

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

Unedited transcript

800th Meeting

Thursday, 2 April 2009, 3 p.m.

Vienna

Chairman: Mr. V. Kopal (Czech Republic)

The meeting was called to order at 3.15 p.m.

The CHAIRMAN: Good afternoon distinguished delegates. I now declare the 800th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

As you may have noticed, we have reached during this session of the Subcommittee two important anniversaries or simply goals. The first one was the 100th certification of the Outer Space Treaty, and the second milestone is now the 800th meeting of the Legal Subcommittee. On this occasion, I wish you good health and patience and strength for two hundred additional meetings so that we could reach in a good health the one thousandth meeting of the Legal Subcommittee together.

I would now like to inform you of our programme of work for this afternoon.

We will begin with the adoption of the first part of the report of the Legal Subcommittee. I am sorry that it was produced so late but I will give you the opportunity to complete the reading for a certain time and we could start now speaking on our programme.

But first, are there any questions or comments on this proposed schedule?

I see none.

Report of the Legal Subcommittee

We will now begin our adoption of the first part of the report of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

The draft report of this session of the Subcommittee will be made available in four parts. The first part of the draft report, document A/AC.105/C.2/L.276, as well as the Addendum.1, were distributed to you this afternoon.

The Secretariat expects to distribute the remaining parts, Addendum.2 and Addendum.3, tomorrow morning.

The first part of the draft part of the draft report contained in document L.276 contains the introduction and general exchange of views.

I would now like to give the delegations some time to finish their review of these documents before us concerning the adoption of the first part of the report.

So you will have about 10 minutes to do it.

(Break)

The CHAIRMAN: Is every delegation ready for starting the consideration of the first part of the draft report?

I see no objections so let us start.

So we will now check the document A/AC.105/C.2/L.276.

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.



First of all, introduction, it is no problem, I think, A. Opening of the session.

No objection.

Adopted.

B. Adoption of the Agenda.

I think no objection.

Adopted.

C. Attendance, paragraph 3.

Is every delegation that was present here included in the list of delegations here in paragraph 3?

I see no objection.

Adopted.

Paragraph 4.

No objection.

Adopted.

Paragraph 5.

No objection.

Adopted.

Paragraph 6.

No objection.

Adopted.

Paragraph 7.

No objection.

Adopted.

D. Organization of Work, paragraph 8.

No objection.

Adopted.

(a). Paragraph 9, the chapeau and sub-paragraph

Sub-paragraph (b).

Sub-paragraph (c).

Yes, our Secretary drew my attention to the last words of this sub-paragraph (c), it should be "as its Chairperson", Ms. Irmgard Marboe should be called Chairperson.

Sub-paragraph (d).

The whole of paragraph 9, are there any objections?

I see none.

Adopted.

Paragraph 10.

No objections.

Adopted.

Paragraph 11.

No objections.

Adopted.

Paragraph 12.

It is just the list of speakers for the Symposium.

Paragraph 12, no objections?

Adopted.

Paragraph 13.

No objections.

Adopted.

Paragraph 14.

This is, of course, important to know. It means that the Subcommittee recommended at its forty-ninth session should be held next year from 22 March to 1 April.

No objections?

Adopted.

E. Adoption of the Report of the Legal Subcommittee.

Paragraph 15.

It will be completed, of course, by the Secretariat.

No objections.

Adopted.

Paragraph 16.

This is, of course, in anticipation that the text of it would read as here suggested.

Adopted.

II. General Exchange of Views, paragraph 17.

Adopted. I hope.

Paragraph 18.

Is every delegation listed here? Of course, delegations which made statements.

Adopted.

Paragraph 19.

Does the Director of the Office agree with this particular paragraph? The Secretary as well? Thank you very much.

Adopted.

Paragraph 20.

No objections.

Adopted.

Paragraph 21.

No objections.

Adopted.

Paragraph 22.

No objections.

Adopted.

Paragraph 23.

No objections.

Adopted.

Paragraph 24.

No objections.

Adopted.

Paragraph 25.

I recognize the distinguished representative of Venezuela.

Mr. M. CASTILLO (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you very much Mr. Chairman. In paragraph 25, my delegation would like to inform you that it was a regional group which expressed this opinion so we would like for this to be said at the beginning of the paragraph, that is number 25, "A regional group expressed the view that the attempts to militarize outer space and to use outer space for purposes not consistent with the United Nations treaties and principles have become cause for concern". Afterwards, this group, or later on, this group expressed that the placement of weapons in outer space would have a negative effect on the legal regime governing the peaceful uses of outer space as well as on the entire system of international security. Thank you very much Mr. Chairman.

The CHAIRMAN: Thank you very much distinguished representative of Venezuela. Perhaps we should proceed like in the past, it means that some delegations expressed the view. Is it acceptable for all delegations?

Mr. M. CASTILLO (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): We could accept it, yes, regional group, thank you.

The CHAIRMAN: Thank you very much for your cooperation, distinguished representative of Venezuela, and we will proceed in accordance with this proposal.

No other comments?

Adopted.

|Yes, the distinguished representative of the United States. No? Sorry, I believed that you applied for the discussion.

So now paragraph 26, draft paragraph 26.

Any comments?

No comments.

Adopted.

Paragraph 27.

Any comments, objections?

None.

Adopted.

Paragraph 28.

I believe this is the common position of the Subcommittee and it should be included in our report.

No other comments on paragraph 28?

Adopted.

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

Paragraph 29.

No comments? No objections?

Adopted.

Paragraph 30.

So, first, the chapeau.

I recognize the distinguished representative of Spain.

Mr. R. MORO AGUILAR (Spain)
(*interpretation from Spanish*): Thank you very much Mr. Chairman. Just a small correction in the Spanish text, on paragraph 30. This would be in the Spanish text. Where it says "State Parties (Party?)", I think that it would be better to say "State Parties", in plural, in Spanish. This would apply to the first sub-paragraph as well as (a), (b), (c), (d) and (e) sub-paragraphs. This terminology would be in agreement with the terms used in the United Nations treaties for outer space where they always speak about States and not State.

That would be in the Spanish text. Thank you very much.

The CHAIRMAN: Thank you very much for your comment on the Spanish version, the Spanish text of this particular paragraph. I think it will be effective, yes.

So paragraph 30, the chapeau first.

Then sub-paragraph (a).

Sub-paragraph (b).

Sub-paragraph (c).

Sub-paragraph (d).

Sub-paragraph (e) and paragraph 30 as a whole.

No other comments? No objections?

Adopted.

Paragraph 31.

No objections.

Adopted.

Paragraph 32.

No objections.

Adopted.

Paragraph 33.

No objections.

Adopted.

Paragraph 34.

No objections.

Adopted.

Paragraph 35.

No objections.

Adopted.

Paragraph 36.

Any comments or objections? No.

Adopted.

Paragraph 37.

It will be again completed by the Secretariat the exact figures.

No objections.

Adopted.

Paragraph 38.

No objections.

Adopted.

Paragraph 39.

No objections.

Adopted.

Did you apply for it? Yes, the distinguished representative of the United States.

Mr. K. HODGKINS (United States of America): Thank you Mr. Chairman. I appreciate you giving me the floor. In paragraph 39, I have a question. In the parentheses, it cites the verbatim transcripts and the numbers that are associated with them but earlier in report we do not. I do not think those have been assigned numbers yet. Is that correct?

The CHAIRMAN: Yes, I have been assured by our Secretary that these figures would be updated. Thank you very much.

Now IV. Information on the Activities of International Intergovernmental and Non-Governmental Organizations Relating to Space Law.

Paragraph 40.

No objections.

Adopted.

Paragraph 41.

Sub-paragraph (a).

Sub-paragraph (b) and paragraph 41 as a whole.

No objections.

Adopted.

Paragraph 42.

No objections.

Adopted.

Paragraph 43.

No objections.

Adopted.

Paragraph 44.

No objections.

Adopted.

Paragraph 45.

Any objections?

Adopted.

Paragraph 46.

Any objections? None.

Adopted.

Paragraph 47.

No objections.

Adopted.

Paragraph 48.

The distinguished observer for the International Law Association. Please, you have the floor.

Ms. M. WILLIAMS (International Law Association): Thank you Mr. Chairman. Paragraph 48, third line, after "remote sensing", if we could add "with special reference to satellite data in international litigation", between commas.

The CHAIRMAN: Special reference to _____(?)?

Ms. M. WILLIAMS (International Law Association): “special reference to satellite data in international litigation, near-Earth objects and space debris” as it reads there.

The CHAIRMAN: I would like to ask our Secretary to read this text once again out.

Mr. N. HEDMAN (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, I will read it out as the Secretariat has understood the amendment proposed by the International Law Association.

So the third line “remote sensing, with special reference to satellite data in international litigation, near-Earth objects, ...” and then it continues as “space debris” and so forth.

The CHAIRMAN: Thank you very much distinguished observer for the International Law Association for your draft amendment to paragraph 48.

Has everybody taken note of this draft amendment?

Yes, I recognize the distinguished representative of China.

Mr. Y. XU (China): Thank you Mr. Chairman. Just for clarification, I wonder whether after “remote sensing” there is a comma or there is no comma? Thank you Mr. Chairman.

The CHAIRMAN: I understood that there should be a comma after “remote sensing”, “remote sensing, with special reference to satellite data in international litigation, near-Earth objects”, then “and” should be removed and there should be here another comma, “space debris, the registration of space objects, national legislation and cooperation with the International Law Commission on the responsibility of international organizations”.

Did everybody understand it? Yes?
International Law Association again.

Ms. M. WILLIAMS (International Law Association): Thank you Mr. Chairman. So after “satellite data in international litigation”, between commas we would have “near-Earth objects”, NEOs, the acronym we might use, near-Earth objects.

The CHAIRMAN: Yes, comma and then “space debris” and so on.

So is now paragraph 48, as amended by the International Law Association, acceptable for the delegations?

Yes.

It is so adopted.

Paragraph 49.

Any objections?

None.

Adopted.

Paragraph 50.

No objections?

Adopted.

Paragraph 51, again to be completed by the Secretariat.

So ladies and gentlemen, can we adopt document L.276 as a whole?

I recognize the distinguished representative of Venezuela.

Mr. M. CASTILLO (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you very much Mr. Chairman. With regards to this report on point number three, general exchange of opinions, general exchange of views, my delegation would like for GRULAC’s opinion to be expressed, several opinions expressed that it would be essential for this Subcommittee to increase its interaction with the Scientific and Technical Subcommittee with a view to promote links and norms that would take into account subjects such as space debris and others, due to the great impact that they might have on the nature alive on planet Earth.

The CHAIRMAN: Thank you very much distinguished representative of Venezuela for your submission. I would kindly ask you to read slowly at dictation speed once again this text.

Mr. M. CASTILLO (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you very much Mr. Chairman once again.

I could transmit a copy in a written fashion in a couple of minutes so that might be easier. Thank you very much.

The CHAIRMAN: Thank you very much for your cooperation distinguished representative of Venezuela and I would also appreciate it if you could advise us because I understood that it should be a new paragraph. Where to include it?

Mr. M. CASTILLO (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Mr. Chairman, my delegation thinks that this should come following paragraph 19, after paragraph 19, at the beginning of Section Number Two, General Exchange of Views, in document L.276.

The new paragraph would be a new number 20.

The CHAIRMAN: Very well. Do you still wish to say something? No. Thank you. So there will be the text provided as the new paragraph 20 by the distinguished representative of Venezuela in a few minutes and we will return to this discussion as soon as we have this text before us. Otherwise, except this particular provision, would you agree with the document L.276 as a whole?

I see no other comments or objections.

It is so decided.

And we will then return later on to your draft amendment.

Thank you very much distinguished gentlemen for your cooperation on this part of our report.

And we will now have the Addendum.1 to document L.276 but prior to starting the adoption of this Addendum.1, again paragraph-by-paragraph, I will give you now again some time for reading this text.

(Break)

The CHAIRMAN: Now are all delegations now ready to start adopting the document number L.276/Addendum.1?

Yes, I believe so.

So let us start now.

V. The title, it is long so I will not read it. You have it before you.

Yes, paragraph 1.

No objections?

Yes, I recognize the distinguished representative of Colombia.

Mr. J. H. OJEDA BUENO (Colombia): Thank you Mr. Chairman. Good afternoon. We regret that the distinguished representative of Greece is not present now since we had a little different point concerning the drafting of this piece, in the first paragraph, where we say "without prejudice to the role of the International Telecommunication Union". So I had a very friendly conversation with Vassilios, our distinguished colleague from Greece last night and I explained to him the importance of the inter- or trans-agency cooperation and the concern of Colombia to include this cooperation with the International Telecommunication Union, also in the view of the three events that we wanted to include in the draft. So we think that this "without prejudice" could be changed into "use of the geostationary orbit with the cooperation of the International Telecommunication Union" or "in cooperation".

The CHAIRMAN: Thank you very much distinguished representative of Colombia for your comment on this paragraph but I should draw your attention that this was the decision of the United Nations General Assembly, you know, that this item should be considered by the Legal Subcommittee at this session as it is named here in this text. So we cannot change it, it is a simple fact. It was the decision of the United Nations General Assembly and we followed this decision here. Why you are probably suggesting something that we... (*no microphone*) ... in the name of the item for the next General Assembly, not for this one because this has been an effect. It was effected.

Mr. J. H. OJEDA BUENO (Colombia): ... February in the Scientific and Technical Subcommittee, we came up this discussion about how to insert the notion of intention of the ITU in that paragraph and Vassilios suggested that we should put it without prejudice to the role. I think it took place in February this year at the Subcommittee. So that is why we do not see any prejudice in changing that particular part of the sentence into "in cooperation with the ...".

The CHAIRMAN: Distinguished representative of Colombia, take the text in your hands, the text of General Assembly resolution 63/90 where the agenda for this year's session of the Legal Subcommittee was established and compare it with the present text of paragraph 1 and you will see that it is exactly spelt out as it was in resolution 63/90 and it is followed.

Mr. J. H. OJEDA BUENO (Colombia): I thank you. Excuse me but there is a little point where we want to insert that. Thank you.

The CHAIRMAN: I will give you the opportunity to do it, of course, but this is the present situation, the present fact that the consideration that has been effected in accordance with resolution 63/90.

Any other delegation wants to speak on this question.

I see none.

May I take it, distinguished representative of Colombia, that you agreed with this interpretation?

Mr. J. H. OJEDA BUENO (Colombia): Yes, Mr. Chairman, of course, since it has been agreed at the General Assembly, nothing to amend at that point.

The CHAIRMAN: Thank you very much for your cooperation.

It is adopted.

Paragraph 2, the chapeau, sub-paragraph (a).

Sub-paragraph (b).

Sub-paragraph (c).

Sub-paragraph (d).

Sub-paragraph (e).

And now the whole paragraph 2.

Any comments or objections?

I see none.

Adopted.

Paragraph 3.

No comments?

Adopted.

Paragraph 4.

No comments? No objections?

Adopted.

Paragraph 5.

No comments? No objections?

Adopted.

Paragraph 6.

Any comments or objections?

None.

Adopted.

Paragraph 7.

No comments? No objections?

Adopted.

Paragraph 8.

It is just the view of one delegation so if I do not hear any objection.

Adopted.

Paragraph 9.

Adopted.

Paragraph 10.

No comments? No objections?

Adopted.

Paragraph 11.

No objections?

Adopted.

Paragraph 12.

No comments?

Adopted.

Paragraph 13.

No objections.

Adopted.

Paragraph 14.

No objections.

Adopted.

Paragraph 15.

No objections? No comments?

Adopted.

Paragraph 16.

No objections.

Adopted.

Paragraph 17.

No objections.

Adopted.

Paragraph 18.

I have a question to the delegation, of course, it is the name of the delegation that is not spelt out here but it is just the view of one delegation, concerning the figures 100 to 130 miles. Usually when speaking about the delimitation in 100, it is meant kilometres. So if it was really meant by the delegation concerned to say miles, you know, 100 to 130 miles. Could you check it?

So subject to the checking, may I consider it adopted?

If it was really spelt out by one delegation in miles so we will leave miles but if it should be kilometres so we will then correct it. Do you agree with this procedure? Yes.

Adopted.

Paragraph 19.

No objections?

Adopted.

Paragraph 20.

No objections.

Adopted.

Paragraph 21.

No objections.

Adopted.

Paragraph 22.

Paragraph 21 and 22 sound almost identical but we will leave it as it is because I think the paragraph 1 reflected the views of one delegation, specific views of one delegation and paragraph 2 then in a shorter version that reflect the views of some delegations.

Paragraph 22, can it be adopted? Yes.

Adopted.

Paragraph 23.

Any objections?

Adopted.

Paragraph 24.

Yes, the distinguished representative of Colombia has the floor.

Mr. J. H. OJEDA BUENO (Colombia): Point 23, at the end, the need to take into account in particular the needs and interests of developing countries and I would like to suggest the inclusion of that geographic position, just let me find it in the, "and countries with a certain geographical position", just after "the interest of developing countries and of countries with a certain geographical position".

The CHAIRMAN: Thank you very much distinguished representative of Colombia but I would like to draw his attention that this specific clause is included in paragraph 21 and also in paragraph 22, while paragraph 23 reflects also the views of those countries which have not emphasized this particular aspect, you know, so your own position is practically

reflected in paragraph 22 and also in paragraph 21 which is, of course, only the view of one delegation. But paragraph 22 reflects the views of some delegations including your own delegation but here we have a reflection of the views of those who depend it, the equitable conditions taking into account in particular the needs and interests of developing countries. So this is a slightly different view here in paragraph 23. Your own concern is already preserved in paragraphs 21 and 22.

Mr. J. H. OJEDA BUENO (Colombia): Yes, Mr. Chairman, thank you very much. It is included so I do not see the reason why do not we include it again here.

The CHAIRMAN: But some delegations did not include these words in their statements in which they requested a particular account of the needs of the developing countries. We have to accommodate those delegations. Thank you very much.

Is there any other objection against this wording? No.

Adopted.

Paragraph 24.

Yes, the distinguished representative of China.

Mr. Y. XU (China): Thank you Mr. Chairman. Just a technical issue based on how to interpret "with a view" with its trust(?). According to your suggestion that it would mean that only one delegation held that view but it seems to me that the paragraph 24, many delegations held that view. So maybe we can ask to kindly change to "the view was expressed" into "some delegations expressed the view" because according to my memory this is not one delegation's view, although we noticed that in the following paragraphs the United States mentioned where it specifically could be put(?) on that where a general idea, I think, more than one delegation held that view. So it is how to interpret "the view was expressed". It seems to me it is very generally, it is not only limited to one delegation. Thank you Mr. Chairman.

The CHAIRMAN: Thank you distinguished representative of China for your note on this particular, for your observation on this particular paragraph. I cannot check it now. I do not have before me the statements of all delegations but so far, as I remember, I believe that you are right.

Yes, the distinguished representative of India.

Mr. V. GOPALAKRISHNAN (India): Mr. Chairman, we would leave it there, _____(?) of the representative of China. We do agree with the observation made by the representative of China so it was told by India also. We can make that "some delegations"

The CHAIRMAN: Thank you very much for your assistance in resolving these questions. Under these conditions, we will change this, we will amend this, the text of paragraph 4, saying "some delegations expressed" instead of "the view was expressed".

Any objections against this amendment?
None.

It is so decided.

Paragraph 25.

Any comments on this text?

I see none.

Adopted.

Paragraph 26.

The distinguished representative of the United States.

Mr. K. HODGKINS (United States of America): Thank you Mr. Chairman. Mr. Chairman, my delegation has a similar concern that our distinguished colleague from China had concerning paragraph 24. I mean, 26, it leaves the impression that there is only one delegation that thinks that Articles 1 and 2 of the Space Treaty or just one view of one delegation thinks that Articles 1 and 2 prohibit States from appropriating space either by claim of sovereignty or by means of use. I do not think we want to leave that impression in the report so at a minimum it should be "some delegations expressed the view" or it should be "the Subcommittee was of the view". But at a minimum I think it should be "some delegations" because this is really a statement of fact that I do not think is debatable. Thank you.

The CHAIRMAN: Thank you very much for your observation distinguished representative of the United States. So you suggested two alternatives but perhaps it will be easier if we agree on the first alternative, it means "some delegations expressed that"

and so on and so on. Would you agree? Yes, I see you nodding.

Thank you for your cooperation. It is, unless I see any other comments, adopted.

Adopted.

Article (paragraph?) 27.

Any comments on this? This is practically a statement of facts.

I see no objections.

Adopted.

Paragraph 28.

It is just a reflection of the view of one delegation so no objections admitted.

Adopted.

Paragraph 29.

Again the reflection of the view of one delegation.

No objections.

Adopted.

Paragraph 30.

I myself have a minor question, namely the last words “the establishment of an international specialized entity”. Was really the term “entity” used in this statement?

Yes, the Deputy Secretary has just informed me they would still check with the delegation concerned, of course, if it was said, so we will leave the term “entity”. If another term was used, then they would correct it.

The distinguished representative of China has the floor.

Mr. Y. XU (China): Thank you Mr. Chairman. Just for your information which might be helpful to the Secretariat, in the Working Group report which was adopted this morning, we used “international specialized space agency should be established for that purpose”.

The CHAIRMAN: International specialized space agency?

Mr. Y. XU (China): International specialized space agency rather entity, we used agency. Thank you Mr. Chairman.

The CHAIRMAN: Well this was also my impression that it should be something like agency or organization or a body or something like that but entity is too uncertain. And moreover, in the Outer Space Treaty, the term “entities” is used for non-governmental entities and, therefore, it should be improved, I believe.

So perhaps we could use the term “agency” as suggested by the distinguished representative of China.

The distinguished representative of Algeria.

Mr. A.-S. KEDJAR (Algeria) (*interpretation from French*): Thank you Mr. Chairman. I would like to go back to paragraph 27, on the last line, COSPAS-SARSAT, in the French version, it is “for search and rescue” not “for searches”, it is for “la recherche”, in the singular, the French version only.

The CHAIRMAN: Yes, we will correct it.

And if you agree we could now return to paragraph 30 and approve the amendment suggested by the distinguished representative of China.

Is it so agreed?

I see no objection.

It is adopted.

Paragraph 31.

Any objections?

I see none.

Adopted.

Paragraph 32. Again to be completed by the Secretariat and it was indeed already adopted and endorsed by the Subcommittee.

Adopted.

Paragraph 33. Again to be completed by the Secretariat.

Adopted.

Part VI. Review and Possible Revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

Paragraph 34.

Just a statement of fact.

Adopted.

Paragraph 35.

Any comments or objections?

I see none.

Adopted.

Paragraph 36.

No comments or objections?

Adopted.

Paragraph 37.

The United States of America.

Mr. S. McDONALD (United States of America): Thank you Mr. Chairman. Similar to the concerns we noted earlier with the distinguished representative of China and our earlier comment. We were wondering if we could check whether multiple States, I seem to remember that multiple delegations expressed that the institutional (*not clear?*) cooperation here was a good thing and should be encouraged in the NPS Safety Framework.

The CHAIRMAN: Thank you very much distinguished representative of the United States. Of course, the Secretariat will check it but I myself as the Head of the delegation of the Czech Republic can confirm that in our statement we also quoted this as a very good example of institutional cooperation so that some delegations expressed, yes. Thank you very much.

Paragraph 37, as amended, is it adopted? Yes.

Adopted.

Paragraph 38.

Any objections?

None.

Adopted.

Paragraph 39.

This is the reflection of the view of one delegation and it was really said so, I remember it.

Any objections? None.

Adopted.

With regard to the Safety Framework, the Subcommittee noted the following reservations expressed by the representative of the Bolivarian Republic of Venezuela, paragraph 40. So there are two reservations proposed or made here, reflected here.

So paragraph 40 is now under consideration.

I myself have a question. If the term "reservation" can be used here because the Safety Framework is not a treaty, not an international treaty. To international treaties, of course, reservation can be made unless they are excluded in the treaty or unless they go against the purpose and object of the treaty concerned. But here it is just a Safety Framework which does not have the status of an international treaty. So this is just my advice. If the term "reservations" could not be replaced by "observations".

The distinguished representative of Venezuela has the floor.

Ms. T. OROPEZA (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you Chairman. This is Venezuela. We have spoken about reservations because this Safety Framework was adopted by GRULAC during, at the Scientific and Technical Subcommittee, and Venezuela did not speak against this, did not object to the Safety Framework but we did express reservations and that is why we said reservations.

The CHAIRMAN: In order to accommodate you, distinguished representative of Venezuela and the distinguished representative of the Bolivarian Republic of Venezuela, so we will keep it as it is proposed. Of course, it is, technically speaking, from the point of view of international law of the law of the treaties, it is not a reservation, it is just an observation because the Safety Framework is not a treaty document, it is not a legally binding document. But we will keep it as it is. Should I had been at the session of the Scientific and

Technical Subcommittee, I would have raised this observation, this comment, that I did now but I was not there. So if it was accepted in the Scientific and Technical Subcommittee under this condition, so we will honour it, of course. Thank you very much.

So paragraph 40 as it is, the chapeau, sub-paragraph (a) and sub-paragraph (b).

Is it now to be considered as accepted, as adopted? Yes.

It is so decided.

Paragraph 41.

Any objections to paragraph 41?

None.

Adopted.

Paragraph 42.

No objections?

Adopted.

Paragraph 43.

No objections?

Adopted.

Paragraph 44.

No objections.

Adopted.

Paragraph 45.

Adopted.

Paragraph 46.

Any objections?

None.

Adopted.

Paragraph 47.

No objections.

Adopted.

Paragraph 48.

No objections. To be completed by the Secretariat, of course.

Adopted.

Distinguished delegates, we have just terminated the consideration of document L.276/Addendum.1 and subject to one paragraph which should be still considered, do you now have the text? So it is now amendment to paragraph, yes, a new paragraph 20 *bis*. After the present paragraph 20, there should a new paragraph 20 *bis*, then it will be, of course, paragraph 21 in the final text.

But I would like now to kindly ask that the distinguished Acting Secretary to read slowly this text.

Ms. N. RODRIGUES (Deputy Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. I have actually been given the text in both Spanish and in English. I will read the English text which is a loose translation of the original Spanish and we will align the texts later. But in English, the text would read approximately as follows: "Some delegations expressed the view that it was essential for the Legal Subcommittee to increase its interaction with the Scientific and Technical Subcommittee in order to promote the elaboration of binding international norms that would address matters relating to, *inter alia*, the use of nuclear power sources and space debris, due to the great impact and association that those issues have relating to activities and life on Earth."

Let me repeat it one more time, a little slower.

The CHAIRMAN: Yes, perhaps it will be useful if you repeat it once again.

Ms. N. RODRIGUES (Deputy Secretary, Office for Outer Space Affairs): "Some delegations expressed the view that it was essential for the Legal Subcommittee to increase its interaction with the Scientific and Technical Subcommittee in order to promote the elaboration of binding international norms that would address matters relating to, *inter alia*, the use of nuclear power sources and space debris, due to the great impact and association that those issues have relating to activities and life on Earth."

I have had signals that I should repeat it one more time.

So, one more time.

“Some delegations expressed the view that it was essential for the Legal Subcommittee to increase its interaction with the Scientific and Technical Subcommittee in order to promote the elaboration of binding international norms that would address matters relating to, *inter alia*, the use of nuclear power sources and space debris, due to the great impact and association that those issues have relating to activities and life on Earth.”

The CHAIRMAN: So ladies and gentlemen, you have just heard the English translation which is perhaps not yet the official translation but it is a momentaneous(?) translation of the Spanish text as it was submitted but I have had the opportunity to check some essential points and it seems to me that it is a correct translation.

So would you agree to insert this text as paragraph 20 *bis*? It means as a new paragraph after paragraph 20 in the report.

I recognize the distinguished representative of China.

Mr. Y. XU (China): Thank you Mr. Chairman. The Chinese delegation supports the proposal made by the distinguished delegate of Venezuela but we have some suggestions on the placement of this new proposal. It seems to me that that new proposal that it be placed after the paragraph 23, since it starts from “some delegations” because in the Articles (paragraphs?) 21 and 22, we are talking about the Subcommittee suggestions or opinions. So that would be placed after those two very general.

The CHAIRMAN: ... after 23?

Mr. Y. XU (China): Yes. Thank you Mr. Chairman.

The CHAIRMAN: Yes, I think you are right distinguished representative of China. So does the distinguished representative of Venezuela agree with this suggestion made by our friend from China? Yes. Thank you very much for your cooperation and I thank you very much for the distinguished representative of China for your bringing it to our attention. It will be indeed inserted now after paragraph 23 as a new paragraph 23 *bis* so that the foregoing paragraphs remain as they are. It means paragraph 20 and then no new paragraph would be added. A new paragraph would be added after paragraph 23, paragraph 23 *bis*.

Does any other delegation have any comments?

I see none.

May I take it that it is adopted?

It is so decided.

Ladies and gentlemen, we have just accomplished the consideration of the Addendum.1 to the first part of the draft report and may I take it that this Addendum.1 as a whole, with all the amendments, for document L.276, that it is adopted as a whole, subject to the amendment that here accepted?

Yes, I think so.

It is so decided.

Distinguished delegates, I believe that we have fulfilled our duty to consider the first part of the draft report and that we may now adjourn this meeting because I have nothing else on our agenda for this afternoon.

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

We will meet promptly at 10.00 a.m. At that time, we will continue with the adoption of the report of the Working Groups, we expect the reports of the Working Groups on the Status of Treaties and that on the National Legislation, and the final parts, of course, of the report of the Subcommittee as all language versions become available. I sincerely hope that they will become available. But in any way, I will give you the opportunity, as today, if these documents come to us too rather late so that you could read it and we will then consider it. And I would rely on your usual cooperation, if I may say so, in adopting the report so that we could finish indeed tomorrow before 6.00 p.m.

Are there any questions or comments on this proposed schedule?

I see none.

So this meeting is adjourned until 10.00 a.m. tomorrow.

Do you have an announcement? No.

Excuse me, before adjourning the meeting, the Acting Secretary will inform you something about the

publication of the other parts of the working papers and so on because this is important for you to know because in this way we will see that the Secretariat does its utmost in order to accommodate your needs.

Thank you very much. You have the floor Madam.

Ms. N. RODRIGUES (Deputy-Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. It is just so that it might helpfully assist in your planning for tomorrow's session. So far, the information we have got from the Service(?) that support our meetings is that the Working Groups, both the Working Group reports are expected to be available tomorrow morning before 10.00 a.m., as well as Add.2 to the draft report. Add.3, however, come later and we will probably not get it before 12.00 noon because we are just finalizing it now and Service(?) will have to complete the language versions this evening and tomorrow morning. But we will let you know tomorrow morning exactly where we are on most of the documents. Thank you.

The CHAIRMAN: Thank you very much Madam Acting Secretary for your information about it and I wish you a good evening and a well-deserved rest.

The meeting closed at 4.50 p.m.