

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

Unedited transcript

836th Meeting

Thursday, 7 April 2011, 10 a.m.

Vienna

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

The meeting was called to order at 10.19 a.m.

The CHAIRMAN Excellencies, distinguished delegates, ladies and gentlemen, good morning. I now declare open the 836th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would first like to inform you of our programme of work for this morning. We will continue and conclude our consideration of agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. We will continue and suspend our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee. We will suspend the plenary meeting so that the working group on agenda item 6(a) can hold its final meeting to adopt its report contained in A/AC.105/C.2/2011/DEF/L.1 and the working group on agenda item 4 can also hold its final meeting to adopt its report contained in A/AC.105/C.2/2011/TRE/L.1. We will then reconvene the plenary to continue and conclude our consideration of agenda item 4, status and application of the five United Nations treaties on outer space and agenda item 6(a) the definition and delimitation of outer space, with a view to endorsing the report of the working group on agenda item 4 and 6(a). Time permitting we will begin the adoption of the report of the Legal Subcommittee.

Finally I wish to inform you that there will be informal consultations between member States regarding the proposal made by the delegation of the Czech Republic under a new item in the agenda of the Legal Subcommittee 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. Please kindly note that the consultation will be convened in Conference Room M7 at 2 p.m.

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

Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space (agenda item 7)

Distinguished delegates, I would now like to continue and hopefully conclude our consideration of agenda item 7, review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

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

Mr. S. LEE (Republic of Korea) Since this is the first time for this delegation to take the floor, I would first like to thank you and express our gratitude on your leadership for the successful operation of this, the fiftieth plenary session of COPUOS Legal Subcommittee. I have personally expressed my regret to the delegation of Japan but, once again, I would like to express and deliver our deep condolences to the delegations from Japan and New Zealand for the tragedy that their people recently are going through.

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.

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The Republic of Korea hopes and is willing to assist their fast recovery.

In the year 2010, the Republic of Korea successfully launched weather forecasting satellite _____(?) and attempted to launch a space vehicle but, unfortunately, this project failed. On these occasions, the Republic of Korea did not need to use nuclear power resources however, we have a mid-term plan to launch an instrument for Moon exploration which, considering the present stage of the outer space science and technology, inevitably requires us to use nuclear power resources. My country agrees with the concerns expressed by some other delegations, including the distinguished delegation from Venezuela, on the risks that need to be taken into consideration when using nuclear power resource and that it would be best to find, and we need to continuously conduct research to find, a substitute for nuclear power resource. However, for the time being with no other alternatives, the risk that comes along with the use of nuclear power resource has to be balanced with the advantages that we could obtain through the usage of such resources in determining whether to use it or not. As we heard from the distinguished delegation of Chile yesterday, the advantages of using and exploring outer space is meaningful enough to take the risk of using nuclear power resources. Therefore, my delegation is of the view that we could not and should not prohibit but rather be more cautious and strive to predict and do the best to reduce the risks when using nuclear resources. In order to reduce the risks, conducting a scientific research including the one on space debris as well as forming an international legal frame to reduce such risks is critical. Thank you.

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

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

We have therefore concluded our consideration of agenda 7, nuclear power sources.

Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its fifty-first session (agenda item 12)

Distinguished delegates I would now like to continue our consideration of agenda item 12, proposals to the committee on new items to be considered by the subcommittee.

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

I give the floor to the distinguished representative of the United States.

Mr. S. McDONALD (United States of America) My delegation just wanted to take the floor to note that this is the fifteenth anniversary of the adoption, by the General Assembly, of resolution 51/122 concerning a declaration on international cooperation in the exploration and use of outer space. This was a very good example of where the subcommittee worked diligently on what was a new item at the time to come up with what we believe to be a very useful document. In that regard my delegation, along with others, worked very closely with the delegation of Chile on this particular topic and also in particular with Ambassador Gonzalez who is not with us this week but was here last week, I just wanted to note that this is an anniversary I suppose we should also be taking note of. Thank you.

The CHAIRMAN I thank the distinguished representative of the United States of America for a very good statement.

Any other delegation wishing to make a statement under this agenda item? I see none.

We will therefore continue and hopefully conclude this agenda item this afternoon.

Distinguished delegates, I would now like to suspend the plenary meeting so that the working group on agenda item 6(a) can hold its final meeting to adopt its report contained in A/AC.105/C.2/2011/DEF/L.1 and the working group on agenda item 4 can hold its final meeting to adopt its report contained in A/AC.105/C.2/2011/TRE/L.1.

We will then reconvene the plenary to continue and conclude our consideration of agenda item 6 (a) the definition and delimitation of outer space and agenda item 4, status and application of the five United Nations treaties on outer space, with a view to endorsing the report of the working group on agenda item 4 and 6(a).

As you are all aware the Chairman of the working group on agenda item 4, Mr. Jean-François Mayence, had to leave and he has requested me to serve as acting chairman for the final meeting of the working group on agenda item 4, this morning.

Do I hear any objections? If I see no objections.

It is so decided.

I therefore suspend the plenary meeting so that the working groups on agenda item 6(a) and 4 can hold their final meeting to adopt their reports. We will then resume our meeting.

The 836th meeting of the Legal Subcommittee is now suspended.

The meeting was suspended at 10.33 a.m.

The meeting was reconvened at 11.14 a.m.

The definition and delimitation of outer space (agenda item 6(a))

Distinguished delegates I now reconvene the 836th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space. I would like to continue and conclude our consideration of agenda item 6(a) the definition and delimitation of outer space, with a view to endorsing the report of the working group.

I would like to give the floor to the chairman of the working group on agenda item 6, Professor Filho of Brazil, to present the report of the working group to the Subcommittee.

Mr. J. FILHO (Brazil) (*interpretation from Spanish*) Chairman, distinguished delegates, it is my pleasure to inform you that the working group on 6(a) of the programme entitled, issues relating to the definition and delimitation of outer space, completed its work during the current session of the subcommittee of legal affairs.

The working group held three meetings during which it was able to develop several recommendations and adopt a set of decisions which will be a good basis for the future work when it meets at the fifty-first session of the Legal Subcommittee in 2012. The working group report, just approved by its members, is in A/AC.105/C.2/2011/DEF/L.1. It is my pleasure to submit this report for the approval of the subcommittee. Thank you very much.

The CHAIRMAN Thank you Mr. Filho for a very good report.

Distinguished delegates, I would now like to endorse the report of the working group on agenda 6(a) as contained in A/AC.105/C.2/2011/DEF/L.1.

Do I take it that the subcommittee endorses the report of the working group on agenda item 6(a) as amended?

The report of the working group on agenda item 6(a), as amended, is endorsed.

We have now concluded our consideration of agenda item 6(a) the definition and delimitation of outer space.

Status and application of the five United Nations treaties on outer space (agenda item 4)

Distinguished delegates I would like to continue and conclude our consideration of agenda item 4, status and application of the five United Nations treaties on outer space, with a view to endorsing the report of the working group.

I would now like to present the report of the working group on agenda item 4 in my capacity as acting chairman of the working group. Distinguished delegates, as you know, the chairman of the working group, Jean-François Mayence, had to leave Vienna and asked me to assist him in the adoption of the report of the working group which was prepared during the work and presented. Therefore please allow me to present the report as acting chairman of the working group.

It is my pleasure to inform you that the working group on agenda item 4, status and application of the five United Nations treaties on outer space, at the current session of the Legal Subcommittee, was very productive. The working group held five meetings during which time it was able to prepare a good foundation for its future work. The report of the working group, which has just been adopted by its members, is contained in A/AC.105/C.2/2011/TRE/L.1. It is my pleasure to submit the report to the subcommittee for its adoption.

Distinguished delegates, I would now like to propose to endorse the report of the working group on agenda item 4 as contained in A/AC.105/C.2/2011/TRE/L.1.

Do I take it that the subcommittee endorses the report of the working group on agenda item 4, as amended?

The report of the working group on agenda item 4, as amended, is endorsed.

We have now concluded our consideration of agenda item 4, status and application of the five United Nations treaties on outer space.

Adoption of the report of the Legal Subcommittee

Distinguished delegates, I would now like to begin the adoption of the report of the Legal Subcommittee. We shall now proceed, paragraph by paragraph, the adoption of the first part of the report as contained in A/AC.105/C.2/L.284. This part contains the section of introduction, general exchange of views, status and application of the five United Nations treaties on outer space and information on the activities of international intergovernmental and non-governmental organizations relating to space law.

Do all delegations have this first part? Once again the document is A/AC.105/C.2/L.284.

I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Our delegation and, I believe, also other delegations have had the opportunity to receive this draft document but we did not have the opportunity to read it, so I would beg for a little slower checking of this draft document.

The CHAIRMAN Thank you Mr. Kopal of the Czech Republic. _____(?) therefore five minutes time to ... is this enough for the review?

We have five minutes time to review the document. If you need more of course after five minutes ...

Distinguished delegates, we are starting the adoption of the report of the Legal Subcommittee. Do all delegations have this document? The document is A/AC.105/C.2/L.284.

Introduction.

Paragraph 1. No objections.

Adopted.

Paragraph 2. No objections.

Adopted.

Paragraph 3 with 12 subparagraphs. No objections.

Adopted.

Paragraph 4. I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) In paragraph 4 there will be the addition of Australia and Greece, adding up to a total of 54 member States.

The CHAIRMAN Paragraph 4. No objections.

Adopted.

Paragraph 5. No objections.

Adopted.

Paragraph 6. No objections.

Adopted.

Paragraph 7. No objections.

Adopted.

Paragraph 8. No objections.

Adopted.

Paragraph 9. No objections.

Adopted.

Paragraph 10. No objections.

Adopted.

Paragraph 11. No objections.

Adopted.

Paragraph 12. No objections.

Adopted.

Paragraph 13. I give the floor to the distinguished representative of Poland.

Mr. L. KULAGA (Poland) I was not here last week however, I have information from my colleague that he made a statement under general exchange of views and Poland is not included here.

The CHAIRMAN I thank the distinguished representative of Poland.

Any other comments? No objections.

Adopted.

Paragraph 14. I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Perhaps my memory is not quite correct on this particular point but I wonder whether it is indeed the fact that the Chair noted that the committee and the subcommittee were both holding their fiftieth session. This I do not understand?

The CHAIRMAN Thank you very much Dr. Kopal, I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) The representative of the Czech Republic is entirely correct, this is an error not made by the Secretariat but made by the Editorial Service. The text we submitted reflected the anniversary of the fiftieth session of the Legal Subcommittee and also the commemorations, during 2011, of the fiftieth anniversary of human space flight and the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. We will come back to this, we will read out the paragraph as we submitted for editing and then we can come back to this paragraph later but thank you so much for having pointed this out to the attention of the Secretariat. Thank you.

The CHAIRMAN I thank the Secretariat, Dr. Hedman and thanks to the distinguished representative of the Czech Republic.

We will go to paragraph 15. No objections.

Adopted.

Paragraph 16. No objections.

Adopted.

Paragraph 17. I give the floor to the distinguished representative of Saudi Arabia.

Mr. A. TARABZOUNI (Saudi Arabia) Sorry to go back to 16. There were other people who died in Pakistan and in Sudan and Saudi Arabia and we have mentioned this is our exchange of views, so I would like to have them added here. Thank you.

The CHAIRMAN I thank the distinguished representative of Saudi Arabia. We are waiting for information from the Secretariat. The Secretariat announced that they will add Pakistan, Sudan and Saudi Arabia.

Any other comments? No objections.

Adopted.

Paragraph 17. No objections.

Adopted.

Paragraph 18. No objections.

Adopted.

Paragraph 19. No objections.

Adopted.

Paragraph 20. No objections.

Adopted.

Paragraph 21. I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) (*interpretation from Spanish*) Just a small change in paragraph 21, on the third line, the private sector is mentioned, we suggest replacing that by, non-governmental sector. Thank you.

The CHAIRMAN I thank the distinguished representative of Venezuela for your comment.

Any other comment to paragraph 21?

No objections.

Adopted.

Paragraph 22. No objections.

Adopted.

Paragraph 23. No objections.

Adopted.

Paragraph 24. No objections.

Adopted.

OK, paragraph 24, I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) I have only a minor note about the order of the paragraphs. In our practice we usually list first, all paragraphs that include the opinion of some delegations and then the views of individual delegations, so I believe that paragraph 24 should go before paragraph 23. Thank you.

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

Any other comments? Paragraph 24 will go before paragraph 23.

I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) I am referring to the Group of 77 .. 38 of L.24.. - I suggest to relocate it under paragraph 23bis. To relocate paragraph 38 of this part of the committee into paragraph 23bis. This idea of some delegations were of the view that the Legal Subcommittee should cooperate more closely with the Scientific and Technical Subcommittee in order to address legal aspects of scientific and technological developments, was given under agenda item 3. Thank you.

The CHAIRMAN I thank the distinguished representative of Venezuela.

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Just so that the Secretariat gets everything correct here. First of all, there will be a reversed order of current paragraphs 23 and 24, so that the views expressed by some delegations comes before the views expressed by one delegation. Regarding paragraph 38 on page 7, that paragraph will be moved and will be inserted after the new paragraph 23, if you understand what I mean. So between the two paragraphs that are now changing place there we will insert paragraph 38 from the same document.

The CHAIRMAN I thank the Secretariat for this announcement. Any other comment for this change only the number of the paragraph? No objections.

Adopted.

Paragraph 25. No objections.

Adopted.

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Just to bring delegations back to paragraph 14, that is pending in this section. The paragraph will read as follows, as amended. 'At the 820th meeting, on 28 March, the Chair made a statement highlighting the celebration of the fiftieth session of the Subcommittee and the commemorations in 2011 — the fiftieth anniversary of human spaceflight and the fiftieth anniversary of the Committee on the Peaceful Uses of Outer Space. The Chair also described the work before the Subcommittee at the present session. The Chair statement is contained in an unedited verbatim transcript' and then with the reference that is currently in paragraph 14. Mr. Chairman, this is the proposed text to replace current paragraph 14.

The CHAIRMAN I thank Dr. Hedman from the Secretariat. I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) Yes, I agree with the text that has been now read by our distinguished secretary of the Subcommittee however, I would be happy if it would be possible to publish this text as an amendment to the draft report because it is a major change of the text, the other changes were relatively _____(?) only but this is a completely new text. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comment.

We will continue with paragraph 26. No objections.

Adopted.

Paragraph 27. No objections.

Adopted.

Paragraph 28. No objections.

Adopted.

Paragraph 29, with subparagraphs (a) (b) (c) (d) (e). No objections.

Adopted.

Paragraph 30. I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) I welcome the traditional listing of the States which signed the five space law treaties, this is a very valuable information that could be then referred to in different other publications, in different papers, and so on and so on. I also welcome the text of the paragraph that is dealing with international intergovernmental organizations however, I would also welcome indicating the number of international organizations that already made such a declaration on accepting the rights and principles of the relevant treaties. Thank you.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comment.

Any other comment to paragraph 30? We will come back to this paragraph later.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) As the Secretariat understands this, the proposal by the Czech Republic would be to have a reflection of the number of organizations, so we will insert appropriate language and come back to that afterwards, so we can continue with the remaining paragraphs.

The CHAIRMAN I thank the Secretariat for the announcement.

Therefore if no comments, this paragraph is adopted.

Paragraph 31. No objections.

Adopted.

Paragraph 32. No objections.

Adopted.

Paragraph 33. No objections.

Adopted.

Paragraph 34. No objections.

Adopted.

Paragraph 35. I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) (*interpretation from Spanish*) As we said before, we would like to refer to paragraph 34, on the fourth line, the private sector is mentioned and we would like to replace that with, non-governmental sector. The same applies to paragraph 35 on line 3, in fact it refers to private entities whereas we think we should put in there non-governmental entities. Thank you.

The CHAIRMAN I thank the distinguished representative of Venezuela. Any other comments?

The CHAIRMAN I thank the distinguished representative of Venezuela for your comment.

Adopted with the comment of distinguished delegate of Venezuela.

Paragraph 36. Distinguished delegate of Saudi Arabia please. I give the floor to the distinguished representative of Saudi Arabia.

Mr. A. TARABZOUNI (Saudi Arabia) There is a public sector and there is a private sector and non-governmental ____ (?) it is very open, we do not know what it means by ____ (?) governmental. This is always in all... I think we should keep the private .. Thank you.

The CHAIRMAN I thank the distinguished representative of Saudi Arabia for your comment. Any other comments?

I give the floor to the distinguished representative of Chile.

Mr. A. LABBÉ (Chile) (*interpretation from Spanish*) The Chilean delegation, in its presentation in the exchange we had in the general debate, mentioned specifically the private sector and that was the term we used, the private sector. So, to reflect what we stated the term private sector should be maintained. We heard what was said by the distinguished delegate of Saudi Arabia, the term non-governmental does have a significant meaning in the multilateral sphere as does private sector and we should not back off from this type of expression. The former Secretary-General of the United Nations launched the global compact which was an attempt to improve synergy and cooperation between the UN and the private sector and therefore, I support what was said by Saudi Arabia and the term

private sector should be maintained, which is clear to many countries represented in this room. Thank you.

The CHAIRMAN I thank His Excellency, Ambassador of Chile, for your comment. Any other comments?

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Distinguished delegates, there are three paragraphs we have considered so far where there has been a proposal to replace private sector with non-governmental sector, paragraph 21, paragraph 34 and paragraph 35. These paragraphs clearly express different views of delegations in this particular subcommittee so, one way out could of course be, since there is no consensus on what to do with this particular proposal, that maybe the distinguished delegate of Venezuela could request the change of private sector to non-governmental sector in the paragraph that relates to the statement and position made by Venezuela. Then, for other positions those States they can retain private sector. Having said that, maybe you could ask the distinguished delegate of Venezuela to retain in paragraph 21, if I understood correctly, and then we see whether this also applies to paragraph 34 but clearly in paragraph 35 it could be retained, private entities. Thank you.

The CHAIRMAN I thank the Secretariat for the announcement. Any other comments?

Paragraph 35 with no changes. No objections.

Adopted.

Paragraph 36. No objections.

Adopted.

Paragraph 37. Distinguished delegates of China and the Russian Federation. I give the floor to the distinguished representative of China.

Ms. K. PAN (China) (*interpretation from Chinese*) According to the notes that I took carefully on this paragraph some delegations gave their views on this paragraph, including mine the Chinese delegation. We indulged in fairly lengthy comments on this and, in the light of our statement, we believe that this paragraph has not faithfully reflected the views expressed by delegations so we would like to make some amendments to this paragraph. If you allow me to do this I will do this in English.

(*continued in English*) 'Some delegations expressed the view that a universal comprehensive convention on outer space should be developed, with the aim of finding solutions for existing issues, giving full respect to the fundamental principles incorporated in the existing outer space treaties.'

(*continued in Chinese*) If the wording that I have just proposed does not faithfully reflect the views expressed by other delegations you may also amend this as you see fit. I would turn to the other delegations and ask them to amend this wording. Thank you.

The CHAIRMAN I thank the distinguished delegate of China for your suggestion.

I give the floor to the distinguished representative of the Russian Federation.

Ms. L. KASATKINA (Russian Federation) (*interpretation from Russian*) I, in turn, had a comment on the language of paragraph 37 as it is presently couched, it does not suit us perfectly well but the amendment made by the distinguished delegate of China, in principle, would be suitable for us. Thank you.

The CHAIRMAN I thank the distinguished delegate of the Russian Federation for your comments.

Any other comments?

I give the floor to the Secretariat for the paragraph again.

Mr. N. HEDMAN (Secretariat) Just so that the Secretariat gets this correct. Paragraph 37 as proposed, would read as follows. 'Some delegations expressed the view that a universal comprehensive convention on outer space should be developed with the aim of finding solutions for existing issues giving full respect to the fundamental issues incorporated in the existing United Nations treaties on outer space.'

I correct myself, Mr. Chairman. So it will be the following, I will read first and then when I come to the section that I am correcting myself, I will read slowly. 'Some delegations expressed the view that a universal comprehensive convention on outer space should be developed with the aim of finding solutions for existing issues giving full respect to the fundamental principles incorporated in the existing United Nations treaties on outer space.'

The CHAIRMAN I thank the Secretariat for reading the new paragraph 37.

I ask the distinguished delegates of China and the Russian Federation if this is OK with you?

Any other comments on this paragraph 37?

No objections.

Adopted.

Paragraph 38 has moved to before paragraph 23.

Adopted.

Paragraph 39. No objections.

Adopted.

Paragraph 40. I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) I would like to suggest the change of order of the paragraphs. That is, first to exhaust those paragraphs that start with 'some delegations' and then will follow all paragraphs starting with 'the view was expressed'.

I have another kind request. Perhaps, because the amendment to the text of paragraph 37 is also essential, it would be very good if the Secretariat prepares a corrigendum to the earlier paragraph that I requested, it could be also included in the corrigendum to paragraph 37 in this document.

The CHAIRMAN I thank the distinguished representative of the Czech Republic for your comment.

Paragraph 14 with the suggestion of the distinguished representative of the Czech Republic. Any other comments?

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) Just a clarification of what the distinguished delegate of the Czech Republic proposed regarding order of paragraphs. Paragraph 7 reflects the views expressed by some delegations and then paragraph 39, the view expressed by one delegation. Generally in the reports we place the paragraphs according to the themes which means that, we do not put all 'some delegations' and

then 'the view' because it is a thematic discussion. If delegations want to change this pattern we would take action accordingly. If the Czech Republic would explain the order of these two paragraphs we are considering, 37 and 39.

The CHAIRMAN I give the floor to the distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) No, Mr. Secretary, I was speaking about re-ordering all these paragraphs, that is, first to exhaust those beginning with 'some delegations' and then all those paragraphs beginning with 'the view was expressed'. However, I do not have strong feelings on this particular amendment and if, indeed, the Secretariat prefers to keep the order according to the substance of those orders, I would not oppose it.

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

Any other comment to paragraph 40? No objections.

Adopted.

Paragraph 41. No objections.

Adopted.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) Just to recall for your attention that we have a couple of paragraphs pending, that relates to paragraph 14 and paragraph 37 where the Secretariat will prepare a text so that all delegations will clearly see how those paragraphs are amended. Also with regard to paragraph 31, the Secretariat will make a slight modification and insertion of the status of international intergovernmental organizations, the number of such organizations that have declared their acceptance under those treaties. We will insert and then delegations will clearly see how we propose paragraph 31 to look like. This takes some time to do so we will come back to these paragraphs at a later stage.

Just for delegations to be aware that the Secretariat intends to put all these paragraphs on a paper to be screened on the back here on the screen, if this is acceptable to delegations, so that we can save printing costs we would be happy then to display these paragraphs clearly on the screen behind the podium. If

there are any objections, we would be of course happy to print copies for consideration.

The CHAIRMAN I thank the Secretariat for the announcement.

Distinguished delegate of Chile. I give the floor to His Excellency, Ambassador of Chile.

Mr. A. LABBÉ (Chile) (*interpretation from Spanish*) Not only do we have no objection indeed we would like to thank the Secretariat on the excellent initiative of saving resources. Thank you.

The CHAIRMAN I thank the His Excellency, Ambassador of Chile, for your comments.

We will go to paragraph 42.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) In order to save time I will relate two editorial remarks regarding paragraph 42 and paragraph 43. This is mainly an editorial matter, in paragraph 42 it would read 'Pursuant to General Assembly resolution 65/97 the Subcommittee considered agenda item 9 entitled,' and then the title of the agenda item 'as a regular item on its agenda'. So, this would be in line with the similar type of paragraph throughout the report, just to make that clear.

With regard to paragraph 43, also an editorial amendment, I will read out the full paragraph. 'Statements were made by the observers for the European Space Agency (ESA), the International Law Association (ILA) and Intersputnik under agenda item 9. During the general exchange of views, statements relating to that item were also made by the observers for the International Astronautical Federation (IAF), IISL,' and then it is a factual correction, also editorial maybe but we will insert 'the National Space Society and the Secure World Foundation.' Just to explain to distinguished delegates that you realize, and you have already seen that, this type of paragraph reflecting statements is entirely new for the report of the Legal Subcommittee and this is in line with the decision made by the Committee last year and there has been a change in staff in the Editorial Service so we will keep track and we will harmonize all these paragraphs throughout the report so that they read the same in the administrative collection of what happened. So, what I read out now is correct and you will see that in the paragraphs in the coming report. By that, Mr. Chairman, 42 and 43 have to be editorially amended. Thank you.

The CHAIRMAN I give the floor to the distinguished representative of Brazil.

Mr. J. FILHO (Brazil) (*interpretation from Spanish*) I would just like to say that the International Astronautical Federation should read Federación Internacional de Astronáutica in the Spanish version.

The CHAIRMAN I thank the distinguished representative of Brazil for your comment.

Any other comment to paragraph 42?

Paragraph 42. No objection.

Adopted.

Paragraph 43 with the correction of the Secretariat. No objection.

Adopted.

Paragraph 44. No objections.

Adopted.

Paragraph 45. No objections.

Adopted.

Paragraph 46. No objections.

Adopted.

Paragraph 47. No objections.

Adopted.

Paragraph 48. I give the floor to the distinguished representative of ILA.

Ms. M. WILLIAMS (ILA) I would just like to add a word to this paragraph 48 to reflect more clearly the terms of reference of what we do in that context and this is linked to what was said a while ago on paragraph 35 concerning the role of private entities in space. I would like to add in line 3, after 'the advisory group on dispute settlement relating to private activities in outer space'.

The CHAIRMAN I thank the distinguished representative of ILA for your comment.

Any other comment on paragraph 48?

Paragraph 48 with the suggestion of Dr. Williams. No objections.

Adopted.

Paragraph 49. No objections.

Adopted.

Paragraph 50. No objections.

Adopted.

Paragraph 51. No objections.

Adopted.

I give the floor to the distinguished representative of Venezuela.

Mr. M. CASTILLO (Venezuela) (*interpretation from Spanish*) May I come back to section 2 of the report, general exchange of views. I would like to add a paragraph after 22, which will read as follows. I will read it in English 'Some delegations expressed the view that the international legal framework should be further developed to avoid measures that will limit access to space by nations with emerging space capabilities and should refrain from setting up overly high standards or thresholds for space activities in a way that might hinder the enhancement of capacity-building of developing countries.' I could give this wording to the Secretariat for the Secretariat to present it later on. Thank you.

The CHAIRMAN I thank the distinguished representative of Venezuela. If it is possible please write and give the Secretariat maybe for later this afternoon.

I give the floor to the distinguished delegate of Iran.

Mr. A. SHAFAGH (Islamic Republic of Iran) May I go back to paragraph 33 because this is the first time it is written here soft law. The first line 'adoption of non-binding soft law instruments was a realistic' and so on. I would like to have clarification concerning the use of this phrase.

The CHAIRMAN I thank the distinguished representative of Iran for your comment.

Distinguished delegate of Iran, if you want to change or, if you have new words to change this paragraph please give this to the Secretariat.

Mr. A. SHAFAGH (Islamic Republic of Iran) As I said, I want to have some clarification about the reason for using this phrase here and the context of usage of this phrase because in any document or some statements or expressions, I do not remember using this paragraph. There was a conference with this title and I do not understand the relationship between this phrase with the paragraph. I need some clarification only.

The CHAIRMAN I thank the distinguished representative of Iran.

I give the floor to the distinguished representative of the UK for comments.

Mr. S. MOSTESHAR (United Kingdom) Just by way of a suggestion. It seems to me that perhaps the deletion of those two words would not lose anything in the sense of the statement and it does not really appear to add a great deal. So if there is confusion with the phrase perhaps one solution may be just to delete it. Thank you.

The CHAIRMAN I thank the distinguished representative of UK.

I give the floor to the distinguished representative of Brazil.

Mr. J. FILHO (Brazil) (*interpretation from Spanish*) We would like to better understand the two words just mentioned by the UK. What are the two words that could be withdrawn from the text?

The CHAIRMAN I give the floor to the distinguished representative of the UK.

Mr. S. MOSTESHAR (United Kingdom) I do apologize, the two words 'soft law' in inverted commas - my suggestion was that that may be deleted from that particular paragraph.

The CHAIRMAN I thank the distinguished representative of UK.

Paragraph 33, any other comments on the suggestion of the distinguished delegate of UK that we can delete these two words 'soft law' from the paragraph.

No objections.

Adopted.

Distinguished delegates we have therefore adopted the first part of the report. We will come back for the adoption of the other part of the report. We shall now proceed, paragraph by paragraph, with the adoption of the second part of the draft report as contained in A/AC.105/C.2/L.284/Add.1.

This part of the draft report contains the section on matters relating to the definition and delimitation of outer space and the character and utilization of the geostationary orbit including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union, general exchange of information on national mechanisms relating to space debris mitigation measures.

Do all delegations have a copy of this document A/AC.105/C.2/L.284/Add.1?

Paragraph 1. No objections.

Adopted.

Paragraph 2. No objections.

Adopted.

Paragraph 3. No objections.

Adopted.

Paragraph 4. No objections.

Adopted.

Paragraph 5 with subparagraphs (a) (b) and (c).

I give the floor to the distinguished representative of Brazil.

Mr. J. FILHO (Brazil) (*interpretation from Spanish*) I would like to go back to paragraph 2 if I may. The delegation of Brazil took the floor on this and yet we are not mentioned among the delegations having addressed this item. Brazil seems to be missing and we certainly did speak.

The CHAIRMAN I thank the distinguished delegate of Brazil for your comment.

Paragraph 5 with subparagraphs (a) (b) and (c). No objections.

Adopted.

Paragraph 6. No objections.

Adopted.

Paragraph 7. No objections.

Adopted.

Paragraph 8. No objections.

Adopted.

Paragraph 9. No objections.

Adopted.

Paragraph 10. No objections.

Adopted.

Paragraph 11. No objections.

Adopted.

Paragraph 12. No objections.

Adopted.

Paragraph 13. No objections.

Adopted.

Paragraph 14. No objections.

Adopted.

Paragraph 15. No objections.

Adopted.

Paragraph 16. No objections.

Adopted.

Paragraph 17. No objections.

Adopted.

Paragraph 18. I give the floor to the distinguished representative of the United States.

Mr. S. McDONALD (United States of America) My delegation would like to suggest that we delete the paragraph 18 in its entirety. We did include this information in our statement but it does not really seem to fit with the report, so our suggestion would be to delete paragraph 18 altogether. Thank you.

The CHAIRMAN I thank the distinguished representative of United States. Any other comments?

We will delete paragraph 18.

No objections. *Adopted.*

Distinguished representative of the Czech Republic.

Mr. V. KOPAL (Czech Republic) May I return for a while to paragraph 16? It is not paragraph 16 but 17, I apologize. Here is quoted article II of the Outer Space Treaty but it is not quoted completely so that I would like to request in the second line saying 'was not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means' this is the exact wording of the Principle and because this Principle is quoted here in this draft paragraph completely, I would like to correct it in accordance with the language of the Space Treaty.

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

Again paragraph 17 with the correction by Mr. Kopal.

I give the floor to the Secretariat.

Mr. N. HEDMAN (Secretariat) Just to recall from the perspective of the Secretariat. Paragraph 17 reflects what we have drawn from statements so that is one issue. On the other hand, the Czech Republic is entirely correct with regard to the Treaty language, so the Secretariat is just going to read out ...

Mr. Chairman, sorry we will continue, we will get back to this because there are some issues here _____(?) repeated use that was clearly stated in the debate but we have to see how this will fit into the exact language of the Treaty, if we are going to recall that correctly. We will come back to this later on and we will also have this paragraph on the screen.

The CHAIRMAN I thank the Secretariat for the announcement. We will return to this paragraph later.

Paragraph 19. No objections.

Adopted.

Paragraph 20. No objections.

Adopted.

Paragraph 21. No objections.

Adopted.

Distinguished delegates we have now finished this part, we will go back to the other parts that we did not adopt and we will continue this part for adoption, this afternoon.

Distinguished delegates I will now adjourn this meeting. Before doing so I would like to inform delegates of our schedule of work for this afternoon and tomorrow morning.

We will meet promptly at 3 p.m. At that time we will continue and hopefully conclude our consideration of agenda item 12, proposals to the Committee on new items to be considered by the Subcommittee. If the documentation is available in all languages, we will proceed with the adoption of the remaining part of the report of the Legal Subcommittee.

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

I give the floor to the Secretariat for an announcement.

Mr. N. HEDMAN (Secretariat) Just an announcement to remind delegations that at 2 p.m. in room M7 there will be informal consultations headed by the Chair of the Subcommittee on the proposal by the Czech Republic for a new agenda item related to space debris mitigation guidelines. So 2 p.m. in room M7 in this building.

While I am having the floor, just to inform delegations that, this afternoon when we come to this particular agenda item on the adoption of the report of the Subcommittee, we will continue with the document Add.1 that we have started considering this morning, we will go back to the remaining paragraphs to be adopted. At the current status, we do not have the other parts of the report available in all languages. We have submitted all parts of the report for editing and translation of course with a view that there might be

additional paragraphs after the consideration this afternoon under agenda item 12 but the remaining parts of the report will be available tomorrow morning. Tomorrow morning we will also have the adoption of the working group report under agenda item 11. Thank you.

The CHAIRMAN I thank Dr. Hedman of the Secretariat for the announcement.

Distinguished delegates, this meeting is adjourned until 3 p.m. today.

The meeting closed at 12.58 p.m.