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

Script

842nd Meeting
Tuesday, 20 March 2012, 3.00 p.m.
Vienna

Chairman: Mr. Tare Brisibe (Nigeria)

The meeting was called to order at 3.00 p.m.

The CHAIRMAN Good afternoon distinguished delegates. I now declare open the 842nd meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This afternoon, we will continue our consideration of agenda items 4, General Exchange of Views, 5, Status and Application of the Five United Nations Treaties on Outer Space, and 6, Information on the Activities of International Intergovernmental Organizations and Non-Governmental Organizations Relating to Space Law.

We will begin our consideration of agenda item 7(a), the Definition and Delimitation of Outer Space, and agenda item 7(b), the Character and Utilization of the Geostationary Orbit.

I would also like to remind delegations to provide the Secretariat with any additional requests for technical presentations by today, close of business.

I also remind delegations that speaking notes for technical presentations should be provided to facilitate simultaneous interpretation.

General exchange of views (agenda item 4)

With respect to our agenda item 4, General Exchange of Views, I would now like to continue our consideration of this item.

I do not see any speakers on my list. There have been no delegations that have expressed their interest to speak on this item.

I recognize the representative of Austria. You have the floor.

Ms. I. MARBOE (*Austria*) Thank you very much for giving me the floor Mr. Chairman. I would just like to make a short comment on behalf of the Austrian delegation. It is a pleasure for us to provide

every delegation with a copy of the book of last year's Conference on Soft Law in Outer Space: the Function of Non-Binding Norms in International Space Law. This was a conference at the margins last year of the Legal Subcommittee on Saturday, 2nd April, and now the book is ready. It is English and we have the contributions of the speakers of the Conference but also additional contributions of interested academics and practitioners which we highly appreciate and they have contributed and devoted a lot of work and I am now happy to present this book to the delegations and also observer delegations.

Thank you very much.

The CHAIRMAN Thank you distinguished representative of Austria for that announcement.

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

I see none.

And so we will continue our consideration of agenda item 4, General Exchange of Views, tomorrow morning.

Status and application of the five United Nations treaties on outer space (agenda item 5)

Distinguished delegates, I would now like to continue our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space.

The first speaker on my list is the distinguished delegate of South Africa. You have the floor.

Mr. T. KOTZE (*South Africa*) Mr. Chair, as this is the first time that we are taking the floor, please allow us to congratulate you on your election to the position of Chairperson of the Legal Subcommittee of the COPUOS.

It is a great pleasure and honour for South Africa to report on the status and application of the United Nations treaties. We reiterate again our view that the United Nations treaties on outer space represent a legal framework which is crucial, not only for supporting the increasing scale of space activities, but also for strengthening international cooperation in the peaceful uses of outer space.

In this regard, Mr. Chair, my delegation is pleased to inform the Subcommittee of our ratification of the Convention on International Liability for Damage Caused by Space Objects, the Liability Convention, in December 2011, and our accession to the Convention on the Registration of Objects Launched into Outer Space, the Registration Convention in January 2012.

Consequently, the Republic of South Africa is now party to four of the five United Nations treaties on outer space, as we have already ratified the Treaty and the Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, the Outer Space Treaty, and the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, the Rescue Treaty.

Mr. Chair, the South African delegation is pleased to announce that, in line with the requirements of the Registration Convention, a National Registry of Space Objects has been established in July 2011. This Registry was launched by the Minister of Trade and Industry and published online at www.saxa.gov.za. The Registry contains two South African Space Objects, Sunsat, and SumbandilaSat, which was launched in 2009.

The National Registry of Space Objects is maintained on the custodianship of the South African Council for Space Affairs, SACSA, a statutory body appointed to oversee regulatory matters connected to space activities. SACSA plays an important role in ensuring that space activities are conducted in accordance with national legislation, relevant international treaties and international best practices in order for South Africa to continue being a responsible user of the space environment.

I thank you Chair.

The CHAIRMAN Thank you distinguished representative of South Africa for your statement.

Just a few words to note about South Africa, like my country, Nigeria, has signed four of the five

treaties, save for the Moon Agreement. And in this respect, the distinguished delegates would be well aware of a document that has been prepared by the Secretariat under the agenda item pertaining to the status and application of the five United Nations treaties, specifically document A/AC.105/C.2/L.271/Addendum 2, which refers to activities being carried out or to be carried out on the Moon and other celestial bodies, international and national rules governing those activities and information received from States Parties to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies about the benefits of adherence to that Agreement. Perhaps for the purposes of our deliberations during the course of this Subcommittee, with respect to this document and the relatively low level of ratifications regarding the Moon Agreement, it would be interesting for the Subcommittee to receive updates from member States specifically regarding their activities on the Moon as has been noted in this document. I thought it necessary to bring it to the attention of all delegates and members of the Subcommittee.

I now give the floor to the next speaker on my list, the distinguished representative of Germany. You have the floor Sir.

Mr. R. LASSIG (*Germany*) Thank you Mr. Chairman. Mr. Chairman, distinguished delegates, regarding the agenda item, Status and Application of the Five United Nations Treaties on Outer Space, my delegation welcomes the initiative taken by the Chair of this Working Group. We look forward to fruitful discussions during this Legal Subcommittee.

Speaking about the status and application of the United Nations treaties on outer space, I would like to emphasize my country supports the broad application and adherence to the United Nations space treaties. We expect this year's discussions to shed new light on the whole system of the five United Nations treaties. We all agree that the Outer Space Treaty provides the basis for the exploration and use of outer space, including the Moon and other celestial bodies.

It is and has always been known to all of us though that the Outer Space Treaty has to be complemented by other treaties. The Agreement Governing the Activities on the Moon and Other Celestial Bodies was drafted to provide special provisions with respect to the resource management and to complement the outer space treaty insofar.

As we did already at the beginning of the 1980s, we recognized the existing gap in the system of the United Nations treaties on outer space. More than

30 years have passed since the Moon Agreement fell into oblivion. It is worth remembering that today many arguments brought forward in the 1980s might be seen in a different way. In the 1980s the clause “common heritage of mankind” was not acceptable to the majority. But in the 1982 United Nations Convention of the Law of the Sea, UNCLOS, as amended by the 1994 Agreement implementing Part 11 of UNCLOS, the same clause was accepted. This is why we have initiated within the German Government a reflection and discussion process on whether we might eventually be ready to sign the Moon Agreement.

My delegation would be interested in the view of other delegations regarding the Moon Treaty as the process of working out a German position is still underway.

Thank you very much.

The CHAIRMAN Thank you distinguished representative of Germany. And your statement exactly dovetails into the observations that I made with respect to the speaker from South Africa just before the distinguished representative of Germany regarding the Moon Agreement. It is a very timely intervention. I thank you again for your intervention.

Are there any other delegations wishing to make a statement under this agenda item at this afternoon’s meeting?

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

Mr. M. A. TARABZOUNI (*Saudi Arabia*) Thank you Mr. Chairman. (*Continued in Arabic*) Thank you Mr. Chairman. My delegation is gratified to see you presiding over this session. The Kingdom of Saudi Arabia has signed and ratified the five United Nations treaties. It has also registered its 17 space objects according to the relevant Convention. We believe that these treaties contribute to encouraging and promoting peaceful applications which serve humanity at large.

Thank you Sir.

The CHAIRMAN I thank the distinguished representative of Saudi Arabia for giving us that update and piece of information about the status of your country’s ratification of all five United Nations instruments and treaties, including the Moon Agreement.

Regarding agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, are there any other delegations wishing to make a statement under this agenda item at this afternoon’s meeting.

I recognize the distinguished representative of Brazil. You have the floor Sir.

Mr. J. M. FILHO (*Brazil interpretation from Spanish*) Thank you Mr. Chairman. I wanted to inform all of you present here in this forum of the fact that Brazil signed the Registration Convention 30 years after it was approved. We acceded to it or will accede in 2015 but we decided to set up our own National Registry of Space Objects making them the liability or responsibility of the Brazilian Government. This entered into force as of 30 November of last year. This is Regulation No. 96 specifically defining the functioning of the National Registry of Objects Launched into Outer Space that fall within the responsibility of the Brazilian Government.

This Regulation stipulates for the National Space Agency of Brazil, a civilian agency set up in February 1994, is the national body authorized to oversee the work of the National Space Registry on behalf of the Brazilian Government provided Brazil is defined as the launching State for those objects.

Within the Brazilian Space Agency, the task of maintaining the National Registry would be vested in three bodies, the Directorate for Space Transport and Launches, the Directorate of Satellites, Applications and Development, and the Advisory Board for International Cooperation, all within that agency.

This document also contains the definition of space objects, the same way they are defined in the first article of the Registration Convention as well as the definition of the launching State, also as defined in the first article of the Registration Convention.

There is also reference to the Outer Space Treaty, Article 6, and says that in compliance with the provisions of Article 6 of the Outer Space Treaty, the State has the responsibility which it implements through its national institutions for space objects it has launched as a launching State. A registry is thereby set up, supervised by the State.

One interesting aspect of this Brazilian document is that it does not recognize sub-orbital flights or missions. It very clearly states that this regulation only applies to objects launched into the

Earth's orbit or beyond into outer space, beyond the Earth's orbit, but not sub-orbital missions.

Chapter 2 of this document refers to objects that need to be registered in compliance with the Brazilian governmental decision based on international treaties. Article 3 lists the data that need to be registered.

What are these data, this information? First of all, information is required in conformity with what is provided for by the Registration Convention but beyond that, we require, for example, for geostationary orbit satellites, along with the specific parameters as stipulated for by the Registration Convention. We would also require information on frequencies for radio communications and corresponding orbital positions.

Furthermore, it says that legal consideration should be given to the preservation of the environment and to countering serious threats to orbital objects posed by the increasing presence of space debris and that those measures and that information should be included as part of the information provided in the Space Registry, (1) project(?) its useful life, (2), type of material used in their manufacture, (3) sources of energy or power, (4) fuel used.

Also very interesting is the following article which addresses operational or legal changes that might occur with regard to an object in orbit, changes that need to be reflected in the Registry. First, changes in orbital position, (2) changes in the function of the space object, (3) changes in the ownership of the space object, and (4) transfer of supervision or control over the space object by the State to other States, that is, transfer of ownership or supervision and control. This must be also registered in the Space Registry under the new Brazilian law on registration of space objects.

To make sure that the useful lifetime of a space object concludes in a regulated way, the same data need to be provided for the Registry, (1) the length of the operation of the space object, (2) information with regard to re-entry into the atmosphere, as appropriate, (3) the eventual transfer of the space object to a graveyard orbit reserved for those space objects that have achieved the conclusion of their useful lifetime and also the entities responsible for all of those actions should be mentioned in the Registry, as well as the entities responsible for the space object after the conclusion of its useful lifetime.

In launches of space objects carried out jointly with other countries, other launching States, we also need the Registry to reflect information regarding

agreements that are in force between the countries involved and detailed information regarding jurisdictional issues applying to the space object in question and the third parties involved.

And finally, I wanted to highlight the fact that the new Brazilian law provides for the space agency to carry out issues related to space registry within the United Nations Committee on the Peaceful Uses of Outer Space and other specialized fora and for internal purposes, it should provide additional guidelines based on the guidelines adopted by the international community which will serve the purpose of improving international cooperation.

Thank you very much Mr. Chairman.

The CHAIRMAN I thank the distinguished delegate of Brazil for this very comprehensive intervention and statement, especially because it recalls the discussions we heard during the course of the Symposium yesterday and it brings to mind the fact that, in addition to the compliance with the registration practice in the Registration Convention, you have made a statement that reflects compliance or reliance on the resolution 62/101 of 17 December 2007 that recommends modalities for enhancing the practice of States and international intergovernmental organizations in registering space objects.

I should share with the Subcommittee, and I believe that this was raised during the course of the Symposium yesterday, and I raise it because in the course of those discussions and the presentations that we witnessed, one of the issues that emerged is with respect to the transfer of ownership, which the intervention from the distinguished representative of Brazil we have just heard, involves, should really go beyond the registration practices to consider questions pertaining to supervision, including control, as well as jurisdiction and, as some of the presenters were heard yesterday indicated, even including the change of notifying administrations.

So whilst we have had the privileged of being informed by the distinguished delegate of Brazil with respect to their registration practice which also highlights the possibility for transfer of ownership, we have other issues, interesting legal issues which, in my view, perhaps the Subcommittee can address its attention to in further deliberations.

Thank you again distinguished representative of Brazil for your statement.

Are there any other delegations wishing to make a statement under the agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, at this time?

I see none.

We will, therefore, continue our consideration of agenda item 5, Status and Application of the Five United Nations Treaties on Outer Space, tomorrow morning.

Information on the activities of international, intergovernmental and non-governmental organizations relating to space law (agenda item 6)

I would now like to continue our consideration of agenda item 6, Information on the Activities of International, Intergovernmental and Non-Governmental Organizations Relating to Space Law.

The first speaker on my list is the distinguished delegate of the International Organization of Space Communications, INTERSPUTNIK.

Ms. E. ZAYTSEVA (*International Organization of Space Communications*) Thank you Mr. Chairman for this opportunity to report on the activities of the INTERSPUTNIK International Organization of Space Communications relating to space law.

Distinguished Mr. Chairman, distinguished delegates, founded in 1971, INTERSPUTNIK is an international governmental organization, headquartered in Russia. INTERSPUTNIK's mission is to contribute to the consolidation of economic, scientific and technological relations between the member countries, aimed at procuring and expanding an international satellite telecommunications system.

Today, INTERSPUTNIK has 26 member countries, the Somali Republic joined INTERSPUTNIK in January 2012.

Within the framework of its technological policy, INTERSPUTNIK filed with the International Telecommunication Union, frequency assignments of satellite networks in various geostationary orbital positions. With its own orbit and frequency resource, INTERSPUTNIK is able to participate in international and domestic satellite projects for the purpose of manufacturing, launching and operating telecommunications satellites. Under the ITU Radio Regulations, frequency assignments of satellite networks can be filed on behalf of a group of

Administrations while one of such Administrations acts as a Notifying Administration in the interests of the whole group. And this is also applicable to a group of administrations being members of international organizations.

INTERSPUTNIK reported to the Legal Subcommittee at its fiftieth session that in April 2010 the INTERSPUTNIK Board, being the highest governing body, resolved to terminate the performance by the INTERSPUTNIK's initial Notifying Administration of its functions and assigned such functions to another Administration from among INTERSPUTNIK member countries, the newly defined Administration.

INTERSPUTNIK presented to the ITU an official letter endorsed by 24 out of 25 of its member States to replace the Notifying Administration. The new Notifying Administration confirmed the same information. The initial Notifying Administration rejected the change, despite the decision of the INTERSPUTNIK Board, whose decisions are binding(?) upon all member countries. However, at that point in time, the ITU was unable to modify the database specifying a new Notifying Administration because the effective regulatory documents did not contain the required legal foundation. Provisions of the Constitution, Convention or the Radio Regulations of the ITU did not rule out that a Notifying Administration acting on behalf of other Administrations can replace but did not specify how such replacement should be handled. In this connection, such changes used to be dealt with by the ITU on a case-by-case basis in the past.

According to the established practice, it was required to receive two official notices in order to replace a Notifying Administration, namely one notice from the Administration which stops performing such functions and the other one from the newly defined Administration confirming its readiness to perform such functions.

The issue of the replacement of the Notifying Administration acting on behalf of the group of named Administrations in the absence of agreement of the initial Notifying Administration was, for the first time, raised before the ITU in December 2006. At that time, the ITU reviewed a submission related to the change of the Notifying Administration for the Association of Andean Satellites with Bolivia, Colombia, Ecuador and Peru as its members and with the Administration of Venezuela as a Notifying Administration. That was the first time the ITU acknowledged that there existed a legal vacuum and discussed a draft rule of procedure to

cover the change of the Notifying Administration. However, the problem of replacing the Notifying Administration for the Association of Andean Satellites was resolved, based on consensus on the part of the Administration concerned and no new rule was either drafted or ever proved. Nevertheless, similar situations, as the case of INTERSPUTNIK shows, could rise in the future.

It is no doubt that the appointment of the replacement of the Notifying Administration acting on behalf of the group of named Administrations is an internal affair within the group of Administrations pertaining to the Organization. It was important to lay this rule down in ITU documents because it could affect an indefinite number of States that were members of international satellite organizations. The fact that the ITU had no appropriate tools to take into account the opinion of a large group of Administrations of the group's member countries, makes the ITU unintentionally keep the situation affecting the local interest of a large group of Administrations and impeding the efficient use of the orbit and frequency resource by the Administrations on whose behalf this resource was filed. The lack of a regulatory tool made it necessary to update the ITU's legal basis.

In April 2011, an amendment to the Rules of Procedure concerning replacement of the Notifying Administration, acting on behalf of the group of Administrations, was drafted by the ITU and circulated to all its members. The amendment stipulated that, subject to certain conditions, a Notifying Administration, acting on behalf of an international organization, mainly replaced in ITU documents with a new Notifying Administration without the consent of the previous Notifying Administration. For this purpose, the international organization concerned was required to provide evidence to the ITU that the decision to replace a Notifying Administration was legal and made under the Constitutive Act of that international organization. Eight Administrations supported the proposed language of the new Rule, six Administrations that supported the amendment, other Administrations of INTERSPUTNIK member countries. The initial Notifying Administration of INTERSPUTNIK presented to the ITU its version of the new Rule saying that it was necessary to received a written agreement from both the initial and the newly appointed Notifying Administration. Essentially that would be(?) the then existing practice of the ITU and did not settle the issue to update the ITU's regulatory basis. That version of the new Rule of Procedure was supported by two more Administrations, both from non-INTERSPUTNIK countries.

In June 2011, the new Rule of Procedure was approved without any modifications. Considering that INTERSPUTNIK met all the conditions under the new rule, in July 2011, the ITU replaced the Notifying Administration acting on INTERSPUTNIK's behalf. The new Rule of Procedure enables a group of Administrations to exercise their natural right, both to appoint a Notifying Administration acting on its behalf and in its interests of this group and to replace the current Notifying Administration. This new Rule, approved by the ITU, will help to secure the local rights of groups of Administrations within international intergovernmental organizations and protect the interests of most Administrations from being infringed upon by denying a single Administration the right of veto over the other Administrations.

Thank you for your attention.

The CHAIRMAN I thank the distinguished representative of the International Organization of Space Communications, INTERSPUTNIK, for this most interesting statement, especially again how they build on a discussion that we have already had to some degree within the Subcommittee within the last three sessions to be precise and it underscores the importance of us discussing this issue of transfer because clearly we have gone beyond the practices with respect to registration under either the Convention or the resolution as it were and we are looking at a process that is not necessarily limited to international intergovernmental organizations acting, or through one State as a Notifying Administration. It clearly is a step under the Radio Regulations themselves which are binding treaties and that is applicable to any Notifying Administration that submits information to the Radiocommunications Bureau of the ITU and which we would all agree in the absence of the radio frequency resource. All of the satellites that we put into orbit for whatever purpose and we would like to have these satellites function or perform, whether it is communications or Earth observation would quite clearly be redundant without the frequencies.

So, in fact, what is fundamental here, in addition to registration clearly, and all the other circumstances under which we could experience or witness the transfer, whether it is with respect to ownership or activities, is critical for us to discuss because there are several quite interesting legal consequences that arise from these issues, whether it is with respect to the use of the terminology in the resolution regarding appropriate State or whether it is with respect to the treaties that refer to the Licensing Authority that would continue to supervise and exercise control over the entity that actually has been

licensed to operate the object or of the entity that holds the licence. But in the end, I think what comes out of all this is not necessarily a theoretical exercise. I think what is glaring here is that there are very practical issues, legal issues, that this Subcommittee really should be considering in significant detail.

With respect to this agenda item, are there any other delegations wishing to make a statement at this afternoon's meeting?

I see none.

We will, therefore, continue our consideration of agenda item 6, Information on the Activities of International, Intergovernmental and Non-Governmental Organizations Relating to Space Law, tomorrow morning.

If there are no other delegations wishing to make a statement under the agenda item at this time, I will proceed, as we discussed in the morning session, that we would bring forward the deliberations on agenda item 7(a), the Definition and Delimitation of Outer Space.

Matters relating to (a) The definition and delimitation of outer space; (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union.

Distinguished delegates, I would like to now begin our consideration of agenda item 7(a), the Definition and Delimitation of Outer Space, as well as agenda item 7(b), the Character and Utilization of the Geostationary Orbit.

I would like to remind delegates that this item will also be considered by the Working Group on Item 7(a) and the Working Group will hold its first meeting tomorrow morning under the very able chairmanship of Mr. José Monserrat Filho of Brazil.

The first speaker on my list under this agenda item is the distinguished delegate of the United States. You have the floor.

Mr. B. ISRAEL (*United States of America*)

Thank you Mr. Chairman for affording me this chance to present the United States' views on matters relating to the definition and delimitation of outer space and also to the character and utilization of the geostationary orbit, including consideration of ways and means to

ensure the rational and equitable use of the geostationary orbit, without prejudice to the role of the International Telecommunication Union.

I would like to begin by commenting on the first part of this agenda item on matters relating to the definition and delimitation of outer space.

As we have stated on previous occasions, the United States is of the view that there is no need to seek a legal definition with delimitation for outer space. The current framework has presented no practical difficulties and indeed, activities in outer space are flourishing. Given the situation, an attempt to define or delimit outer space would be an unnecessary theoretical exercise that could potentially complicate existing activities and it might not be able to adapt to continuing technological developments.

The current framework has served us well and we should continue to operate under it until there is a demonstrative need and a practical basis for developing a definition or delimitation. The Subcommittee can operate most effectively and make its most significant contributions when it focuses its attention on practical problems which are not yet apparent here.

With respect to the geostationary orbit, or GSO, I would like to state the United States' Government's continuing commitment to equitable access to the GSO for all States, including satisfaction of the requirements of developing countries for GSO use in satellite telecommunications generally.

From the legal point of view, it is clear that the GSO is part of outer space and that its use is governed by the 1967 Outer Space Treaty, as well as by the International Telecommunication Union's treaties. As set forth in Article 1 of the Outer Space Treaty, outer space shall be free for the exploration and use by all States, without discrimination of any kind, on a basis of equality and in accordance with international law. Article 2 of this Treaty further provides that outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation or by any other means. These articles make clear that a party to the Outer Space Treaty cannot appropriate a position in outer space, such as an orbital location in the GSO, either by claim of sovereignty or by means of use or even by repeated use of such an orbital position.

As we previously stated, the United States is committed to equitable access to the GSO and has taken numerous actions to further the use of the GSO in other uniquely situated orbits as part of the province of all mankind. These actions include free provision of

this global positioning system, free provision of a variety of weather and warning data from its meteorological satellites, provision of information from the National Oceanic and Atmospheric Administration Polar Meteorological Satellites, and provision of data from the geostationary operational environmental satellites, including information about hurricanes, volcanic eruptions and effluent flooding, droughts and related environmental matters and storm tracking data.

Additionally, in cooperation with Russia, France and Canada, the United States participates in an international satellite-aided search and rescue programme, known as COSPAS-SARSAT, as a means for ships, aircrafts and others in distress to signal their need for help in their locations.

We appreciate your consideration of our views on this agenda item. Thank you.

The CHAIRMAN Thank you very much distinguished delegate of the United States.

Are there any other delegations wishing to make a statement under this agenda item at this time as I do not have any speakers on my list.

I recognize the distinguished delegate of Saudi Arabia. You have the floor.

Mr. M. A. TARABZOUNI (*Saudi Arabia interpretation from Arabic*) Thank you Mr. President. We think that the definition and delimitation of outer space is very important for the progress of science and technology and we need to focus on all the legal impacts which derive from the use of outer space.

We support the studies underway and we think that there are some rapprochement of positions between the scope of this study and that which relates on the delimitation of maritime space. And this is why I think that we should consider all the technological advances which have been made in the area of air navigation. Thank you very much.

The CHAIRMAN Thank you distinguished delegate and representative of Saudi Arabia.

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

I recognize the distinguished representative of Canada. You have the floor.

Mr. C. SCHMEICHEL (*Canada*) Thank you Mr. Chairman. Canada does not consider that a

definition or delimitation of outer space is necessary at this time. The absence of a clear delimitation has in no way hindered space activities. To the contrary, activities in outer space have only grown in volume and breadth over the years.

Instead, Canada would prefer to focus on the function and purpose of an object, rather than its location, to determine if and when space law would govern its activities.

When the distinction between aircraft and spacecraft becomes less certain, due to the unique function or operation of an object, perhaps at that time this Subcommittee could address bridging mechanism that may or may not be necessary to ensure a safe and secure transition of this object between the respective legal domains governing air and space.

Thank you Mr. Chairman.

The CHAIRMAN I thank the distinguished representative of Canada for his statement.

Would there be any other delegation wishing to make a statement under this agenda item 7(a) and 7(b).

I see none.

We will, therefore, continue our consideration of both agenda item 7(a), the Definition and Delimitation of Outer Space, and the Character and Utilization of the Geostationary Orbit, agenda item 7(b), tomorrow morning.

Distinguished delegates, I will shortly adjourn this meeting. Before doing so, I would like to remind delegates of our schedule of work for tomorrow's meeting.

We will convene promptly at 10.00 a.m. At that time, we will continue our consideration of agenda items 4, General Exchange of Views, 5, Status and Application of the Five United Nations Treaties on Outer Space, and 6, Information on the Activities of International, Intergovernmental and Non-Governmental Organizations Relating to Space Law, as well as agenda item 7(a), the Definition and Delimitation of Outer Space, and agenda item 7(b), the Character and Utilization of the Geostationary Orbit.

There will be two technical presentations tomorrow morning by a representative of Germany entitled "Space Debris: the Current Situation", and by a

representative of France on “French National Registry of Space Objects”.

The Working Group on Matters Relating to the Definition and Delimitation of Outer Space, under the chairmanship of Mr. José Monserrat Filho, will then hold its first meeting.

During lunch tomorrow, at 1.15 p.m., delegations are invited to the presentation entitled “Japanese Space Technology and National Frameworks”, to be given by Japan’s experts on the topic. The presentation will be held from 1.15 p.m. to 1.45 p.m. and will then be followed by a reception which will take place at the premises of the Permanent Mission of Japan in Andromeda Tower. Invitations, I understand, were distributed to delegations in their pigeonholes.

Are there any questions or comments on this proposed schedule?

I see none.

And at this stage, given that we do have an agenda and a work programme, we do not have any inscribed speakers who would like to intervene on the various agenda items that are open, I would have to adjourn the meeting. But before I do so, I would like to invite all delegations to join me at a reception which is, in fact, based on the schedule that we now have, for 5.00 p.m., and this will be hosted by the Permanent Mission of Nigeria and the Nigerian Space Agency in the Mozart Room at the Vienna International Centre Restaurant.

I would also like to take the opportunity to extend this invitation to the interpreters who have performed very ably so far as this Subcommittee has opened, and also to the Conference Officers and, without a doubt, the members of the Secretariat.

In the absence of any interventions, the meeting is adjourned until 10.00 a.m. tomorrow morning. Thank you.

The meeting closed at ?????