

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

Unedited transcript

820th Meeting

Monday, 28 March 2011, 10 a.m.

Vienna

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

The meeting was called to order at 10.12 a.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, good morning. I am delighted and honoured to welcome you all to the Vienna International Centre and now declare open the fiftieth session and 820th meeting of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space.

Today we are taking part in a remarkable event as our Subcommittee is holding its fiftieth session. Moreover, this year will also bring another impressive communication, the fiftieth anniversary of the main committee. Please allow me to make a brief observation on this occasion.

As you recall, the first meeting of the permanent committee was convened on 27 November 1961, facilitating the adoption of General Assembly resolution 1721 that year. This important resolution served as the birth of the International Space Law and also reaffirmed that the United Nations should provide a focal point of international cooperation in the peaceful uses of outer space.

For half a century the Committee has witnessed and has been at the centre of humankind's amazing exploration and utilization of outer space. Since its establishment the Committee has actively promoted a force and _____(?) space exploration in bringing the benefits of space technology to Earth in order to ensure sustainable development for all countries.

_____ (?) achievements the Committee and the Legal Subcommittee have been instrumental in the development of an international legal regime governing the activities of States in the exploration and use of outer space concerning five treaties and five sets of declaration and principle on outer space activities. Among them the Outer Space Treaty of 1967 represented a landmark in legal instruments, the Magna Carta of space law. The Outer Space Treaty together with the other core treaties on outer space form the legal order for today's space activities. It is with great pleasure I witnessed the effort of the Committee and the Legal Subcommittee to further advance the application of the legal regime of outer space and to promote capacity building in space law.

The Committee and its two subcommittees have, for the past ten years, together demonstrated the will of its members to advance the important role in international cooperation in the peaceful uses of outer space by making important decisions _____(?) of protecting the Earth and the space environment and enhancing the capacity of States in promoting economic, social and cultural development and by enhancing the regulatory framework and mechanisms to that effect.

Distinguished delegates, I am pleased to note one more remarkable date of this year, 12 April, which is the fiftieth anniversary of the first human space flight when Yuri Gagarin became the first human to orbit the Earth opening a new chapter of human endeavours in outer space. The Committee of course stands ready to duly communicate all these events in particular during the high-level segment of COPUOS on 1 June this year. The Secretariat is planning, jointly

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.



with member States, a number of events to be held during the session of the Committee. I am also pleased to inform you that, during the month of April, the Russian Federation will hold an exhibition in the VIC Rotunda in honour of Yuri Gagarin's historic flight. The formal opening of the exhibit will take place on Monday, 4 April, at 1400 in the Rotunda. More information on the exhibit and its opening will be provided to delegates in due course.

With this remark we shall now proceed with the adoption of the agenda.

Adoption of the agenda (agenda item 1)

Distinguished delegates, you have before you for consideration and adoption of the provisional agenda for the session, contained in A/AC.105/C.2/L.280. The provisional agenda has been prepared on the basis of the agreement reached by the Committee at its fifty-third session in 2010 and subsequently endorsed by the General Assembly in its resolution 65/97 of 10 December 2010. Please note that the annotations are not part of the agenda and that there is an indicative schedule of work in the annex to that document.

If I hear no objection, may I take it that the agenda is adopted?

It is so decided.

Distinguished delegates I would like to draw your attention to documents that are not listed in the provisional agenda and that call for special attention.

First document. Working paper submitted by the Chair of the Committee on the Peaceful Uses of Outer Space: Declaration of the fiftieth anniversary of human space flight and the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. I refer delegations to the report of the Working Group of the Whole in the report of the Scientific and Technical Subcommittee, A/AC.105/987, Annex I, paragraphs 14-17. Further consultation on this important draft declaration and on the organization of the opening day of COPUOS on 1 June will be held during this session of the Legal Subcommittee and delegations will be informed when such consultations will be convened.

Second document. Working paper by the Secretariat: review of the use of transcripts of the Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee. This document will be considered under agenda item 12 next week.

Third document: working paper submitted by the Czech Republic, entitled, Review of the legal aspects of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space with a view to transforming the guidelines into a set of principles to be adopted by the General Assembly. This document will be introduced during this first week under agenda item 10, general exchange of information on national mechanisms relating to space debris mitigation measures and decisions will be made under item 12 on proposals for new items during the second week.

Lastly, there are two conference room papers that delegations will have before them, CRP.4, the draft report of the Working Group on National Space Legislation. The Chair of the Working Group, Ms. Irmgard Marboe, will hold informal consultations during this first week and delegations will be informed when such consultations will be convened. The document will therefore be considered in the working group next week.

The second one is CRP.8 and contains the updated revised version of the draft contribution of COPUOS to the UN Conference on Sustainable Development, Rio+20. I refer delegations to the report of the Working Group of the Whole of the report of the Scientific and Technical Subcommittee, annex I, paragraphs 10 and 11. There will be consultations held on this revised version during this session of the Subcommittee and delegations will be informed when such consultations will be convened.

Distinguished delegates, I would now like to proceed by reconvening all working groups at this session in order to allow for the chair of the respective working groups to be _____(?).

The following working groups should be reconvened under their respective chairs. Working Group on the Status and Application of the Five United Nations Treaties on Outer Space under the chairmanship of Mr. Jean-François Mayence of Belgium. Working Group on the Definition and Delimitation of Outer Space under the chairmanship of Mr. José Monserrat Filho of Brazil. Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space under the chairmanship of Ms. Irmgard Marboe of Austria.

If I hear no objection, may I take it that the Subcommittee wishes to reconvene these working groups under their respective chairs?

It is so decided.

I would like to wish Mr. Jean François Mayence, Mr. José Monserrat Filho and Ms. Irmgard Marboe good luck in their endeavours.

Distinguished delegates I would like to inform the Subcommittee that I have received communication from Azerbaijan, Costa Rica, Dominican Republic, Israel, United Arab Emirates and Yemen requesting to participate in the meeting of the current session of the Legal Subcommittee as observers.

I would therefore suggest that, in conformity with past practice, we invite those delegations to attend the current session and to address the Subcommittee as appropriate. Of course this is without prejudice to further requests of this nature and does not involve any decision of the full Committee concerning status. It is a courtesy we customarily extend to such delegations.

If there is no objection we will process accordingly.

It is so decided.

Utilization of conference services

Distinguished delegates I would now like to say a few words concerning the utilization of conference services made available to our Subcommittee.

You will recall that, in accordance with practice of the past years, the Subcommittee has agreed that a flexible organization of work should continue to serve as the basis for organizing the work of the Subcommittee. I would once again like to propose that the Subcommittee adopt a similar flexible organization of work to serve as the basis for organizing the work of this present session.

Are there any objections?

It is so decided.

Organizational matters

I would now like to turn to some organizational matters.

General Assembly resolution 32/71 requires that members of each United Nations body be informed at the beginning of each session of the resources available to it. I would like to inform you of the arrangements made for this session of the Legal Subcommittee.

Assigned conference meeting rooms, Conference Room M1, Rooms M0E19, M7, M0E100, M0E27 and E0953. Simultaneous interpretation is available in Arabic, Chinese, English, French, Russian and Spanish. Sound recordings will be made for the plenary meetings in the original language and in English. Please note that in the Annex to its resolution 56/242, the General Assembly adopted guidelines on limiting the duration of meetings, including the following:

(a) Meetings should normally be held during regular meeting hours, namely from 10.00 a.m. to 1.00 p.m., and from 3-6 p.m. on working days;

(b) Intergovernmental bodies should undertake a review of their meeting patterns and reporting cycles and, in coordination with Conference Services, adjust their meeting requests for subsequent sessions accordingly.

In addition to the above financial and capacity constraints, Conference Service ____ (?) of increasing demand of both meeting and documentation services, existing capacity cannot accommodate more additional workload. There is a need to adhere more strictly to guidelines on providing interpretation, meeting and documentation services. In particular, ad hoc meetings, informal consultations, meetings beyond regular hours, or on non-working days will not be serviced. Conference Management Service has introduced a number of efficiency measures such as increased outsourcing for electronic documentation, reduced overtime and night shift and intensive editorial report drafting ____ (?). Therefore close coordination and cooperation within delegations, substantive Secretariat and conference service is even more important. All colleagues in Conference Service will do their best to deliver to us as they did in the past. With timely submission of in-session documentation they will deliver as much documentation, in all six official languages, as possible. However, due to the constraints already mentioned some documentation may only be available for the afternoon closing session, unedited or English only, depending on how late documentation was submitted for processing. I would like to assure the Secretariat that they can count on the usual good cooperation and understanding of delegations in keeping submission deadlines, I trust that with that we will bring this session to a successful closure.

I would also like to remind delegations of the General Assembly's request to cut down on the length of reports issued by the Secretariat, including the reports of intergovernmental bodies. I would, therefore, like to inform you that with regard to the current

session of the Subcommittee, the Secretariat will endeavour to shorten the length of the report, in accordance with guidelines issued by the Secretary-General, without affecting its quality or content. I would therefore ask for your understanding and cooperation in this matter.

Finally, delegates are requested to turn mobile telephones off when entering any conference room. Mobile phones, switched on and on stand-by, seriously interfere with the sound system in conference rooms and hence affect the quality of interpretation and sound recording. I strongly urge you to please adhere to this request. Thank you.

I would now like to outline a tentative schedule for the next meeting. This morning we shall shortly proceed with the general exchange of views. This afternoon, starting at 3 p.m., a symposium 'A new look on the delimitation of airspace and outer space' will be held in this conference room. I would also like to inform delegations that at 6 p.m., following the symposium, there will be a reception organized by the International Institute of Space Law and the European Centre for Space Law in the Mozart Room at the Vienna International Centre restaurant which is located on the ground floor of F building.

Are there any questions or comments regarding the schedule of work that I have just outlined?

I see none.

General exchange of views (agenda item 3)

Distinguished delegates, I would now suggest that we begin consideration of item 3 on our agenda, general exchange of views. The first speaker on my list is the distinguished delegate of the Islamic Republic of Iran on behalf of the Group of 77 and China.

I give the floor to the distinguished delegate of the Islamic Republic of Iran.

Mr. A. SOLTANIEH (Islamic Republic of Iran) Mr. Chairman, on behalf of G77 and China I would like to express our satisfaction for the successful chairmanship of the forty-ninth session of the Legal Subcommittee of COPUOS and assure you and members of your bureau of our full support for this session. The Group would like to extend its appreciation to the Director of the Office for Outer Space Affairs, Dr. Othman and her dedicated staff for the documentation and planning required for convening this meeting. The G77 and China would like to express

its deepest condolences and solidarity with the people of New Zealand and Japan for the loss of lives caused by recent natural disasters that have affected those countries. Special condolences are also addressed to the distinguished delegates of Japan and New Zealand present in this meeting.

Mr. Chairman, this year marked the fiftieth anniversary of the first period of the session of COPUOS, the fiftieth period of the session of the Legal Subcommittee and fiftieth anniversary of human space flight activities. The Group would like to seize this opportunity to express its highest appreciation for the work of COPUOS and its two subcommittees have carried out in promoting international cooperation and peaceful uses of outer space through the elaboration of treaties governing outer space activities and affording an adequate environment to discuss matters that have great impact in the development of nations.

Last year has witnessed how developing countries have been engaging in space activities and in discussion of COPUOS. While several member States of G77 and China have achieved important milestones in space activities others are just beginning to include space activities into their national programmes. This fact shows that all members of the Group have an increasing awareness of the potential importance and impact that space activities have today. The Group of 77 and China is willing to engage in discussions of _____(?) to support measures to enhance international cooperation in space activities and promote the elaboration of regulations in the legal framework so as to benefit from space activities available to all people of the world. We should structure the ongoing and future activities in this area with the view to continue to both global, social, economic prosperity and sustainable development, particularly for developing countries.

At the outset, the G77 and China wishes to recall the principle of exploration of outer space on a basis of equality, the principle of non-appropriation of outer space including the Moon and other celestial bodies and its peaceful uses of outer space as stated in articles 3 and 4 of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

Mr. Chairman, activities in outer space in the last decade have increased dramatically. Newcomers from governmental or non-governmental entities from all around the world have shown the indefinite and _____(?) potential of outer space but also have shown its legitimation and vulnerabilities. Because of this new

reality much work remains to be done and many subjects should be considered in the legal international framework of space activities. The Group is of the view that the proper and balanced use of space will be warranted if all activities carried out in this environment are supported by clear and applicable regulations, rules and recommendations to be implemented by all space actors.

Several issues to be discussed during this session are of paramount importance to developing countries. Protection of the environment, transfer of technology, international cooperation, among others, are areas that need to be strengthened throughout the improvement of the international legal framework related to space activities.

The proliferation of space debris and an increased possibility of collisions and interference raises concerns about the long-term sustainability of space activities, particularly in the low Earth and geostationary orbit environments. The Group of G77 and China therefore welcomes the establishment of the Working Group on the Long-term Sustainability of Outer Space Activities in the Scientific and Technical Subcommittee and encourages this Subcommittee to follow the discussion on that item from a legal point of view in order to contribute collectively to make space activities more secure for all space actors and simultaneously ensure that all countries are able to have equitable access to the limited natural resources of outer space.

Mr. Chairman, the Group of 77 and China is of the view that this Subcommittee should take into consideration the outcome of that discussion to avoid any measures that would limit access to space for nations with emerging space capabilities. The Group is of the view that an international legal framework should be further developed to address concerns of all States to refrain from setting up _____(?) or thresholds with space activities in a way that may hinder the enhancement of capacity building of developing countries. In this regard, the Group emphasizes the need to devote more efforts for legal capacity building and making required expertise available to developing countries.

Mr. Chairman, in this context, interaction between the Scientific and Technical Subcommittee and the Legal Subcommittee should be strengthened in order to synchronize the progress development of space law with the major scientific and technical advances in this area. The Group is of the view that this coordination and synergies between the two subcommittees would also promote understanding,

acceptance and real implementation of existing United Nations legal instruments. We are also convinced that the role of the United Nations treaties and principles on outer space provide the basis in regulating the involvement and reliability of the governmental and non-governmental and private sectors in this area and reinforce safety of the space environment.

Mr. Chairman, distinguished delegates, we have indeed an adequate mechanism before us in COPUOS and its two subcommittees to address space related issues. We must recall that people world wide _____(?) under the United Nations system to address global needs and needs of developing countries. In the spirit of cooperation and consensus, it is the hope of the Group of 77 and China that we will be able to address these issues and come up with conclusions and recommendations which will contribute to global prosperity through the promotion of enhanced international cooperation in the peaceful uses of outer space. The Group is prepared to engage in discussions that are about to take place during this session of the Legal Subcommittee and will express its views under specific agenda items.

Thank you very much for your attention.

The CHAIRMAN I thank His Excellency, Ambassador Soltanieh, Ambassador of the Islamic Republic of Iran, on behalf of the Group of 77 and China. Thank you very much for your presentation.

The next speaker on my list is the distinguished delegate of Colombia, on behalf of GRULAC, Group of Latin American and Caribbean Countries. I give the floor to the distinguished delegate of Colombia.

Mr. H. QUIMBAYA MORALES (Colombia) (*interpretation from Spanish*) Thank you Mr. Chairperson.

Mr. Chairperson, on behalf of GRULAC, the Group of Latin American and Caribbean Countries, I would like to congratulate you on this new occasion as you have assumed the chairmanship of this Subcommittee and we express our conviction that under your guidance the deliberations of this session will meet with success.

First and foremost I would like to convey, on behalf of GRULAC, our condolences and expression of solidarity with the peoples and governments of New Zealand and Japan for the loss of human life caused by the natural disasters that have strewn havoc throughout their territories. These recent disasters bring home the

message yet again that it is important to step up the use of space technology for natural disaster management thus to benefit the population at large.

GRULAC would like to join in with the commemorations of the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space and the fiftieth anniversary of manned space flights. GRULAC recognizes the significance of progress achieved thus far in terms of the exploration and use of outer space as well as the application of space technology that is intended to benefit human development. Likewise, we give recognition to the work of the Committee that is a platform for debate and that serves to promote the application of space technology and international cooperation to make use thereof to benefit mankind.

GRULAC is convinced that the peaceful use of outer space will yield benefits in terms of human development. In this context, we reiterate our attachment to and respect for the principles and agreements that must govern the activities of States in the exploration and use of outer space, in particular universal access to outer space and equal conditions that benefit all States without any discrimination regardless of the level of scientific, technical and economic development that they have achieved as well as its equitable and rational use. The principle of non-appropriation of outer space, that includes the Moon and other celestial bodies, cannot be subject to national appropriation by claim of sovereignty, use, occupation or any other form, the commitment entered into by States to use the area of outer space strictly for peaceful purposes, regional cooperation in the development of space activities.

We are now in a phase of rapid development of space activities and there is ever greater use of outer space on the part of States, international organizations and private entities and this could generate adverse impact on the preservation of outer space as we know it today. Some of these topics have already been discussed in the context of the Scientific and Technical Subcommittee. In this context, interaction between the Scientific and Technical Subcommittee and the Legal Subcommittee must be bolstered in order to synchronize the progressive development of space law in tune with the main scientific and technical progress in this area. The Group is of the view that coordination and synergy between both subcommittees will likewise promote an understanding, the acceptance and the effective implementation of the existing United Nations legal instruments. Along these lines GRULAC believes that it is indispensable to ensure interaction between both subcommittees for the purpose of

promoting the design of international standards that provide effective legal mechanisms to govern the responsibility of State scenarios such as the use of nuclear power sources in outer space and space debris as these are all areas of priority in respect of the environment of outer space.

Furthermore, GRULAC is convinced that the treaties and principles of the United Nations that govern outer space are a basis to manage the responsibility of governmental organizations and the participation of non-governmental organizations in this area to bolster the security furthermore of the space environment. Along these lines GRULAC believes it is necessary that the review update and amendment of the United Nations treaties relating to outer space for the purpose of strengthening the guiding principles that govern activities of States in outer space, in particular their peaceful use, will foster international cooperation and making space technology accessible for all peoples.

Finally, on behalf of the Group of Latin American States and the Caribbean, I reiterate our readiness and willingness to cooperate to make a contribution to productive debate so that the deliberations of this session may be crowned with success. To that end, we will express our views during this session under agenda items 6, 7, 9 and 10 as subject to this session. Thank you.

The CHAIRMAN I thank the distinguished delegate of Colombia on behalf of GRULAC for a very good statement.

The next speaker on my list is the distinguished delegate of Japan. I give the floor to His Excellency, Ambassador Nakane of Japan.

Mr. T. NAKANE (Japan) Thank you Mr. Chairman. I am pleased on behalf of the Japanese Government to address the fiftieth session of the Legal Subcommittee of COPUOS. I would like to express our sincere gratitude to Mr. Ahmad Talebzadeh and to Dr. Mazlan Othman and her capable and devoted staff for their untiring efforts to prepare this session of the Subcommittee.

While extending our heartfelt condolences to New Zealand with respect to the tragic earthquake which struck Christchurch on 22 February, I would like to take this opportunity to express, on behalf of the Government of Japan and the Japanese people, our deep and sincere gratitude for the support we have received worldwide following the tragic earthquake and tsunami of 11 March. We suffered great sorrow

over the tremendous loss of lives and the devastation that has been brought to homes and livelihoods in north east Japan. Words of encouragement and support such as those expressed by the Secretary-General, Ban Ki-moon, are not only deeply appreciated but serve as a source of strength and help provide a sense of unity, they let us know that we are not alone. With hard work and perseverance we believe we can overcome even this, the worst of circumstances, to resume our everyday lives. Japan stands determined to heal, rebuild and restore thanks to your continued support.

I would also like to convey our sincere gratitude to the countries and organizations which provided satellite data from both Sentinel Asia and International Charter to help assess the situation on the ground and to support plans for reconstruction from this disaster. In addition, I would like to express our deep gratitude to NASA's Mission Control Centre in Houston in the United States while the earthquake temporarily shut down our control centre. NASA supported the continued space operation of Kibo, the Japanese experimental module, whose name means hope and the unmanned cargo spacecraft Kounotori named after the white oriental stork. On that note, I am pleased to mention that Kounotori will leave from the International Space Station as was scheduled before the earthquake this very afternoon upon completion of its transportation mission.

Mr. Chairman, I am pleased to address this session on the occasion of the fiftieth anniversary of COPUOS and the Legal Subcommittee. Japan has been a COPUOS participant from the very beginning and has worked diligently in cooperation with other member States through the years to establish space treaties, principles and regulations. As a representative of the Government of Japan I would like to acknowledge Dr. Yasushi Horikawa, Technical Counsellor of JAXA, who is sitting next to me. Dr. Horikawa has been notified regarding his chairmanship of the Committee for the period 2012-2013 in accordance with the report of COPUOS at its fifty-third session and the resolution of the General Assembly at its sixty-fifth session. I am sure that with his substantial knowledge and experience, Dr. Horikawa will contribute significantly to fruitful discussions at COPUOS.

I would like to refer now to compliance with international legal aspects developed through COPUOS and Japanese national legislation. Japan enacted the basic space law in May of 2008. The space exploration and utilization carried out under this law will continue to be in accordance with space-related treaties and pursuant to the pacifist principles

enshrined in the Constitution of Japan. The basic space law requires the six principles of Japan's space activities to be executed in ways that ensure the peaceful use of space, improve citizen's lives and ensure national security, promote industry, aid in the progression of human society and continue to foster international relationships and cooperation. It also requires the further development of laws and regulations necessary to basic space law implementation. In support of the basic space law, our Strategic Headquarters for Space Development and Utilization was established in the Cabinet Office in September 2008. The headquarters, led by the Prime Minister, published the basic space plan for future space activities in June 2009. In 2010, Japan developed two additional policies, one entitled 'Important measures in the space policy' and another called 'On the promotion of space policy for the time being'. Both were developed as part of Japan's national plan to promote growth in space-related fields and to aid in the implementation of basic law and its principles.

The ____ (?) of the session of the COPUOS Legal Subcommittee opens, Japan would like to reiterate that, in light of the ever increasing scale of space activities, treaties are all the more indispensable in providing the necessary legal order and framework in which they are conducted. We would therefore like to emphasize the need to use various forums, including the Legal Subcommittee of COPUOS, to call upon countries that are not yet Party to these space-related treaties to ratify them as soon as possible. Japan will support COPUOS initiatives to this end. Japan also suggests that adoption of non-binding 'soft law' is a realistic solution that would further encourage countries to comply and we will continue to support ____ (?) making process through this Subcommittee.

I would like to take this opportunity to share our most recent achievements. Just last month, we received notification that astronaut Wakata will, as of mid-2013, become the first Japanese ISS commander. We are proud of him and are confident he will be diligent in the performance of his duties. The asteroid explorer Hayabusa, meaning peregrine falcon in Japanese, returned to Earth last year bringing back particles which are undergoing analysis. Early this month at the Lunar and Planetary Science Conference, held in the US, we reported that, based on evidence of space weathering, these particles originated from Itokawa. The small solar power cell demonstrator Icarus, named after Greek mythology, successfully demonstrated the world's first solar powered sail craft employing both photon propulsion and ____ (?) solar power generation during its interplanetary cruise.

In addition to the aforementioned achievements, Japan is contributing, in cooperation with OOSA and the Kyushu Institute of Technology, to a long-term fellowship programme in nanosatellite technology and is taking concrete steps towards the mitigation of space debris. We will expand on our space debris mitigation activities under agenda item 10. I would also like to mention that Japan has responded quickly to register space objects launched into orbit according to the latest format provided by OOSA and has faithfully provided its status to the Secretary-General of the United Nations according to the Registration Convention and resolution 1721B of the General Assembly.

One of the mandates bestowed upon the COPUOS Legal Subcommittee is to generate discussion on the legal aspects of space programmes in order to ensure that all activities are carried out in a free and fair manner. As one of the leading entries in outer space activities, Japan will continue to value the activities of this Subcommittee and work closely as a member of the team in order for the Subcommittee to efficiently and effectively achieve its worthwhile goals. Thank you for your kind attention.

The CHAIRMAN I thank His Excellency, Ambassador Nakane, Ambassador of Japan, for a very good statement.

The next speaker on my list is the distinguished delegate of the Philippines, Mr. Manangan. I give the floor to the distinguished representative of the Philippines.

Mr. C. MANANGAN (Philippines) I would like to express my greetings and appreciation on your chairmanship of the fiftieth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space and assure you and the members of your bureau of our full support for this session. I would also like to take this opportunity to express my delegation's appreciation to Dr. Mazlan Othman, Director of the Office for Outer Space Affairs and to the hardworking staff of the Office for Outer Space Affairs for the preparations required for this meeting. The Philippine delegation would like to express its deep condolences and solidarity with the peoples of New Zealand and Japan for the loss of lives caused by the recent natural disasters that have affected those countries and who, despite the problems visited upon them, have shown a remarkable fortitude and strength of spirit and character.

The year 2011 marks the fiftieth anniversary of human space flight activities when man first dared

to leave the confines of this planet. The fiftieth anniversary of the first period of the sessions of COPUOS and the fiftieth period of the sessions of this Legal Subcommittee. Looking back, we have made significant progress in promoting international cooperation on the peaceful uses of outer space. The Philippines would like to express its appreciation for the work that COPUOS and its two subcommittees have done in order to promote this objective. The Philippines supports the further development of regulations within the legal framework in order to allow all nations, whether advanced space-faring nations or nations with emerging space capabilities, to benefit from space activities in an equitable manner to support their economic and development goals and activities. The Philippines reiterates its support for the discussion of the issues of protection of the environment, transfer of technology, international cooperation, which are among the issues of paramount importance to developing countries. The Philippines also emphasizes the need to devote more efforts for legal capacity building and make the required expertise available to developing countries.

The Philippines supports more effective efforts in order to increase awareness and the importance of space law and the legal framework in carrying out space activities and programmes. The Philippines believes that capacity building in space law, in particular in developing countries, needs to be promoted through international cooperation. Thank you.

The CHAIRMAN I thank the distinguished delegate of the Philippines for his very good statement.

The next speaker on my list is the distinguished delegate of the People's Republic of China. I give the floor to the distinguished delegate of China, Ms. Chen.

Ms. P. CHEN (China) (*interpretation from Chinese*) Mr. Chairman, please allow me at the outset to congratulate you in the name of the Chinese delegation for once again presiding over the session of the Legal Subcommittee, I am convinced that under your guidance this session will attain desirable results. The Chinese delegation would like to thank Dr. Mazlan Othman, Director of OOSA and the Secretariat for the preparations made for this session. Meanwhile I would also like to use this occasion to extend my condolences to New Zealand and Japan for the devastation they have suffered owing to recent natural disasters.

This year marks the fiftieth anniversary of COPUOS. Throughout this period, COPUOS has

scored remarkable achievements in its work and played a proactive role in such fields as promoting peaceful uses of outer space, developing and improving space legislation and deepening international space cooperation. China will continue to support the work of COPUOS and promote the common endeavour of the international community to use outer space in a peaceful manner.

Since this year also marks the fiftieth anniversary of human space flight, China would like to pay tribute to scientists and astronauts who have been pushing forward the cause of human space flight. China will carry on with its effort to reach even higher objectives in its human space flight undertaking. To celebrate the two 50-year jubilees, OOSA will stage thematic exhibitions to which the Chinese government attaches great importance seeing these events as proper platforms to showcase national space achievements and exchange views and space technical skills among countries. China will take an active part in events and intense preparations are duly underway.

The year 2010 witnessed successes in China's peaceful space activities with a total of 15 triumphant launches. Twenty satellites were sent into orbit including navigation and positioning satellites of the COMPASS System and the Chang'e 2 moon probe. To date, China has already built up a space flight monitoring and control network which integrates space and ground facilities, is fully equipped and multifunctional. The network not only serves the purpose of monitoring and controlling satellites but can also provide support to manned space flight and deep space probe missions.

The wide applications of space technology in meteorology, remote sensing, environmental protection and navigation, to name just a few, have significantly contributed to China's socio-economic development. World Expo 2010 in Shanghai, Asian Para Games in Guangzhou, and other large international events in China, all benefited from space technology applications for their successes. Using the platform of space science satellites, China has carried out intensive space science research in, inter alia, space weather, space astronomy, heliophysics and dark matter probe.

International cooperation is pivotal for the progress of the space effort of a country and China is ready to further enhance international cooperation in the cause of exploration and the use of outer space so that advances in space science and technology will benefit all countries, especially the developing ones.

Guided by the principles of equality and mutual benefit, peaceful uses and common development, China in the past year maintained its close ties and exchanges with Russia, the US, Ukraine and Pakistan among others and conducted fruitful cooperation with ESA, OOSA, ESCAP, Asia and Pacific Space Cooperation Organization and other institutions and organs. China also actively participated in international projects such as space science clouds calculating network and the AMS project. We co-hosted with UNESCO the international space science and IT youth training programme, which aimed at enriching space knowledge of young people and boosting their enthusiasm for space science.

Disaster prevention and mitigation is another important field of international cooperation for China. As a member of the International Charter on Space and Major Disasters, when afflicted by a number of major natural disasters in the past, China has obtained space data from other members after promptly triggering off relevant Charter mechanisms. Such support is vital for relief operations and reconstruction work. Likewise, relevant data and information from China/Brazil Earth Resource Satellites, Fengyun meteorological satellites and environment disaster reduction satellite have also been offered free to other countries suffering from major disasters to facilitate monitoring and assessment of disasters by those countries.

Last December UN SPIDER Beijing Office was officially opened indicating a new step upward in space cooperation between China and the UN to counter natural disasters. The Chinese Government will continue to lend strong support to the operation of the office with a view to making a greater contribution to disaster prevention and reduction in our region.

China has all along advocated the idea of harmony in outer space, abided by the basic principles of the five space treaties and dedicated itself to peace, development, cooperation and rule of law in outer space. China hopes that the international community will further optimize the space law regime and provide a legal basis for the orderly conduct of space activities.

China is firmly opposed to space militarization and the space arms race. There are gaps within existing space law instruments in this regard that give rise to the increasing escalation of the risks of space militarization and space arms race. Such a situation poses a grave threat to peaceful human space activities and serves no country's interests. Humanity has been tortured by wars throughout its history and we should not let such a menace extend to outer space. China has always believed that the best option for

maintaining long-lasting peace and security in outer space still is to conclude a treaty to prevent space militarization and to tighten the monitoring of implementation of existing treaties.

Furthermore, the ever-increasing presence of private and commercial activities in outer space begs for establishing effective regulatory measures and norms. Rules relating to attaining long-term sustainability of space activities should take into account the need to safeguard the legitimate interests of developing countries in exploring and using outer space. The international community should reach agreement on these issues and take concerted actions. The COPUOS Legal Subcommittee should also play its part in this regard.

Human dreams have come true in outer space. We are pursuing an honourable mission and working for the wellbeing and interests of the whole humanity. We should accomplish the various tasks of space exploration and utilization. China will continue to make more contributions to this cause of whole mankind in an active, constructive and responsible manner. Thank you, Mr. Chairman

The CHAIRMAN I thank the distinguished delegate of the People's Republic of China, Ms. Chen, for her very good statement.

The next speaker on my list is the distinguished delegate of the Czech Republic. I give the floor to the distinguished delegate of the Czech Republic, Mr. Vladimír Kopal.

Mr. V. KOPAL (Czech Republic) On behalf of the delegation of the Czech Republic I wish to make some remarks on agenda item 3, general exchange of views, at this fiftieth session of the COPUOS Legal Subcommittee. Prior to doing that, I would like to express our full satisfaction at seeing you again this year as the Chair of this body, we wish you full success in its guidance during the second year of your term in an important UN position. Our greetings are also addressed to the Director of OOSA, Dr. Mazlan Othman, to the Secretary of the Subcommittee, Dr. Niklas Hedman, and all the staff members of OOSA who have assisted the session of the Subcommittee, its preparation and conduct.

On behalf of the delegation of the Czech Republic I would like to join other delegations in the joint expression of deep condolences and solidarity with the Japanese people whom we admire for its heroic attitude to the catastrophe they suffered. Our

sympathies and sorrow goes also to the people of New Zealand.

The Czech Republic has always recognized the important role played by COPUOS and its Legal Subcommittee in the establishment and widening of the legal basis for space activities. For this reason we have supported all those initiatives, the purpose of which have been orientated towards this noble aim. For several years we particularly watched the consideration of the agenda item, status and application of the five United Nations treaties on outer space and the discussions of the Working Group on this item which was headed last year, and we expect also this year, by the distinguished representative of Belgium, Dr. Jean-François Mayence. In particular our delegation followed with great interest the discussion relating to the 1979 Agreement Governing the Activities of States on the Moon and Other Celestial Bodies. In this respect, A/AC.105/C.2/L.272 jointly elaborated by seven States Parties to the Moon Agreement which outlined and documented the benefits of adherence to the Agreement remain to be very useful. It is our conviction that this discussion should continue during the fiftieth session of the Legal Subcommittee by concentrating on the points outlined in the provisional agenda for this session, A/AC.105/C.2/L.280.

The delegation of the Czech Republic already had the opportunity for welcoming the results of the efforts of the Joint Expert Group of the Scientific and Technical Subcommittee and IAEA. It accomplished a very difficult task namely the development of the technically based set of goals and recommendations creating a safety framework for nuclear power sources applications in outer space. While recognizing the merit of the view that a revision of the 1992 NPS principles would not be appropriate at this time, we agreed with the recommendation of the Legal Subcommittee, adopted last year, to retain this issue on the agenda of the Subcommittee.

On item 8, examination and review of the development concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment, I am glad to observe that the Committee of Governmental Experts of the International Institute for the Unification of Private Law (UNIDROIT) has recently finalized a preliminary draft space protocol which might become a further contribution to the series of specific protocols to the 2001 Cape Town Base Convention. It is now up to the UNIDROIT governing body to decide on the convening of a diplomatic conference on the adoption of the space protocol.

The Czech Republic appreciates the efforts of the United Nations Office for Outer Space Affairs, the Government of Thailand and the European Space Agency to accomplish another workshop on space law which was held and carefully organized in Bangkok, Thailand, from 16-19 November 2010. We hope that the United Nations will be able to continue in the same spirit of cooperation and understanding during the next meetings of this kind.

Another item that we still wish to comment on is, general exchange of information on national legislation relevant to the peaceful exploration and use of outer space. Due to the very able guidance of Professor Irmgard Marboe of Austria, the discussion on this item during the last three years in the Working Group, chaired by her, may be assessed as an example of productive efforts of the Legal Subcommittee. It is our belief that it will lead to the elaboration and adoption of a meaningful report on the work of the Working Group including substantive conclusions for a further development of international cooperation in this important field.

Finally, may I be allowed to mention one more issue that is of special interest for our delegation. The Czech Republic has been satisfied by the fact that the Scientific and Technical Subcommittee marked, after the 1999 technical report on space debris, another significant step in dealing with this impending problem. The COPUOS Space Debris Mitigation Guidelines which were endorsed by the UN General Assembly in its resolution 62/217 of 21 December 2007 also created a useful basis for considering legal aspects of the undesirable by-products of space activities. Our delegation has been a long time initiator of the consideration of legal aspects of space debris in the Legal Subcommittee with the aim to elaborate a set of United Nations principles as are, for example, the 1992 NPS principles. For this reason, the delegation of the Czech Republic submits at this session of the Legal Subcommittee a working paper entitled: Review of the legal aspects of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space, with a view to transforming the Guidelines into a set of principles to be adopted by the General Assembly, A/AC.105/C.2/L.283 of 9 March 2011. I would like to draw the kind attention of all delegations and observers to this working paper. It is our intention to introduce this document in some greater detail later during the consideration of the relevant item of the Subcommittee's agenda. Thank you.

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

The next speaker on my list is the distinguished delegate of Kenya. I give the floor to Her Excellency, Ambassador of Kenya, Ambassador Kirui.

Ms. N. KIRUI (Kenya) On behalf of my delegation I would like to express our satisfaction with the successful chairmanship of the forty-ninth session of the Legal Subcommittee of COPUOS and assure you and the members of your secretariat of our full support for this session. We would also like to extend our appreciation to the Director of the Office for Outer Space Affairs, Dr. Mazlan Othman and her dedicated staff for the documentation and planning required for convening this meeting.

Kenya would also like to express her deep condolence and solidarity with the people of New Zealand and Japan for the loss of lives caused by the recent disasters that have affected these countries. My delegation also associates itself with the statement made by the permanent representative of the Islamic Republic of Iran, Ambassador Ali Soltanieh, on behalf of the Group of 77 and China.

In June this year COPUOS commemorates its fiftieth anniversary and the fiftieth anniversary of human space flight activities. Kenya wishes to express her appreciation for the work that COPUOS and its two subcommittees have carried out in promoting international cooperation on the peaceful use of outer space through the principles and treaties governing outer space activities.

In the past one year Kenya has focused on efforts to coordinate all her space activities under one body, the Kenya National Space Secretariat under the Ministry of State for Defence, which is a precursor to a Kenyan space commission. As a country we will seek to continue engaging COPUOS in these endeavours.

Kenya recently signed a cooperative agreement with Algeria, Nigeria and South Africa on the African Resource Management Satellite Constellation which seeks cooperation in building a low-Earth orbit satellite constellation to map African resources and weather. We will continue to work with COPUOS to ensure that other countries in our region develop increasing awareness of the potential importance of space activities.

This year Kenya hosts the 4th African Leadership Conference on Space Sciences for Sustainable Development from 26-28 September this year in Mombasa. The conference will also explore the role that space technology could play in the implementation of the recommendations of the World

Summit on Sustainable Development. In this regard and on behalf of the Government of Kenya, I take this earliest opportunity to invite you and all the delegates in this meeting to this very important conference. Kenya will liaise with the Office for Outer Space Affairs and other partners in the space arena to make the conference a success. Thank you very much.

The CHAIRMAN I thank the distinguished representative of Kenya, Her Excellency, Ambassador Kirui for a very good statement.

The next speaker on my list is the distinguished representative of the International Institute of Space Law and the International Astronautical Federation, Ms. Masson-Zwaan. I give the floor to the distinguished representative of IISL and IAF.

Ms. T. MASSON-ZWAAN (IISL and IAF) Mr. Chairman, distinguished delegates, ladies and gentlemen, I would like to give a brief statement on behalf of the International Institute of Space Law and to say a few words on behalf of our sister organization the International Astronautical Federation who could not be here today.

The IISL has submitted a written report on its activities in 2010 and 2011 which is in the documents and at present I would like to highlight a few of the items in that report. I refer to the written text for more details.

The IISL was founded in 1960 as an independent, non-governmental organization dedicated to fostering the development of space law in partnership with various international and national institutions. The Institute celebrated its fiftieth anniversary in 2010. Membership of IISL is composed of individuals and institutions from more than 40 countries elected on the basis of their contributions to the field of space law or other social sciences related to space activities. The IISL holds an annual colloquium on current issues in space law during the International Astronautical Congress each year. During these colloquia IISL strives to address topics that are of real interest to the space actors. Another major activity of IISL is the Manfred Lachs Space Law Moot Court Competition organized each year since 1992.

In 2010, the IISL presented several awards to distinguished members of the space law community. I am especially pleased to report here that Professor Kopal received the IISL Lifetime Achievement Award. Dr. Sylvia Ospina, from Colombia, was awarded the Distinguished Service Award and Dr. Jean-Michel

Contant of France, Executive Director of the International Academy of Astronautics, received our Certificate of Appreciation. Our Diederiks-Verschuur Award for best paper by a young author, presented at the IISL colloquium, was awarded to Mr. Philip De Man from Belgium.

A few highlights of our activities in 2010. In March last year we organized a symposium for the delegates of this Legal Subcommittee, along with ECSL, on the topic of national space legislation. In May of last year we organized, together with the International Academy of Astronautics, a symposium on space law and policy in Washington D.C. this was organized in partnership with the Secure World Foundation, Arianespace, and the European Space Policy Institute, a report was published in Space Policy. In October, we organized our 53rd Colloquium on the Law of Outer Space in Prague, Czech Republic. Among others, this symposium hosted the 2nd Young Scholar Session which was very successful as well as the Nandasiri Jasentuliyana Keynote Lecture on Space Law held by Dr. Stephen Doyle, Professor Kopal and Professor Hobe. The 19th Manfred Lachs Space Law Moot Court Competition was held also in Prague, the case addressed sub-orbital space tourism, preliminary rounds had been held at regional level in Europe, North America and the Asia/Pacific region. We were happy that three judges of the International Court of Justice judged the finals, Judge Koroma, Judge Tomka and Judge Skotnikov. The winner of this year's competition was George Washington University from the United States, the runner-up was the National University of Singapore and the University of Cologne, Germany, was the second runner-up. I would like to take this opportunity to express our appreciation to the institutions that supported the winners of the three regional rounds allowing the students to come to the Congress to compete in the world finals. They are the European Centre for Space Law and ESA for the European team; the Japanese Space Agency, JAXA, for the Asia-Pacific team; and Secure World Foundation for the North American team. The IISL is fortunate to benefit from their continuous support which has enabled many students over the years to take part in this competition, the only one of its kind to be judged by sitting members of the International Court of Justice.

In December the Institute organized, in partnership with the National Centre for Remote Sensing, Air and Space Law of the University of Mississippi, the 5th edition of the Eilene Galloway Symposium on Critical Issues in Space Law organized each year in honour of the late Eilene Galloway. This year the Symposium addressed article 9 of the Outer

Space Treaty and peaceful purposes and some of its papers will be published in IISL proceedings.

Moving on to 2011, our first activity this year will be the symposium that will take place this afternoon, organized together with ECSL, dealing with the delimitation of airspace and outer space which I hope you will all attend. The symposium will, as always, be followed by a reception at 6 p.m. hosted by IISL and ECSL on the ground floor of F building.

On 6 and 7 June, IISL will co-host with the Indonesian Society of International Law, a space law conference in Jakarta. This will be held in conjunction with the Asia/Pacific regional round of the Manfred Lachs Space Law Moot Court Competition. The specific topic of the conference is: The Role of Law in an Asian Space Age: Institutions and Applications. I will have some information available.

In October 2011, we will have the 54th Colloquium on the Law of Space in Cape Town, South Africa. This will host the 3rd Nandasiri Jasentuliyana Keynote Lecture on Space Law and a 3rd Young Scholar Session and will also address legal issues of commercial human space flight, space law and applications in Africa, environmental aspects of space activities and recent developments in space law. We will also hold a scientific/legal round table on the topic of space debris remediation.

The finals of the 20th Manfred Lachs Space Law Moot Court Competition will also be held in 2011. Three judges of the International Court of Justice have been invited to judge the finals and regional rounds will again be held during these days in Europe, North America and the Asia/Pacific. I am very pleased to report that an introductory African round will be held in South Africa with a view to hosting a new African regional round from 2012 onwards. We are also pleased to report that Colombia has accepted an invitation to participate in the North American round and we would hope to develop a Latin American round in the near future. As for the Asia/Pacific round this will be organized, as I said, for the first time in Jakarta, Indonesia, in cooperation with the Indonesian Society for International Law and hosted by Universitas Pelita Harapan. Future Asia/Pacific rounds will be held in other Asian countries to be agreed.

As far as our proceedings, publications are concerned. The proceedings of our colloquium in Korea, Daejeon, have been published by the American Institute of Aeronautics and Astronautics and similarly the proceedings of the Prague Colloquium will be published AIAA. We are also about to publish a book

with the publications of the young scholars sessions with the kind support of ISRO, the Indian Space Agency. We also report that we have re-published a 1972 book by Judge Lachs, Manfred Lachs, former chairman of this Committee, former president of the ICJ and a former president of IISL, this was published on the occasion of the fiftieth anniversary of the Institute and I will be happy to offer a copy of this book to the library of the Office for Outer Space Affairs.

In conclusion, IISL is honoured to cooperate with COPUOS and its subsidiary bodies in the further development of space law. In particular, we are prepared to assist, as appropriate, in carrying out background studies needed for consideration and information of COPUOS. Certain areas that may require legal regulation mainly preparatory work that IISL might be able to carry out for the consideration of COPUOS. We will be honoured to continue to be of assistance.

Finally, I would like to invite interested delegates to consider joining IISL as a member. I have nomination forms available and we will be very pleased to welcome you.

Mr. Chairman, allow me to briefly summarize a short statement from my colleague Professor Feuerbacher, President of the International Astronautical Federation.

The IAF is a worldwide federation of institutions active in space. It is well known as an organizer of the premier annual global space conference, the International Astronautical Congress. The membership of IAF includes 205 organizations from 58 countries with an increasing number of members who have joined in the last few years from Africa, Asia and Latin America. It includes the major space agencies worldwide and most of the national space offices and authorities in particular from emerging countries. In addition, leading industrial companies, research institutes and professional societies are members.

In 2011, the IAF celebrates its sixtieth anniversary with a series of events that started last week at the Spring meetings in Paris and will conclude at the 62nd IAC in Cape Town, South Africa. Over those six decades the Federation has changed, it has fulfilled its initial role as a mediator between the space powers and the rest of the world and has contributed to a proliferation of knowledge and skills and to worldwide access to the benefits of space assets.

As regards the activities of IAF in 2010, most remarkable is the 61st International Astronautical Congress held in Prague, hosted by the Czech Space Office. There was a record number of participants, nearly 3,500 and, besides 1,600 technical papers in 167 sessions and 12 public events, there was an extensive professional space exhibition to complete the event. IAF organized a second members of parliament meeting also at this meeting. At the IAC in Prague more than 800 participants were students and young professionals below the age of 33. IAF has established a youth grant programme supporting students and young professionals to attend the IAC. Together with the Office for Outer Space Affairs, the Federation actively supports a series of workshops for emerging space nation representatives. The 20th of these UN/IAF workshops was held in Prague and dealt with GNSS applications for human benefit and development. It was co-sponsored by the European Space Agency and the International Committee on Global Navigation Satellite Systems. The 21st edition of these UN/IAF workshops will be held from 30 September to 2 October in Cape Town in conjunction with the 62nd IAC and the theme will be: Space for Human and Environmental Security.

In May last year the IAF and the Chinese Society of Astronautics organized a global lunar conference in Beijing, China. This gathered the China National Space Administration and its Lunar Office, the Manned Space Engineering Programme, the China Aerospace and Technology Corporation and the China Academy of Space Technology together with institutional and international space actors such as, NASA, Canadian Space Agency, ESA, ISRO, JAXA, Roscosmos and many others.

Highlights in Space. UNOOSA has continued its commitment to the Highlights in Space initiative, a DVD has been distributed in the packages and the IAF, along with IISL, has produced this year in a novel format. The CD, distributed to delegates, is the most comprehensive edition ever. It has been supplemented for the first time by a searchable online edition.

Lastly a word about the 62nd IAC to be held in Cape Town, South Africa between 3 and 6 October 2011 with the theme: African Astronaissance. This is the first time in the 62 years history of the Congress that the IAC will be held on the African continent. Colleagues in Cape Town are very busy preparing an exciting event with top-level plenary events, an integrated space exhibition in this vibrant modern city of Africa. The Cape Town Congress will be organized as an all-African event and IAF will have a special role in the 4th African Leadership Conference, mentioned by the delegate from Kenya, to be held immediately

prior to the IAC in Mombasa, Kenya. The intention is to develop input and recommendations into an African space leaders round table organized on the opening day of the IAC on Monday, 3 October 2011.

Mr. Chairman, thank you for giving me this opportunity to present these brief words on behalf of the President of IAF and this concludes my intervention.

The CHAIRMAN I thank Professor Masson, President of the International Institute of Space Law and on behalf of the International Astronautical Federation for a very good statement.

The next speaker on my list is the distinguished delegate of Romania. I give the floor to the distinguished representative of Romania, Mr. Rimniceanu, who is at the same time Chairman of the Committee on the Peaceful Uses of Outer Space.

Mr. F. RIMNICEANU (Romania) Mr. Chairman, distinguished delegates, on behalf of the Romanian delegation I wish to express our deep sorrow, condolences and solidarity to the people of Japan for the loss of lives and devastation caused by the tremendous earthquake and tsunamis.

Mr. Chairman and distinguished delegates, I wish now to address you as the Acting Chairman of COPOUS and bring to your attention A/AC.105/L.283 regarding the declaration on the fiftieth anniversary on human space flight and the fiftieth anniversary of COPUOS. I will shortly remind delegations the process of the elaboration and decision on this draft declaration.

The Working Group of the Whole agreed that a draft document should be prepared with the objective of having a declaration of the Committee on the Peaceful Uses of Outer Space adopted at the high-level segment and that the draft document should be _____(?) negotiated among States Members of the Committee and finalized before the fifty-fourth session of the Committee. The Working Group noted in that regard that consultations had been held during the forty-eighth session of the Scientific and Technical Subcommittee, under the leadership of the Chair of the Committee, on the basis of a non-paper prepared by the Secretariat and circulated among permanent missions in Vienna and agreed that the Chair of the Committee, in close consultation with the Secretariat, should prepare a working paper of the Chair to be issued in the six official languages of the United Nations for further consideration by the Legal Subcommittee at its fiftieth session.

During this session we have to formerly approve this draft declaration as long as it is now submitted for further consideration by the Legal Subcommittee, I kindly ask delegations that have remarks concerning the declaration, other than the ones official expressed by their missions and already included in the text of the declaration, to address the Secretariat in order to set up an informal meeting during this week for consultations and finalization of the declaration. Thank you.

The CHAIRMAN Thank you to the distinguished representative of Romania and Chairman of the United Nations Committee on the Peaceful Uses of Outer Space for his statement.

The next speaker on my list is the distinguished representative of Austria. I give the floor to the distinguished representative of Austria, Mr. Beham.

Mr. M. BEHAM (Austria) Let me first welcome you again as the Chair of the Legal Subcommittee, we are confident that our work during this session of the Committee will benefit from your guidance. I would also like to express our sincere gratitude to the Director of the Office for Outer Space Affairs and her able and dedicated team for the invaluable assistance including in the preparation of this session.

At this occasion we would also like to express our deepest condolences to Japan for the loss of so many lives caused by the earthquake and the tsunami.

Austria welcomes this year's symposium with the theme 'A new look on the delimitation of airspace and outer space' organized by the International Institute of Space Law and the European Centre for Space Law. In this context I may add that Austria submitted a report this year on its legislation on the delimitation of the upper State boundary.

Let me also draw your attention to the Conference on 'Soft Law' in Outer Space: the functioning of non-binding norms in international space law, which is organized by the Austrian National Point of Contact for Space Law at the University of Vienna. Legal scholars and practitioners will analyze the function of 'soft law' in international law and in international space law in particular and focus on the influence of 'soft law' on the actual conduct of space activities in practice. The conference will be held in the margins of the Legal Subcommittee on Saturday, 2 April 2011, from 9:30 a.m. to 5.30 p.m. at the Faculty of Law, University of Vienna. Furthermore, I

would like to inform you about an exhibition of international contemporary art in the Kunsthalle Wien on the occasion of the fiftieth anniversary of the first manned space flight. The exhibition will be open from 31 March to 15 August 2011 and aims to reflect aesthetic, metaphoric and political dimensions connected with the idea of outer space.

Last year we continued an intensive and fruitful discussion on the topic 'national space legislation' and the Working Group under the chairmanship of Professor Irmgard Marboe made substantial progress. As the Working Group has its final meeting during this session of this Subcommittee, we are looking forward to adopting a comprehensive report reflecting our work of the past two years. Apart from the adoption of the report, we should also use this session of the Legal Subcommittee to discuss the next steps. In our view the report of the Working Group should form the basis for recommendations of the Legal Subcommittee in respect of national space legislation or even for a resolution by the General Assembly.

Let me add that Austria has a specific interest in this agenda item as it is currently working on its national space law. As you may remember, Austria reported last year to this Subcommittee on the progress of this project. During the past year we continued work on the draft law and are now in the process of finalizing the draft which will then be submitted to public consultation. At this point I would like to highlight that the work and findings of this Subcommittee's Working Group on National Space Legislation contributed substantially to the drafting of our own law. It was particularly helpful to have a variety of national space laws easily at hand and to have the possibility to compare different solutions to a particular problem. Given the progress already made, we hope to finalize the law-making process in the course of this year. Background to these efforts to develop a national space law is a research project by Austrian and Canadian universities to investigate the brightness of massive luminous stars by differential photometry. In the framework of this project the first Austrian satellite which is currently being assembled in the _____(?) is scheduled to be launched in the third quarter of 2011. The satellite will be known as Bright Target Explorer and will be used to observe stars of high mass. Data on the vibrations may reveal new insights on the composition of these stars as well as on the chemical evolution of the universe.

For Austria the research project and the construction of the Bright Target Explorer constitute,

in a technical but also in a legal sense, a new era in space.

Let me turn to another agenda item to which Austria attaches importance. Status and application of the five United Nations treaties on outer space. Last year we had a very productive working group under the chairmanship of Mr. Jean-François Mayence and set the framework for our work this year. We are looking forward to discussing issues relating to the Moon Agreement, to Liability and Responsibility, as well as the Registration of Space Objects in the case of transfer. In this context, I would also like to refer to the seminar on the Moon Agreement which took place last year at the Diplomatic Academy of Vienna. We had a frank and open discussion on the Moon Agreement and many interesting arguments and ideas were expressed. I think this fruitful discussion may well contribute to our consideration of this agenda item during this session. I would like to take this opportunity to thank delegations again for their interest and their support for the seminar as well as the distinguished panellists for their contributions and their active engagement in the discussion.

Turning now to the item capacity building in space law, I would like to highlight Austria's continued support for activities in the area of space law. The National Point of Contact for Space Law is supported by the Austrian Ministry for Transport, Innovation and Technology. It was founded in 2001 by Professor Brünner at the University of Graz and was transferred in 2009 to Professor Irmgard Marboe at the University of Vienna. Space law forms part of the general course in international law which is a compulsory subject at all Austrian law faculties. In addition, some faculties offer specialized courses on space law as an optional subject. Furthermore, every year Austrian students take part in the summer course on space law and policy organized by the European Centre for Space Law. From 11 July to 9 September 2011 the Space Studies Programme of the International Space University will take place in Graz. The programme contains also an important focus on space law.

In concluding, allow me to emphasize that the Austrian delegation will continue to provide strong support for the work and deliberations of the Subcommittee as well as to the Office for Outer Space Affairs. In this period we hope for a productive and rewarding fiftieth session of the Legal Subcommittee. Thank you.

The CHAIRMAN I thank the distinguished delegate of Austria for a very good statement.

We have time available. In order to use our time efficiently I ask if any other delegation would be prepared to speak under item 3 this morning?

We will therefore continue our consideration of agenda item 3, general exchange of views, tomorrow morning.

Distinguished delegates, I would now like to inform you that I have received a request from the Director of the Office for Outer Space Affairs for the opportunity to briefly address the Legal Subcommittee in the time left for this morning's meeting. Therefore, if there are no objections, I would like to give the floor at this time to the Director of the Office for Outer Space Affairs and on behalf of the Legal Subcommittee invite her to deliver her statement.

I see no objection. I give the floor to the Director, Ms. Mazlan Othman.

Ms. M. OTHMAN (Director, Office for Outer Space Affairs) On behalf of the Office I would like to express our pleasure at having you Chair this meeting, I would like to convey our commitment to assisting you in making this meeting a success. Before going to my statement I would like to express the deepest condolences of the Office to the people of New Zealand and Japan for the lives lost in the recent disasters.

Mr. Chairman, distinguished delegates, I am grateful for this opportunity 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 regard to the United Nations Register on Objects Launched into Outer Space maintained by the Office under the 1976 Convention on Registration of Objects Launched into Outer Space and the General Assembly resolution 1721 16(b) of 20 December 1961. In the past year, Algeria, China, France, Germany, Italy, Japan, Sweden, Malaysia, Republic of Korea, Russian Federation, United Kingdom of Great Britain and Northern Ireland and the United States of America furnished information on their space objects under the Registration Convention and resolution 1721B. As in the past, information received can be found in document series ST/SG/SER.E and A/AC.105/INF respectively. The Office would like to note that several documents are presently being processed through the

United Nations editorial and translation system and will be made available through the Office website in all official languages soon. It is my pleasure to inform delegates that the Subcommittee's efforts in this area, which resulted in the 2007 adoption of General Assembly resolution 62/101, continues to bear fruit. The Office is pleased to report that last year both Costa Rica and the Libyan Arab Jamahiriya acceded to the Registration Convention. The Office has also provided assistance to a number of States on the registration practice and look forward to their submissions in the near future.

In addition to seeing new registering States the Office has noted that many established States, especially those who have a long history of launching objects into Earth orbit and beyond, are actively looking to resolve outstanding registration issues. As delegates are aware, resolution 62/101 requested the Office to make available a model registration form to facilitate and harmonize registration. During the last year several States have begun using this form for their submissions. The Office has been gathering feedback from users on the form and would like to invite States who have not done so to provide their comments and recommendations. Based on this feedback the Office intends to revise the form and make a new version available to States at the beginning of next year. The Office hopes such a process will result in a registration mechanism that will be more efficient as well as more effective. The Office would like to take this opportunity to once again note the willingness of member States and international intergovernmental organizations to review their practices as well as consider proposals by the Office on harmonizing registration practices. The Office would like to especially thank States and organizations for their support without which it would not be possible to successfully implement the resolution.

Notwithstanding these successes the Office would like to once again encourage all member States who have launched and/or operate space objects to register them with the Secretary-General in accordance with the Registration Convention or General Assembly resolution. The Office would also like to draw the attention of member States to article II of the Registration Convention requesting Parties to inform the Secretary-General of the establishment of national registries and invites Parties that have not done so to inform the Office accordingly. The Office continues to stand ready to assist member States on matters relating to the registration of space objects.

With regard to implementing the other obligations of the Secretary-General, the Office is

pleased to inform delegations that it has received and disseminated information provided by member States under article VI of the Outer Space Treaty as well as article V of the Rescue Agreement. This information relates to recovered space objects as well as information on space objects presently in orbit and has been disseminated to member States under the A/AC.105/ series. To effectively fulfil those obligations, the Office continuously monitors launches and decays of space objects and maintains a 24/7 hotline to respond to queries on re-entry of space objects. The Office also serves as a United Nations focal point on re-entry of nuclear powered space objects for the Joint Radiation Emergency Management Plan of the international organizations. In this capacity the Office maintains close contact with the Incident and Emergency Response Centre of the International Atomic Energy Agency which is the coordinating entity for the Plan and provides notification of nuclear powered space objects.

Mr. Chairman, distinguished delegates, as has become customary, the Office has updated the status of the United Nations treaties on outer space. The insert to the Treaty booklet, ST/SPACE/11/Ref.2/Add.4 contains information as of 1 January 2011 on States Parties and additional signatories to the United Nations treaties and other international agreements relating to activities in outer space. The Outer Space Treaty has 100 States Parties and 26 signatory States; the Rescue Agreement has 91 States Parties and 24 signatory States; the Liability Convention has 88 States Parties and 23 signatory States; the Registration Convention has 55 States Parties and 4 signatory States; and the Moon Agreement has 13 States Parties and 4 signatory States.

Under its capacity building programme on space law, the Office continues to promote the understanding, acceptance and implementation of the United Nations treaties and principles on outer space to support the exchange of information on national space law and policy and to encourage the increase of education opportunities in space law. As part of these activities in the field of capacity building, in 2010 the Office organized, jointly with the Government of Thailand, the Geo-Informatics and Space Technology Development Agency, the European Space Agency and the Asia-Pacific Space Cooperation Organization, the 7th Workshop on Space Law. The Workshop was held in Bangkok from 16-19 November 2010. The report from the Workshop is now available in A/AC.105/989. I am also pleased to inform that proceedings of the workshop will be made available to you on a CD-ROM in the course of this session of the Subcommittee.

Currently the Office is discussing with the Government of Kenya arrangements for holding special sessions dedicated to various aspects of space law and capacity building in space law on the margins of the 4th African Leadership Conference on Space Science and Technology for Sustainable Development to be held from 26-28 September this year in Mombasa, Kenya.

As requested by the Subcommittee, the Office continues to work with experts on the development of the curriculum on space law. An updated version will be made available to you in a conference room paper in the course of this session of the Subcommittee.

Finally, the Office continues to support the work of the Subcommittee in its efforts to build capacity in space law. This includes an update of the Directory of Education Opportunities in Space Law, the 2010 edition will be before you in a conference room paper and will be placed on the website of the Office. It also includes a strengthening of our cooperation with space law entities and organizations with a view to contributing to worldwide efforts to promote understanding and in the development of space law. The Office will participate in the European Centre for Space Law summer school in September and the Office will continue to promote the application of international law and provide technical assistance to governments on matters related to space law.

The Office is pleased to inform the Subcommittee that it continues to update its space law dedicated web pages. Apart from 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 continue providing texts of their national space laws and policies for inclusion on the website.

Mr. Chairman, distinguished delegates, let me reaffirm our Office commitment to serving the interests of member States in the area of space law. Thank you for your attention.

The CHAIRMAN I thank Ms. Mazlan Othman, Director of the Office for Outer Space Affairs for her informative statement.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee. Before doing so, I would like to remind delegates of the schedule of work

for this afternoon. We will meet promptly at 3 p.m. I will then suspend the meeting of the Subcommittee to allow time for the symposium, the 821st meeting of the Subcommittee will adjourn at the conclusion of the symposium.

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

I would like to inform delegations that the provisional list of participants for this Subcommittee session will be distributed in the first half of the week. I would request all delegations that have not done so already to send an official letter with the names of their representatives to the Secretariat as soon as possible so that they can be included in the provisional list of participants.

This meeting is adjourned.

The meeting closed at 12.16 p.m.