which took place in Vienna from 27-28 June 2006, at the invitation of the International Atomic Energy Agency, Inter-Agency Committee on Response to Nuclear Accidents. Seventeen representatives from nine international organizations, which included FAO, IAEA, IMO, Interpol, OECD, OOSA, UNSCEAR, WHO and WMO attended the meeting. Among other activities the meeting reviewed comments and revised the Joint Radiation Emergency Management Plan of the international organizations, that is the JPLAN edition 2006. \_\_\_\_\_ (*inaudible*) the International Maritime Organization and the United Nations Scientific Committee on the Effects of Atomic Radiation as JPLAN co-sponsors, prepared a workplan \_\_\_\_\_ (*inaudible*) 2006, JPLAN edition and conducted a table-top exercise.

In the past year the Office has continued its efforts to promote and disseminate information relating to space law. Every year the Office produces a number of documents and publications relating to space law, the following is a list of publications in the past year. The United Nations Treaty and Principles on Outer Space and other related General Assembly resolutions known as the Treaty booklet, the reference to that is ST/SPACE/11/Rev.1; the current status of signatures, ratifications and accessions to the various multilateral international agreements relating to outer space, the report is produced on the basis of information provided to the Office by the depositories of such agreements and appears as an insert to the Treaty booklet, which I have just mentioned. The document reference for the insert is, ST/SPACE/11/Rev.1/Add.1 and Rev.1 and is current to 1 January 2007. As you will note from this most recent publication, a number of States have ratified or signed treaties relating to activities in outer space in the past year.

As far as the five United Nations treaties on outer space are concerned, Algeria has now ratified the Liability Convention, Lebanon acceded to the Registration Convention and Moon Agreement and Turkey acceded to the Rescue Agreement and Registration Convention.

The Office is also pleased to inform the Subcommittee that Algeria has passed national

legislation ratifying the Registration Convention and will be depositing its instrument of ratification to the Office of Legal Affairs in the near future.

With respect to other agreements, Iraq, Montenegro, St. Kitts, have now ratified the International Telecommunication Constitution and Convention.

Returning to the list of publications in the last year, Highlights in Space 2006, which contains a section on international cooperation in space law, was produced with COSPAR, IAF and IISL.

Finally, in our list of publications, proceedings of the United Nations/Ukraine Workshop on Space Law, entitled Status, Application and Progressive Development of International and National Space Law, organized with the Government of Ukraine and the International Centre for Space Law from 6-9 November 2006, Kyiv, Ukraine.

The Office has finalized the proceedings of the workshop in hard copy and will distribute the copies at the forthcoming session of the Committee. The hard copy edition will include presentations in English and Russian, which were the official languages of the workshop. The Office will also finalize the electronic version of the proceedings, which will include the Powerpoint presentations. A CD-ROM will also be distributed at the forthcoming session of the Committee.

The Office is pleased to inform the Subcommittee that it continues to regularly update its website, as well as providing member States with reference tools, such as the online index of objects launched into outer space, the National Space Law database and the Treaty status database, the website also provides texts of the treaties and relevant General Assembly resolutions and documents in all official languages of the United Nations. The Office would like to take this opportunity to invite member States to provide texts of their national space laws for inclusion on the website.

As mentioned last year, the Office is in the process of electronically archiving documents of the Committee and the Subcommittee. The electronic versions of the documents will be made available through the website of the Office. The primary objective or the target is to ensure that documents are available to member States and the public in all official languages of the United Nations.

I am pleased, Mr. Chairman, to inform the Subcommittee that the Office has set up a special web page to assist member States in accessing the series of limited distribution type of document that will be before delegations at this session. The address of the web page has been distributed in the document boxes for delegations.

In 2006, Mr. Chairman, the United Nations Office for Internal Oversight (OIOS), conducted an inspection of the programme of management and administrative aspects of the Secretariat. I am pleased to inform the Subcommittee that OIOS found that the Office for Outer Space Affairs is "well-run, cohesive and productive in performing higher than the average programme of the United Nations secretariats". The OIOS report will be made available to member States during this session. OIOS made several recommendations to improve the Office's performance. One recommendation was the inclusion of internet links in documents produced by the Office to enhance their use. This recommendation will be implemented as of this session. Initially, links will be limited to United Nations documents, treaties and resolution texts, official websites of national space agencies and permanent observers of the Committee, United Nations system organizations and, of course, to the website of the Office. This year's Subcommittee report will include the above-mentioned links. An example of the links proposed in the English version of last year's Legal Subcommittee report, which is available at this session's special web page to which I have just referred. We invite delegations to use some of the links that are provided and comment on their usefulness. It should be noted that electronic versions of the documents in all languages will include these links. The Secretariat invites delegations to assist in this matter by providing, whenever possible, appropriate web links.

In the past year, the Office continued to promote the understanding and acceptance of the implementation of United Nations treaties and principles on outer space, to support the exchange of information, national space law and policy and to encourage the increase of education opportunities in space law. I am pleased to inform you that in 2006, the Office organized the fifth United Nations workshop aimed at capacity-building in space law, entitled Status, Application and Progressive Development in International and National Space Law, which I have made reference to previously in connection with the publications.

The workshop was held in Kyiv, Ukraine, from 6-9 November 2006, and was organized together

with the Government of Ukraine and in collaboration with the International Centre for Space Law. Approximately 80 participants from 21 countries attended the workshop. Participants held positions in governmental departments, space agencies, international organizations, national universities, research institutions and the private sector. More than 30 presentations were delivered by invited speakers from the countries of the region, as well as from Brazil, Canada, France, the Netherlands, Nigeria and the United States of America. The workshop was welcomed by representatives of the President and the Prime Minister of Ukraine and received a wide coverage by the Ukrainian media.

The workshop provided an overview of the United Nations treaties and principles on outer space and addressed the development of national space laws and policies. The workshop also considered ways and means of enhancing the availability and development of university level studies and programmes in space law. The final session was devoted to finalizing the observations and recommendations and conclusions of the workshop. In addition to the proceedings, a detailed report, including the recommendations, observations and conclusions agreed upon at the workshop, can be found in document A/AC.105/880.

I would like to express my sincere thanks to the Government of Ukraine and to the International Centre for Space Law for their support in providing a number of experts participating in the workshop, in organizing special events for the participants, supporting the living expenses of some participants from developing countries, as well as providing excellent meeting facilities.

In 2006, the Office continued to be called upon to provide advice on international space law and legal issues relating to activities in outer space. We also continue to strengthen cooperation with space law entities and organizations, with a view to contributing to worldwide efforts to promote understanding and the development of space law. The Office fulfilled its role within the limits of its capacity in response to various requests and queries.

The Office participated in the second seminar on space law and space activities, held in Rabat on 22 and 23 June 2006. The seminar was organized by the Royal Centre for Remote Sensing in cooperation with the European Centre for Space Law and focused on obligations of space law and national space utilities, particularly related to African countries. The seminar gathered international and national experts in various fields of space activities.

Finally, I am pleased to inform member States that the Office continued its cooperative activities with the Institute of Air and Space Law at Cologne University. In order to further the status on applications to the five United Nations treaties on outer space, the Institute has, since 1989, produced a collection called space law basic legal documents. This publication is a loose-leaf collection consisting of four volumes and serves as an essential reference in research for those involved in the formulation, implementation and operation of space law and policy. Its loose-leaf format ensures that the material is fully kept up to date. Students, libraries and universities from developing countries can purchase the collection at special conditions, directly from the publisher. I am pleased to inform you that in December 2006, instalment 11 was published. From April 2006 an online version of space law, basically old? documents, is available, in addition to the hard copy version.

Regarding 2007, in addition to its \_\_\_\_\_ (*inaudible*) within its existing human and financial resources, the Office hopes to continue expanding its efforts to build capacity in space law and to promote the development of space law. The Office is planning, in cooperation with the Government of Thailand, for the organization of a workshop on space law, to be held in Chiang-Mai, Thailand, from 21-24 November 2007.

In addition to the workshop on space law, the Office has initiated work towards developing a model education curriculum for a short-term course on space law, an action which was recommended by the Committee to the General Assembly in the plan of action contained in the report to the Committee under review of the implementation of the recommendations of UNISPACE III and endorsed by the General Assembly in its resolution 39/2. The Office expects to report at the next session of the Subcommittee on the progress being made in this regard. The Office will continue to explore various mechanisms of ensuring that information relating to space law reaches the widest possible audience, including cooperating, where possible, with space law institutions. \_\_\_\_\_ (*inaudible*) accessible a variety of documents, materials and information resources that would be useful to both government officials and academia, particularly those from developing countries.

As regards promoting the application of international law and providing technical assistance to help governments implement their commitment under the outer space treaties, the Office will continue to provide legal advisory services to member States within its available resources.

Mr. Chairman, distinguished delegates, this is truly a \_\_\_\_\_ (*inaudible*) special year that marks the fiftieth anniversary of the space age, the fortieth anniversary of the entry into force of the Outer Space Treaty and the fiftieth session of the Committee on the Peaceful Uses of Outer Space. In such an auspicious year let me reaffirm our Office's commitment to serving the interests of member States in the area of space law.

Thank you very much for your attention Mr. Chairman and distinguished delegations.

**The CHAIRMAN** (*interpretation from Spanish*): I am especially grateful to the Director of the United Nations Office for Outer Space Affairs, Sergio Camacho, because he surprised us once again by producing an astonishingly impressive job, both on substantive issues but also on the procedural aspects which compels us to listen so closely to him and I am sure we will be following him closely in the future so congratulations to you.

I just wanted to pick up one small detail. Towards the end of your statement you referred to the anniversaries we are preparing for but I think, both in terms of form and substance, we need to tackle differently the General Assembly this year. When we look at everything that has been discussed in the Legal Subcommittee and in the plenary last year, we were surprised by a rather sorry procedural difficulty when the General Assembly, specifically the Fourth Committee, for reasons I am not going to discuss now, reduced the time available for discussion of the outer space issue and I think it was a swingeing cut in the time available and I think that showed a lack of respect for issues of great important. This year, I do not want the same happening again, this is not the responsibility of the Office for Outer Space Affairs at all, quite the contrary, but this year especially, if we want this aspect to be given all due importance, given the fact that it fits within the context which you referred to, then a special effort has to be made to ensure that the largest amount of attention is given to us, in terms of time, in terms of substance and in terms of the delegations attending. It should not just be those who attend the Vienna meetings, there seems to be a mismatch between what is addressed there and what we discuss here. Thank you.

We shall reconvene at 3 p.m. sharp to resume the general exchange of views. At around about 4 p.m. we will suspend our plenary so that we can begin the symposium on capacity-building on space law, with the participation of the two institutes involved and once the symposium is finished we will adjourn.

As I said, a provisional list of participants for this meeting will be circulated tomorrow and I would request all delegations to send an official note with the names of their representatives to the Secretariat as soon as possible, if they have not already done so, so that those names are included on the provisional list of participants.

At 1.30 p.m., \_\_\_\_\_ (*inaudible*) that there will be a meeting of the European Committee.

The meeting is adjourned.

*The meeting closed at 12:49 p.m.*