

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

*Script*

897<sup>th</sup> Meeting

Monday, 13 April 2015, 10.00 a.m.

Vienna

---

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

*The meeting was called to order at 10.16 a.m.*

**The CHAIRMAN:** Good morning distinguished delegates, please take your seats. Good morning. I am very pleased to welcome you all to the Vienna International Centre and I now declare open the fifty-fourth session and the 897<sup>th</sup> meeting of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space.

I thank all member States of the Committee for the confidence that you have placed in me as the Chair of the Subcommittee for the period of 2014 to 2015 in furthering the work of the Legal Subcommittee and I assure you of my commitment to the work of the Subcommittee during this session.

I should take this opportunity also to express my sincere appreciation to the Director of the Office for Outer Space Affairs and the Secretariat for its valuable work in preparing for this session.

At the outset, and in view of the decision by the General Assembly, please allow me to welcome Luxembourg as a new member of the Committee. Where is Luxembourg? Luxembourg? Maybe we will be joined by Luxembourg at a later stage.

**Adoption of the agenda**

Distinguished delegates, we shall now proceed with the adoption of the Agenda.

We have before us for approval and adoption, the Provisional Agenda for the session, contained in document L.295. The provisional agenda has been prepared on the basis of the agreement reached at the 2014 session of the Committee and was subsequently endorsed by the General Assembly in resolution 69/85 of 5 December 2014. Please note that the annotations are not part of the Agenda and that there is an indicative schedule of work in the Annex of that document.

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

*It is so decided.*

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

Distinguished delegates, with respect to the participation of non-members in the session, I have received communications from the following member States of the United Nations: the Dominican Republic, El Salvador, Israel, Oman, Panama, Qatar, Sri Lanka, the United Arab Emirates and from the following international organization, the European Union. They are requesting to participate in the meetings of the current session of the Legal Subcommittee as observers.

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

If there is no objection, we will proceed accordingly, and I do not see any objections.

*It is so decided.*

Distinguished delegates, I recall for your information the application of membership in the Committee received from Qatar, El Salvador, Sri Lanka and the United Arab Emirates, as well as Oman, as contained in Conference Room Papers 3, 4, 5, 6 and 7 respectively. The Committee at its fifty-eighth session in June will consider these applications.

**Chair's remarks**

Distinguished delegates, we are this year again in the year of anniversary since the Registration Convention is celebrating its anniversary. The Registration Convention is certainly one of the most

important instruments in the application and implementation of treaty obligations under the United Nations treaties on outer space. The Convention celebrates its fortieth anniversary in this period, given that it was adopted in 1974 and opened for signature in 1975, this is the anniversary, and entered into force in 1976. The Convention, together with the General Assembly resolution 1721 B of 20 December 1961, constitutes the foundation for the registration of objects launched into outer space. The registration regime laid down in those instruments has been a central point of consideration and discussions in the Legal Subcommittee over the years. The complexity of this international regime has been deliberated in more recent times and agreement has been reached on certain important matters that influence State practice on registration.

The Legal Subcommittee has been instrumental in reaching a common understanding on vital concepts and practices, in particular leading to General Assembly resolution 59/115 of 10 December 2004 on the Application of the Concept of the "Launching State" and resolution 62/101 of 17 December 2007 on Recommendations on Enhancing the Practice of States and International Intergovernmental Organizations in Registering Space Objects. Most recently, resolution 68/74 of 5 December 2013 on Recommendations on National Legislation Relevant to the Peaceful Uses of Outer Space, has contributed to this successful task of the Legal Subcommittee.

The registration practice resolution, in particular, has clearly influenced the practice of States in harmonizing registration submissions to the United Nations and is continuously proving its important role in international registration practices. The Office for Outer Space Affairs, in its capacity of maintaining the United Nations Register on Objects Launched into Outer Space, has played a crucial role in promoting registration practice in this regard and is annually updating the Subcommittee on the developments in this field.

I am glad that I was able to contribute to this as Chairman of the Launching State Working Group and, taking over after one year, from Mr. Niklas Hedman, as the Chairman of the Registration Practice Working Group, which led to the mentioned United Nations General Assembly resolutions and also paved the way for the resolution on national space legislation. These three latest Working Groups demonstrate with how much depth and substance the Subcommittee can work and how dedicated and goal-oriented the deliberations can be conducted. We have before us

other issues of concern for all member States and I hope that this spirit from these three finalized Working Groups can be maintained in our present and in future sessions.

Returning again once more to registration, I should state that the global space agenda is evolving, and not least in connection to the ongoing deliberations on transparency and confidence-building measures in outer space activities, we note the relevance of this overall registration regime in discussions on the sustainable use of outer space and the safety of space operations.

Distinguished delegates, in this connection, I would like to remind delegations of operative paragraph 15 of General Assembly resolution 69/85 on the Consideration of the Committee on the Peaceful Uses of Outer Space, at the upcoming fifty-eighth session in June, of the broader perspective of space security and associated matters that would be instrumental in ensuring the safe and responsible conduct of space activities. In this context, States members of the Committee have been invited to submit their views on the report of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, contained in document A/68/189.

As agreed by the Committee at its fifty-seventh session in 2014, the contributions of States members of the Committee should be made available at this year's sessions of both Subcommittees. Consequently, delegations have before them at this session, for information, the submissions made available so far in official document A/AC.105/1080 which contains submissions by Germany and the United States, and Addendum.1 to that document which contains a submission by Italy. The contribution of the Russian Federation received during the session of the Scientific and Technical Subcommittee is in process and I encourage other States members of the Committee to submit contributions as soon as possible in order to secure timely processing in all official languages.

### **Working groups**

Distinguished delegates, I would now like to draw your attention to the work we have before us at this session.

We will reconvene three Working Groups: the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space; the Working Group on the Definition and Delimitation of

Outer Space; and the Working Group on the Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

As you will note from the annotations to the Agenda just adopted in document L.295, that there are several documents prepared for this session, both for consideration in the respective Working Groups and under other agenda items and you have a number of those documents provided in the package before you at each seat. You will, in addition, receive a number of Conference Room Papers during the course of this session.

Distinguished delegates, we should now proceed by reconvening our Working Groups at this session in order to allow for the Chairs of the respective Working Groups to begin their work.

The following Working Groups should be reconvened under their respective Chairs.

Firstly, the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space, under the chairmanship of Mr. Jean-François Mayence of Belgium. Second, the Working Group on the Definition and Delimitation of Outer Space, under the chairmanship of Mr. José Monserrat Filho of Brazil; and thirdly, the Working Group on the Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space, under the chairmanship of Ms. Setsuko Aoki of Japan.

If I hear no objections, may I take it that the Subcommittee wishes to reconvene these Working Groups under their respective Chairs?

*It is so decided.*

I wish Mr. Jean-François Mayence, Mr. José Monserrat Filho and Ms. Setsuko Aoki the very best of luck in their endeavours at this session.

### **Organizational matters**

Distinguished delegates, with respect to organizational matters, as in the past, the indicative schedule of work annexed to the Agenda, which was adopted by the Subcommittee earlier this morning, will be as much as possible, followed in a flexible manner and can be adjusted as we proceed with our work. General Assembly resolution 32/71 requires that members of each United Nations body be informed at the beginning of each session of the resources available to it.

Please be informed of the arrangements made for this session of the Legal Subcommittee. Assigned conference meeting rooms include Board Room D and Meeting Rooms C2, C6, C0713/15, C0739 and C0727 on the Seventh Floor of this 'C' Building, and Meeting Rooms C0417, C0419, C0427, C0429, C0431, C0433 and C0435 on the Fourth Floor of this Building, as well as Meeting Room E0953 in the 'E' Building.

Simultaneous interpretation in Arabic, Chinese, English, French, Russian and Spanish and sound recordings will be provided for the plenary meetings in all the languages referred to above.

Please note that, in the annex to this resolution 56/242, the General Assembly adopted guidelines on limiting the duration of meetings, including the following. Meetings should normally be held during regular meeting hours, namely, from 10.00 a.m. to 1.00 p.m. and from 3.00 p.m. to 6.00 p.m., on working days, and intergovernmental bodies should undertake a review of their meeting patterns and reporting cycles and, in coordination with Conference Services, adjust their meeting requests for subsequent sessions accordingly.

In addition to the above, financial and capacity constraints in Conference Services coincide with a trend of increasing demand for both meeting and documentation services. The existing capacities cannot accommodate more additional workload. There is a need to adhere more strictly to guidelines on providing interpretation, meeting and documentation services. In particular, *ad hoc* meetings, informal consultations, meetings beyond regular hours, or on non-working days will not be serviced. The Conference Management Service has introduced a number of efficiency measures, such as increased outsourcing, fully electronic document processing, reduced overtime and night-shift and intensive editorial report drafting assistance.

Therefore, close coordination and cooperation between delegations, the substantive Secretariat and Conference Services is even more important. Our colleagues in Conference Services will do their best to deliver to us, as they did in the past. With timely submission of all in-session documentation, they will deliver as much as possible, documentation in all six official languages. However, due to the constraints already mentioned, some documentation may only be available for the afternoon closing session unedited or in English only, depending on how late it was submitted for processing.

On your behalf, I would like to assure the Secretariat that they can count on the usual good cooperation and understanding of delegations in keeping submission deadlines. And with that, I trust we will bring this session to a successful closing.

Delegates are reminded of the General Assembly's request to cut down the length of reports issued by the Secretariat, including the reports of intergovernmental bodies. Since the Secretariat continues to be pressured to further reduce the length of our reports, measures will be taken in accordance with guidelines issued by the Secretary-General towards achieving this. I give you assurances that this will be done without affecting quality or content of the report and, therefore, request your understanding and support in this matter.

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

Distinguished delegates, in accordance with the agreement of the Committee at its fifty-fourth session in 2011, delegations are to be provided on the first day of each session with a draft list of the scheduling of technical presentations. In view of the fact that only a limited number of presentations have been requested for at this moment, the Secretariat will not yet provide such list.

I would urge delegations to provide the Secretariat with any additional requests for technical presentations by tomorrow, Tuesday, 14 April, close of business. I also remind delegations that speaking notes for technical presentations should be provided to facilitate simultaneous interpretation.

#### **Tentative schedule**

Distinguished delegates, I would now like to outline a tentative schedule for the next meetings. So this morning, we shall shortly proceed with the general exchange of views. This afternoon, starting at 3.00 p.m., a Symposium organized by the International Institute of Space Law and the European Centre for Space Law on the theme "Space Traffic Management" will be held here in this Board Room.

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

I see none.

We will proceed accordingly.

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

And we turn to the General Exchange of Views, which is item 3 on our agenda, and I see Mexico has asked for the floor. Mexico.

**Ms. R. M. RAMÍREZ DE ARELLANO Y HARO** (Mexico) (*interpretation from Spanish*): Yes, thank you. Morning Chair. We agree with you, given the austerity measure you mentioned. Nonetheless, I would like to ask you that if, through you, the Secretariat could tell us just how much time will be allotted to technical presentations because I have to say, to me personally, it is very useful to understand technical matters to be able to think them over in the light of legal documents. So could we give priority to substantive work of the Legal Subcommittee and weigh up the time we allot to technical presentations.

On the other hand, Chair, might I just recall that, inasmuch as possible, if we are going to work on plenary, normally we have a document which is in English, at least in the original language, and it is, we think, preferable to work in this room but if that is the case, the document should be available in all the United Nations official languages. That is very important because, while many of us understand English and can speak it, nonetheless, it is so much easier for us to understand if we can have available the other United Nations languages because the Working Groups are conducted with English language document so you could say probably, well, we could use the Spanish or the French together to discuss them in these working meetings for example.

Thank you.

**The CHAIRMAN:** Thank you Mexico. We take note of your request which was the second part of your intervention. The first part of your intervention is, I think, clearly outlined in the schedule of work where you can see that technical presentations are only added at the time when the substantive work by plenary, as well as Working Groups, has finished. So there is a natural priority given to the substantive work by the Subcommittee and its Working Groups.

We now continue with the consideration of item 3 on our agenda, which is the "General Exchange of Views", and in order to enable the Subcommittee to commence its consideration of all items of the

Provisional Agenda in a timely and balanced manner, the item entitled “General Exchange of Views” has been scheduled over a longer period of time during the session. The number of statements to be made under “General Exchange of Views” at each meeting may be limited as necessary in order to allow sufficient time for other agenda items to be considered as planned for each meeting. As a general guideline, and I would like to stress that, statements in the General Exchange of Views should be no more than 10 minutes in length.

Distinguished delegates, before I open the floor for the statements by delegations, I would like to give the floor to the Director of Office for Outer Space Affairs for the opportunity to address the Legal Subcommittee.

Therefore, if there are no objections, I would like to give the floor at this time to the Director of the Office for Outer Space Affairs, and on behalf of the Legal Subcommittee, invite her to deliver her statement.

I see no objection. I give the floor to the Director, Ms. Simonetta Di Pippo.

**Ms. S. DI PIPPO** (Director, Office for Outer Space Affairs): Mr. Chairman, distinguished delegates, on behalf of the Office for Outer Space Affairs, I warmly welcome you all to the fifty-fourth session of this Subcommittee.

I would like to express our pleasure, Mr. Chairman, at having you chairing the session again and would like to convey our commitment to assisting you in making this session a success.

Mr. Chairman, distinguished delegates, the Registration Convention was adopted on 12 November 1974, opened for signature on 14 January 1975, and entered into force on 15 September 1976. In this perspective, we can proudly commemorate the fortieth anniversary of this important treaty. In this context, the role of the Office for Outer Space Affairs in providing one of the existing most important tools for enhancing transparency and confidence in space activities should be noted. In fact, the Office is mandated since four decades to maintain the central United Nations Register on Objects Launched into Outer Space, under the obligation of the Registration Convention.

The Register’s function as the core mechanism for treaty-based transparency and confidence-building has been reinforced by the impact of the 2007 General Assembly resolution on

Registration Practice, resolution number 62/101, where we note that an increasing number of States and intergovernmental organizations are reviewing their registration practices and are making efforts to harmonize them, while new and prospective space nations are actively considering the issue of space object registration. The Office would like to encourage all member States who have launched and/or operate space objects to register them in accordance with the Registration Convention or General Assembly resolution 1721 B (XVI).

With regard to the Registration Convention and Assembly resolution 1721 (XVI) B, since our session last year, the Office is pleased to report that Argentina, Belgium, China, France, Germany, Japan, Lithuania, Nigeria, Norway, Russian Federation, United Kingdom, United States of America, as well as the European Space Agency, have furnished registration information to the Secretary-General.

In connection with Article II of the Registration Convention on the Establishment of National Space Object Registries, the Democratic People’s Republic of Korea and Italy have transmitted notifications of the establishment of their national registries. The Office would like to invite States Parties that have not done so to inform the Secretary-General accordingly.

The Office is deeply committed to discharging the Secretary-General’s responsibilities under international space law in the most effective and efficient manner and is pleased that the Register continues, now for 40 years, to enhance confidence among space actors by providing transparency through its mechanisms. This is particularly important in the context of General Assembly resolution 68/50 on Transparency and Confidence-Building Measures in Outer Space Activities, and in view of the following.

First, the agreement of the Committee at its fifty-seventh session last year on the importance of considering the broader perspective of space security and associated matters that would be instrumental in ensuring the safe and responsible conduct of space activities; and

Second, the decision of the Committee to consider, at its upcoming session in 2015, the recommendations of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, A/68/189, as they relate to safety of space operations and the long-term sustainability of outer space activities.

The Office would like to take this opportunity to express its appreciation to States of registry for their assistance and cooperation in resolving issues related to registration submissions and welcomes any feedback on improving the process. Over the coming year, the Office will continue its dialogue with member States and international intergovernmental organizations on these issues and stands ready to provide assistance to existing and prospective States of registry on these matters.

With regard to implementing the other obligations of the Secretary-General, the Office received and disseminated information provided by Brazil under Article V of the Rescue Agreement on the Recovery of a Space Object within its territory as well as information provided by the United Kingdom under Article XI of the Outer Space Treaty.

The Office continues to serve as the United Nations focal point on re-entry of nuclear-powered space objects for the Joint Radiation Emergency Management Plan of the International Organizations. In this capacity, the Office maintains close contact with the Incident and Emergency Response Centre of the International Atomic Energy Agency, which is the coordinating entity for the Plan, regarding notifications of nuclear-powered space objects as well as supplementary information on other space objects re-entering the Earth's atmosphere.

Mr. Chairman, distinguished delegates, in this overall context of the application and implementation of the legal regime on outer space, I am pleased to inform delegations that, in accordance with the request by the Subcommittee at its fifty-third session in 2014, an information handout on issues related to registration, authorization, debris mitigation and frequency management with respect to small and very small satellites, has been jointly developed by the Office for Outer Space Affairs and the International Telecommunication Union, ITU. The publication is made available on the website of the Office for Outer Space Affairs. A Conference Room Paper has also been prepared for the benefit of delegations.

Mr. Chairman, distinguished delegates, in order to promote adherence to the five United Nations treaties on outer space and to assist States in building their capacity in space law, the Office for Outer Space Affairs, together with the Government of China, the Asia-Pacific Space Cooperation Organization, APSCO, and the China National Space Administration, CNSA, organized the Workshop on Space Law on the Role of National Space Legislation in Strengthening the Rule

of Law, hosted by CNSA and held in Beijing from 17 to 20 November 2014.

The Workshop, among other things, addressed the rule of law and global governance of space activities; the development of space policy, transparency and confidence-building measures in outer space activities; perspectives on space-traffic management; space law and commercial space activities, including the operation of small and very small satellites; and national space legislation of both major space-faring nations and emerging space nations. The Workshop also addressed mechanisms for regional and interregional cooperation, including intergovernmental organizations, discussed the role of bilateral and multilateral agreements in joint space ventures, considered capacity-building in and the teaching of space law, and examined the United Nations curriculum on space law.

The Workshop concluded with a session dedicated to regulatory and institutional aspects of the use of space-derived data and information, with an emphasis on remote sensing and global navigation satellite systems (GNSS). The Beijing office of the United Nations Platform for Space-Based Information for Disaster Management and Emergency Response, UN-SPIDER, was involved in the planning and completion of that dedicated session, specifically, in order to provide a link between scientific, technical, administrative, institutional, legal and policy considerations. Delegations have before them the report of the Workshop in document A/AC.105/1089. The proceedings of the Workshop with presentations are available on the website of the Office as an online publication.

Mr. Chairman, distinguished delegates, the General Assembly, in its resolution 69/85, operative paragraph 6, noted with satisfaction the conclusion by the Office for Outer Space Affairs of a space law curriculum, which could encourage further studies within States. In this regard, I would like to inform delegations that the Curriculum, available on the website of the Office, is presently being translated into all official languages of the United Nations and the all-language versions will be made available on that dedicated webpage before the fifty-eighth session of the Committee on the Peaceful Uses of Outer Space in June this year.

Mr. Chairman, distinguished delegates, the reduction of the level of the Office's human resources, which took effect at the beginning of 2014, is of great concern. In the absence of the Office being able to secure extra-budgetary resources which we can use to

supplement the human resources shortfall we are currently experiencing, the Office will limit the number of activities to be implemented. The other consequence of limited human resources is our inability to develop new initiatives and meet emerging needs in a timely and adequate manner.

To redress this situation, I and other colleagues will continue our discussions with many of you regarding enhancing the resource framework of the Office. Every contribution is important to us, and even more so in face of the current economic situation and the prohibition on the Office to seek additional resources from the regular budget without an express mandate from the Committee. I trust that I can count on your continued support as we explore existing and new opportunities to strengthen the Office.

In the Annex to this statement, which will be provided in writing to delegations in the coming days, there is more information on financial and administrative matters.

Mr. Chairman, distinguished delegates, I will now proceed by mentioning selected activities of interest to the Subcommittee.

Firstly, I am pleased to inform the Subcommittee that a joint ICAO/UNOOSA Aerospace Symposium on the theme “Emerging Space Activities and Civil Aviation: Challenges and Opportunities” was organized at the ICAO Headquarters in Montréal, Canada from 18 to 20 March 2015, and brought together for the first time 350 participants representing both aviation and space communities from around the globe.

This landmark event succeeded in strengthening the dialogue between the relevant legal and regulatory actors and in enhancing the common understanding of the challenges and opportunities related to commercial space transportation development, as well as provided possible ideas on how to address them. The Symposium agreed on a series of follow-up activities, including follow-up Symposiums to be held in the United Arab Emirates in 2016 and in Vienna in 2017. As United Nations Office for Outer Space Affairs is mandated to lead the Inter-Agency Meeting on Outer Space Activities, UN-Space, which is the central inter-agency coordination mechanisms in the United Nations system on overarching space matters, I am pleased to see that this bilateral cooperation and coordination achievement with ICAO on subject matters of real important relevance to the space and aviation communities is successfully set in motion.

Secondly, in a follow-up on the outcomes of the World Conference on Disaster Risk Reduction, a joint UNOOSA/Germany Conference will be co-organized with DLR between 26 and 28 May in Bonn. The Conference will aim at ways and means of institutionalizing the use of space-based information in national plans and regional and global platforms and discuss international space cooperation mechanisms to foster national implementation of the post-2015 disaster risk reduction framework. As part of the Inter-Agency Meeting on Outer Space Activities, the Office will organize a joint UN-Space/Bonn Conference high-level panel on space space-based information for development on 28 May as part of the Conference.

Thirdly, it is my pleasure to inform the Subcommittee that in connection with the next International Astronautical Congress to be held in Jerusalem, Israel, the United Nations/International Astronautical Federation Workshop on Space Technology for Socio-Economic Benefits will be held from 9 to 11 October 2015. Traditionally, the Workshop addresses space technologies and applications that contribute to sustainable economic and social development. This year the Workshop will focus on fresh water resources management.

Finally, the year will culminate in one of the key milestone activities for the Office: The United Nations/United Arab Emirates High-Level Forum entitled “Space as a Driver for Socio-Economic Sustainable development”. The Forum will held between 15 and 17 November 2015 in Dubai, United Arab Emirates, with the objective of advancing cooperation in the area of peaceful uses of outer space to a new level. The Forum will be structured along four policy pillars, namely space economy, space society, space accessibility and space diplomacy, and will serve as a platform to promote space science and technology as universal tools with transformative power and catalytic potential in attaining the objectives of the Global Development Agenda beyond 2015. I encourage you to benefit from the participation in the Forum and contribute to increasing global awareness of the role of outer space for development.

Mr. Chairman, distinguished delegates, speaking of milestones, delegations that attended the fifty-second session of the Scientific and Technical Subcommittee in February this year will recall that a note by the past, present and in-coming Chairs of the Committee, entitled “2018 ‘UNISPACE+50’ theme of the Scientific and Technical Subcommittee, the Legal Subcommittee and the Committee on the Peaceful Uses of Outer Space” was considered by the Working Group

of the Whole of the Subcommittee, and the recommendations of the Working Group of the Whole were endorsed by the Subcommittee. The note is also being distributed at the present session of the Legal Subcommittee for consideration.

Mr. Chairman, distinguished delegates, in concluding, let me reiterate our Office's commitment to dedicating our energy and resources in carrying out the mandate of the Office and to serving the interests of member States in the area of space law.

Thank you very much for your attention.

**The CHAIRMAN:** I thank the Director of the United Nations Office for Outer Space Affairs for her statement which was indeed very informative and it will be distributed, as you said, in the next days.

We will now turn to the list of speakers and the first speaker on my list is the distinguished delegate of Chile who is speaking on behalf of the Group of the 77 and China, Ambassador Andereya. You have the floor Sir.

**Mr. A. ANDEREYA (Chile):** Thank you very much Mr. Chairman.

On behalf of the Group of 77 and China, I would like to express our satisfaction for the successful chairmanship of the fifth-third (fifty-fourth?) session of the Legal Subcommittee of COPUOS and assure you our full support during this session. Rest assured of our full support and cooperation of the Group of 77 and China for the fruitful conclusion of the meeting.

The Group would also like to extend its appreciation to the Director of the Office for Outer Space Affairs, Ms. Simonetta Di Pippo, and the Secretariat for their excellent preparation made to support the work during the course of our session.

Mr. Chairman, the Group of 77 and China firmly believe in the space and the peaceful uses of outer space and its benefit to human development. Therefore, we underscore that every exploration activity, as well as the utilization of outer space should be regulated, in particular by international space law.

COPUOS and its two Subcommittees should remain the main bodies to carry out activities in promoting international cooperation on the peaceful use of outer space as well as the elaboration of treaties and other instruments governing the outer space activities and for offering an adequate environment to

discuss matters that have a great impact in the development of nations.

Developing countries are increasingly and deeper engaged in space activities under the discussion of COPUOS. While several member States of the G77 and China have achieved important milestones in space activities, others are just beginning to include space activities in their national programmes. This fact shows that all members of the Group have a cumulative awareness of the potential, important and impact that space activities have today.

The Group of 77 and China is willing to engage in the discussions of the Subcommittee to support measures to enhance international cooperation in space activities and promote the elaboration of regulations in the legal framework so as to benefit from space activities available to all mankind. We should structure the ongoing and future activities in this area with the view to contribute to both global social, economic prosperity and sustainable development, particularly for developing countries.

The Group of 77 and China remains convinced about the benefits that derive from the peaceful use of outer space and recognize their important contribution to sustainable development of nations. In this regard, it reiterates its attachment and strict adherence to the principles and agreements governing the activities of States in the exploration and use of outer space, including:

(a) Universal and equal access to outer space for all countries, without discrimination, regardless of their level of scientific, technical and economic development as well as the equitable and rational use of outer space for the benefit of all mankind;

(b) The principle of non-appropriation of outer space, including the Moon and other celestial bodies, which cannot be appropriated by any State, by claiming sovereignty, use, occupation or any other form;

(c) The commitment by States to the strict use of outer space for peaceful purposes;

(d) The non-militarization of outer space, which shall never be used for the installation of weapons of any kind, and as the common heritage of mankind, its strict use for the improvement of living conditions and peace among peoples that inhabit our planet; and

(e) International cooperation in the development of space activities.

The Group reaffirms the importance of preventing an arms race in outer space, with an appropriate and effective verification and we call upon all States, in particular those with major space capabilities, to contribute actively to the peaceful use of outer space to prevent an arms race there and refrain from actions contrary to that objective. In this regard, we note that transparency and confidence-building measures could play a useful role. The Group believes that preservation of outer space in the long-term requires the international community to ensure that no weapons will ever be placed there.

Mr. Chairman, activities in outer space in the last decades have radically increased. Newcomers from governmental or non-governmental entities from all around the world have shown the vast potentials of outer space but also have shown its limitations and our vulnerabilities. Because of this new reality, much work remains to be done and many subjects should be considered in the legal international framework of all these activities. The Group is of the view that a proper and balanced use of outer space will be warranted if all activities carried out in this environment are supported by clear and applicable regulations, rules and recommendations to be implemented by all space actors.

We are convinced that the role of the United Nations treaties and principles on outer space provide the basis in regulating the involvement and liability of governmental, non-governmental and the private sector in this area and reinforce the safety of the space environment.

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

Regarding the issue of the long-term sustainability of outer space activities, the Group recognizes the work that has been done by the Working Group on the Long-Term Sustainability of Outer Space Activities in the Scientific and Technical Subcommittee, under the chairmanship of Mr. Peter Martinez of South Africa, and encourages this Subcommittee to follow the discussions on that item, from a legal point of view, in order to contribute collectively to make space activities more secure for all

space actors and simultaneously ensure that all countries are able to have equitable access to the limited natural resources of outer space.

In this regard, the Group acknowledges and expresses its gratitude to the Chair of that Working Group under the framework of the Scientific and Technical Subcommittee for the presentation of the updated set of draft guidelines for the long-term sustainability of outer space activities, contained in document A/AC.105/C.1/L.340, as well as the draft report of the Working Group on the Long-Term Sustainability of Outer Space Activities, contained in document A/AC.105/C.1/L.343.

Therefore, the G77 and China looks forward for the final updated draft guidelines with all the views, amendments and proposals presented by member States until the fifty-eighth COPUOS session, to be considered and hopefully approved by the Committee in its fifty-ninth session, so that the General Assembly can adopt them during its seventy-first Session.

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

The Group is of the view that the Subcommittee, as a negotiating body for international space law, should consider developments relating to best-practices and documents concerning outer space activities, in order to promote an international discussion on these matters within COPUOS

In this context, interaction between the Scientific and Technical Subcommittee and the Legal Subcommittee should be strengthened in order to synchronize the progressive development of space law with the major scientific and technical advances in this area. The Group is of the view that this coordination and synergies between the two Subcommittees would also promote understanding, acceptance and a real implementation of the existing United Nations legal instruments.

Mr. Chairman, we are convinced that this Subcommittee has a historic mission that must be underscored and valued. This is the reason why the G77 and China believes that the Legal Subcommittee should be granted new impetus, enriched with further debates in order to be able to respond to the initial mandate of this Subcommittee as a negotiating body for international space law.

The Group is prepared to engage in the discussions that are about to take place during this session of the Legal Subcommittee and will express its views under specific agenda items.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished delegate from Chile speaking on behalf of the G77 and China.

The next speaker on my list is the distinguished delegate from Colombia, speaking on behalf of GRULAC, Ambassador Cabal.

**Mr. J. A. CABAL SANCLEMENTE** (Colombia) (*interpretation from Spanish*): Chairman, on behalf of the Group of States of Latin America and the Caribbean, I would like to congratulate you once again on being Chair of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, COPUOS, and convey to you our support so that under your leadership the work at this session be crowned with success.

Similarly, we are pleased to greet the Director of the United Nations Office for Outer Space Affairs, Ms. Simonetta Di Pippo, and the Secretariat, thanking them for the excellent work undertaken to prepare this session.

Chairman, GRULAC backs the peaceful use of outer space and is convinced of the benefits that its use can bring for human development. The Group has always been a defender of the regulation of activities of exploration and use of outer space through the principles of international law, of customary law and international treaties. In particular, GRULAC restates:

(a) Universal access to outer space on an equal footing in favour of all States and without any discrimination whatever their degree of scientific, technical and economic development, as well as its fair and rational use;

(b) The principle of the common benefit of outer space activities for which exploration and use

of outer space, including the Moon and other celestial bodies, must be conducted to the advantage and in the interest of all countries, whatever their degree of economic and scientific development and this is incumbent on all of humanity;

(c) The principle of non-appropriation of outer space, which includes the Moon and other celestial bodies, which cannot be an object of appropriation by States through claims of sovereignty, use, occupation or any other form;

(d) The commitment entered into by States for the strictly peaceful use of outer space to avoid at all costs its militarization, bearing in mind, in particular, restraint from installing or using any armament in outer space in order to prevent the transformation of outer space into a scene of conflict or war; and

(e) Regional cooperation in sustainable development of space activities.

Chairman, technological and scientific progress which humanity experiences at the moment is also reflected in the swift development of space activities and in the great and greater use of outer space by States, international organizations and non-governmental bodies.

This new scenario could have a negative impact in the preservation of outer space if it is not accompanied by a sufficient regulatory framework which pertains to this. This is something which is incumbent on the Subcommittee. GRULAC would like to highlight its concerns as regards the decline which this Subcommittee has experienced for some years, on the face of which, we think, there is an imperative need for the work of the Legal Subcommittee to be bolstered and revitalized. The Legal Subcommittee should regain the leadership which corresponds to it to create internationally binding and non-binding instruments within its area of competence. To this end, there should be support for the studies recommendations of the Scientific and Technical Subcommittee which was created to this end. Many of the subjects which we are studying have already been addressed in the context of the Scientific and Technical Subcommittee which, from our point of view, should refer its studied recommendations and opinions to the Legal Subcommittee so that the latter can analyze these from a legal point of view. Hence, GRULAC considers it essential that both Subcommittees increase their interaction being in that COPUOS devise a system of internationally binding norms which regulate issues such as the use of nuclear

power sources in outer space and the protection and mitigation of space debris, *inter alia*.

Bearing in mind what I have already said, we would like to repeat that interaction between the Scientific and Technical Subcommittee and the Legal Subcommittee must be increased in order to synchronize the efforts to achieve progressive development of outer space with a comprehensive approach and through the drafting of binding norms. The results attained in the Working Groups set up in the Scientific and Technical Subcommittee must be officially submitted to the Legal Subcommittee for its subsequent analysis and identification of those legal aspects which should be addressed by that Subcommittee.

In this vein, the Safety Framework, as regards the use of nuclear power sources in space, the Guidelines for the Mitigation of Space Debris, as well as the report sent out by the Working Group for viability of outer space activities and its draft guidelines, are documents which enrich the activities of the Legal Subcommittee.

On the other hand, GRULAC considers necessary to updating, review and strengthening of the five United Nations treaties on outer space, an updating which cannot come about in any way which might affect the fundamental principles on which the internationally binding regime is based. Rather, it should be considered as an enrichment and to help develop the application of those principles. GRULAC maintains that a specific and legal regime which regulates the activities of space affairs will ensure that the benefits of research and use of outer space are reflected in the quality of life of human beings, guaranteeing an equal footing in terms of prosperity and wellbeing of present and future generations.

Chairman, for my regional group, international cooperation in the area of space legislation should be promoted and boosted and must continue being strengthened in the COPUOS context. It is essential that we promote active international cooperation of more developed countries in space with those which are less developed, as well as strengthening intra-regional cooperation.

On another score, GRULAC puts particular store by the sustainable and fair use of the geostationary orbit which is essential for developing countries and enhance their aspiration that they can continue having further discussions of these for the search of new points which correspond to the characteristics of this resource which, by its nature, is

limited. Hence the Group promotes the setting up of intergovernmental, technical and legal working groups or panels to study this matter and urges the International Telecommunication Union and its subsidiary bodies to play a more active part within COPUOS.

Chairman, during this session, our regional group will make statements on some agenda points in order to explain the concerted regional position on this.

I do not wish to close, Chair, without repeating once again our particular concern for the revitalization of this Legal Subcommittee which, to our mind, should be strengthened as this constitutes the prime forum for discussion and development of international space law. We are convinced that this Subcommittee has a historic mission which must be highlighted and appreciated. This is why GRULAC considers that the Legal Subcommittee must be given new impetus enriched with more debate so that we be capable of responding to our initial mandate of this Subcommittee as the negotiating body on space law.

Thank you very much.

**The CHAIRMAN:** I thank Ambassador Cabal of Colombia for his statement on behalf of GRULAC.

Next on my list is the distinguished delegate from Austria, Ms. Köhler. You have the floor.

**Ms. U. KÖHLER (Austria):** Mr. Chairman, let me first welcome you again as the chair of the Legal Subcommittee. We are confident that our work during this session of the Subcommittee will greatly benefit from your skill and experience.

I would also like to express our sincere gratitude to the Director of the Office for Outer Space Affairs and her able and dedicated team for the invaluable assistance, including in the preparation of this session.

Mr. Chairman, Austria welcomes this year's Symposium on "Space Traffic Management", organized by the International Institute of Space Law and the European Centre for Space Law. We believe that the Symposium on such a pertinent matter will contribute substantially to our considerations in the Subcommittee.

Mr. Chairman, let me first turn to the agenda item "National Legislation Relevant to the Peaceful Exploration and Use of Outer Space". We consider the

discussions under this item important as it enables States to gain an understanding of existing national regulatory frameworks, share experiences on national practices and exchange information on national legal frameworks. In this regard, we attach great importance to outcomes of the Working Group, such as the comprehensive and insightful report of the Working Group and the schematic overview of national regulatory frameworks. We greatly appreciate that the United Nations Office for Outer Space Affairs continues to regularly update this overview and, together with the online database on national space law, makes it available on its website.

We would like to remind the members of COPUOS to continue to provide updates of their national regulatory frameworks so that the schematic overview and the database will remain a valuable source of information also in the future.

I would like to highlight that the results achieved under this agenda item are highly useful for both developing and developed States for establishing or improving the necessary regulatory framework.

Austria itself developed its own national space legislation on the basis of the work and findings of this Subcommittee's Working Group. As reported previously, the Austrian Parliament unanimously adopted the "Austrian Federal Law on the Authorisation of Space Activities and the Establishment of a National Space Registry", in short, the Austrian Outer Space Act, in late 2011. Recently, the competent Federal Ministry for Transport, Innovation and Technology has enacted the necessary implementing regulation, containing in particular the detailed requirements for the authorization of space activities and the relevant documentation to be submitted by the applicant. The Regulation entered into force on 27 February 2015.

Background to these efforts to develop a national space law is a research project by Austrian and Canadian universities to investigate the brightness of massive luminous stars by differential photometry. In the framework of this project, the first two Austrian satellites, forming the BRITE Austria constellation, were launched on 25 February 2013 and have thus been in space already for more than two years. The science data gathered by the telescopes on board of these small satellites will help astronomers to gain a deeper insight into the physical properties of bright stars. For further details, may I refer to the presentation held by Professor Koudelka of the Technical University of Graz during the Scientific and Technical Subcommittee on 9 February 2015.

Mr. Chairman, let me turn to another agenda item to which Austria attaches importance, "Status and Application of the Five United Nations Treaties on Outer Space". Last year, we had a very good and productive discussion in the Working Group on issues relating to the Moon Agreement, to the interpretation of the notions "damage" and "fault" in the Liability Convention, as well as to registration of space objects in the case of transfer of control and supervision. The set of questions prepared by the Chair of the Working Group, Mr. Jean-François Mayence, has proved to be an excellent framework to structure our debate. We are looking forward to continuing the discussion in this session on the basis of the updated overview of responses to the questionnaire and the synthesis of views as announced last year and in the annotations to the provisional agenda.

We are also looking forward to continuing the deliberations on the review of international mechanisms for cooperation in the peaceful exploration and use of outer space. Following the exchange of information during the last session, we consider it useful to proceed to the Working Group under the able guidance of its chair, Professor Setsuko Aoki, this year.

Furthermore, we welcome the continued inclusion of the agenda item on general exchange of information on non-legally binding United Nations instruments on outer space. Austria co-sponsored the initiative as we consider this to be a very pertinent issue that deserves adequate attention. We are looking forward to an exchange of views and considerations on the further elaboration of the activity under this agenda item.

Mr. Chairman, with regard to the item "Capacity-Building in Space Law", I would like to highlight Austria's continued support for activities in the area of space law. In particular, capacity-building is crucial for developing countries as it offers them legal tools to derive benefits from space activities and participate, on an equal footing, in international efforts towards the further strengthening of international space law.

As to Austria, I would like to refer to our written submission on capacity-building, which illustrates the manifold activities in this field. In particular, several courses on space law have been held at Austrian universities, some of which included excursions to relevant institutions located in Austria, such as the United Nations Office for Outer Space Affairs or ESPI.

Austria also appreciates the efforts of the European Centre for Space Law which regularly offers the ECSL Summer Course on Space Law and Policy which last year took place in Geneva and offered great opportunities to get insights into the work of the ITU. The Austrian National Point of Contact of the ECSL regularly sends students, tutors and lecturers to this two-week educational activity. Also, the Manfred Lachs Space Law Moot Court, organized by the International Institute of Space Law, is an invaluable opportunity for students to learn more about space law and get training in international dispute settlement. Austria has sent teams to the Manfred Lachs Moot Court in the past two years and can only recommend it to students from countries round the world, including from developing countries.

Mr Chairman, in concluding, allow me to emphasize that the Austrian delegation will continue to provide strong support to the work and the deliberations of the Subcommittee as well as to the Office for Outer Space Affairs. In this spirit we hope for a productive and rewarding fifty-fourth session of the Legal Subcommittee.

Thank you.

**The CHAIRMAN:** I thank Ms. Köhler from Austria for her statement.

Next on my list is the distinguished delegate from Japan. Mr. Tanaka, you have the floor.

**Mr. F. TANAKA (Japan):** Mr. Chairman, distinguished delegates, on behalf of the Japanese Government, I am pleased to address the fifty-fourth session of the Legal Subcommittee of COPUOS.

I would like to extend our sincere gratitude to Mr. Kai Uwe-Schrogl of Germany for his outstanding accomplishments last year as well as to Ms. Simonetta Di Pippo, Director of the Office for Outer Space Affairs, and her able and devoted staff for their untiring efforts in preparing this session of the Subcommittee.

Mr. Chairman, now I would like to turn to the substance to which Japan attaches great importance in this session of the Legal Subcommittee.

Japan would like to reiterate that in the light of the ever-increasing scale of space activities, treaties governing peaceful uses of outer space are even more crucial in providing the necessary legal order and framework in which these activities are conducted. We would, therefore, like to emphasize the need to use various forums, including the Legal Subcommittee

itself, to call upon member States that are not yet party to these treaties to ratify them as soon as possible. Furthermore, Japan would also like to reiterate that a number of principles, declarations and guidelines in the form of United Nation General Assembly resolutions governing the peaceful uses of outer space have been developed in the Committee since the early 1980s. The resolutions have been playing an important role by complementing the existing treaties governing the peaceful uses of outer space. Japan attaches significant importance to such resolutions.

During the last session of the Subcommittee, we had fruitful discussions under the new agenda item “General Exchange of Information on Non-Legally Binding United Nations Instruments on Outer Space”, co-sponsored by Austria, Canada, France, Nigeria and the United States. We highly appreciate the fact that many delegations supported this agenda item and we are pleased that consideration of this agenda item will continue in this session.

The purpose of this agenda is to facilitate exchange and sharing of information on measures related to non-legally binding United Nations instruments. Japan looks forward to contribution to substantial discussions on this agenda item with a view to achieving meaningful outcomes.

Mr. Chairman, this session of the Subcommittee will also continue deliberations on the Working Group under the agenda item “Review of the International Mechanisms for Cooperation in the Peaceful Exploration and the Use of Outer Space”, chaired by Professor Setsuko Aoki. Japan notes that the Legal Subcommittee has provided a unique platform for discussing the legal aspects of the peaceful exploration and the use of outer space.

We also note that the need to review a number of existing cooperation efforts to get a clear overview of the different forms of collaboration being undertaken as well as to analyze their patterns of success. Later on in this session, we will provide an overview of our experiences with many international cooperation mechanisms. We also hope that all delegations will make an active contribution under this agenda item.

Mr. Chairman, I would like to take this opportunity to introduce several events and Japanese space activities that have taken place since the last session of this Subcommittee.

This past January, the Government of Japan, in accordance with Prime Minister Abe’s instruction,

renewed the Basic Plan on Space Policy under the Cabinet Office. This new Basic Plan for Space Policy reflects a new security policy, establishes a 10-year long-term development plan and clarifies the priority of projects. Obviously, the Ministry of Foreign Affairs continues to represent the Government of Japan in COPUOS meetings. The Basic Plan for Space Policy was just renewed in January of this year and, through it, we will deepen our commitment to the utilization of outer space.

Mr. Chairman, I would like to take this opportunity to share some information on our most recent space activity achievements.

Last May, the Advanced Land Observing Satellite-2, ALOS-2, or DAICHI-2, was successfully launched with Japanese piggyback payloads by the H-IIA Launch Vehicle and last October, Himawari-8 was also successfully launched by the same vehicle. Japan registered these space objects, including the Japanese piggyback payloads, in our Registry. In addition, Japan also registered Hodoyoshi-3 and Hodoyoshi-4 and the Advanced Satellite with the New System Architecture Observation, ASNARO. All satellites were launched by the Dnepr Launch Vehicle in Russia. In each case, Japan furnished information on these space objects to the Secretary-General of the United Nations in accordance with the Convention on the Registration of Objects Launched into Outer Space.

Furthermore, we have the pleasure to announce that Japan successfully launched Hayabusa-2 using the H-IIA Launch Vehicle last December with an expected arrival to its target asteroid in 2018 and expected return to Earth in 2020.

We are also pleased to announce that astronaut Kimiya Yui has been assigned to the forty-fourth to the forty-fifth expedition mission scheduled next month and astronaut Takuya Onishi has been assigned to the forty-eighth to the forty-ninth expedition mission in 2016.

In the Asia and Pacific regions, Japan promotes the Asia-Pacific Regional Space Agency Forum, or APRSAF. APRSAF-21 was successfully held from 2-5 December in Tokyo, jointly organized by the Ministry of Education, Culture, Sport, Science and Technology, MEXT, and JAXA. This year, APRSAF-22 will be held in Bali, Indonesia.

Mr. Chairman, I would like to conclude my remarks by reassuring the commitment of Japan to meeting the goals of COPUOS and by reiterating its

willingness to work together with other members of the Committee to achieve tangible results.

Thank you very much for your kind attention.

**The CHAIRMAN:** I thank Mr. Tanaka from Japan for his statement.

Next on my list is the distinguished delegate from Germany, Mr. Moeller.

**Mr. C.-H. MOELLER (Germany):** Mr. Chairman, distinguished delegates, the German delegation takes this opportunity to express its highest gratitude to you, Professor Dr. Schrogl, for your able leadership during the past session of the Legal Subcommittee and wants to assure you of our continuing support.

Furthermore, my delegation expresses its deep appreciation to Ms. Simonetta Di Pippo, Director of the Office for Outer Space Affairs, for the inter-sessional work and the excellent preparation of this session. Please allow me to extend our appreciation to the whole OOSA team, including Mr. Niklas Hedman, who took a good part of the workload.

Mr. Chairman, distinguished delegates, Germany is deeply committed to the principle of international cooperation in the exploration and use of outer space. The International Space Station is the most outstanding example of international cooperation even in difficult political times. In this regard, in 2014, the ISS Mission "Blue Dot" of the German National Alexander Gerst, an astronaut of the European Space Agency ESA, was probably the project with the highest public visibility in Germany. Alexander Gerst worked together with his United States and Russian colleagues, thus demonstrating the importance of the ISS for peaceful international cooperation. Almost all scientific ESA experiments in human physiology research, material science and new space technologies were successfully performed. A special highlight of Alexander Gerst's spaceflight was the Extravehicular Activity, EVA, aimed at maintenance and overseeing the docking of ESA's last Automated Transfer Vehicle.

On 15 February 2015, the fifth and last European Automated Transfer Vehicle called Georges Lemaître, performed a controlled re-entry into Earth's atmosphere and burned up. However, the technology of ESA's Automated Transfer Vehicle will live on as part of the European Service Module, ESM, which will form part of the United States' Orion space capsule. Thus, the international cooperation framework created

by the International Space Station, ISS, will be continued by new initiatives in the future.

The ESA science mission Rosetta to the comet Churi was another highlight of last year. Rosetta carried, *inter alia*, the lander Philae, built under the leadership of the German Aerospace Centre, DLR. Philae performed the first ever soft landing on a comet, performed experiments on its surface and collected scientific data. We expect that Rosetta and Philae will contribute to our understanding of the origins of the solar system.

The experience in robotics and lander mission was integrated in other cooperation projects too. In this context, we would like to highlight the Japanese Hayabusa-2 probe which was launched in December 2014. Hayabusa-2 carries the MASCOT lander, a German-French project. The MASCOT lander will descend to the surface of an asteroid, presumably in four years, in order to perform measurements and will be controlled from the MASCOT Control Centre at DLR in Cologne.

Furthermore, we would like to recall the airborne infrared observatory SOFIA, a joint United States-German space science project. SOFIA is an example for our fruitful cooperation with NASA. Since 2010, SOFIA has provided valuable scientific data concerning the development of galaxies and the formation and evolution of stars and planetary systems from interstellar clouds of gas and dust. We are grateful for the continuation of the project and are looking forward to further cooperation with our United States-American partners.

Mr. Chairman, distinguished delegates, another outstanding example for successful international cooperation is the European Space Agency, ESA. According to the German Space Strategy, the German Government is committed to further strengthening ESA as an intergovernmental institution. It remains our firm conviction that an independent, strong ESA, which is responsible for the coordination of European space activities, is essential for the success of the European space sector.

The ESA Council on Ministerial Level, which took place in Luxembourg in December 2014, took key decisions on Europe's launcher programmes, European participation in the International Space Station, the future strategy for exploration and the evolution of ESA. It was decided to develop a new generation of European launchers. Ariane-6 will replace Ariane-5 from 2020 onwards and an upgrade to the small launcher Vega-C will be developed. This new

generation of launchers will ensure an independent European access to outer space. Germany, as a main contributor to ESA and the International Space Station, bears the costs for around 40 per cent of the ISS exploitation and welcomes the contributions of other European Partners to the exploitation phase of the ISS according to their contractual obligations.

Last but not least, the relationship between ESA and the European Union was confirmed. ESA maintains its status as an independent organization responsible for the implementation of the space activities of its member States. The European Union is an important partner of ESA. The joint Earth-Observation programme COPERNICUS entered its operational phase. COPERNICUS provides information for numerous applications and support of decisions in the environmental and security fields. Another joint ESA-EU flagship project is the first independent civil satellite-based navigation system for Europe, GALILEO.

At the end of 2014, the ESA Council elected the next ESA Director-General, Professor Dr. Johann-Dietrich Wörner, the present Chairman of the German Aerospace Centre's Executive Board. He will take office in July 2015. We are very grateful for his work during the last years and wish him every success for his new challenging tasks.

Mr. Chairman, distinguished delegates, the German delegation appreciates very much the valuable work done by the Working Group on Long-Term Sustainability of Outer Space Activities. We would like to express our gratitude to the Chairman of the Working Group, Mr. Peter Martinez, and the Chairpersons of the Expert Groups for their able guidance.

The document provides the basis for the development of national and international practices and safety frameworks for conducting outer space activities, to improve safety of space operations and to protect the space environment.

We are very confident that the ongoing consolidation work will lead to an overall coherent guideline document. At the same time, the inter-relationship of some of the guidelines with existing legal obligations has to be clarified. Such existing legal obligations should not be re-formulated as non-binding recommendations in order to avoid any ambiguity as to their legal status. A special aspect is the consistent formulation also under established legal terminology.

An effective work on the topic of long-term sustainability of outer space activities requires the consideration of its technical as well as regulatory and legal aspects. This is especially true for the field of active debris removal which necessitates the clarification of legal questions related to this issue. The further elaboration and eventual adoption of the guidelines should, therefore, be accompanied by the common understanding that the legal implications, for example, of active debris removal should be on the agenda of the Legal Subcommittee.

Space debris remains a highly important topic. We are deeply grateful to the Office for Outer Space Affairs for the publishing of the Compendium on Space Debris Mitigation Standards Adopted by States and International Organizations on a dedicated page on its website. Last year, Canada, the Czech Republic and Germany, supported by the European Space Agency ESA, took the initiative to compile an overview on the current status of space debris mitigation standards. We would like to thank the delegations having provided information with regard to their national space debris mitigation standards.

Mr. Chairman, distinguished delegates, as far as UNIDROIT is concerned, Germany has continued its dedication in the Preparatory Commission for the implementation of the UNIDROIT Space Asset Protocol, the so-called Berlin Space Protocol. The Third Preparatory Commission, which took place in Rome in September 2014, made major progress in the formulation of the regulations for the register and the selection process of the supervisory authority and the registrar.

Mr. Chairman, distinguished delegates, the subject of Space Traffic Management will be dealt with in the IISL/ECSL Symposium this very afternoon. We are looking forward to the presentations and suggest to offer another opportunity to delegations to exchange their views on this issue. Therefore, Germany would like to propose a single issue item on "Exchange of Views on the Concept of Space Traffic Management" at next year's session of the Legal Subcommittee. I will come back to this issue in the coming days.

Mr. Chairman, distinguished delegates, please let me conclude with an item to which Germany still attaches particular importance, the efficiency of the work of this Legal Subcommittee. Last year, the German delegation presented a proposal relating to the restructuring of the Subcommittee's agenda, aiming to make more efficient use of the time and resources available to it while at the same time maintaining and strengthening the Legal Subcommittee as the main

intergovernmental forum to develop space law. While many delegations expressed their support to this proposal, others expressed the view that further consultations were needed. The German delegation continues to be convinced that this proposal could be a significant contribution to increase the Subcommittee's efficiency and is grateful for the support received so far. Therefore, you will find our latest draft on the Office for Outer Space Affairs' website as well as in your delegations pigeonhole for further deliberations. Of course, the German delegation is open for further amendments and suggestions from interested delegations and we are hoping for open, fruitful and constructive discussions during the coming days.

We thank you for your kind attention.

**The CHAIRMAN:** Thank you Mr. Moeller of Germany for your statement.

Next on my list is the distinguished delegate from Ukraine, Mr. Kasianov.

**Mr. A. KASIANOV (Ukraine):** Thank you Mr. Chairman, distinguished delegates, the delegation of Ukraine warmly welcomes all participants of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space and wishes them constructive and fruitful discussions of all of the agenda items.

Mr. Chairman, Ukraine wishes to emphasize the paramount importance of active mutually beneficial and equal international cooperation in the area of the exploration and use of outer space for the benefit and in the interests of all mankind. Such cooperation should be based on the following principles. Among them, outer space should be explored and used only for peaceful purposes, for the benefit of all countries of the world, especially considering the needs of developing countries. Access to space must be implemented on equal and non-discriminatory conditions regardless of the level of technical, scientific and economic development of nations. Outer space, including the Moon and other celestial bodies, cannot be assigned by claim of sovereignty, by use of occupation or by any other means. Outer space should be used on the principles of its non-militarization and with a view of improving the living conditions of people and strengthening peace.

In this regard, the delegation of Ukraine wishes to note that Ukraine is a Party of four United Nations treaties on outer space and considers important the process of acceding to these treaties by those States which have not yet joined them.

They also support initiatives aimed at development, voluntary(?), non-legally binding documents on present issues of space activity which remain today on the agenda of the space community and require a prompt response. Our State consistently, over the past several years, stands for the necessity to initiate the \_\_\_\_\_ation (?) of the international space law. In this regard, Ukraine is committed to the idea of development of the comprehensive convention on space law. In our view, this approach entirely satisfies today's demands and offers an opportunity to raise the international space law to a relatively new level of its development.

The delegation of Ukraine considers all issues of our agenda as highly pertinent and hopes that the work of the Legal Subcommittee in 2015 will contribute to further progress in addressing the issues which are of practical importance for the development of international space law.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank Mr. Kasianov for his statement on behalf of Ukraine.

Next on my list is Mr. Israel representing the United States.

**Mr. B. ISRAEL** (United States of America): Thank you Mr. Chairman. The United States delegation would like to begin by commending you on your service as Chairman of this Subcommittee. We are highly confident that we will have another highly successful session of the Subcommittee under your leadership and we look forward to working with you.

We would also like to express, once again, our deep appreciation to Ms. Simonetta Di Pippo and her staff in the Office for Outer Space Affairs, for the preparations for this session.

Before turning to the work of the Subcommittee for this session, I would like to address recent space-related activities in the United States.

During the most recent session of the Scientific and Technical Subcommittee, the United States delegation reported on the accomplishments of the United States Government and our international partners in our quest to explore our solar system in the past year. My delegation has copies of that statement available for anyone who is interested.

Today, I would like to comment briefly on non-governmental efforts to advance the exploration

and use of outer space. Newly contemplated space activities have been in the news recently and some of this reporting has been misleading. In the interest of transparency, I would like to take this opportunity to describe the United States Government's efforts to ensure that future non-governmental space activities continue to be carried out in conformity with the Outer Space Treaty.

One particularly misleading news account suggested that the Federal Aviation Administration has paved the way for companies to "stake their claims to lunar territory". Although this makes for an exciting headline, it is simply not the case. This reporting is based on a Payload Review sought by Bigelow Aerospace for a proposed mission to operate a small lunar habitat. Bigelow has tested two of its expandable habitats in low Earth orbit and is scheduled to demonstrate another on the International Space Station later this year. Bigelow has proposed landing a similar expandable habitat on the lunar surface to provide exploration opportunities for governmental and non-governmental customers from around the world.

The Payload Review process is the United States Government's current mechanism for licence applicants or payload owners to ascertain, in advance of an application for a launch licence, whether any legal or policy considerations will preclude them from launching a particular payload. As part of that Review, the United States Government advises the applicant or payload owner on the compatibility of the proposed payload with the foreign policy interests and international obligations of the United States. In the Bigelow Review, the United States Government advised that it is exploring how best to provide continuing supervision of the activities proposed by Bigelow and ensure their conformity with the Outer Space Treaty, in a manner that would enable and support such innovative commercial space activities, consistent with our international obligations.

My Government sees great promise in private investment in path-breaking new activities to advance our understanding of the solar system and to unlock new space applications that benefit all mankind. The history of space exploration and innovation teaches us that it is difficult, if not impossible, to foresee the technological innovations, and downstream applications, arising from efforts to push the envelope of exploration and that the benefits of these innovations and applications are enjoyed across the Earth. As the United States goes about encouraging private investment, from all nations, in the peaceful exploration and use of outer space and evolves its national mechanisms for authorizing and supervising

non-governmental space activities, we will continue to be guided by the four core, and widely accepted, treaties on space, the Outer Space Treaty, the Rescue and Return Agreement, and the Liability and Registration Conventions. Under the legal framework of these treaties, the use of space by nations, international organizations and private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

This session is also an opportunity for us to consider the fact that many States, including some members of UNCOPUOS, have not acceded to the four core space treaties. This Subcommittee should encourage States and international organizations to consider ratifying and implementing the four core space law instruments, and, of course, it should encourage States that have accepted the core instruments to implement them fully.

As we proceed with our work during this session, Mr. Chairman, I would like to reflect once again on the extraordinary record of success the Legal Subcommittee has had in advancing the field of space law. The United States delegation believes that much of that success is due to this Subcommittee's ability to focus on practical problems and to seek to address any such problems via a consensus-based and results-oriented process. In our discussions, we should seek to continue that tradition and to avoid the temptation to focus on theoretical rather than practical issues.

Thank you for your consideration. We look forward to a productive and collegial session.

**The CHAIRMAN:** Thank you Mr. Israel for your statement, also in mentioning and calling upon member States to accede to the five core treaties of outer space.

Next on my list is the distinguished delegate from Bulgaria, Ms. Raycheva. You have the floor.

**Ms. S. RAYCHEVA (Bulgaria):** Thank you Mr. Chairman for giving me the floor. Mr. Chairman, distinguished delegates, on behalf of the Bulgarian delegation, I would like to officially inform the Legal Subcommittee that on 8 April 2015, in Sofia, the European Cooperating State Agreement was signed between the Government of the Republic of Bulgaria and the European Space Agency considering the willingness of the Bulgarian State to implement the European Space Policy and also to strengthen our cooperation with the European Space Agency. I am pleased to point out that, in this manner, the door opens

for Bulgaria to become a full member of the Agency as a European Cooperating State.

Thank you very much for your kind attention and I wish success to our further work in the Legal Subcommittee. Thank you.

**The CHAIRMAN:** Thank you very much Ms. Raycheva for your statement on behalf of Bulgaria.

Are there any other delegations wishing to speak under agenda item 3 right now at this moment? I do not have any more delegations on my list.

In order to efficiently use our time allocated to us which is still one more hour, may I ask whether any delegations who have already prepared their statements whether they would like to speak already now?

I see none.

China, thank you. So China has the floor.

**Mr. Z. SHANG (China) (interpretation from Chinese):** Thank you Mr. Chairman. Mr. Chairman, first of all, please allow me, on behalf of the Chinese delegation, to congratulate you on your continued chairmanship at the Legal Subcommittee and I am confident that under your leadership, this session will be crowned with complete success.

At the same time, I would also like to express my thanks to the Director of the Office for Outer Space Affairs, Ms. Simonetta Di Pippo, and her team for the large amount of work they have carried out for this session.

At the same time, the Chinese delegation appreciates and supports the statement made by the distinguished representative of Chile on behalf of the Group of 77 and China.

Mr. Chairman, over the past year, China's space industry has continued to make new achievements and its ability in the peaceful use of outer space has further improved, thus effectively promoting China's economic and social development.

With regard to the space launch activities, China conducted in 2014 a total of 16 rocket launches and successfully sent 24 spacecraft into space. In the field of major space projects, China's manned space flight project has entered a new stage of space laboratory and space station construction. The high-resolution Earth observation system has also moved

into an era of sub-meter high resolution. The lunar exploration spacecraft has successfully achieved high speed re-entry return. The Beidou navigation system has been approved by the International Maritime Organization as part of the world radio navigation system and has begun to expand its operation from regional coverage into world outreach. Currently, space technology has been widely used in various fields such as meteorology, oceanography, disaster mitigation and environmental monitoring with significantly improved economic and social benefits.

Mr. Chairman, the Chinese Government has always maintained that all countries should strengthen their international exchanges and cooperation and promote the development of rule of law in outer space on the basis of equality and mutual benefit, peaceful utilization and common development so as to promote the long-term sustainable development of outer space activities and to achieve the goal of making space activities benefiting all countries, especially developing countries.

The Chinese Government has always been committed to carrying out exchanges and cooperation with international space organizations, national space agencies and space law experts and scholars with a view to sharing space experiences and meeting challenges together.

In November 2014, the Chinese Government, the United Nations and the Asia-Pacific Space Cooperation Organization jointly organized a Workshop on Space Law and nearly 200 participants from 32 countries, the International Institute of Space Law and other international organizations attended the Workshop. Participants conducted comprehensive and in-depth exchanges and discussions, focusing on special topics such as the development of space law and policy, space law and commercial activities, experiences and prospects of national space legislation and space law and education capacity-building. These exchanges and discussions played a positive role in enhancing the capacity-building of space law and promoting national space legislation in developing countries.

On 17 November 2014, the United Nations Affiliated Regional Centres for Space Science and Technology Education in the Asia and the Pacific was officially inaugurated in Beijing University of Aeronautics and Astronautics. Eight countries, China, Indonesia, Pakistan, Algeria, Bolivia, Brazil, Peru and Venezuela, became the first member States of the Council. Currently, the Centre In Beihang University is steadily promoting various education and training

activities. Short-term training courses in space law will be held in October this year for the first time, to be followed by a Master Degree education project in space law next year. Interested countries are cordially invited to participate in these projects.

The Chinese Government will continue to support the development of the Beihang Centre in order to make new contributions to the improvement of the level of space science, the capability of space technology application and education and training in space law within the region.

In addition, the Chinese Government has been quite active in signing cooperation agreements with national and international organizations in order to provide a legal framework for carrying out comprehensive international cooperation. In 2014, the China National Space Administration signed bilateral cooperation agreements with more than 10 countries, identifying areas of bilateral cooperation and cooperation mechanisms. China, serving as presidency of the Asia-Pacific Space Cooperation Organization has provided remote sensing data to APSCO and its member States free of charge in accordance with the Data Cooperation Agreement signed between the two sides. China, by signing technology cooperation agreements, has also assisted member States in carrying out capacity-building in the field of space technology.

Mr. Chairman, the Chinese delegation believes that the rule of law in space is the cornerstone which can ensure the use of outer space for peaceful purposes as well as its long-term sustainable development and that any space activities by any country should abide by the provisions of the space treaties, principles and declarations and be conducted according to the law so that the space activities could benefit all countries. China highly appreciates the important role played by the Legal Subcommittee in building the rule of law in outer space. China supports the Legal Subcommittee and the Scientific and Technology Subcommittee in strengthening their coordination in their efforts to conduct in-depth research on some legal issues concerning the peaceful use of outer space with a view to further improving the existing space law system.

Mr. Chairman, the Chinese delegation would like to reiterate that China has always been committed to the peaceful exploration and use of outer space and opposes the weaponization of and arms race in outer space. China is willing to strengthen cooperation with all parties and to work together to improve the rule of

law in outer space and build an outer space with peace, development, security and the rule of law.

Thank you, Mr. Chairman

**The CHAIRMAN:**

I thank the distinguished delegate from China for his statement.

I have received a request also for the floor from the observer of El Salvador.

**Ms. A. E. PORTILLO RODRÍGUEZ** (El Salvador) (*interpretation from Spanish*): Yes, thank you Chairman. On behalf of the Ambassador and the Permanent Representative of El Salvador, I would like to convey his apologies because he has had bilateral commitments he has to attend to on behalf of my country. I would like to thank you for giving me the opportunity to speak before the Legal Subcommittee at this session, something which will certainly enrich our process in a hope to become a full member of this.

Chairman, we align ourselves with the statements made on behalf of the Group of 77 and China and the Group of Latin America and the Caribbean since we are a party to some of these relevant agreements. Relating also to the Moon and celestial bodies, we would like to point that these particular agreements provide the basis for all of our work here relating to the peaceful use of outer space to the benefit of all States without any form of discrimination and on an equal footing. In this context, we think it is essential that we come to consensus to regulate exploration and use of outer space and, without doubt, we need to think further on the basis of international law and on the basis of customary law and international law. But, bearing these things in mind, we must do our level best to try and develop a legal system capable of regulating space affairs in a safe and flexible way in line with progressive demands imposed by technology.

In addition, my delegation considers that international cooperation should play an essential role in developing a legal regime which, in a comprehensive way, should define the links between this, things such as delineating outer space, viable legal mechanisms to reduce or mitigate space debris, international responsibility as regards abuse of outer space, just to mention some of them.

Chairman, you can count on the support of my delegation to move forward the work of this Subcommittee under your leadership. And to this end,

we urge you to ensure that we have a dynamic exchange of information and good practice as well as broad international cooperation and technical and legal cooperation which helps us achieve a swift implementation of the measures we take.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished delegate from El Salvador.

Are there any other delegations wishing to speak?

I see none.

We will, therefore, continue our consideration of agenda item 3, General Exchange of Views, tomorrow morning, and, distinguished delegates, I will shortly adjourn this meeting of the Subcommittee. Before doing so, may I remind delegates of our schedule of work for this afternoon.

We will meet promptly at 3.00 p.m. I will then suspend the meeting of the Subcommittee to allow time for the Symposium and the 898<sup>th</sup> meeting of the Subcommittee will then be adjourned at the conclusion of the Symposium.

Are there any questions or comments on this proposed schedule?

I see none.

One piece of information. Today, at 1.30 p.m., there is a Coordination Meeting for the member States of the European Space Agency, in Conference Room C6 on the Seventh Floor.

I would also like to inform delegations that the Provisional List of Participants for the Subcommittee's session will be distributed in the first half of this week and I would request all delegations that have not done so already to send an official letter with the names of their representatives to the Secretariat as soon as possible so they can be included on this Provisional List of Participants.

The meeting is adjourned until 3.00 p.m.

*The meeting adjourned at 12.14 p.m.*