

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

Script

904th Meeting

Thursday, 16 April 2015, 3.00 p.m.

Vienna

Chairman: Mr. K-U Schrogl (Germany)

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

The CHAIRMAN: Good afternoon distinguished delegates, I now declare open the 904th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

I would like to inform delegations that Israel has submitted to the Secretariat its application for membership in the Committee. The application is contained in Conference Room Paper 22. The Committee, at its fifty-eighth session in June will consider this application along with other applications for membership received from Qatar, El Salvador, Sri Lanka, United Arab Emirates and Oman, of which I informed you earlier.

This afternoon we will continue our consideration of agenda item 3, General Exchange of Views, agenda item 6, Matters Relating to (a) the Definition and Delimitation of Outer Space, and (b) the Character and Utilization of the Geostationary Orbit, and agenda 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space.

We will hear one technical presentation this afternoon by a representative of Brazil entitled "The Brazilian Air Force University: Supporting the Brazilian Space Programme.

We will then adjourn the plenary meeting so the Working Group on Matters Relating to the Definition and Delimitation of Outer Space can hold its third meeting.

General exchange of views (agenda item 3)

Distinguished delegates, I would like now to continue our consideration of agenda item 3 on our agenda, General Exchange of Views, and the first speaker on my list is the distinguished representative of Iran, Mr. Hossein Solaimani Esfahani. You have the floor Sir.

Mr. H. SOLAIMANI ESFAHANI (Islamic Republic of Iran): In the name of God, the Compassionate, the Merciful, thank you Mr. Chairman. At the outset, I associate myself with the statement made by the distinguished Ambassador of Chile on behalf of the G77 and China under this agenda item.

I would also like to express on behalf of my delegation our gratitude, Mr. Chairman, for your successful chairmanship and assure you of our full support and cooperation during current session of the Legal Subcommittee.

I also take this opportunity to extend our appreciation to the distinguished Director of the Office for Outer Space Affairs, Madam Simonetta Di Pippo, and the Secretariat for their dedicated efforts in preparing and facilitating our work during this session.

Mr. Chairman, distinguished delegates, the Islamic Republic of Iran attaches great importance to the work of the United Nations Committee on the Peaceful Uses of Outer Space and its two Subcommittees and in particular the Legal Subcommittee, in pursuing our common goals to promote peaceful uses of outer space. In our view, enhancement of international cooperation in outer space activities is of vital importance and should be taken into account by all stakeholders.

We are of the view that outer space should be open to all States regardless of the level of their developments for peaceful purposes to benefit from scientific, technical and economic advantage of space. In this context, the framework of long-term sustainability of outer space is an appropriate platform to conduct pertinent discussions and deliberations with a view to achieving a desirable consensus to ensure effective, equitable and efficient exploitation of outer space. Such a framework should be able to facilitate international cooperation and transfer of technology for the peaceful use of outer space among all States and ensure that all countries are able to have equitable access to the limited natural resources of outer space.

Mr. Chairman, we would like also to reiterate that the international legal framework should be developed in a way to address further the concerns of all member States and avoid from setting up standards which may result in preventing capacity-building of developing countries in their peaceful space activities. In this regard, we appreciate the sincere efforts which have been made in COPUOS and its Subcommittees and hope that with active contributions of all member States, all of us could be benefited from the advantages of outer space.

Mr. Chairman, distinguished delegates, as we stated in the previous meeting of the Subcommittee, there is a concrete linkage between space activities and aviation and addressing some legal challenges in space requires coordinated efforts and collaboration between ICAO and COPUOS.

In our view, space traffic management is a pertinent concept to be elaborated further in the COPUOS and its Subcommittees. In this connection, we appreciate the joint ICAO/United Nations Office for Outer Space Affairs Aerospace Workshop which was held last March and we will actively participate in future occasions on this subject.

Mr. Chairman, in conclusion, I would like to briefly touch upon recent developments in our national space organization and to inform that with a view to enhance the institutional framework and promote coherent activities in the field of peaceful uses of outer space at the national level, the Iranian Space Agency has been recently restructured and affiliated to the Ministry of Communication and Technology where the vision, strategic objectives and relevant roadmaps will be developed and conducted in a more robust and focused manner. The new Head of the Iranian Space Agency, who was appointed recently, is a prominent figure with an outstanding academic background in the space field. In line with the strategic outlines defined for short and long-term activities, the Iranian Space Agency has been assigned to develop peaceful uses of space technology by designing, building, testing, launching and operating space systems as an integral part of vital infrastructures of the country. In the meantime, developing the use of space applications is also of paramount importance for my country.

To conclude my remarks, Mr. Chairman, I wish you and all distinguished delegates, full success in achieving our common goals of serving mankind through the peaceful uses of outer space.

Thank you Mr. Chairman and distinguished delegates.

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

Next on my list is the United Kingdom, Mr. Richard Blayber. You have the floor.

Mr. R. BLAYBER (United Kingdom of Great Britain and Northern Ireland): Mr Chairman, it is a great pleasure to see you presiding over this meeting of the Legal Subcommittee. We are confident that with your extensive knowledge and insight, we will make significant progress on the range of important issues that confront us.

We would also like to take this opportunity to thank the Office for Outer Space Affairs for all their hard work in preparing for this meeting.

Since the last meeting of this Committee, the United Kingdom has issued a National Space Security Policy, in which one of its objectives is to promote a safe and more secure space environment through a range of measures including increasing our situational awareness, building our resilience to a range of threats and ensuring our regulatory environment is both proportionate and effective.

Recognizing the changing nature of space missions, the United Kingdom is reviewing its approach to smaller satellites such as CUBESATS. The aim of the review is to ultimately provide transparent guidance on missions the United Kingdom regulator is likely to approve. Smaller satellites can offer many advantages such as access to space at a reduced cost. However, if not managed in the correct way, they could also pose a risk to the long-term sustainability of outer space. The changing use of our shared space environment reinforces our view in the importance of us adhering to the United Nations treaties and principles on outer space.

Furthermore, in July 2014, the United Kingdom Government set out its ambition to establish a United Kingdom Spaceport and encourage the start of commercial spaceflight services. It highlighted that it saw commercial sub-orbital services as paving the way for launching small satellites to low-Earth orbits from the United Kingdom, a market that is underserved by current launch systems that are often non-optimal for small satellite launches.

In addition, the United Kingdom Government has modified its national space legislation, the Outer

Space Act 1986, to cap the currently unlimited liability placed on licensees. This measure was added to the Deregulation Act which received Royal Assent on 26 March 2015 and will come into force later this year.

We look forward to a useful and productive exchange of views during this current session of the COPUOS Legal Subcommittee.

Thank you Mr Chairman.

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

Are there any other delegations wishing to speak on agenda item 3 this afternoon?

I see none.

We will continue our consideration of agenda item 3 tomorrow morning.

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

Distinguished delegates, I would now like to continue our consideration of agenda item 6, Matters Relating to (a) the Definition and Delimitation of Outer Space, and (b) the Character and Utilization of the Geostationary Orbit.

I have neither delegations inscribed on the list for (a) nor for (b). Are there any delegations wishing to speak on any of the sub-items under agenda item 6 this afternoon?

I see Mexico.

Ms. R. M. RAMÍREZDE ARELLANO Y HARO (Mexico) (*interpretation from Spanish*): I apologize Chairman. Agenda item 6 has two sub-items and Mexico took the floor this morning to comment on item (a) and I would like to ask you whether now we could take the floor in order to comment on item 6(b)?

Thank you very much Chairman.

Ms. T. CASTILLO OLASCOAGA (Mexico) (*interpretation from Spanish*): Thank you very much Chairman.

On (b) of paragraph 6, for Mexico, the geostationary orbit is a limited resource in danger of saturation and, accordingly, its use should be based on the principle of rational and equitable access for all

States, taking into account the specific needs of developing countries and the privileged geographic location of others.

In specific terms, the activities that are undertaken as regards this area should serve to consolidate international cooperation in order to guarantee that through the application of the principle of equity, all States shall have the possibility of access to the orbit in question.

The Mexican delegation, once again, reiterates that pursuant to Article II of the Treaty on the Principles that should govern States activities in the exploration and use of outer space, space cannot be the subject of national appropriation or of sovereignty claims. In turn, we reiterate the need to continue our analysis of this matter.

Thank you very much.

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

Any other delegation wishing to speak on agenda item 6?

I see none.

We will, therefore, continue and hopefully suspend our consideration of agenda item 6, Matters Relating to the Definition and Delimitation of Outer Space, pending the discussions of the Working Group on the Definition and Delimitation of Outer Space, and continue and hopefully conclude our consideration of agenda item 6(b), Matters Relating to the Character and Utilization of the Geostationary Orbit, tomorrow morning.

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

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

I have one delegation on my list which is the Republic of Korea, Mr. Yongil Lee. You have the floor Sir.

Mr. Y. LEE (Republic of Korea): Thank you Mr. Chairman. Mr. Chairman and distinguished delegates, my delegation is so much pleased to inform that the Republic of Korea enacted a domestic space activity law called the Space Development Promotion

Act in 2005. It is the legal framework on Korean space activities. The Ministry of Science, ICT and Future Planning, MSIP, is the governmental actor of space activities and policy making. National space projects are drafted by MSIP and deliberated by the National Space Committee consisting of related Ministry's Vice-Ministers. Once the national projects are set up, the Korea Aerospace Research Institute, KARI, takes the works in cooperation with the space industry and the academic field.

The Space Development Promotion Act also implements the international space law. It has the provisions on the space object registration procedure and governmental supervision on civil actor's space activities.

As for the space liability, the Space Liability Act was enacted in 2007 for the establishment of a domestic space liability framework. According to the Act, a launch applicant should carry an insurance against the third party's damage caused by the launch vehicle. The coverage of insurance, in other words, the launch applicant's financial responsibility is limited to 200 billion Korean Won, equivalent to about US\$200 million.

Mr. Chairman, the Korean delegation would like to inform that the Space Development Promotion Act was recently amended reflecting current trends. As the satellite images have been used in various ways, some provisions for promoting and managing the space application were put into the Act. According to the new provisions, the Government is to make a Five-Year Basic Plan for the space application promotion and its implementing plan annually. The specialized body is to be designated for the efficient management of satellite images and data. This body will deal with obtaining, processing and distributing of data generated by Korean satellites and developing various kinds of utilization methods.

In addition, the Government has to set up an integrated framework in order to avoid overlapping funding for space applications from various governmental actors. In this regard, under the National Space Committee, the Practical Subcommittee on Space Application Promotion is established for coordinating the demand and investment of each governmental body.

Some provisions were also inserted in the Act for the establishment of a Space Risk Precaution System. According to the provisions, MSIP is to make efforts to avoid or mitigate the damage from space

debris, asteroid, collision of space objects and solar dynamics.

The Five-Year Basic Plan and annual implementing plans are to be made containing the environmental protection in space, monitoring and alert system on the risk from space, space risk mitigation and related international cooperation. The specialized body is to be designated for the efficient work.

Mr. Chairman, my delegation believes that the new provisions reflecting recent trends will be helpful not only for the Republic of Korea but also other space-faring countries in a way that, on this legal basis, we can make more efforts to participate in international cooperation on space application and space risk reduction.

Thank you very much for your attention.

The CHAIRMAN: I thank the distinguished delegate of the Republic of Korea for his statement.

Next on my list is the distinguished delegate of Algeria, Ms. Behiri. You have the floor.

Ms. A. BEHIRI (Algeria) (*interpretation from French*): Thank you Mr. Chairman. I would like, at the outset, to express thanks, Mr. Chairman, to the Office for Outer Space Affairs and also to the ITU for the most excellent document submitted this morning entitled "Guidance on Space Object Registration and Frequency Management for Small and Very Small Satellites".

Mr. Chairman, Algeria does not yet have national legislation on the exploration and peaceful use of outer space. Nevertheless, in the absence of such legislation, we have commenced consideration of certain aspects related to space activity, notably amendment of the National Law on the Prevention of Major Risks and the Management of Disasters in the context of sustainable development.

Moreover, Algeria is working to implement the recommendations of the Working Group on National Legislation on the Exploration and Peaceful Use of Outer Space. By way of example, the recommendations one, five and six have already been implemented as follows.

As regards recommendation one, by virtue of the provisions of Presidential Decree 02-48 of 16 January 2002, as amended and supplemented, the Algerian Space Agency has been designated as the national body to carry out space activities in Algerian

territory, such activities as are under its jurisdiction or control.

When it comes to recommendation five, as already indicated, a National Register for the Registration of Objects Launched into Outer Space has been put in place by the Algerian Space Agency which is designated as the National Focal Point for the registration of space objects.

And finally, for recommendation six, insurance is now necessary for all space activities carried out by Algeria for the entire lifecycle of the space object in question.

Thank you.

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

Next on my list is the distinguished delegate of Austria, Ms. Köhler please.

Ms. U. KÖHLER (Austria): Thank you. The Austrian Outer Space Act has been enacted in 2011 already and I would like to inform that in February of this year, the competent Federal Ministry for Transport, Innovation and Technology has enacted the necessary Implementing Regulation. The Regulation contains in particular the detailed requirements for the authorization of space activities and the relevant documentation to be submitted by the applicant. The Regulation entered into force on 27 February 2015. We intend to produce an English translation and send it to the Secretariat of the United Nations Office for Outer Space Affairs.

Thank you.

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

Are there any other delegations wishing to speak on agenda item 7?

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, tomorrow morning.

Technical presentation

Distinguished delegates, I would now like to proceed with the one technical presentation which is

scheduled for this afternoon. The technical presentation we will hear is by Mr. Paulo Batista of Brazil and it is entitled "The Brazilian Air Force University: Supporting the Brazilian Space Programme".

Mr. P. R. BATISTA (Brazil): Your Excellency, Mr. Chairman, Kai-Uwe Schrogl, on behalf of whom I greet all the honourable delegates. For me, it is a great pleasure and proud to present the Brazilian Air Force University, UNIFA, the place where I work as a Professor in international public law and space law at this thirty-seven.

UNIFA is located in North-East of Rio de Janeiro City, about 30 kilometres from downtown and the two important airports, Tom Jobim, the international airport, and Santos Dumont, the domestic one.

The aim of UNIFA is to improve the academic and scientific studies of the commissioned and non-commissioned officers of the Brazilian Air Force and friendly nations as well.

In order to achieve this objective, we have Command/Rectorate, the Documentary Centre, an Air Command and General Staff College and an Officers Improvement School and a Specialized Instruction Centre, an Air Space Medicine Institute, an Air Force Supporting Commission, and a hospital, a chapel and an Air Space Museum, which houses more than 100 aircraft.

We would like to invite you to visit us next time you come to Rio de Janeiro. I am quite sure you will feel welcome.

We have in the centre the UNIFA's Rectorate Building. On the right side, the Air Command and the Staff College. On the left side, we see the UNIFA's hostel. Our objective is to present the activities developed by the UNIFA.

UNIFA's current organizational chart.

Here, we have our three most important schools, Command and General Staff College with 140 students here. The Officers Improvement School with 300 students here and the Specialized Instruction Centre with 350 students here.

The Vice-Rectorate is _____(?) and the Strategic Studies Centre location. These positions are

held by professionals with academic degrees, all of them.

Here we have the campus air view. There are three schools, the campus, the chapel and the hospital, all of them are here.

Main activities developed by UNIFA.

We work at the UNIFA to address several Air Force organizations such as the General Support Command, the Financial Secretary, Air Space Control Department, Human Resources Command, Air Force Teaching Department, and Air Force Internal Centre.

Area of research.

Air space power and contemporary political strategic studies.

Lines of research. The first one, Brazilian Strategic Air Space. The second one, international cooperation and the third one, Pacific use of extra-terrestrial space and other celestial bodies.

Course Structure. The course length is two years. Its disciplines are organized in five two-week modules.

The presented projects belong to the following fields: international relations; science technology, strategic aerospace; information technology; air and space law; air space medicine; social communication; physical training and logistics.

Here, I have applicants for the MBA. In blue, a student registered, green, a student enrolled, in red, a student approved. Graduates by applied research, graduates by study fields.

In order to promote opportunities for international cooperation, a student exchange and visiting professors, we are proud to announce design last January an important agreement with the Spanish university, UNIVERSIA, who has celebrated more than 500 scientific cooperation agreements with a broad range of international education institutions.

We also offer a scientific publication, twice a year, called "Revista da UNIFA" and have started on our next edition, the thirty-sixth. Our magazine will be published in Portuguese, English and Spanish.

Vision for the future. Recognized for its excellence in the academic activities related to

teaching, research and extension aiming at technical, scientific production.

Thank you very much Sir. That is all.

The CHAIRMAN: I thank Mr. Batista for his presentation and information he passed to the delegates.

Are there any questions the delegations to be addressed to Mr. Batista?

I see none. So thank you very much for this informative presentation.

Distinguished delegates, I will shortly adjourn this meeting of the Subcommittee so that the Working Group on Matters Relating to the Definition and Delimitation of Outer Space can hold its third meeting.

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

We will meet promptly at 10.00 a.m. At that time, we will continue our consideration of agenda item 3, General Exchange of Views. We will continue and hopefully suspend our consideration of agenda item 6, Matters Relating to (a) the Definition and Delimitation of Outer Space, pending the discussions of the Working Group on the Definition and Delimitation of Outer Space, and continue and hopefully conclude our consideration of agenda item 6(b), Matters Relating to the Character and Utilization of the Geostationary Orbit.

We will continue our consideration of agenda item 7, National Legislation Relevant to the Peaceful Exploration and Use of Outer Space, and we will begin our consideration of agenda item 12, Review of International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space.

Are there any questions on this proposed schedule?

I see none.

So finally, I would like to remind delegations that the delegation of the United States will hold a reception in the VIC Restaurant from 6.00 p.m. to 8.00 p.m. today. Invitations have been circulated to all delegations through the pigeonholes.

I now invite the Chair of the Working Group on Matters Relating to the Definition and Delimitation

of Outer Space to hold the third meeting of that Working Group.

This meeting is adjourned until 10.00 a.m. tomorrow.

The meeting adjourned at 3.42 p.m.