

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

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906<sup>th</sup> Meeting

Friday, 17 April 2015, 3.00 p.m.

Vienna

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*Chairman: Mr. K-U Schrogl (Germany)*

*The meeting was called to order at 3.08 p.m.*

**The CHAIRMAN:** Good afternoon distinguished delegates, I now declare open the 906<sup>th</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This afternoon we will continue our consideration of agenda item 3, General Exchange of Views. We will continue and hopefully suspend our consideration of agenda item 6, Matters Relating to (a) the Definition and Delimitation of Outer Space, pending the adoption of the report of the Working Group on the Definition and Delimitation of Outer Space, and continue and hopefully conclude our consideration of agenda item 6(b), Matters Relating to the Character and Utilization of the Geostationary Orbit. We will then continue our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space, and begin our consideration of agenda item 13, Proposals to the Committee for New Items to be Considered by the Subcommittee.

We will adjourn the plenary meeting so the Working Group on International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space can hold its first meeting.

**General exchange of views (agenda item 3)**

Distinguished delegates, I would like now to continue our consideration of item 3 on our agenda, General Exchange of Views.

The first speaker on my list is the distinguished delegate of Venezuela. Mr. Castillo, you have the floor.

**Mr. M. CASTILLO PARRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you very much Mr. Chairman. On behalf of the delegation of the Bolivarian Republic of Venezuela, allow me to commend you and the team accompanying

you in the Bureau upon your work chairing the Subcommittee and wish you the best of success in the working days to come.

Our delegation fully aligns itself with the statement delivered by the G77 and China and with the statement made by GRULAC, made respectively by the delegations of Chile and of Colombia.

Mr. Chairman, the Bolivarian Republic of Venezuela strictly upholds the international legal principles that underpin the peaceful exploration and use of outer space and thus seeks to progressively develop national legislation in this area, in keeping with local needs.

In keeping with the technological degree of the space programmes that are to be implemented, we are accordingly reviewing a draft law that has been prepared in the context of the executive law under the aegis of the President of the Republic, a draft law which has been prepared in keeping with the recommendations to be found in document A/AC.105/C.2/L.289 concerning national legislation regarding the peaceful exploration and use of outer space developed by this Legal Subcommittee.

While we do not have national legislation in this area, the Venezuelan Government has undertaken a set of governmental actions governed by a legal framework that is aimed at gradually consolidating actions in this area and space institutions nationwide, thus ratifying in our National Constitution in Article 11 the character of the common heritage of mankind of outer space and thus abiding by the rights that may arise accordingly in these areas, as determined by international agreements.

Space institution-building in Venezuela comprises a Space Agency that was established in 2007, that is the Bolivarian Agency for Space Activities, ABAE, as it is known. This is an autonomous institute which operates under the aegis of the Ministry for Public Power for University Education, Science and Technology and which

operates as the Executive Branch for the Policies and Guidance established by the National Executive Branch in this area and which is responsible for the technological progress achieved by our nation in the field of space.

In this area, we would like to highlight the implementation of the VENESAT-1 Programme, the Simón Bolívar satellite, which was undertaken in cooperation with the Popular Republic of China. The Venezuelan satellite platform is running at 100 per cent of its nominal capacity of designer contributes to the dissemination of cultural values as well as education and health. It helps provide rural telephony services, Internet, remote health programmes and education, in addition to the dissemination of radio and television broadcast signals on the national level. Moreover, coverage across the Caribbean and South America contributes to enhancing Latin American and Caribbean integration as well as international cooperation throughout the region.

Following three years of successful operation of the remote sensing Venezuelan satellite, Miranda, VRSS-1, enhances the governance of the Venezuelan State in strategic areas such as urban planning and agriculture, health, energy, food security, socio-natural risk management, border surveillance, illicit crop monitoring, as well as the sustainable use of natural resources, *inter alia*.

In the same vein, in order to promote and stimulate scientific research and technological development in space affairs, we are continuing our cooperation in the implementation of institution-wide projects, amongst which we would highlight the project for the Research and Development Centre which produces small satellites, seeking to promote space technology through the consolidation of scientific networks that are linked to space sector, thus promoting research in various cross-cutting areas such as science and commodities, electronics, chemistry, telecommunications, education, IT, geomatics and geophysics, amongst others.

Among the achievements attained in this area this year, we would highlight the following as a result of ongoing cooperation with the Peoples Republic of China in October 2014. A new Agreement was signed with China in order to design and manufacture the second remote sensing satellite, VRSS-2, SUCRE, with the involvement of Venezuelan professionals in the construction of the space platform. VRSS-2 will be up and running in 2017 before VRSS-1 Miranda has reached the end of its useful life.

And as a further important attainment this year, we are pleased to inform you that the Space Agency provided a course entitled "Space Project Management in Argentina and Bolivia during May and June of 2014, with the support of the National Space Activity Committee of Argentina and the Bolivian Space Agency. This training included modules on international cooperation on the use of outer space for peaceful purposes, as well as the process for ensuring the space sector, as well as a module on United Nations treaties pertaining to outer space, amongst others.

Mr. Chairman, addressing the items on the agenda of this Subcommittee, our delegation is of the view that there is a need to enhance interaction with the Scientific and Technical Subcommittee in order to promote the development of internationally binding norms and standards that will address critical issues such as the use of nuclear energy sources in outer space and space debris, *inter alia*. Recalling that one of the main responsibilities of the United Nations in the legal sphere is to promote the progressive development of international law and its regulation, in this regard, in connection with the environment of outer space.

Furthermore, we also consider necessary the revision and updating of the five United Nations treaties on outer space with a view to strengthening the key principles that serve to govern the space activities of space, in particular the peaceful use and access to outer space in an equal manner, free from discrimination and in an equitable manner, enhancing international cooperation and ensuring that space technology is at the disposal of all peoples.

Accordingly, our delegation ratifies its position as regards the fact that the legal regime applied to outer space does not in itself guarantee that an arms race in outer space can be prevented and, therefore, it is necessary that appropriate and efficient measures be adopted that will prevent an arms race in outer space.

The current lack of definitions and the absence of regulation in the areas aforementioned will make it impossible to maintain the current peaceful condition of outer space and, in the medium-term, will impede the space activities of States.

To conclude, allow me, Chairman, to underscore that the Bolivarian Republic of Venezuela reiterates its commitment to the peaceful use and exploration of outer space, as well as the principles established by the General Assembly regarding equal access, free from discrimination to outer space in equitable conditions for all States regardless of their

level of scientific, technical or economic development, as well as to the non-appropriation of outer space, including the Moon and other celestial bodies, through sovereignty claims, *inter alia*, the use, occupation or any other means, as well as to the non-militarization of outer space and its exploitation for the sole purpose of improving living conditions and consolidating peace on this planet, as well as regional cooperation in order to enhance space activities.

Finally, in the greatest optimism, our delegation encourages States to focus on those critical aspects that currently jeopardize space activities in order to thus create, update and modify existing international space law and to thus continue with the progressive development of international law and its regulation.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished delegate of Venezuela for his statement.

The next speaker on my list is the observer of the Secure World Foundation. Mr. Johnson, you have the floor.

**Mr. C. JOHNSON** (Secure World Foundation): Mr. Chairman, distinguished delegates, I would like to take this opportunity today to introduce a new initiative that the Secure World Foundation began this year, one we believe will be a significant complement to the work of this Subcommittee. The space domain is currently experiencing a rapid increase in the number and the diversity of actors involved in space activities. More than 70 States, commercial companies and international organizations currently operate more than 1,200 satellites in Earth orbit. These activities provide a wide-range of socio-economic benefits, driven by the commercialization of space technology and the lowering of barriers to participate in space activities. The growth in the number of space actors is accelerating and the increased availability of space technology and space capabilities has both advantages and disadvantages. On the positive side, the broadening field of actors in space is driving innovation, lowering costs and bringing the beneficial capabilities and services of satellites to larger groups of people around the world.

However, the growth in space activities and the influx of new actors has the potential to exacerbate many of the current threats to the long-term sustainable use of space, such as on-orbit crowding, radiofrequency interference and the proliferation of space debris and the chances that an incident in space

might create or escalate geo-political tensions on Earth. It is vital that the space community finds ways to maximize the potential positive benefits and minimize the negative consequences of this trend in increasing and diversified space activities. This Committee's current effort to develop a set of best practice guidelines to promote the long-term sustainability of space activities is an important step towards achieving this goal.

Today, I would like to announce that Secure World has initiated a new project to develop a handbook for new actors in space. The publication of this handbook will serve the goal of sustainable space activities. We have identified two categories of new actors. They are the primary audience for our publication: States developing national space policies and regulations and start-up companies, universities and other non-governmental entities beginning their first foray into space activity. The goal of this handbook, which will be made freely available and not sold for profit, is to provide both of these groups of new actors with a broad overview of the fundamental principles, laws, norms and best practices for the peaceful, safe and responsible activity in space. The handbook will be inter-disciplinary in nature, linking information and perspectives across legal, policy and technical disciplines. Where possible, it will provide selected concrete examples of how existing actors have approached various issues and highlight differences between existing practices and solutions.

Over the next year, Secure World will be working with governments, satellite operators, academia and civil society to develop the content of his handbook. Our goal is to make it clear, concise and useful resource that will be understandable to new actors and reflect the knowledge the space community has developed over the last six decades of activities in space. The publication will be available in both printed and electronic forms and eventually our website will have more detail and links to other resources.

As part of the process of developing this handbook, we will be soliciting feedback from the space community on topics and content at various stages throughout the year. Today, every delegation to this Committee received in their pigeonholes a printed copy of a detailed outline of the handbook which includes the overall structure and topics that we currently plan to include in the handbook. An electronic copy is also available on our website at [www.swfound.org/handbook](http://www.swfound.org/handbook). We welcome any and all feedback. Feedback can be provided to me, Chris Johnson, in person, over the course of this week or it can be submitted electronically through a form on our

website at the link I provided. Your feedback is essential to ensure that no important perspective or issue is overlooked as we prepare a document that we hope will be a fundamental resource for new entrants into the realm of space activity.

We hope you engage in a continuing dialogue with this Committee and other stakeholders over the course of the year as we refine the handbook outline and develop the content. We are open to suggestions for enhancing the use of this handbook as well as opportunities to partner with other organizations and experts to help make it a useful tool for promoting space sustainability.

Mr. Chairman, distinguished delegates, thank you for your time and we look forward to hearing your feedback and engaging with you further on this important issue.

**The CHAIRMAN:** I thank the observer of the Secure World Foundation.

Are there any other delegations or observers wishing to speak under agenda item 3, General Exchange of Views?

I see none.

So we will, therefore, continue and hopefully conclude our consideration of agenda item 3, General Exchange of Views, on Monday morning.

**Matters relating to (a) the definition and delimitation of outer space, and (b) the character and utilization of the geostationary orbit (agenda item 6)**

Distinguished delegates, I would now like to continue and hopefully suspend our consideration of agenda item 6, Matters Relating to (a) the Definition and Delimitation of Outer Space, pending the adoption of the report of the Working Group on the Definition and Delimitation of Outer Space, and continue and hopefully conclude our consideration of agenda item 6(b), Matters Relating to the Character and Utilization of the Geostationary Orbit.

The first speaker on my list is the distinguished delegate of Venezuela speaking on agenda items 6(a) as well as 6(b). You have the floor.

**M r. M. CASTILLO PARRA** (Bolivarian Republic of Venezuela) (*interpretation from Spanish*): Thank you very much Mr. Chairman. The delegation of the Bolivarian Republic of Venezuela considers that

while it is true that, to date, no legal controversy has arisen amongst States as regards the delimitation of outer space. We must take into account that the accelerated pace of technological progress, the progressive increase in outer space activities of States, the commercialization of outer space and the increased participation of the private sector in the outer space underscore the need for clear and specific rules that will make it possible to establish the delimitation between air space and outer space and thus identify the legal regime that is applicable to air space and to outer space.

We are aware that the range of positions of member States on this matter will make it difficult to agree upon a definition that meets the expectations of all States and that is why this delegation deems it necessary for this matter to remain under discussion and analysis here in this Subcommittee in order to reach consensus-based agreements so that in the future we will have legal instruments that will provide legal certainty to States regarding their sovereignty and air space, thus guaranteeing the full freedom of use of outer space, as contained in the current Principles.

Thank you very much Chairman.

I would now like to address agenda item 6(b). The delegation of the Bolivarian Republic of Venezuela reiterates its compliance with, and respect for, the principle of freedom of access to outer space in equal conditions for all States without discrimination, and, in particular, in order to promote the equitable and rational use of the various orbital positions that host artificial satellites.

We should pay particular attention to ensuring equitable access of all States to the orbital spectrum resource in the geostationary orbit, given its potential for the implementation of social benefits to benefit the most vulnerable populations through education projects and through the provision of medical assistance, as well as a means in order to ensure their access to information and communication technologies, thus enhancing their connections to necessary information sources in order to thus strengthen social organizations and in order to make it possible to disseminate and exchange knowledge without the involvement of commercial interest.

That is why our delegation is of the view that given that the various orbital positions are a natural limited resource, the use of these positions must be equitable and rational and, therefore, the method that is used in order to allocate frequencies is of the utmost importance which can be upheld and guaranteed if we

can ensure respect for a legal regime pursuant to international principles and treaties, and, taking into account the needs of developing countries.

To that end, in order to ensure the peaceful and sustainable use of the geostationary orbit, we deem it necessary that the examination of this agenda item continue within COPUOS and that it remain on the agendas of its two Subcommittees, in a fully inter-State forum, through the establishment of task forces, working groups or inter-governmental panels, should these prove necessary to that end.

Thank you very much Chairman.

**The CHAIRMAN:** I thank the distinguished delegate of Venezuela for his statements.

Are there any other delegations wishing to speak under agenda item 6? This is the last opportunity to do so.

I see none.

So, therefore, we have concluded and suspended our consideration of agenda item 6(a), Matters Relating to the Definition and Delimitation of Outer Space, pending the adoption of the report of the Working Group on the Definition and Delimitation of Outer Space, and concluded our consideration of agenda item 6(b), Matters Relating to the Character and Utilization of the Geostationary Orbit.

#### **Review of international mechanisms for cooperation in the peaceful exploration and use of outer space (agenda item 12)**

Distinguished delegates, I would now like to continue our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

So far I have no speaker on my list. Are there any delegations wishing to speak under this agenda item, 12?

I see none.

So we will, therefore, continue our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space, on Monday morning.

#### **Proposals to the Committee on new items for consideration by the Subcommittee (agenda item 13)**

Distinguished delegates, I would now like to begin our consideration of agenda item 13, Proposals to the Committee on New Items for Consideration by the Subcommittee.

As delegations are aware, under this agenda item, we will consider a number of elements, as I briefly outlined this morning. I propose that we will consider those elements in the following order.

We will first deal with UNISPACE+50. We will then move to concrete proposals and we will tackle as the first one the proposal by Germany to restructure the work of the Legal Subcommittee, contained in document L.293/Rev.2. We will then tackle, and I put these proposals in a chronological order, the proposal by Germany on a new single issue item for discussion on space traffic management, which is CRP.13, and then we will discuss the proposal by Brazil on small satellite activities, contained in document CRP.23. So this will be the package on concrete proposals.

Then as a third element of our discussion, we will turn to the evaluation of the use of digital recordings and this rests on that the Subcommittee shall, at this session, make an evaluation of the use of digital recordings, as it is contained in document L.282. And on Wednesday, next week, in the morning, when we resume our consideration under agenda item 13, the Chief of Conference Management Services will update the Subcommittee on the use of digital recordings.

And the fourth element of this agenda item will be organizational matters.

So four steps under which we will discuss this agenda item and I hope you have all the documents which I have read out at hand to engage in a discussion on these items.

Now, let us turn to the first step and this is UNISPACE+50.

Delegations will recall that at our 899<sup>th</sup> meeting on Tuesday, 14 April, the delegation of Canada proposed that the Note by the past, present and incoming Chairs of the Committee on the Peaceful Uses of Outer Space entitled "2018 UNISPACE+50: Theme of the Scientific and Technical Subcommittee, the Legal Subcommittee and the Committee on the

Peaceful Uses of Outer Space”, as contained in CRP.10. We also discussed under the agenda item 13, the incoming Chair of the Committee made a presentation of this Note and I also called delegations attention to the report of the Working Group of the Whole of the Scientific and Technical Subcommittee, in the report of the Subcommittee at its fifty-second session this year, contained in document 1088/Annex.1, paragraphs 2-4.

To start the discussion on this area, I would like to give the floor to the incoming Chair of the Committee, Mr. Kendall from Canada. You have the floor.

**Mr. D. KENDALL** (Canada): Thank you Mr. Chairman. I hope everybody does have the document CRP.10 in front of them. I will not read it in detail given that, I hope, people have had a chance to look at the various points that we are proposing for this UNISPACE+50 theme. I will, however, focus on paragraph 7 of the background document which is found on Page 3 so I will not go through the rationale for why we are looking at this particular aspect of the 2018 session because I would like to spend the limited time we have trying to encourage you to provide some feedback if you and some comments on the structure that is proposed. Of course, there will be time for you to provide either written comments or further comments to either myself, my colleagues Mr. Oussedik and Mr. Horikawa or the Secretariat at any time but I would hope that you might have some initial ideas that can help us frame this theme during this session.

If we look at paragraph 7, I will go through the initial ideas that we have come up with and just to set in context where the planning stage is, which is, I would like to repeat again, very early in its formulation.

So it is clear that the format for 2018 requires a different and more simplified approach and for the past major conferences, due to the current nature of space affairs and the financial situation. Thus, the following main structure is proposed and I would like to emphasize the word “proposed” here.

Number one, the Group of Bureau Members, that is the so-called G15, including Working Group Chairs of COPUOS, the Scientific and Technical Subcommittee and the Legal Subcommittee, along with the Director of the United Nations Office for Outer Space Affairs, serve as a Steering Committee for the preparations of 2018 UNISPACE+50.

Number two, the sessions of the Scientific and Technical Subcommittee, the Legal Subcommittee and the main COPUOS Committee in 2018 will not change in duration and format for the purpose of the 2018 agenda. There will be no additional cost for servicing those bodies in 2018.

Point three, each intergovernmental body should address the overarching theme of UNISPACE+50 under their respective agendas and States members of the Committee and Permanent Observers would be encouraged to address certain thematic priorities under this overall framework to be agreed in the preparatory years 2015-2017, and we will get back to the so-called thematic priorities in a minute.

Number four, all member States of the United Nations and the broader space community, including United Nations entities, other intergovernmental and non-governmental organizations and the private sector, should be invited to participate in a dedicated commemorative segment of COPUOS in June 2018. I would like to add that we have not yet come to any conclusion on what this dedicated commemorative segment should be and what its structure should be.

Point number five, the report of COPUOS to the General Assembly in 2018 could be labelled under the theme and a dedicated General Assembly resolution or declaration could be adopted in 2018.

Point number six, the next Secretary-General Report and the United Nations Space Inter-Agency Coordination Mechanisms will be issued in 2016 and could look into how United Nations system entities interact with each other and other stakeholders in supporting global governance of space activities. The Report could serve as an input to 2018.

So as you can tell, that is a very general set of statements. There is really no meat in the statement. It is just some general principles that could be proposed.

Now let us go back to the thematic priorities, and here we go to the Report 1088, which, of course, is the report of the Scientific and Technical Subcommittee, which did come up with a few ideas, as the Chairman of the Legal Subcommittee has commented on. And so you will find these in Annex 1, paragraphs 4. So some of the ideas that have been suggested that could be considered include cross-cutting topics and there is a list of them there, governance, including the United Nations treaties and principles on outer space, etc., capacity-building, including activities of member States of the Committee, etc., resiliency, including matters related to

the ability to depend on space systems, interoperability, including work done by the International Committee on GNSS and other coordination mechanisms, and space for sustainable development, including consideration of the contribution of the Committee to the United Nations Conference on Sustainable Development, etc.

So those are just some general ideas that have been developed through an initial contact or initial presentation to the other Subcommittee, the Scientific and Technical Subcommittee, and clearly what we are looking for now is from you, members of the Legal Subcommittee, if you have any suggestions, proposals, ideas, ways forward that we can now take as the G15 and develop into a fuller set of thematic priorities, a first draft which could be developed, at least shared with the main Committee in June.

So with that, Mr. Chairman, I will ask if there any comments, through you, to the Legal Subcommittee.

**The CHAIRMAN:** I thank the incoming Chair of the full Committee for his presentation and the insight into the plans of the three Chairs and the G15 as a whole for this event.

Are there comments by delegates? I invite delegations to comment on the proposal, as outlined in CRP.10, and responding to the request of the incoming Chair for comments.

I see Germany.

**Mr. C.-H. MOELLER** (Germany): Thank you Mr. Chairman. Mr. Chairmen, distinguished delegates, without having any concrete proposals at this time, generally appreciates the initiative of the past, present and incoming Chairs of COPUOS to celebrate the fiftieth anniversary of UNISPACE-I held in 1968. We consider this anniversary a very important date, not only with regard to UNCABUS(?) which should be recognized adequately and which could contribute if wisely used to the further development of space law in the UNCABUS institutions.

Further discussions and the format of such an event as well as the respective role of the United Nations Office for Outer Space Affairs will be of great interest to the German delegation.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Germany for this comment.

I see you, the United States.

**Mr. K. HODGKINS** (United States of America): Thank you Mr. Chairman. Mr. Chairman, my delegation is extremely pleased with CRP.30 and the initiative that the three Chairs have taken on what we consider to be a very important event and that it could yield highly useful results. We do appreciate the thematic or the themes that our distinguished colleague from Canada had laid out, space for sustainability, interoperability, capacity-building, governance and resiliency. These five themes really encompass the work that the Committee and its Subcommittees have done over the past decades and I think this is a useful way of organizing how we approach UNISPACE+50.

I would like to make just one other general suggestion and that is perhaps we can think of how we highlight the work that will be conducted under the Working Group considering the international mechanisms. Perhaps, given the fiftieth anniversary of the Outer Space Treaty in 2017 and the fact that from the first UNISPACE of 1968, the ways that States and international organizations have interacted in terms of cooperation has evolved and perhaps we can consider taking, what I would say, a further focused look at that idea and incorporate that into our work that will culminate in the fiftieth anniversary of the first UNISPACE Conference.

The other suggestion is more organizational and that is we might want to consider using the Monday and Tuesday of the first week preceding the beginning of COPUOS which begins on Wednesday as kind of a fitting time to have a broader celebration of UNISPACE+50, in that we might want to make this open to all member States of the United Nations as well as civil society and perhaps there is some way we can organize an event or events along those lines and then that would allow us beginning on that Wednesday to conduct the regular work of the full Committee.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of the United States.

Next is the distinguished delegate of Brazil.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman. Brazil would like to commend the initiative of the past, present and future Chairs of the Committee and Subcommittees, as you said the G15, and we associate ourselves with the delegations that have spoken before us in support of this initiative. Perhaps

we should consider the possibility of an initiative that would be open to all United Nations members, even non-COPUOS members, as a means of showing them the work that is currently under way, and encourage, increase membership. I think this is a momentous, it is a milestone and milestones are very good for that, they carry strong symbolic value and we could perhaps invite member States of the United Nations that are not yet members of COPUOS to indicate they would be most welcome here.

Thank you.

**The CHAIRMAN:** Thank you Brazil for this additional proposal.

Are there other delegations wishing to speak?

Yes, I see the Netherlands.

**Mr. H. VAN DEN OOSTERKAMP** (Netherlands): Thank you Chairman and thank you especially also the incoming Chairman for this initiative. We think it is very worthwhile and we would like to support the United States in its statement to also an international mechanism as a subject. And what has been said by Brazil, we also support and also invite member States who are not yet members of COPUOS.

**The CHAIRMAN:** OK, thank you Netherlands.

Italy.

**Mr. S. MARCHISIO** (Italy): Thank you Mr. Chairman. The Italian delegation would like to reiterate its support for this initiative. It was done during the Working Group of the Whole of the Scientific and Technical Subcommittee in February 2015. We are open to all suggestions concerning the format of this initiative but we are sure that it will really improve the visibility of the COPUOS and its work and its outcome.

Thank you.

**The CHAIRMAN:** Thank you Italy.

Are there other delegations?

I would like to draw a conclusion already today on this topic since the incoming Chair will not be available next week. So are there any other delegations wishing to speak?

Then I would suggest the following as a conclusion and the decision by the Legal Subcommittee. The proposal was developed and first brought up and discussed at the Scientific and Technical Subcommittee. Now it has been put before the Legal Subcommittee and it will then be possibly revised and updated as a full proposal also in all official languages, put before the main Committee meeting for a final decision. What we have been requested is to give our general impression and the perspective and the view of the Legal Subcommittee and this has been done in particular by mentioning the one Work Plan which is scheduled to be finalized shortly before that date to consider also the outcome of this Work Plan and we have heard additional ideas which have to be considered by the main Committee as taking Monday and Tuesday before the meeting as kind of open days, added with the proposal of opening that also to member States of the United Nations not being members of the COPUOS. And we are still asked as the Legal Subcommittee of further providing input what, from the legal perspective, might be issues and topics to be discussed and to be reflected but I understand we will still have time as the Legal Subcommittee to come up with such ideas in the course of 2016 and maybe even 2017.

So from what I have heard, I think the Legal Subcommittee endorses the proposal as outlined in CRP.10 where additional proposals which will be reflected I am sure by the incoming Chair for the final document to be presented at the main Committee meeting and he will also or might consider to bring to the attention and for the decision of the main Committee meeting the ideas regarding Monday and Tuesday plus the opening to other member States of the United Nations not being members of the United Nations COPUOS.

Is this the basis for our decision on this proposal?

I see no objection.

*It is so decided.*

Let me know turn to what I characterized as the second part of this agenda item and this is the concrete proposals which we have received under this agenda item 13 and I will deal with them in the chronological order of their submission.

The first item we have to deal with is the German proposal on the renewal of the structure of the agenda and the organization of work of the Legal Subcommittee which was presented at the last session

of our Subcommittee and which is contained in document L.293/Rev.2.

And I would like to give the floor to the German delegation to make an introduction to this paper.

**Mr. C.-H. MOELLER** (Germany): Mr. Chairmen, distinguished delegates, as I already mentioned on Monday in my general statement, the German delegation continues to be convinced that its proposal for a renewal of the agenda structure and organization of the work of the Legal Subcommittee would be, if adopted, a significant contribution to increase the Subcommittee's efficiency while at the same time maintaining and strengthening the Legal Subcommittee as the main intergovernmental forum to develop space law.

We are very grateful for the support received so far and we appreciate the constructive comments, questions and suggestions for amendments received by some delegations during last year's and during this year's session of the Legal Subcommittee as well as in the intersessional period.

Our proposal is still on the table. The latest draft is published under L.293/Rev.2 and we continue to consult with interested, as well as sceptical delegations and those who have asked us for further clarification.

I hope that our ideas and proposals will meet the support of an ever-growing number of delegations and that we will be able to reach consensus on this issue in the very near future.

Thank you, Mr. Chairman.

**The CHAIRMAN:** I thank the German delegation for introducing document L.293/Rev.2 and I should stress that everything we will be discussing now will still be open for discussion next week when we return to this agenda item 13 on Wednesday and on Thursday. It was only for the UNISPACE+50 part where we wanted to reach a conclusion and a decision already today.

I see Brazil has requested the floor.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman. We would like to thank the German delegation for their efforts and praise their courage. They are very brave to advance such a proposal which is always \_\_\_\_\_(?). May I suggest perhaps, if time allows us, which I think it will, that the German

delegation could very briefly highlight the major changes that have been made between Rev.1 and the current format. I mean the main points, not every single point, of course, but the major changes that have been incorporated to the text based on the comments and the discussions we had last year. Would that be possible?

Thank you.

**The CHAIRMAN:** Thank you.

Are there other questions which would be raised?

I will then ask the German delegation whether they would like to respond to this question now or in the next week.

The German delegation.

**Mr. C.-H. MOELLER** (Germany): Thank you Mr. Chairman. I would suggest that we prepare maybe a small presentation for next week and there we can elaborate a little bit in further detail on our proposal.

**The CHAIRMAN:** Thank you German delegation.

Any other remarks or reactions regarding that proposal?

I see Indonesia.

**Mr. SUPRIABU** (Indonesia): Thank you Mr. Chairman. First of all, we would like to thank Germany who prepared the proposal for renewal, of the restructure of the agenda and organization of work of the Legal Subcommittee and part of providing clarifications and explanations.

Second of all, Indonesia shares Germany's view of the necessity of maintaining and strengthening the Legal Subcommittee as the main intergovernmental forum to develop space law, maintaining and making more efficient use of the meeting period and providing all member States to raise and deal with matters of concern and provide a more flexible and substantive mechanism to do so. I believe it is all part of our responsibility as members of COPUOS.

Thirdly, we have been studying the proposal and compared it with the most current document which is Revision 2 and try to see if there any substantial changes. Having said that, we believe that to simplify

the structure may affect the performance and outcome of the two weeks' sessions. However, to simplify the agenda is totally different. I say again, to simplify the agenda is a totally different matter and may not overcome the long-standing problem of the strengthening \_\_\_\_\_(?) in the Portugal(?) agenda item that does have any consensus yet just as definition and delimitation.

In our view, the description of item 3 has the tendency to drive the definition and delimitation of outer space and PS(?) and GSO to be non-binding instruments while, as we know, we do not even have minimum consensus yet about these issues.

Furthermore, related to the agenda that will be considered is reaching its completion after a certain period, our question is, what is the criteria of completion, how can we determine that one agenda reached its completion? Is it just regulation or after achieving certain objectives that we can say the agenda is achieving its completion. If there are no clear objectives, then it is the same with eliminating some issues that may import(?) them to particular countries.

Four, we do not see any more the existence of technical presentations as we have in our normal structure. We feel that the technical presentations are a way for member countries to share their experience and knowledge in a more truly way than just giving a statement. It is a best practice-sharing forum for use in COPUOS so we do not wish to eliminate the technical presentations. Should there be no technical presentations at all from the member States in one session of the Subcommittee, that would be OK but not to eliminate the \_\_\_\_\_(?) itself.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Indonesia for his statement.

Next on my list is the United States.

**Mr. K. HODGKINS** (United States of America): Thank you Mr. Chairman. Mr. Chairman, first let me express my delegation's appreciation to the delegation of Germany for preparing this paper. We know that a great deal of thought has gone into this. We also would like to note that Germany was a driving force several years in restructuring the agenda for the Legal Subcommittee, the format under which we work now and which, I think, has been very effective over the years but we are always open to looking at different ideas on how to improve our work and streamline our deliberations.

My delegation last year had a number of concerns, fundamental concerns about the original proposals. Some of those remain and let me just touch on those, not so much as a criticism but more to at least give food for thought for other delegations.

So introducing the preparatory groups, there are two issues we think that need to be looked at. One is, will we be able to identify a sufficient number of topics for these preparatory groups to look at, beyond what we are already discussing? Secondly, again in reading through the nature of the work of the preparatory groups, particularly if you look at, say, paragraph 28 where it discusses what the report would look like and what it would reflect, it struck our delegation as still being overly academic, if you will, and the Legal Subcommittee is essentially an intergovernmental body. Clearly we want the views of experts outside of governments incorporated in our work. We are just not convinced right now that this should be given this kind of a special standing in the organization of the Subcommittee's work.

The other observation we would like to make is we just want to make sure that whatever restructuring we do undertake that it does not create a burden for the Secretariat and for Conference Services so we have to look at this quite closely. Now with that said, there are some very encouraging proposals here that we would like to touch on.

In paragraph 26, you suggested member States and that Permanent Observers include in their delegations experts from the Scientific and Technical Subcommittee and we think that that is a perfectly sensible idea and maybe that could be highlighted even for next year's work despite what we do with L.293.

The other suggestion that we think we should also look at favourably is expanding the IISL/ECSL Symposium from one half day to two meetings. Again, it would depend on the topics that those two organizations could select to make sure that there is enough substance to consider.

Then in paragraph 14(d), you suggested perhaps we could have the Chairs of the Working Groups of the Scientific and Technical Subcommittee and the Legal Subcommittee on their deliberations and that strikes us as a reasonable idea that we should also consider.

Paragraph 14(e), it is suggesting in some form or another having intersessional work. Now, we have been quite successful with the topic of near-Earth

objects as well as long-term sustainability in organizing intersessional work among interested experts and governments on the margins of other events, such as the IAC. There is no reason if we deem it appropriate and feasible to have intersessional work on some of the topics that the Subcommittee is taking up and maybe again that could be something we could incorporate now in our kind of work procedures for the Legal Subcommittee and leave open that option, particularly for the Chairs of the Working Groups.

In paragraph 19, it is suggested that we streamline the report of the Legal Subcommittee. Now, my delegation is all in favour of that. I do not think it is really a matter of being for or against streamlining, it is really a matter of what member States expect to be reflected in the report of the Legal Subcommittee and, as you know, in both Subcommittees as well as the full Committee, members are free to have their views expressed. Many times these views are expressed on multiple occasions in the report and what I am suggesting is that regardless of L.293, we should be looking at ways of reducing the number of pages in that report. That means necessarily that member States have to use a certain level of discipline in terms of insisting on what views are expressed in the report. And so paragraph 19, I think, is making two points. One is that we want to streamline the report. Then secondly, I think, paragraph 19 and I am not sure, and paragraph 29 also suggested the form and nature of what is reflected in the reports might change whereas we may move from a format where if one delegation or the view was expressed, some delegations expressed the view or it was agreed, we may be going to a different approach where it merely summarizes what the discussions were as opposed to a recounting specific positions, specific statements that were made under the view was expressed, some delegations expressed the view, or it was agreed.

So with that said, Mr. Chairman, we are certainly prepared to look at all possibilities for streamlining and strengthening the work of the Legal Subcommittee.

There is one other point that I would like to make and that is, and again it is something we can decide at this session. Perhaps we should look at giving the Working Groups more time as opposed to having the plenary statements on, say, definition and delimitation, we go directly into the Working Group so the Working Group could have an entire meeting of three hours or it could have the morning and then the afternoon as well. Perhaps this is another way of

encouraging more participation using their Conference Services more efficiently and effectively.

So with that said, Mr. Chairman, thank you.

**The CHAIRMAN:** I thank the distinguished delegate of the United States for his statement.

Are there any other delegations wishing to speak?

As I said, we will continue deliberation on this on Wednesday but I would give the opportunity to Germany to have a quick response on the points which have been raised and also on the procedures.

**Mr. C.-H. MOELLER (Germany):** Yes, thank you very much. I would like to thank all delegations for their valuable comments and questions put forward to us. As I said, we will prepare over the weekend a brief presentation and we will try to cover all the questions raised today and come up with hopefully answers which are fruitful and helpful for you.

Thank you.

**The CHAIRMAN:** Thank you Germany.

We now turn to the concrete proposals which are before us, CRP.13 and CRP.23, and we first deal with document CRP.13 which is, again, a submission by Germany dealing with a proposal for a single issue item for discussion at the fifty-fifth session of the Legal Subcommittee in 2016 on "Exchange of Views on the Concept of Space Traffic Management". The German delegation has the floor.

**Mr. C.-H. MOELLER (Germany):** Thank you Mr. Chairman, distinguished delegates. As the IISL/ECSL Symposium on the occasion of this Legal Subcommittee has demonstrated, there is great demand for the discussion of the issue of space traffic management. Space traffic management is the set of technical and regulatory provisions for promoting safe access into outer space, operations in outer space and safe return from outer space to Earth free from physical or radiofrequency interference.

The United Nations COPUOS Space Debris Mitigation Guidelines, the Report of the Group of Governmental Experts and the Report of the Scientific and Technical Subcommittee Working Group on Sustainable Development, the so-called Martinez Report, could, *inter alia*, form the basis of a space traffic management regime. The finalization of the

sustainable development work in the Scientific and Technical Subcommittee is an excellent point in time for the beginning of an exchange of view on space traffic management under legal aspects and to reflect its potential relevance for the work of the Legal Subcommittee.

The purpose of such a single issue item would be to analyze the concept of space traffic management, how it is already reflected in existing rules of space law, where the open issues are and what consequences the concept would have for the organization and governance of space activities in the future. In particular, the contribution of space traffic management to the safety of space operations for the various space actors, whether already established or entering the space arena now or in the future, could be investigated.

It should be stressed that the proposed single issue item is not intended to develop any legal text, but to reflect the present situation and discussion on that subject matter.

The German delegation made the proposal for a single issue item 2016 on "Exchange of Views on the Concept of Space Traffic Management", published as Conference Room Paper CRP.13, and invite other delegations to discuss the proposal during this session of the Legal Subcommittee. We are pleased to note that the proposal is co-sponsored by Luxembourg.

Thank you very much.

**The CHAIRMAN:** I thank the German delegation.

Are there any delegations wishing to react at this time?

I see Italy.

**Mr. S. MARCHISIO** (Italy): Thank you Mr. Chairman. The Italian delegation would like to support the proposal made by the German delegation for having a single issue item for discussion at the next session of the Legal Subcommittee in 2016 on the "Exchange of Views on the Concept of Space Traffic Management". We agreed that this topic is of extreme interest for our work and a one-year discussion be a good opportunity for improving the definition and concept of space traffic management.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Italy for his statement.

The Netherlands.

**Mr. H. VAN DEN OOSTERKAMP** (Netherlands): Thank you Chairman. We also think like the Italian delegation. It is very worthwhile to put this agenda point for the next Legal Subcommittee so we strongly support it.

Thank you.

**The CHAIRMAN:** I thank the delegation of the Netherlands for his statement.

Mexico has the floor.

**Ms. R. M. RAMÍREZ DE ARELLANO Y HARO** (Mexico) (*interpretation from Spanish*): Thank you very much Mr. Chairman.

With respect to the colloquium that we had on Monday, I had a proposal. I spoke to Ms. Di Pippo concerning the importance of that particular colloquium. I do believe it is important to incorporate it into the work of our Subcommittee so we support this being included on the agenda for 2016.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Mexico for this statement.

Brazil is next.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman. Very briefly, we would like to associate ourselves with the statements of previous delegations. We also support the German proposal and we see it as a topic that will be connected with our own proposal should that, of course, be accepted by this Subcommittee. It is a very important issue and it deserves to be dealt with in this Legal Subcommittee.

Thank you.

**The CHAIRMAN:** Thank you Brazil.

Chile.

**Ms. T. ALVAREZ** (Chile) (*interpretation from Spanish*): Thank you very much Chairman. I just have a question to the German delegation as regards this proposal. It is a single item but we would like to know whether there is going to be a multi-annual work

plan. It seems to me that this is a very interesting topic that will certainly serve to revitalize our discussions as regards the legal consequences that space traffic has, as we saw clearly in the Symposium that took place on Monday afternoon. Given how fruitful these discussions could be, we are wondering, therefore, whether there might be a possibility of considering this as part of multi-annual work or whether this is only to be a one-off single item. That is my question.

**The CHAIRMAN:** Thank you Chile.

The Russian Federation.

**Mr. A. V. KALININ** (Russian Federation) (*interpretation from Russian*): Thank you Chairman. My delegation took the floor with a detailed proposal on this proposal and we would like to express our thanks to Germany once again for this very interesting proposal. We have heard a number of delegations say that they believe this is a promising topic. I would like to assure you that the Russian Federation is also open to discuss this topic. We actively promote safety of space traffic and space traffic management and we see a link between Germany's proposal and the work that has been carried out within the Scientific and Technical Subcommittee on long-term sustainability of space activity.

For our part, it is important to look at how great an interest there is and how great the motivation is among countries, launching countries, to see if this motivation is enough for us to consider having this item on the agenda, space traffic management, as proposed by Germany and then I think it would be important to understand to decide whether this should be just a separate item for discussion or whether we could use its potential more effectively and tie it in with long-term sustainability.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of the Russian Federation for his statement.

Next on my list is Austria.

**Ms. U. KÖHLER** (Austria): Thank you. Austria would like to thank the German delegation for their proposal. I think the Symposium on Monday has shown that there are many interesting questions involved with this issue and we would like to support the German proposal.

Thank you.

**The CHAIRMAN:** I thank the Austrian delegation for this statement.

Next on my list is Algeria.

**Ms. A. BEHIRI** (Algeria) (*interpretation from French*): Thank you Mr. Chairman. My delegation supports the proposal that we have had from Germany. It is all the more welcome given that it does not call for the drafting of a legal text as is stated on the last paragraph of the proposal text.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Algeria for her statement.

Are there any other delegations wishing to speak?

I see Spain.

**Mr. R. MORO AGUILAR** (Spain) (*interpretation from Spanish*): Thank you Chairman. We would also like to express our thanks to Germany for the proposal. This is a very relevant topic. We would like to lend our support to the proposal.

Thank you.

**The CHAIRMAN:** I thank the delegation of Spain for that statement.

Are there any other delegations wishing to speak?

Morocco please.

**Mr. S. RIFFI TENSAMANI** (Morocco) (*interpretation from French*): Thank you Mr. Chairman. As we have already stated during our speech for the general debate this morning, the issue of space traffic management needs to be given very serious consideration and, therefore, we support Germany's proposal.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Morocco for his statement.

I see no other delegations wishing to speak at this stage.

Will the German delegation respond now or shall we hear the other delegations wishing to speak on Wednesday for a further statement?

The German delegation.

**Mr. C.-H. MOELLER** (Germany): I think we prefer to respond on Wednesday. Thank you.

**The CHAIRMAN**: Thank you.

So we will then move to the next concrete proposal on our list which is the proposal by Brazil, contained in CRP.23, the proposal for a single issue item for discussion at the fifty-fifth session of the Legal Subcommittee in 2016 on "Exchange of Views on the Application of International Law on Small Satellite Activities".

I give the floor to Brazil for an introduction of this paper.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman. Mr. Chairman, we see that it is a very important issue, an issue about which many questions remain and more questions seem to be popping up all the time. So these issues were addressed during the Seminar last Monday, the joint Seminar on Space Traffic Management, and, as I mentioned before, this is also interrelated with the whole issue of space traffic management.

As you also know, the delegations also know, very recently we had an event in Prague which resulted in the Prague Declaration on Small Satellite Regulation and Communication Systems that was promoted by the ITU, the International Telecommunications Union. And in that, they addressed a number of questions related to small satellites and urged, as they say, they are the Small Satellite Committee and should comply with applicable international and national laws regulations and procedures indispensable to guarantee the long-term sustainability of small satellite projects, the avoidance of harmful interference and proper management of space debris.

So as we see it, these are all issues. They are directly related to the work we develop here at COPUOS, not only at the Legal Subcommittee, of course, but also here the question of sustainability dealt with by the Working Group on the Long-Term Sustainability of Outer Space Activities.

So we feel that the time is ripe for this Committee to exchange views. It would be important to bring together the perspectives of more developed

countries and countries whose space programmes are just starting and countries in which small satellites play a very important role in building capacity and engaging a younger generation of actors in space activities. So we feel it is very important to strike a balance between perhaps the need for regulation or monitoring of these types of devices and ensure that access through space is preserved.

Very briefly, if I may, I would like just to show what kind of issues we may be dealing with. These are just from websites, you know, a quick search, a Google search reveals this. OK, Pocket Cube launches a do-it-yourself micro-satellite store. So again, it is a great opportunity for arousing interest but it brings a number of questions. We do not know how this is going to happen. And then if you link to that, you have your satellite's journey starts here, democratizing low-cost access through space for planet Earth. We are not suggesting that any of these websites are promoting negative or harmful activities but it is just interesting to see how this is perhaps being advertised and marketed around the world. So we need to know exactly what is happening.

And then there are videos here and you see that this is featured in The Economist, CNN, Wired, New Scientist and Discovery but then again we see here that we have, for example, the Puerto Rico University interested in that so we also see here the role of small satellites in education. And here they describe the cost, etc.

Then there is another website, how to build your own personal satellites. Another one here that says that you can have your own personal satellite for \$300 only and when read about the project, you realize that the author of this website has already raised \$74,000 on Kickstarter so he will be able to pay for a launch and we do not know exactly what will happen to these objects once they are up there.

And finally, we have, for example, a project called "Gally-Up" (?) whose purpose is to make music in space using the energy of the Aurora. The devices will capture that and broadcast that information down to Earth and then we have all these questions related to interference.

So I think these type of initiatives are very interesting but we need to understand what is going on out there and whether the instruments we have today are adequate and they may be but still it would be very interesting to learn of the views of different countries and then, based on this information, we can take the

necessary decisions and decide to move ahead. So that is why we propose a single issue.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Brazil for introducing CRP.23 and providing us with some very interesting examples of what is going on. I just had the idea that we will ask the Secretariat to go around, collect 20 Euros from each of the persons present here and we launch our OSC-CUBESAT. Of course, we have to decide by consensus what the mission of that satellite will be and this might take maybe a few years and we will have a nice multi-year work plan for that purpose.

But returning to CRP.23, may I invite comments on that?

I see Chile.

**Ms. T. ALVAREZ** (Chile) (*interpretation from Spanish*): Thank you very much Chairman. I would like to commend the delegation of Brazil for this interesting proposal, chiefly based, as the Brazilian delegation has told us, on the technological progress that has been made which, in turn, means that there is a need for regulation of the types of debates and discussions taking place in our Subcommittees.

I have a question, a procedural question, if you like. How are we going to address this matter? For example, the Secretariat might circulate a paper among delegations before the next meeting of the Legal Subcommittee, and then there would be replies submitted by the member States? Or is it just going to be an open debate to take place during the session of the Subcommittee based on a paper or a document?

So that is the procedural question we would have on this.

**The CHAIRMAN:** Thank you Chile.

I think I can respond to that because it is of a general nature and it also refers to any other proposal. When we have a single issue, and item for discussion, this is typically one year item and it is an open discussion during the session which will be dealt with in plenary so there will be no establishment of a working group or it will not be put under an existing working group. So it will be a plenary item.

And for the preparation of any such single issue item for discussion, the Legal Subcommittee, in putting that on the agenda, provides guidance on how

the preparation shall happen. So we the item on the non-binding instruments, the Subcommittee has when, at the time of accepting this as a new item, also decided to have a questionnaire for that purpose.

Now, if we decide on space traffic management on small satellites on possibly any other additional item, we will, at the same time, already make clear how the preparation shall be conducted. So I did not see anything in the German proposal on space traffic management which would have required setting up a questionnaire or any request to the Secretariat to provide a document or anything. Now this can be, of course, discussed. We have not decided yet on anything and the same is true then for, let us say, the design of the preparation of the single issue item for discussion on small satellites.

So we are very open in any way of procedure we would like to undertake and the delegation proposing these items together then with the delegations which engage in the debate in drafting then the content of such items are free then to agree on anything to this respect.

Brazil.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman and, if I may add to your comments, we have already received some feedback and suggestions from delegations but we decided not to alter our original proposal because we mentioned that between today and Wednesday, we will receive further suggestions so it is that we will not go through a series of many revisions and not, of course, burden the Secretariat. So it is that you have a final revised version which, hopefully, can be accepted and approved by the Subcommittee.

But we did receive a suggestion which sounded very reasonable of changing a part of our proposal into a questionnaire, namely the section in paragraph 4 which lists possible issues which lists possible issues that could be addressed, that could be of interest to the topic. These items would include the contribution of small satellites through: space education; international cooperation of small satellite activities; small satellites and space debris; the application of registration practices for small satellites, particularly those launched by individuals; ensuring small satellites remain accessible; the applicability of the Liability Convention to incidents related to small satellites; the provision of launch services for small satellites; preventing harmful interference by small satellites; and the impact of small satellite activities on the long-term sustainability of outer space activities.

So we could, if that is what the Subcommittee decides, change them into a questionnaire and perhaps an additional question, Any Other Business, because the idea is that these items that we are suggesting, they were just exploratory, they were a sort of brainstorm. This is not an exhaustive list. There may be other issues that we are not even aware of and in the course of the discussions, delegations identify the need to bring them up.

So perhaps if the delegations feel that this will better guide their responses, we could transform this into a questionnaire.

Thank you.

**The CHAIRMAN:** Thank you Brazil.

Algeria.

**Ms. A. BEHIRI** (Algeria) (*interpretation from French*): Thank you Chairman. We express our thanks to Brazil for the proposal which we have just heard about. We would like, however, to have a little bit more so as to be able to make up our minds about this proposal.

Thank you.

**The CHAIRMAN:** I thank the distinguished delegate of Algeria.

Any other comments? Any delegations wishing to speak?

Germany.

**Mr. C.-H. MOELLER** (Germany): Thank you Mr. Chairman. The German delegation welcomes the proposal by the Brazilian delegation on a new single issue item for the coming year on the subject of exchange of views on the application of international law on small satellites. This topic, as we have seen, is of very great practical importance. We all agree that the Legal Subcommittee should play a leading role in the development of space law and has always been very successful, especially when it concentrated on issues of practical importance. So, therefore, the German delegation would like to support the Brazilian proposal.

Thank you.

**The CHAIRMAN:** Thank you Germany.

The Netherlands.

**Mr. H. VAN DEN OOSTERKAMP** (Netherlands): Thank you Chairman. We also would like to support the proposal which has been made by Brazil. We think there is not only a link with space traffic management but also what has been discussed yesterday on the definition and delimitation of outer space because it was discussed yesterday we also would have to look to the space activities for discussing this subject and the outcome of this subject would also be worthwhile for that discussion.

Thank you.

**The CHAIRMAN:** Thank you the Netherlands.

Italy.

**Mr. S. MARCHISIO** (Italy): Thank you Mr. Chairman. The Italian delegation would like to join other delegations that have expressed their support for the Brazilian proposal. We also think that the time is ripe for discussing such an item.

As for the issue of the questionnaire, I should say that we are not convinced that it is the best way to address the issue but we are open to suggestions of the Brazilian delegation and to the revision of this document that will be presented next week.

Thank you very much.

**The CHAIRMAN:** Thank you Italy.

The observer of the Secure World Foundation has asked for the floor.

**Mr. C. JOHNSON** (Secure World Foundation): Thank you very much Mr. Chairman. As an observer, I will briefly take the floor merely to note my observation on small satellites are exactly the type of new phenomena undertaken by new actors to which the Secure World Foundation is concerned with. It is potentially impacting the long-term sustainability of space activities. As such, efforts such as this single issue item appear particularly interesting and relevant and potentially useful and we would welcome a discussion in the Subcommittee by member States on the application of international law on small satellites and how to mitigate the challenges and how to maximize the benefits that small satellites offer.

Thank you.

**The CHAIRMAN:** Thank you the observer of the Secure World Foundation.

I see a request for the floor from the observer of the ITU.

**Mr. A. MATAS** (International Telecommunication Union): Thank you Mr. Chairman. We welcome also the proposal but, because we are not here next week, I am kindly asking if it is possible when you will draft the final text to add there a note referencing to the ITUR studies as results of resolution 757. I can give it in writing to the Secretariat because, as you know, the WRC-12 instructed the ITU to study exactly the same subject and, in fact, in November this year, we are instructed to report about the results of the studies to the WRC and WRC may take a decision on the small satellites subject. That is why we are ready to report to you but I would like also just not to have a contradiction with these studies, to have also a reference to our effort on this subject.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** Thank you very much. I recall that you referred to that in a previous statement and the Secretariat has duly taken note. Thank you the observer of the ITU.

Any other delegation wishing to speak?

I see none.

Brazil, would you like to react at this stage?

Yes please. You have the floor.

**Mr. A. J. RYPL** (Brazil): Thank you Mr. Chairman. We would very briefly like to thank all the delegations for their support and for sharing our view that this is an important issue and again reinforce that, in fact, it will be willing and available to receive any comments that delegations may have to our work after consulting their capitals or the necessary organizations and then we intend to issue a final version, or a revised version rather, by Wednesday.

Thank you.

**The CHAIRMAN:** Very good. Thank you very much Brazil.

Are there any other concrete proposals for new agenda items which we are not yet aware of, be it work plans or be it single issue items?

I do not see anything. It still could come up but then I would say that we should be prepared for Wednesday to discuss these two proposals, contained in CRP.13 and CRP.23, and from what I have seen and heard, I am confident that already on Wednesday we might come up with a decision. There have been a number of questions which I hope will be responded to on Wednesday. A number of delegations have asked for enough time to refer back to their capitals to get instructions on that but I am confident then that on Wednesday we might find, and I could even say, positive conclusions on these two topics which would considerably enhance the work and the substance of the Legal Subcommittee's activities and work in the year 2016. So we are on a very good path with that.

Let me now turn to the third element of this agenda item and this is the evaluation of the use of digital recordings. As I have pointed out in the outset when we started to discuss this item, you have received an evaluation which is contained in document L.282 and we will hear on Wednesday morning a presentation by the Chief of the Conference Management Services on that. I do not know whether any delegation would like to take the floor already now. I invite you to do so. What I would like to suggest is and what I would recommend to you is that you visit the website of the Office and check out, so to speak, how this works and how you can, at least from my perspective, very easily access this new means which is extremely user-friendly and which is actually of great benefit, I would say, for all the delegations and for everybody and this is also an element, creates transparency, so for everybody using the World Wide Web, trying to get informed about the activities and the work of the Subcommittee.

So are there any questions or any statements at this point in time?

I see none.

So we will then have the presentation by the Chief of the Conference Management Services on Wednesday morning and we will then take a decision. So please be prepared that we will have to take a decision on that.

Fourth element is organizational matters. So any organizational matters you would like to raise further to the proposals that we have heard.

I see none.

So we will then continue our consideration of agenda item 13, Proposals to the Committee on New

Items for Consideration by the Subcommittee, on Wednesday next week.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee so that the Working Group on International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space can hold its first meeting.

Before doing so, I would like to inform delegates of our schedule of work for Monday morning.

We will meet promptly at 10.00 a.m. At that time, we will continue our consideration of agenda item 3, General Exchange of Views. We will begin our consideration of agenda item 11, General Exchange of Information on Non-Legally Binding United Nations Instruments on Outer Space, and we will continue our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

At that meeting, we will hear two technical presentations. First by a representative of the International Association for the Advancement of Space Safety entitled "The Need for International Approach and Framework for New Developing Activities Below 200 Kilometres", and second, by a representative of Japan entitled "JAXA's Examples of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space".

We will then adjourn the plenary meeting so that the Working Group on International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space can hold its next second meeting.

Are there any questions on this proposed schedule?

I see none.

So I now invite the Chair of the Working Group on International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space to hold the first meeting of that Working Group.

The meeting is adjourned until 10.00 a.m. on Monday morning and I wish all delegates a pleasant weekend.

*The meeting adjourned at 4.45 p.m.*