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

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869<sup>th</sup> Meeting

Monday, 15 April 2013, 10 a.m.

Vienna

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*Chairman: Mr. T. Brisibe (Nigeria)*

*The meeting was called to order at 10.10 a.m.*

**The CHAIRMAN:** Good morning distinguished delegates. I now declare open the 869<sup>th</sup> meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This morning we will continue, and hopefully conclude, our consideration of agenda item 3, General Exchange of Views. We will continue our consideration of agenda item 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, and agenda item 11, General Exchange of Information and Views on Legal Mechanisms Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee.

We will begin our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

Today, at 1.00 p.m., there is an informal coordination meeting of ESA/ILC in Room M0E100.

I would also like to remind delegations to provide the Secretariat with any written amendments to the provisional list of participants, distributed as Conference Room Paper 2, by Wednesday, 17 April, so that the Secretariat can finalize it.

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

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

The first speaker on my list is the distinguished delegate of India.

**Mr. A. V. ANAND (India):** Thank you Mr. Chairman. Mr. Chairman, it is a matter of delight for the Indian delegation to participate in this fifty-second

session of the Legal Subcommittee of the United Nations COPUOS under your dynamic chairmanship and to associate with you in the proceedings of this august body. We are confident that under your experienced leadership, the Subcommittee will achieve good progress on the matters included in the agenda.

The Indian delegation would like to thank the United Nations Office for Outer Space Affairs Director, Mazlan Othman, and her colleagues for their support for the work of COPUOS and its Subcommittees.

Mr. Chairman, while acknowledging the significant achievements of various member States in space endeavours during the past one year, the Indian delegation desires to give a brief summary on the significant achievements made by India in the field of space since the last session to the Subcommittee.

On 26 April 2012, PSLV C-1,9 on its twentieth successive successful flight, precisely placed a Radar Imaging Satellite, RISAT-1, India's indigenously-built microwave remote sensing satellite meant for natural resource management.

On 9 September 2012, PSLV C-21, on its twenty-first successive successful mission, precisely placed a French Earth Observation Satellite, SPOT-6, and a Japanese Microsatellite, Proiteser.

India's Advanced Communication Satellite, GSAT-10, was successfully launched by Arianespace from Kourou, French Guyana, on 28 September 2012.

On 25 February 2013, PSLV C-20, on its twenty-second successive successful flight, placed a satellite with the AROGOS and ALTIKA satellite, and Indo-French joint mission in polar orbit and placed six other small satellites of various countries such as Austria, Canada, Denmark and the United Kingdom, in their intended orbits. The SARAL satellite built by ISRO and contributed by CNES with the ARGOS and ALTIKA payloads, is meant for studying ocean surface

parameters leading to marine meteorological applications.

Mr. Chairman, in the coming months, ISRO aims to augment India's constellation of remote sensing communication and navigation satellites, IRNSS-R1A, the first of India's regional navigation satellite constellations, GSAT-7, an advanced communications satellite, and INSAT-3D, a meteorological satellite are scheduled for launch in this year.

Mr. Chairman, The Mars Orbiter Mission, as the first Indian step towards exploring the planet Mars is also being realized for launch during October/November 2013 with a planned arrival and capture around Mars orbit by September/October 2014.

Mr. Chairman, the emphasis of the Indian Space Programme has always been on integrating the advances in space technology and applications with the national developmental goals, particularly in vital service areas such as telecommunications, television broadcasting, meteorology, disaster warning, as well as natural resources survey and management.

India places considerable importance on international cooperation for the peaceful use and currently formal instruments of cooperation are in place with 33 countries and three international organizations. Quite a few significant international events such as the India-ASEAN Heads of Space Agencies Meet in June 2012, the thirty-ninth Scientific Assembly of the Committee on Space Research, COSPAR, in July 2012, the twenty-sixth Plenary Meeting of CEOS in October 2012, were held in India.

Mr. Chairman, India has been consciously contributing towards capacity-building in the field of international space law, both domestically and internationally. The Indian Space Research Organization provides financial and technical support for legal research activities on contemporary issues in outer space by premier academic institutions in India and also encourages the participation of Indian teams in the Manfred Lachs Space Law Moot Court Competition. A winning team selected through a national selection process has been financially supported by ISRO for participation in regional rounds since 2004. The current year's national selection round is scheduled for 3-5 May 2013 at the National Law School of Indian University, Bangalore.

Mr. Chairman, further it is our pleasure to inform this Subcommittee that the Asia-Pacific Regional Rounds of the Manfred Lachs Moot Court

Competition was held for the first time in India at Nalsar University of Law, Hyderabad, with the participation of 18 teams from China, Indonesia, Nepal, Singapore and India in the oral rounds during 22-24 June 2012. A one-day International Conference on Space Law on the theme "Space Law and Contemporary Issues: a Focus on the Asia-Pacific Region" was also conducted with eminent space law experts. This Programme was co-sponsored by the Indian Space Research Organization with the Nalsar University of Law.

Mr. Chairman, the Indian delegation takes pride in conveying to this august body that an Indian law student team from the National Law School of Indian University, Bangalore, has won the World Finals of the Manfred Lachs Space Law Moot Court Competition for the second time in 2012 at the fifty-sixth IISL Colloquium on the Law of Outer Space, and the sixty-third International Astronautical Congress, held in Naples in October 2012.

Mr. Chairman, during this year, two other events relating to capacity-building in space law are also planned by Indian universities. Dr. Ram Manohar Lohiya National Law University, Lucknow, is currently in the process of conducting an international legal essay competition on space law for law students.

The Nalsar University of Law, Hyderabad, is organizing a two-day National Workshop on Liberalization and Privatization of Space Activities in India: Emerging Legal Issues, during 12-13 April 2013.

Mr. Chairman, in the end, the Indian delegation would like to thank the International Institute of Space Law and the European Centre for Space Law for organizing the Symposium on the theme "The UNIDROIT Space Protocol" which is very timely and quite informative on a topic of current interest.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of India for his statement.

The next speaker on my list is the distinguished representative of Libya.

**Mr. M. R. EL HASHIMI ELDUKALY** (Libya) (*interpretation from Arabic*): In the Name of God, the Merciful, the Compassionate, Mr. Chairman, let me start by thanking you and congratulating you on behalf of the Libyan delegation. We are delighted to see you elected as Chairman of this Legal

Subcommittee and we welcome you at the helm of this session, Sir. We are fully committed to cooperating with you and we highly appreciate your remarkable skills at leading our work. My delegation is convinced that, thanks to your vast experience and your wisdom, Sir, you will lead us to a highly successful result.

The Libyan delegation would like to also commend and congratulate other members of the Bureau and thank them for their support and their contribution to our successful deliberations.

Mr. Chairman, we would also like to thank Madam Mazlan Othman, Director of the Office for Outer Space Affairs. We value her work and highly appreciate her efforts towards promoting international cooperation in the domain of the peaceful use of outer space and to assist developing countries in that regard.

Mr. Chairman, my delegation attaches great importance to strengthening international cooperation in the exploration and use of outer space for peaceful purposes, to promote sustainable development in the common interest of nations regardless of their level of economic, social, political, scientific or technological development, to meet the needs of the population of these countries in accordance with the guiding principles for space activities in outer space, adopted by the United Nations General Assembly, as well as the sum total of appropriate resolutions and relevant international instruments.

We believe this Subcommittee plays a critical role in developing outer space law and it is the right forum to promote cooperation between developed and developing countries to serve shared interests in a way that would be mutually beneficial for all.

My delegation stresses the need to further enhance the role of COPUOS in the international system of organizations involved in space activities as a key forum for promoting international cooperation in this regard, specifically, as regards exchange of experience and know-how, space technology development and space applications, capacity-building and technical assistance benefiting developing countries.

Mr. Chairman, the Libyan delegation is aware of the ongoing cooperation projects and always insist on the rule of law in outer space activities, encouraging all countries to accede to the Principles adopted by the United Nations and the United Nations outer space treaties which are fully in line with the Principles enshrined in the United Nations Charter. This is the

only way to proceed in the way of promoting cooperation in the peaceful uses of outer space.

My delegation expresses a particular interest in international cooperation and the capacity-building area. Developing countries such as ours need to expand their knowledge, share skills, acquire experience through educational and training programmes and we are grateful to the Office for Outer Space Affairs and member States for their support in these efforts.

Mr. Chairman, my delegation would like to add its voice to those who insist on the need for an in-depth study of issues involved in the use of nuclear power sources in outer space. This Subcommittee should be more involved in resolving various legal issues that arise in connection with the use of nuclear power sources in outer space, particularly in Earth's orbit and how to preserve safety and security peace. In that regard, we are with those delegations that have expressed their concern in regard to lacunae that still exist with regard to the use of nuclear power sources as well as the issue of space debris. National, regional and international efforts should be redoubled to make sure we have binding and relevant norms and standards governing that situation.

To conclude, thank you very much for your attention.

**The CHAIRMAN:** I thank the distinguished representative of Libya for his statement.

The next speaker on my list is the distinguished representative of Italy.

**Mr. F. FORMICA (Italy):** Thank you Mr. Chairman. Mr. Chairman, at the outset, let me express my deep appreciation for seeing you once again presiding over our deliberations after the excellent results achieved during the 2012 session.

I would also like to thank the Director of the Office for Outer Space Affairs, Dr. Othman, and her staff for all the efforts and the achievements made in 2012 and for their hard work in organizing this meeting.

Since this is the last session of the Legal Subcommittee that Dr. Othman attends in her capacity as the Office for Outer Space Affairs Director, I wish to express my most sincere appreciation for her engagement at the service of the United Nations.

Mr. Chairman, Italy has always supported the action of the Legal Subcommittee aimed at strengthening the existing treaties and principles of international law applicable to outer space activities. For this reason, the Italian delegation reiterates its support to encouraging efforts in order to promote universal adoption and full adherence to the United Nations legal instruments on outer space and their implementation by the States which are already parties to them.

In this regard, we consider the debate within the Working Group on Status and Application of the Five Outer Space Treaties, particularly fruitful, thanks to the input given by its Chairman.

Italy also believes that particular attention should be given to promoting and fostering concepts and practices underlining the long-term stable and sustainable development of outer space activities in all its aspects. Responsible behaviours in outer space find their roots in Article IX of the 1967 Outer Space Treaty where States are requested to conduct all their activities in outer space with due regard to the corresponding interests of all other State Parties. States are bound to ensure that the exercise of their rights and freedoms does not interfere with or compromise the safety of space operations and to avoid hampering the space activities of other States.

New threats have emerged which require new commitments based on the principle of prevention, due diligence and no harmful interference. In particular, we are concerned the growth of orbital debris which represents an increasing threat to space activities, including human space flight and satellite systems.

Mr. Chairman, Italy welcomes and supports the current ongoing initiatives at international level, the Working Group on the Long-Term Sustainability of Outer Space Activities, established by the Scientific and Technical Subcommittee of COPUOS and the initiative for an International Code of Conduct for Outer Space Activities. We consider these initiatives as complementary and aimed at supporting States in the better abiding by their international obligations.

Italy participates in the Working Group on the Long-Term Sustainability of Outer Space Activities in order to prepare a report on the long-term sustainability of outer space activities and to recommend a set of best practices guidelines focused on measures to enhance the safety of outer space activities.

We are pleased to note the positive results achieved by the Expert Group on the Working Group

on Long-Term Sustainability of Outer Space Activities during the last session of the Scientific and Technical Subcommittee. My delegation believes that the Committee on the Peaceful Uses of Outer Space has a significant role to play in promoting the long-term sustainability of outer space activities in all its aspects through its work in the scientific, technical and legal fields.

At the same time, Italy actively supports the current efforts aimed at establishing a strong international consensus on an International Code of Conduct for Outer Space Activities. The draft Code, opened for consultations within the international community, is a constructive base with the aim of establishing a text acceptable to the largest number of countries. The purpose of the Code is to improve the safety and predictability of space operations, enhance the stability and the security in outer space and encourage the responsible use of space for the benefit of all nations. It codifies a wide range of measures on the prevention of harmful interferences in outer space, on space operations and mitigation of space debris and procedural measures on information, consultation and notification.

Considering that these two initiatives within and outside of COPUOS are aimed at the adoption of non-legally binding instruments, we support the Japanese proposal for the introduction of a new agenda item on general exchange of information in national implementation measures on non-legally binding instruments for outer space activities.

Mr. Chairman, we welcome the initiative of the International Institute for Space Law and the European Centre for Space Law to promote a Symposium, successfully held the first day of this session on the UNIDROIT Space Assets Protocol as an opportunity to reflect on the follow-up of the outcome of the 2012 Berlin Diplomatic Conference where the Protocol was adopted. We look forward to the results of the first meeting of the Preparatory Commission which will take place in Rome in May this year.

Mr. Chairman, let me now turn to the agenda item concerning national legislation on the peaceful uses of outer space. We fully support the conclusion and recommendation contained in the report of the Working Group chaired by Professor Marboe. As for the format, we are convinced that the best way to ensure the visibility of our work is to propose an ad hoc resolution of the General Assembly.

As for the development at national level, I wish to inform that a specific regulation for the

National Registry for Objects Launched into Outer Space has been recently adopted. The Registry is maintained by the Italian Space Agency. The regulation specifies the objects to be annotated in the National Registry, the technical data which are to be included following the 1975 Registration Convention as well as the additional information under the United Nations General Assembly resolution 62/101 on recommendations on enhancing the practice of States and intergovernmental organizations in registering a space object, adopted in December 2007. This includes updates relevant to any change of the status of the space objects and information, if known, on the re-entry of the space objects. The Regulation also envisages a complementary Registry where transfers of jurisdiction and control on space objects already in orbit would be annotated if Italy acquires jurisdiction and control over them.

To conclude, Mr. Chairman, Italy is fully convinced that the Legal Subcommittee continues to have a significant role to play in the development of legal norms for the responsible use of outer space. In this regard, my delegation would like to reiterate its appeal to all member States for further efforts to achieve consensus on possible ways of rationalizing and improving the organization of the work of this Subcommittee in a more efficient and cost-effective way.

Thank you Mr. Chairman.

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

The next speaker on my list is the distinguished representative of Azerbaijan.

**Ms. A. MAMMADOVA** (Azerbaijan): Thank you. Mr. Chairman and Dr. Mazlan Othman, I want to share our appreciation for activities you are performing to ensure the successful running of this fifty-second of the Legal Subcommittee.

The country I represent here, the Republic of Azerbaijan, diversifies its economic and introduces new innovation-based industries for meeting emergent demands and ensuring sustainable development in Azerbaijan and in the region.

Seeing the real prospect for ICT-related growth, the Government of Azerbaijan is dedicated to carry out projects for becoming a regional leader in information technologies and to bring benefit to the global space industry.

We aim to meet local and global challenges by collaborating with other developed nations to produce space solutions. Therefore, we addressed these challenges by harnessing space tools since it has huge economic and intellectual potential for sustainability viability of the space industry.

Economic benefits and information security brought about by the utilization of satellite-based technologies will further enhance Azerbaijan's contribution to the region and boost its international partnerships across various areas.

Mr. Chairman, it is with great pleasure we inform this session that as a part of a wider plan of the development of the space industry, the first Azerbaijan telecommunications satellite, designated Azerspace/Africasat-1A, was successfully launched into orbit on 7 February 2013.

The satellite is operated by Azercosmos, a national satellite operator, at 46 degrees East longitude, in collaboration with Malaysian satellite operator Measat. The satellite will provide high-quality broadcast and telecommunications services. It will increase availability of the satellite services not only in Azerbaijan but also in the whole coverage area. The satellite connectivity will change the way in which the countries can obtain and use information and will support safe and sustainable space activities. It is not only a question of connectivity though, it is a question of economic wealth. The development of a communications infrastructure brings with it new economic prospects and opportunities. It opens doors of the global marketplace, stimulates improvement of local education and promotes overall development.

With the advanced technological design and switching capabilities, Azerspace-1 will deliver high-quality and reliable information and communications services to millions of users across the region and beyond, helping bridge the existing digital divide. Our satellite plays a role as an important gateway in a giant space that connects over 50 countries in Europe, Middle East, Caucasian countries, Africa and Central Asia, and is a significant stimulus for the development of space science in the region.

Mr. Chairman, it is also my pleasure to inform you that in order to bring its space activities in line with the United Nations requirements, Azerbaijan has taken several important steps and the process of accession to the United Nations Outer Space Treaty has already been initiated and the only pending issue is adoption by the Parliament. Azerbaijan has also applied to the United Nations for the registration of the

satellite. The draft of the Space Law is ready and currently it is being elaborated in order to cover all important aspects, taking into account the good practice recommended by COPUOS.

At the end, we would like to express our commitment to all the efforts of the Legal Subcommittee for their development of space and reliable space cooperation with the purpose of guaranteeing equality in the space activities and with special emphasis given to the developing countries.

We would also like to express our great appreciation for Dr. Othman's extraordinary work she has performed for the development of the Office for Outer Space Affairs throughout these years.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of Azerbaijan for her statement.

The next speaker on my list is the distinguished representative of Argentina.

**Mr. F. MENICOCCI** (Argentina) (*interpretation from Spanish*): Thank you very much Mr. Chairman. Chairman, my delegation is very happy to see you yet again at the helm of this Subcommittee. We are convinced that under your experienced leadership, we will work successfully and will resolve issues on the agenda. Distinguished Dr. Tare Brisibe, you may count on every cooperation on our part.

We would also like to commend the Director of the Office for Outer Space Affairs, Dr. Mazlan Othman, since this is the last time she is participating in this forum as the Head of the Office for Outer Space Affairs. We would like to express our deep gratitude and respect. You have carried out excellent, indefatigable work over the years and wish you every success in your future endeavours and we know you will be very successful in whatever you do, Dr. Othman.

We would also like to highlight the tireless Secretary, Mr. Niklas Hedman, and his team who have prepared excellent documentation for our session.

We would also like to welcome Costa Rica, Armenia and Jordan as new members of COPUOS. The accession of new members is recognition of the very important work carried out by the Committee and its Subcommittees and I am sure the new members will make a valuable contribution to our work.

We would like to take this opportunity to express our full support for the statement delivered by the Ambassador of Guatemala on behalf of GRULAC in this fifty-second session of the Legal Subcommittee of COPUOS.

Mr. Chairman, my delegation believes that the development of space science and technology is increasingly becoming a relevant tool in promoting a happier future and present for humankind, as reflected in the Rio + 20 Declaration. In this regard, we would like to express our support of the treaties and principles approved by the United Nations with regard to outer space activities. The underlying, especially equal access without any discrimination to outer space on an equitable basis for all States independently of the level of their scientific, technical or economic development and equitable use, as well as rational use of outer space and its resources, non-appropriation of outer space including the Moon and other celestial bodies, non-militarization of outer space and its use exclusively for peaceful purposes as well as regional cooperation to promote space activities.

The ongoing scientific and technological development of space must go hand in hand with the progressive development of outer space law, and for that purpose, it is necessary that the Subcommittee should continue its consideration of various issues to strengthen the legal regime governing outer space activities, *inter alia*, with regard to the need to consider and revise the five United Nations treaties on outer space to guarantee the harmlessness, safety and transparency of all future space activities.

In this context, we believe there has to be closer cooperation between the Legal Subcommittee and the Scientific and Technical Subcommittee so that all legal aspects of the scientific and technological advances could be carefully studied with a view to achieving greater long-term sustainability of outer space activities and avoiding its militarization.

My delegation understands, though, we must continue perfecting the international legal regime governing outer space activities and give a new impetus to the Legal Subcommittee in a way that would allow all countries, whether they are involved in advanced space activities or are just starting out in outer space, to equally benefit from all space-based activities and resources to promote the socio-economic prosperity and sustainable development for their nations, in particular to benefit developing countries.

In this regard, and based on what was stated by GRULAC, we do not support the suggestion that the

duration of the Subcommittee's sessions should be reduced, nor do we favour changing the modality of considering our agenda. On the contrary, we must further strengthen the Subcommittee through adding new challenges to our agenda with regard to space law to continue our inter-disciplinary and inter-institutional approach which enriches our debates.

Mr. Chairman, in addition to notable scientific and technological progress, we are witnessing a growing commercialization of outer space and increased participation of the private sector which raises new legal issues which makes its necessary to make progress in the issue of the delimitation and definition of outer space. The lack of a solution creates uncertainty with regard to the applicability of space law and air law. We need to minimize the possibility of new conflicts arising among States, and for that, it is important to resolve questions pertaining to the sovereignty of States and the boundary between air space and outer space. In this regard, my delegation recognizes and supports the work of the Working Group on the Definition and Delimitation of Outer Space, chaired by Dr. José Monserrat Filho of Brazil.

With regard to relevant national legislation governing the exploration and use of outer space, the Republic of Argentina is in the final stages of its review of a new National Space Plan for 2013 to 2024, to be carried out by the National Space Mission, CONAE, which will be submitted to the Government in the days to come for its consideration and approval. Thus, we are setting up working groups and action teams that will be charged with preparing a new draft space law governing all space activities of our country. For that, we have greatly benefited and were inspired by the Recommendations on National Legislation Relevant to the Exploration and Use of Outer Space, prepared by the Working Group chaired by Dr. Irmgard Marboe of Austria. We are grateful to her and commend her for her work and we will be consulting that document very closely.

With regard to the issue, Review and Possible Revision of the Principles Governing the Use of Nuclear Power Sources in Outer Space, my delegation believes that there has to be greater communication and interaction between the Legal Subcommittee, the Scientific and Technical Subcommittee and the International Atomic Agency, IAEA, with a view to studying the feasibility and the need to amending the Principles Governing the Use of Nuclear Power Sources in Outer Space, using the Safety Framework as a basis. The Principles and the Safety Framework serve States as technical orientation for the safe use of

nuclear power sources in outer space, as is the case for the Republic of Argentina.

In this regard, my country, which envisages the use of such sources in future missions under its National Space Plan, believes that it is of the greatest interest that States that are involved in space activities have broader experience in the use of nuclear power sources in outer space. Those that have such experience should provide access to other States, to information and specialized knowledge that they have at their disposal regarding measures that have been taken in the past to guarantee the safety of space objects that carry nuclear power sources.

Mr. Chairman, distinguished colleagues, the Republic of Argentina is aware of the imperative need for capacity-building in space law and the need to promote intensive regional dialogue in these matters. It is, as part of that approach, that CONAE, the United Nations Office for Outer Space Affairs, and the European Space Agency, organized on 5-8 November 2012, in Buenos Aires, a Seminar on Space Law entitled "The Contribution of Outer Space Law to Economic and Social Development". The objective of this Seminar was to promote exchange of information regarding legislation and national policies related to space activities and the use of outer space and to promote awareness of the United Nations treaties and principles governing outer space activities, their scope, the challenges and the accomplishments.

During the event, which was attended by more than 100 experts from a number of countries, participants analyzed trends and challenges facing international space law and mechanisms to improve regional cooperation as part of the development of outer space to be applied to peaceful uses of outer space. The success of the Seminar and the dialogue it led to and its conclusions even further commit us to the road of creation national space agency.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Argentina for his statement.

The next speaker on my list is the distinguished representative of Mexico.

**Ms. R. M. RAMÍREZ DE ARELLANO** (Mexico) (*interpretation from Spanish*): Thank you Chairman. During this meeting, my delegation has spoken several times already under various items of the agenda and today I am going to be broaching various elements that concern Mexico and also refer to space

activities and infrastructure which the space agency of Mexico is implementing.

Before I get to the crux of the matter, I would like to congratulate Mrs. Othman for the excellent work that she has conducted at the head of the Office for Outer Space Affairs. It is a matter of great pride to see that a woman is directing the work of a very important international agency and I would like to congratulate you and thank you and your entire team and thank the Secretariat as well because it is indeed easy to find any documents that one needs when one goes into the Office for Outer Space Affairs site on the web.

Now I would like to speak about the Mexican Space Agency. The law establishing it was passed on 30 July 2010. This Agency was the result of a visionary study which was implemented by Mexico because for years Mexico had wanted to join the group of countries that had made use of outer space for peaceful purposes, the objective being to use outer space to step up our national security, to improve our economic development, to develop our resources creating conditions of equal access to all and indeed to enable us to better access science and technology. The law established our Agency but, of course, that was not enough. We had to continue working in 2011. We implemented a Space Policy so that scientific and technical industrial outer space development of our country was so developed that indeed we would be able to create jobs to step up our creativity. We stressed innovation as a strategy so as to better respond to national and world challenges.

Thus, we are encouraging the establishment of programmes which allow us to launch, to teaching developments, allowing for training to make us competitive internationally. We have stressed technological innovation, for example, and our Agency is interested with the development and the proper formulation of outer space activities for our country. They play a cutting edge role but the stress made on the technological strategy indeed stresses the enhancement of human resources and diversifies the outer space sector.

To reach these goals, we have sought to coordinate with the public and the private sectors in order to properly work on the various centres of interest. Our outer space involvement started in the 1950s for the purpose of the development of communication satellites and we developed rockets for the study of the atmosphere and the Guaymas and Sonora facilities were set up to enable the monitoring of United States flights. As of 1962, we were able to

set up telecommunication projects and activities to train specialized experts and to actually set up the corresponding facilities enabling their work in this regard.

Thus, at present, Mexico has presented ever so many projects. We cooperate with higher education facilities, universities, for example, the Autonomous University of Mexico or the International Polytechnic. We cooperate with the Mexican Army Institute and we have access to remote sensing imagery, the constellation imagery and the SPOT constellation of Mexico was the first station set up in our country. It enabled us to take nationwide decisions.

The second station set up on our territory was to receive satellite information, satellite data, to get a LANDSAT imagery to prevent natural disasters.

And the third station, EVISMAR, is a station which enables us to receive high-resolution imagery. The work on this station is ongoing and we have a resolution for the imagery of 50 centimetres. We also have the MEXSAT system and we hope that the next three years we will be able to launch three telecommunications satellites. The first will be the bi-centenary one which was launched December 2012. The second one will be launched in Kazakhstan between 2013 and 2014 and then there is the Morelos satellite. Here we do not have any approximate launching date. This will allow us integrate these systems into a national security system, a sound reliable one covering our entire territory.

Now as for our space technology and industry system, we do work on tracking, GPS monitoring. We have geo-localization and remote sensing capabilities which are exploited to produce computer data, this in order to make the most of the output of our Mexican satellites.

As of 1 December 2012, there was a governmental administration change and we started working on five main axes in our Space Agency. We have now engaged in the second stage of this Programme.

What are the five axes which our Mexican Government has set up? Mexico and peace(?). This a work to step up our infrastructure in order to better cover our national territory, the objective being to facilitate the work of law enforcement services to protect our population. There is food security and natural disaster prevention efforts involved, coastal defence also. So security covers all those aspects.

The second axis is “Mexico Inclusive” which means that we wish to strengthen our technological applications capability to step up our satellite programmes and to reduce the digital divide, to improve tele-education, better access to banking services.

The third axis is “Mexico For All” and here we are linking up to educational institutions to better work with our young people, to step up their involvement with space technologies, to step up the quality of the teaching of mathematics and sciences, to create opportunities, equal opportunities for all in our country, to enable proper access to training, to prepare the future.

And the fourth axis is “Mexico the Prosperous”. We wish to indeed stress innovative approaches throughout our government-led administration to step up research and development in our country. We especially wish to set up state-of-the-art technological enterprises to make us competitive internationally.

All of these axes have been launched in 2012. The last axis is “Mexico as a Player with Responsibility”. We have to indeed involve ourselves with environmental issues to prevent natural disasters. We have to sign international instruments. We have to negotiate with other partner governments. We have already signed Memoranda of Agreement with Germany, with the Space Agency of Italy, with the Ukrainian Space Agency. We have also have an Agreement with NASA. This latter Agreement was signed on 10 March last which it stresses the enhancement of human resources.

Space infrastructure. I would like to say that in our country, there are natural disasters of all sorts. There are volcanoes, fires, floods. We have volcanic eruptions ongoing at present. A very impressive volcanic activity. We also have oil spill emergencies and all of this has negative impacts on personal and national security. All of this goes beyond human control. However, it can occasionally be predicted, given the geographic typology of our territory which is on two oceans. There are various emergencies that can arise there, cyclones, storms, triggering flooding on a yearly basis. There are also earthquakes, volcanic eruptions. There is increasing incidence of forest fires as well as other natural disasters so our country really is in sore need of an integrated early warning system to generate a process, distribute information. We need a telecommunications system which reliably distributes this information and affords us in the fields, support, enabling decisions to be taken in due time.

The civic defence system and our natural disaster prevention system indeed involves coordination of activities at various levels and all of this is triggered in case of disasters arising. We have made good use of this system to deploy rescue efforts. There is imagery data coming in, enabling us to monitor and intervene as necessary. This data is bought either nationally or internationally. This, of course, makes for management costs and this reduces the effectiveness for management purposes and introduces delays when it comes to early response and rescue. The data is distributed throughout our country and sometimes the distribution is such that it is very difficult to put together a package of rescue services which is indeed very, very effective.

Everything that I have mentioned here has to do with the activities deployed by the Mexican Space Agency and it is my pleasure to say that we are working in order to set up a proper and effective early response to a natural disaster system.

Thank you.

**The CHAIRMAN:** I thank the distinguished representative of Mexico for her statement.

The next speaker on my list is the distinguished representative of the Czech Republic.

**Ms. M. SMUCLEROVA** (Czech Republic): Thank you Mr. Chairman. We would like to take this opportunity to thank the Office for Outer Space Affairs for all their hard work in preparing for this meeting. The Czech Republic looks forward to a productive and successful fifty-second session of the Legal Subcommittee this year. The Czech Republic delegation attaches great importance to its work and is committed to its significant mission.

The constant increase in activities in the exploration and the use of outer space of both scientific and commercial nature, either from the States themselves or from various non-governmental subjects, continues to pose new challenges to international community in relation to the interpretation and implementation of the international legal framework governing such activities. The Czech Republic reiterates its strong support for the core United Nations conventions on outer space and welcomes initiatives aimed at strengthening the legal basis for space activities.

The Czech Republic appreciates in particular the work of the Working Group on National

Legislation Relevant to the Peaceful Exploration and Use of Outer Space and the formulation of the draft recommendations. We believe that such guidelines would constitute an important source of inspiration for States, like the Czech Republic, that are developing or aim to develop in the near future their national space-related legislation. Moreover, such normative minimum would help to unify the basic principles or national regulatory frameworks, the fruit of which would be reflected in the common endeavour in outer space.

On the national level, the Czech Republic has pursued its support activities in the area of space law. The Czech Republic intends to establish a Czech Space Agency and therefore prepares measures in this respect. Meanwhile, it is the Ministry of Transport which is responsible for coordination of all space activities in the Czech Republic and chairs the Coordination Council for Space Activities in which other ministries are involved. In 2010, the Czech Government approved the National Space Plan which defines national objectives in this area.

With regard to the international legal framework, the Czech Republic is aware of the necessity to adjust the application of the existing legal norms to new challenges in practice and new technologies. We acknowledge the preparation of the questionnaire by the Working Group on the Status and Application of the Five United Nations Treaties on Outer Space that aims to identify the key issues with respect to possible update of interpretation and implementation of the treaties. We support the extension of the mandate of the Working Group beyond this session.

Mr. Chairman, let me turn to another agenda item to which the Czech Republic attaches importance, the legal mechanisms relating to space debris mitigation measures. My country has been a steady proponent of the consideration of the issue of space debris in both the Legal and Scientific and Technical Subcommittees of the COPUOS. The international awareness of the orbital debris problem increases and the threat posed by space debris to the security and sustainability of outer space is undeniable. We believe that transformation of the COPUOS Guidelines on Space Debris into legal principles might represent a further progress in our common endeavour. The current deliberation of the Working Group on the Long-Term Sustainability of Outer Space Activities of the Scientific and Technical Subcommittee is a promising contribution to the issue and is expected to markedly enrich our legal debate. We encourage to pursue the discussion and refine the legal

consciousness about the space debris mitigation policy and to take into account the resulting recommended best practice guidelines of that Working Group. The Czech Republic is committed to the most efficient standardization of the rules on space debris mitigation.

Mr. Chairman, in concluding, allow me to emphasize that the Czech delegation will continue to provide strong support for the work of the Subcommittee.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of the Czech Republic for her statement.

Are there any other speakers on general exchange of views at this time?

I see none.

We have, therefore, concluded our consideration of agenda item 3, General Exchange of Views.

**National legislation relevant to the peaceful exploration and use of outer space (agenda item 7)**

Distinguished delegates, I would now like to continue our consideration of item 7 on our agenda, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

The first speaker on my list is the distinguished representative of South Africa.

**Mr. A. SEPTEMBER** (South Africa): Mr. Chair, thank you for allowing us an opportunity to share with the Legal Subcommittee recent developments in the development of national space law in a response to the rapid deployment of new space technologies coupled with an increased participation by non-governmental entities in the space sector.

The increased commercialization of space activities demands proper regulatory responses to encourage and not hinder the wide-spread availability of space applications to address the myriad of socio-economic challenges in the developing world. We are particularly grateful to the deliberations conducted under the auspices of the Legal Subcommittee in refining the requisite elements of a responsive national space law that adheres to the fundamental principles governing space exploration and use.

Mr. Chair, the Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space finalized its multi-year Work Plan at the last Legal Subcommittee. We recall that it was not possible to reach consensus at the Legal Subcommittee on the vehicle in which the results of this Working Group should be reflected and that it was left to COPUOS to make that decision which referred it to this session of the Legal Subcommittee for adoption. The delegation of South Africa is of the opinion that the Working Group's revised draft separate General Assembly resolution is acceptable and should be forwarded as it encapsulates the work of the Working Group of National Legislation plus it has the potential to contribute to the growing body on international space law.

Kindly allow us to congratulate Professor Marboe for the tenacious and dedicated way in which she has led the Working Group on National Legislation over the last year. The output emanating from the Working Group has greatly assisted us in our endeavour to fashion a domestic law that reflects current elements necessary to shepherd space activities in our country.

Mr. Chair, consistent with our stated commitment to conduct national space activity in accordance with best international practices, we have undertaken a number of activities to refine and promulgate domestic legislative and regulatory mechanisms to encourage responsible use of outer space by our national entities and persons.

South Africa is party to four space treaties and the fundamentals of these international instruments must be reflected in our domestic legislation. To that end, we have embarked on a comprehensive review of the current space environment in South Africa with a view to assess the relevance and suitability of our legislative and regulatory instruments in light of increased participation by commercial entities and other contemporary challenges.

The aim is to scope international best practices for the regulation of space activities, benchmark the current South African space scenario with other space-faring countries and determine whether the provisions of the current Space Affairs Act are adequate to ensure that the objectives of this legislation are in line with recent developments in space use and exploration. The legal separation between entities involved in service provision and those providing regulatory oversight will be retained but where any unnecessary duplication of functions and responsibilities are identified, this will be

eradicated. We hope the end result will be new national space legislation that reflects best practices that have emanated from the discussions and interaction in this environment.

We are also continuing our internal efforts to refine our licensing processes through the work of our regulatory authority, the South African Council for Space Affairs, SACSA. SACSA is developing a comprehensive licensing framework under the Space Affairs Act in response to increasing demand for authorization from prospective space users in South Africa. This process is done in conjunction with the broader review of the Act and it is envisaged that a licensing model for space activities will ultimately be incorporated in the new domestic space legislation to be developed after the review process is complete.

Mr. Chair, we are extremely concerned about the lack of progress in the development of international standards to prevent the further proliferation of space debris and accountability for contributing to such debris. In this regard, we take note of the important work on space debris mitigation in the Scientific and Technical Subcommittee and the work of its Working Group on the Long-Term Sustainability of Outer Space Activities which may have legal consequences.

Mr. Chair, let me conclude by emphasizing our commitment to the rule of law and the further development of norms of international space law to advance the further space commerce for the benefit of all humanity.

I thank you.

**The CHAIRMAN:** I thank the distinguished representative of South Africa for his statement.

The next speaker on my list is the distinguished representative of Nigeria.

**Mr. A. R. MOMOH** (Nigeria): Mr. Chairman, the Nigerian delegation notes with appreciation the revised text of the recommendations of national space legislation relevant to the peaceful exploration and use of outer space, based on the report of the Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space and the work conducted under its multi-year Work Plan.

Nigeria expresses its support for the submission of the text as contained in document reference number A/AC.105/C.2/L.289 to the General Assembly at its sixty-eighth session.

Mr. Chairman, Nigeria has updated the schematic document A/AC.105/C.2/2014/CRP.7 with salient provisions of the National Space Research and Development Agency Act 2010. Nigeria values the continuation of the schematic document on national legislation as a living document that will serve as an important source of information for all.

Among other provisions of the Act is a licence condition which includes permitting inspection and testing of the licensee's facilities and equipment. Licenses may also be issued on the condition that the licensee provides information to the National Space Council concerning the nature, conduct, location and results of the licensee's activities. Advance approval of the Council must be obtained for any intended deviation from orbital parameters and it is obligatory to inform the Council immediately of any unintended deviation.

In the Act, particular emphasis is placed on the mitigation of space debris, a licensee is required to conduct its operations in such a way as to prevent the contamination of the outer space or cause any adverse changes in the environment of the Earth, to avoid interference with the activities of other States involved in the peaceful exploration of outer space and to govern the disposal of the payload in outer space on the termination of operations.

The Act also requires a licensee to insure themselves against liability incurred in respect of damages or loss suffered by third parties in the Federal Republic of Nigeria or elsewhere as a result of the activities authorized by the licence. The Act further covers matters relating to the registration of space objects launched to outer space and mandates the National Space Research and Development Agency to maintain a national register of space objects.

Thank you Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Nigeria for his statement.

The next speaker on my list is the distinguished representative of Indonesia.

**Mr. T. DJAMALUDDIN** (Indonesia): Thank you Mr. Chairman. As we mentioned under agenda item 3, General Exchange of Views, Indonesia is finalizing the drafting of a national space law accommodating to the substance recommended by the Working Group in COPUOS. Furthermore, with regard to this, since we are developing our national law

in a rapidly changing situation and swift technological development, we would like to encourage other States, which are also developing their national law, to share their experiences and best practices. Indonesia has also benefited from the development of various national space laws and discussion with stakeholders.

In relation to this, Indonesia is of the view that international organizations and non-government organizations could contribute to the development of national legislation relevant to the peaceful exploration and use of outer space by sharing their research or presenting related studies.

I thank you Mr. Chairman.

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

Are there any other speakers on national legislation relevant to the peaceful exploration and use of outer space at this time?

Yes, I give the floor to the distinguished representative of Austria.

**Ms. I. MARBOE** (Austria): Thank you very much Mr. Chairman. The delegation of Austria welcomes this new agenda item as a regular item and the past interventions have shown that it is indeed a very important item on our agenda to exchange developments, experiences and best practices on national space legislation.

The Austrian delegation would specifically thank the Secretariat for having put together the document CRP.7 which is a very useful tool and gives a good overview of existing national space legislation. The document has grown now to 53 pages. That is an enormous work and the Austrian delegation wishes to call on delegations to help the Secretariat with this important and difficult task to keep this document up-to-date, to have it as a living instrument, to submit the relevant information and perhaps the suggestion would be that information is already submitted in the format of the schematic overview so that the Secretariat has only to copy and paste it and not do the respective research itself. So pull out the relevant information out of the existing documents which are submitted and do this specific task as which it has done in the past but I think for the future work and we need to make the work of the Secretariat feasible, then delegations should submit this information already, I think, in table format. I do not know if this has already been done. Perhaps we can have some feedback if this has been practiced in the last year but it would be a suggestion

of Austria in order to have this document up-to-date and, at the same time, not overload the Secretariat with too much work.

At the same time, the Austrian delegation would like to point out that also at the website of the Office for Outer Space Affairs, there is a very useful space provided for national space legislation and it is called "Index of National Space Law Database". And here the Austrian delegation would draw the attention to the fact that, in fact, the list of States and national legislation should be consistent with the schematic overview. So ideally, we should still continue to work on these two important tools of information, the schematic overview on the one hand, and the National Space Law Database on the other. The Database actually is already much older than the schematic overview so it is already existing for many years but I think we can use now this new agenda item to work on it and to continue to improve it and bring it as well as up-to-date as the schematic overview. So to work on the both tools in parallel. There is also a website "National Space Law Database" and the schematic overview.

And I have seen several, let us say, possible areas of work under this agenda item or discussion under this agenda item because there is, in fact, inconsistency. Of course, at the moment we have not paid so much attention to the consistency so far but in the future I would suggest that there should be consistency between the two tools, the schematic overview and the National Space Law Database.

And so I have identified four areas of work.

First, several countries, several States have not submitted information on their national legislation into both tools so they are missing in the National Space Law Database and the schematic overview. Of course, the reason may be probably that their legislation is rather recent, for example, is this the case with space law of Kazakhstan which is a recent national space law and it is understandable perhaps that it has not yet been included but, of course, it would be of great interest to see this piece of legislation which is the most recent one, also appearing in both documents, both tools, in the National Space Law Database and in the schematic overview.

The second point or area of work is that there are documents which are reflected in the schematic overview but not in the Database. That could also be a reason for, I can imagine that States have been participating in the agenda item and in the Working Group and have actively participated and contributed

to it but perhaps not thought of also submitting the information to the Office for Outer Space Affairs Secretariat for including into the National Space Law Database. For example, I have seen that Algeria, Belarus, Colombia, Finland, Italy and Nigeria are missing on the website but they are in the schematic overview so there would be some sort of possibility to update it here.

And then the third, I have seen that there are some inconsistencies. So different documents are presented in the schematic overview than in the National Space Law Database.

And four, there are in some cases more documents reflected on the website as in the schematic overview. The last one I think is very useful, can be useful. I think this is an inconsistency in inverted commas so to say is not a problem, I think, because it is understandable that States submit a reduced set of national instruments which are necessary to complete the schematic overview because we have identified several categories of licensing and so on, but there might be a need or it might be very useful to include even other documents. So more documents on the National Space Law Database. But as soon as there is clear identification on the documents, that the titles are clear, it is very easy to find out where there is more information provided on the National Space Law Database. This is, of course, it should be even encouraged if there are some more laws and not every law has to be reflected in the schematic overview. To my understanding, in the schematic overview, only those regulations could be reflected that are necessary to complete the categories or the elements for consideration which appear in the schematic overview but there might be more information and more interesting information which does not fit in the schematic overview. That, of course, can be the case and is very informative for other States as well.

So I think there is a lot of work to do still in front of us but if we achieve progress in this regard, we really can have a very, very useful help and helpful tool for States which are considering enacting national space legislation or which already have it and see the need for a revision, amendments to new developments. And in this regard, I think that the Legal Subcommittee, with the invaluable help of the Secretariat, can play an important role for national space legislation and space law in general.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of Austria for that very constructive

statement. And if I may, before I give the Secretariat floor, which I suppose would want to comment on the statement that has been made by Austria, the schematic document we are referring to here and delegations have in their pack, is document A/AC.105/C.2/2013/CRP.7. And more importantly, the distinguished representative of Austria has raised additional comments with respect not only to this schematic document, but also as it concerns the Space Law Database, and in that respect, you have highlighted more or less four areas for which the Legal Subcommittee should seriously consider pursuing in the conduct of its work as it pertains to this item 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, which is now a regular item on our agenda, for which the content, scope and applicability remains pivotal and critical to our deliberations, given the continuous need for us to evaluate the activities that States are taking at the national level to implement their international obligations.

On that note, and from a practical and administrative perspective, because this is a very significant amount of work and effort that would be required, not only to maintain the Space Law Database, but also to keep this CRP.7 schematic document alive and evolving, I give the floor to the Secretariat to perhaps shed some light on how best and how most efficiently we can proceed with this effort.

**Mr. N. HEDMAN** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Indeed, I will do that. Thank you to the distinguished delegate of Austria for having related to these two tools. What delegations have before them in the Conference Room Paper is, of course, the schematic overview that we have been working on for some years within the Working Group on National Space Legislation. And as delegations recall, every year delegations are invited to provide updates, corrections and new changes to the entries respectively in that document. For this particular session, we, in fact, received two new entries, two new States reporting under this particular document, Belarus and Finland. So they are entirely new for this particular session.

The two tools that the distinguished delegate of Austria referred to, the schematic overview and the Database on National Legislation that we have on the website, are quite different. They had been created in different times. The National Space Legislation Database is an old tool that we have had on the website and, of course, we have since many years invited member States to submit to the Secretariat, Acts, legislation, decrees and also, of course, amendments to legislation, to be provided on that particular website.

The CRP.7 was completely different. It was more on looking into certain areas, as you can see in CRP.7, certain areas that we wanted to really look into how States legislate at their national level.

Now, there are, of course, would be some merit in combining these two activities, as the distinguished delegate of Austria said. First of all, if we look at Conference Room Paper 7, we will easily note, all of us, that the document will quite soon become difficult to manage. It is now already 54 pages and the columns are quite difficult to operate. They are very long. Of course, there could be a restructuring of the document, a complete new review of how they report under this. Alternatively, what the Secretariat has been looking into and we can further discuss this at this session, is to not continue with the Conference Room Paper as such but rather to provide the schematic overview on the website so it would become an online tool on the website under that particular webpage where we have national space legislation. So it would be the same information but it would in a table format and then underneath it would be the Database with national space legislation.

It could have the positive effect of delegations when they review the document or the information to be provided on that webpage that there might be an inconsistency or a discrepancy in the actual Acts that have been submitted to the Office and the information that is provided in the schematic overview because we also have observed that for some countries there are other legislation listed in the schematic overview than there are submitted to the Database. So we would like to, with your consent, of course, look into the possibility of making this CRP as an online tool of the website rather than continue with the Conference Room Paper that will just grow and grow.

At the same time, the Secretariat just needs to make everyone aware that whatever legislative instruments are submitted to the Office for Outer Space Affairs will, of course, not be edited or translated into any language so it will be the Act as presented by the State in question. So for countries that have not provided an unofficial or official translation into English, for instance, then the Act will appear in the national language of the State concerned. So I just want to point that out that the Secretariat is not doing any editing or translation of any legislative materials.

But, Mr. Chairman, in conclusion, we have been thinking of this and we think that there might be a way of making this an even more interactive tool and

more productive in that sense. We can discuss this further during the course of this meeting.

Thank you.

**The CHAIRMAN:** I should thank the Secretariat very much for what is clearly an issue that is already under consideration and hope that during the course of our deliberations on this item, we will come back to and have a clearer picture on how best to depict really what will be a living source of information on a portal on the website of the Office for Outer Space Affairs that will be regularly and always available and regularly accessible by delegations who wish to provide information about developments that are ongoing in their respective countries as they implement their obligations at the national level.

Are there any other speakers on national legislation relevant to the exploration and use of outer space at this time?

I see none.

We will, therefore, continue our consideration of agenda item 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, this afternoon.

**General exchange of information and views on legal mechanisms relating to space debris mitigation measures, taking into account the work of the Scientific and Technical Subcommittee (agenda item 11)**

Distinguished delegates, I would now like to continue our consideration of agenda item 11, General Exchange of Information and Views on Legal Mechanisms Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee.

The first speaker on my list is the distinguished representative of Chile on behalf of GRULAC.

**Ms. T. ALVAREZ MUNOZ** (Chile) (*interpretation from Spanish*): Thank you Mr. Chairman. GRULAC welcomes the appearance of agenda item 11, General Exchange of Information and Views on Legal Mechanisms Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee because analysis of these issues by the Legal Subcommittee will allow a necessary candid discussion to provide answers to existing questions, in particular with regard

to the legal framework that would effectively deal with the issue of space debris.

On the issue of national mechanisms regarding space debris mitigation, GRULAC believes it is important for States to implement Space Debris Mitigation Guidelines, taking into consideration the fact that the future of space activities largely depends on space debris mitigation. In this regard, GRULAC invites the Subcommittee to deepen its work in this area, in particular to pay greater attention to debris emanating from space objects carrying nuclear power sources, the collision of space objects and other related events and to improving technologies to monitor these events.

GRULAC encourages States to communicate to this Subcommittee and broadly disseminate information on actions to reduce the generation of space debris, in particular with regard to those States that are largely responsible for the current situation and those that have the capacity to take measures for space debris mitigation in conformity with resolution 68/97 of the United Nations General Assembly.

In this context, GRULAC recommends that we carry out the legal analysis of the Space Debris Mitigation Guidelines.

We would also like to highlight the importance of cooperation as a valid tool recognized by the General Assembly to tackle the issue of space debris from the point of view of countries that are most affected by them, taking into account the fact that resolution 66/71 underscores the importance of international cooperation to promote the rule of law and the importance of developing a legal framework for this cooperation. On the other hand, Mr. Chairman, it seems to us important to take into account that the issue of space debris should never be used in a way to limit or prejudice the development of space activities by the least advanced countries or developing countries.

Thank you very much.

**The CHAIRMAN:** I thank the distinguished representative of Chile on behalf of GRULAC for her statement.

The next speaker on my list is the distinguished representative of Japan.

**Ms. M. UCHITOMI** (Japan): Mr. Chairman, distinguished delegates, I am pleased to address the fifty-second session of the Legal Subcommittee of

COPUOS regarding domestic mechanisms used by Japan in the mitigation of space debris activities.

Mr. Chairman, enshrined within Japan's Basic Space Law, enacted in May of 2008, is the notion that space exploration and utilization should be carried out with consideration for the preservation of the space environment. The Basic Plan for Space Policy, published in June 2009 under the Basic Space Law, and renewed this past January, states that it is necessary for Japan to observe space objects in order to understand the type of debris and to make efforts to limit the generation of debris as well as to conduct research and development of technologies to remove current debris.

The Japan Aerospace Exploration Agency, JAXA, which plays a core role in Japanese space activities, established the JAXA Space Debris Mitigation Standard in 1996. The current Standard complies with the United Nations Space Debris Mitigation Guidelines, adopted by the General Assembly in 2007, and with the ISO 24113 Space Debris Mitigation Requirements, established by the International Standardization Organization, ISO, in 2010. In order to conduct appropriate space activities, JAXA has also improved on its organizational structure.

Mr. Chairman, in JAXA's domestic mechanism for space debris mitigation, spacecraft and launch vehicle design and operation plans are reviewed at the end of each development phase to ensure compliance with the JAXA Space Debris Mitigation Standard, as well as the United Nations Space Debris Mitigation Guidelines. These technical reviews are conducted and confirmed at the management level.

For example, the JAXA Space Debris Mitigation Standard requires that all residual energy sources of launch vehicles and spacecraft be removed at the end of an operation to prevent explosions as these energy sources are the main cause of deterioration of the orbital environment. As a result, Japanese spacecraft have not experienced break-ups that have generated large amounts of debris.

Mr. Chairman, in accordance with the United Nations Space Debris Mitigation Guidelines, and ITU Recommendations, all Japanese commercial and JAXA geostationary satellites have been transferred to the protected region outside of the geostationary Earth orbit, GEO, to preserve the GEO region.

Concerning the spacecraft operated in the low-Earth orbit, LEO, region, JAXA is allocating

enough propellant or using natural forces to limit the spacecraft's orbital lifetime in compliance with the United Nations Space Debris Mitigation Guidelines.

Furthermore, in order to avoid collisions among operating satellites and other objects, JAXA is analyzing collision probability daily using its own tools as well as with the help of the Close Approach Notification Service provided by the United States and will conduct collision avoidance manoeuvres if necessary. A collision avoidance manoeuvre has been conducted only once in recent years.

Japan also deems important the ground safety of re-entering objects. In this regard, I am pleased to present recent examples of the successful controlled re-entry of mission-terminated space systems. The H-II Transfer Vehicle, HTV or KIOUNOTORI, which transports cargo to the International Space Station, ISS, and the second stage of H-IIB launch vehicle were successfully controlled into a safe ocean area three times.

Mr. Chairman, Japan is engaged in research and development work in cooperation with universities. Current research focuses on technologies for observation of smaller objects, protection from impact of tiny debris, and active and efficient removal of mission-terminated spacecraft. Active removal is especially important because collision among debris, which is usually followed by a chain reaction of collisions, will become a dominant factor leading to an increase of debris in the future. In addition to this issue, we recognize that there are several issues which need to be solved by international cooperation efforts in the near future.

We hope that all nations and organizations will act responsibly and with transparency in space while implementing the United Nations Guidelines in order to ensure the long-term sustainability of outer space activities.

Thank you for your kind attention.

**The CHAIRMAN:** I thank the distinguished representative of Japan for her statement.

Are there any other delegations wishing to make a statement under this agenda item at this time?

Perhaps I should take the opportunity to provide some clarification considering the debates that transpired during the course of the fifty-first session and the title of this item which is now General Exchange of Information on National Mechanisms

Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee. I am also cognizant of statements which have been made by delegations and enquiries during the course of last week and during the course of this week regarding what specific steps we will be taking on this subject before the Subcommittee and wish to draw the attention of delegations to the fact that the issues under this item that have been looked at in the context of the work undertaken by the Working Group on Long-Term Sustainability of Outer Space Activities is scheduled to finalize that work on the Best Practice Guidelines in 2014 with the adoption of the Working Group report.

I should also take the opportunity to refer delegations who may be interested in the 2009 report of the Committee where it is indicated that the Committee, that is, would consider whether the set of Best Practice Guidelines should require a review by the Legal Subcommittee before endorsement by the Committee.

In the absence of any other delegations wishing to make a statement under this agenda item, I should give the floor to the distinguished representative of Austria.

**Ms. I. MARBOE** (Austria): Thank you very much Mr. Chairman for again giving me the floor. The Austrian delegation appreciates and has already made a respective statement at the Scientific and Technical Subcommittee on the method of work which has been chosen under this agenda item on long-term sustainability. The work in four Expert Groups allows it to concentrate on very concrete issues and provides very valuable information to delegates which are then forwarded either to the main Committee meetings or in the general Working Group or, most importantly, and this the Austrian delegation would also like to underline, the specific web space which was created for the purpose of the agenda item, Long-Term Sustainability in Outer Space. And here, a lot of very valuable information is available to delegations, also, which is important for those delegations which cannot be present in all Expert Groups or at all Subcommittee meetings, so it is a continuing tool of information, this specific website, a space created for the long-term sustainability and the Austrian delegation would again underline this method of work which is highly appreciated.

Thank you very much Mr. Chairman.

**The CHAIRMAN:** I thank the distinguished representative of Austria for her statement.

In the absence of any other delegations wishing to make a statement under this agenda item at this time, we will continue, and hopefully conclude, our consideration of agenda item 11, General Exchange of Information and Views on Legal Mechanisms Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee, this afternoon.

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

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

The Legal Subcommittee in 2012 agreed to include this new agenda item as an item under a five-year Work Plan. According to the Work Plan in 2013, the Subcommittee will conduct an exchange of information on the range of existing international space cooperation mechanisms. Member States and permanent observers were invited to provide information prior to the session of the Legal Subcommittee as well as to make special presentations on the range of bilateral and multilateral mechanisms they utilize for space cooperation.

Under this agenda item, distinguished delegates, we, therefore, have the following documents.

One, document A/AC.105/C.2/102, information received from the following member States: Australia, Kazakhstan and Portugal.

Two, Conference Room Paper 14, information received from Austria, China and Germany.

And three, Conference Room Paper 17, information received from the United States under this agenda item.

Also I am pleased to inform you that a special joint technical presentation will be made under this agenda item on Wednesday, 17 April, during the morning session entitled "The Legal Framework for the International Space Station" by representatives of the International Space Station Partners.

Distinguished delegates, before turning to the list of speakers, I would like to recall that this agenda item is to be considered under a multi-year Work Plan

for which a Working Group will be established at next year's session in 2014.

In order to allow adequate preparations for our deliberations in that Working Group next year, I suggest that we now elect the Chair of the Working Group so that the Chair of the Working Group and the Secretariat can prepare for next year's important work under this item.

I have been informed that the delegation of Japan is nominating Madam Setsuko Aoki as candidate to the position of Chair of the Working Group and that consultations have been held in that regard.

Distinguished delegates, unless I hear any objections, do I take it that the Subcommittee elects Madam Setsuko Aoki as Chair of the Working Group?

I hear no objections.

*It is so decided.*

I wish Madam Aoki all success in her endeavours to lead the Working Group in the coming years.

I would now like to turn to the list of speakers in respect of which I do not have any delegations inscribed on my list so I will put the question to the floor. Are there any delegations wishing to make a statement under this agenda item at this time?

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

**Mr. K. HODGKINS** (United States of America): Thank you Mr. Chairman. Mr. Chairman, it was my delegation's pleasure to have co-sponsored this agenda item along with China, Ecuador, Japan, Peru and Saudi Arabia. We believe that this particular topic will be a useful contribution to the development of our understanding on the various mechanisms that have been employed over the past 50 years in the area of space cooperation.

I would like to call delegate's attention to CRP.17 which is our contribution from the United States concerning the various mechanisms that we think might be useful to examine over the course of this agenda item. And we have organized it in such a way as to look at multilateral and bilateral legally binding agreements, for example, the International Space Station, the Agreement on GPS/Galileo Cooperation, COSPAR-SARSAT. And then we also examined some of the bilateral agreements that we

have concluded and have highlighted some of the key provisions of those agreements that might of interest to member States.

We then have another section on bilateral agreements for specific cooperative endeavours, for example, the Mars Science Laboratory, the James Webb Telescope, and the Global Learning and Observations to Benefit the Environment.

And we then turn to the legally non-binding principles and technical guidelines and these include obviously those that we have developed here in the United Nations, the COSPAR Committee on Space Research, Planetary Protection Policy.

And then we highlight various multilateral coordination mechanisms that may or may not be binding. These include the Committee on Earth Observation Satellites, the Group on Earth Observation, the Coordination Group for Meteorological Satellites, the International Charter on Space and Major Disasters, the International Committee on Global Navigation Satellite Systems and its Providers Forum.

And then finally, we touch on some of the non-governmental international fora that make a tremendous contribution to the peaceful uses and exploration of outer space and these include the International Astronautical Federation and its Annual Congress, as well as the Space Conference of the Americas.

Mr. Chairman, I wanted to highlight these because it is our view that the analysis of this topic has to take two approaches. One is the legal approach which are whether the common legal elements that have been included in these various instruments that make space cooperation flourish. And then the second one is, why have States entered into these various arrangements?

In 2017, when we conclude our work will be the fiftieth anniversary of the Outer Space Treaty and it is my delegation's view that we should be bearing that in mind as we embark on this work because our view is that this could be a unique contribution to the celebration of the fiftieth anniversary. And the reason being is that when the Space Age started 50 years ago, there were two governments, or two States involved in space exploration and over the past 50 years, well over 100 countries invest in one way or another in space, either directly through their own programmes or through international organizations like INTELSAT or INMARSAT, EUTELSAT, ARABSAT, and the

question is how or why did this happen and how? Obviously States recognized the benefits of space cooperation to their own economic development and quality of life but the other part of this is that in the space arena, we have been very flexible in how we organize ourselves to meet very specific challenges, be they technical or political, as well as to meet the needs through either bilateral or regional cooperation.

So at looking at this item, we would not suggest that we focus solely on whether something is legally binding or not legally binding. It is the question, why was this particular mechanism developed? What are the unique aspects to it? What did it accomplish? Because I think in the end that would be an extremely interesting review and it would reinforce what was accomplished in the United Nations 50 years ago in developing the basic framework for exploration that encouraged greater participation by developing as well as developed countries.

So with that, Mr. Chairman, we look forward to the continuing discussions under this item. We would like to congratulate Professor Aoki on her election as the Working Group Chair and we are committed to working with her and other member States to make this a highly successful agenda item.

Thank you.

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

Are there any other delegations wishing to make a statement under this agenda item at this time?

I see none.

We will, therefore, continue our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space, this afternoon.

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

We will meet promptly at 3.00 p.m. At that time, we will continue our consideration of agenda item 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space. We will continue, and hopefully conclude, item 11, General Exchange of Information and Views on Legal Mechanisms Relating to Space Debris Mitigation Measures, Taking into Account the Work of the Scientific and Technical Subcommittee.

And regarding item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space, we will continue our consideration.

There will be one technical presentation this afternoon by a representative of Japan on "International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space Based on Non-Binding Agreements".

Are there any questions or comments on this proposed schedule?

I see none but I should give the floor to the Secretariat to make a couple of announcements.

**Mr. N. HEDMAN** (Secretary, Office for Outer Space Affairs): Thank you Mr. Chairman. Yes, a brief announcement. The Chair had already mentioned it this morning. Today, at lunchtime, there will be an informal coordination meeting with the European Space Agency International Relations Committee and it will take place from 1.00 p.m. to 3.00 p.m. in Room M0E100.

Thank you.

**The CHAIRMAN:** Thank you very much. The meeting is adjourned until 3.00 p.m.

*The meeting adjourned at 12.11 p.m.*