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Legal Subcommittee
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Script

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Chair: Mr. Kai-Uwe Schrogl

The meeting was called to order at 10.08 a.m.

Mr. K. Schrogl (Chair) Good morning distinguished delegates. I now declare open the 884th meeting of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space.

This morning, we will continue our consideration of agenda item 4, “General exchange of views”; and agenda item 7, “Matters relating to (a) the definition and delimitation of outer space, and (b) the character and utilisation of the geostationary orbit”; and agenda item 8, “National legislation relevant to the peaceful exploration and use of outer space”.

In addition, we will hear two technical presentations this morning, by a representative of Indonesia, entitled “The Indonesian Space act No. 21, year 2013”, and by a representative of Japan entitled “International mechanisms for cooperation in the peaceful exploration and use of outer space in the case of the Japan Aerospace Exploration Agency”. The Working Group on Definition and Delimitation of Outer Space will then hold its second meeting.

Distinguished delegates, I would like now to continue our consideration of item 4, “General exchange of views”. The first speaker on my list is the distinguished delegate of France. Mrs. Ambassador, you have the floor.

Ms. M. Paradis (France, interpretation from French) Thank you Mr. Chairman, ladies and gentlemen, distinguished colleagues, let me first of all Mr. Chairman congratulate you and express our satisfaction at seeing you in the Chair of this Legal Subcommittee of COPUOS. You may count on every support on the part of my delegation. We will do our best to make concerted contribution to the debate. I would also like to congratulate Ms. Simonetta Di Pippo on her nomination as director of OOSA. We wish her every success in her important function.

France would like to once again underscore its great interest in the work of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space of the United Nations. We would like express the wish that this 53rd session of the Subcommittee might be

marked with new progress in developing and promoting outer space law. The relentless growth of space activities makes it indispensable to define — at all levels, national and international — the legal norms and technical standards that should be consensus-based and comprehensive and applied by all actors involved — both State and non-State. In this regard, France recalls its attachment to the universalization and improved implementation of the rules enshrined in the outer space treaties of the United Nations. France, in particular, underscores the fact that all of these space activities must be conducted with for three major principles: free access to outer space for peaceful use; preservation of the security and integrity of satellites in orbit, taking into account defence and security-related interests of States in space.

The French delegation, as you know, attaches great importance to the work of the Subcommittee and of the large Committee. Without this work, the implementation of these principles would not be possible. France wishes to see the great United Nations treaties of ‘67, ‘68, ‘72 and ‘75 to be applied universally and strictly. France in particular would like to recall the importance it gives to the registration of space objects. We would like to express the wish that the universal and effective implementation by the largest possible number of States of the Registration Convention of 14 January 1975 should be made a priority by States.

Mr. Chairman, France is also attached, as you know, to the principle of long-term sustainability of outer space activities. We support initiatives in that regard, in particular the work carried out by the Working Group on the Long-term Sustainability within the framework of the Scientific and Technical Subcommittee. This work has made great progress and should be concluded in the year to come.

The proliferation of space debris in orbit is an increasing concern for States, in particular France — and justifiably so, for the following reasons: this proliferation threatens the integrity of operations satellites and international space stations. It can also, in time, threaten the very continuity of the exploration and use of outer space by the various actors. France

believes that the only possible way is to promote long-term sustainability of outer space activities. It is a matter of shared interests for States, which conduct activities in outer space; for those who benefit from space services; for those whose future access to space must be preserved; and for commercial operations, of course. In this regard, France welcomes the national initiatives of States towards developing legislation and regulation governing activities and operations in outer space. In this regard, we welcome the adoption of resolution 68/74 of the United Nations General Assembly of 11 December 2013, entitled "Recommendations on national legislation with regard to the exploration and peaceful use of outer space".

France has had an opportunity to state in previous sessions of the Subcommittee that it has its own legislation devoted to space operations — legislation that is fully in compliance with the United Nations General Assembly resolution that I referred to. In 2013, 14 authorizations for the launch and management of satellites were issued by the French Government to national space operators. Besides, France supports another initiative which is different but complementary: that is the draft international code of conduct on safety of space activities, which on a voluntary basis of trust and transparency, would promote the safety of space activities, be they civilian or military.

Mr. Chairman, on the substantive items on the agenda of this Subcommittee, you can count on the full support of my delegation with regard to launching a working group on international mechanisms for cooperation for the peaceful use of outer space chaired by Madame Setsuko Aoki. Also, for the consideration of a new item devoted to the exchange of information on non-binding United Nations legal instruments in the area of outer space. The Japanese initiative, which we supported last year. These two issues will make it possible for us to reflect on a better framework using existing legal norms with regard to space activities.

Talking about the organization of the work of this Subcommittee, as we indicated on many occasions in previous sessions, the French delegation would like the organization of discussions in COPUOS to be reformed with a view to improving its efficiency and effectiveness — better time management for our sessions. France welcomes in that regard the first informal consultation started by Germany and you, yourself Mr. Chairman, with a view to streamlining and rationalizing the work of this Subcommittee. This reform could be put in place in 2016 once adopted by the Committee. We believe it is essential. It is not just a matter of rearranging subject matter and making the agenda more dynamic and more tight, but also to

establish a link between current work and the finalization of the deliberations of the work on the long-term sustainability of outer space activity, to promote truly interesting and substantive debates in the Subcommittee. This reform is more necessary than ever, but it should be based on consensus and would benefit all of us in the framework of this Legal Subcommittee, and for that we trust you entirely. Thank you very much Mr. Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from France: Ambassador Paradis. Thank you very much for your statement. Next on my list is the distinguished representative from Italy, Ambassador Formica. You have the floor, Sir.

Mr. F. Formica (Italy) Thank you Mr. Chairman. Mr. Chairman, at the outset, allow me to congratulate you for chairing the 53rd session of the Legal Subcommittee of COPUOS. Let me also express my gratitude to Dr. Brisibe for the achievements made last year as Chairman of the previous session of LSC.

Please consider, Mr. Chairman, the full support of the Italian delegation during this Subcommittee and for further needs.

Mr. Chairman, distinguished delegates, I am honoured to take the opportunity of this statement to express our warmest congratulations to Dr. Di Pippo on her appointment as Director of the United Nations Office on Outer Space Affairs. We are confident that under her leadership UNOOSA will be able to further strengthen its role as a promoter of international cooperation in the peaceful uses of outer space activities.

Italy stands ready to work closely with the new Director over the coming years. In wishing her every success in her new endeavours, let me assure of our full support in her important assignment.

Allow me also to express our great sadness for the loss of Professor Kopal. He was a pioneer in space law. He had an exemplary career in academics and in the United Nations, serving as delegate for his country and twice as Chairman of the Legal Subcommittee.

Mr. Chairman, a peaceful and sustainable conduct of outer space activities, research and development of space technology for the benefit of mankind and the promotion of international partnerships and cooperation still represents as many cornerstones of our national space policy.

Therefore, let me stress once again the importance of the Committee and its Subcommittees as privileged multilateral forums for sharing views, achieving consensus within the international space community, facilitating the global dialogue on space

issues and fostering a broad and shared legal framework in this field.

We would like to commend in particular the Legal Subcommittee for its efforts to strengthen the existing treaties and principles of international law relevant to outer space activities. Italy will continue to support those initiatives aimed at encouraging international 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. For this very reason, we consider the debate within the Working Group on “Status and application of the five outer space treaties” an important and valuable opportunity to achieve further progress in this regard. We are also pleased that, in accordance with General Assembly resolution 68/75, a Working Group on International Mechanisms for Cooperation in the Peaceful Exploration and Use of Outer Space has been convened during the Subcommittee.

Mr. Chairman, we believe that attention should not be shifted away from the promotion of patterns and practices underlying a long term, stable and sustainable development of outer space activities in all its aspects. Responsible behaviour of States in outer space, as outlined already in the 1967 Outer Space Treaty, is necessary to ensure that the exercise of their rights and freedoms does not interfere with — or compromise the safety of — space operations, and to avoid that space activities conducted by other States could be hampered.

We are facing new threats, requiring new responses and commitments based on the principles of prevention, due diligence and no harmful interference. In particular, the steady growth of orbital debris continues to be a matter of grave concern, representing an increasing menace to space activities, including human space flights and satellite systems. In this regard, allow me to express our appreciation for the “Compendium on Space Debris Mitigation Standards adopted by States and International Organizations” presented by the Czech Republic as an inspiring contribution to the agenda item on “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”.

Italy welcomes and strongly encourages the current on-going initiatives at international level aiming at ensuring the long-term sustainability of outer space activities. In this vein, we will continue to support the ad hoc Working Group set up by the Committee in 2011 under the valuable Chairmanship of Mr. Martinez. Thanks also to terrific efforts of national experts in the subgroups, we are confident that

further progress will be made in the coming weeks and during the next session of COPUOS in June in order to finalize a consistent and valuable set of guidelines.

Italy continues to actively support current international efforts aimed at establishing a broad consensus on initiatives, whose purpose is to improve the safety and predictability of space operations, to enhance stability and security in outer space and encourage the responsible use of space for the benefit of all nations. Along these lines, we would like to commend again the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space activities for the successful outcome of its work. The consensus-based conclusions and recommendations contained in the report endorse efforts to pursue political commitments, for example in the form of a multilateral Code of Conduct, to encourage responsible action in, and the peaceful use of, outer space. The report concludes that voluntary political measures can form the basis for consideration of concepts and proposals for legally binding obligations. Italy actively supported the adoption of resolution 68/50 of the UNGA of 5 December 2013 on “Transparency and confidence-building measures in outer space activities”. We are convinced that all these initiatives, within and outside COPUOS, are complementary and aimed at supporting States in better abiding by their international obligations.

Mr. Chairman, coming to the fundamental issue of capacity-building in space law, I would like to commend the Group of Experts who contributed to the development of the Education Curriculum on Space Law. We attach the utmost importance to education and training activities in space law. The 2013 European Round of the Manfred Lachs Moot Court Competition, organized by the European Centre for Space Law, in collaboration with the University Sapienza of Rome and the National Research Council, took place in Rome last May. It saw 13 teams coming from different European Universities competing for the title of European Champion and for the honour of representing Europe at the finals held in Beijing during the last International Astronautical Congress.

Mr. Chairman, before turning to the conclusion, allow me to briefly mention that the second session of the Preparatory Commission for the establishment of the International Registry for space assets pursuant to the Space Protocol adopted in Berlin in 2013 took place at the headquarters of UNIDROIT in Rome last January. It considered a draft text of space regulations for the registry; matters relating to the appointment of a Supervisory Authority; and the issue concerning the drafting of a request for proposals for the selection of a Registrar. The third session of the Preparatory

Commission will be held in September 2014 with the aim of approving the Regulations as finalized.

Mr. Chairman, we deem that the role of the Legal Subcommittee as an important multilateral forum to promote international space law application and development should be maintained and enhanced. In order to achieve this widely shared objective, we believe that further efforts should be made to streamline and improve the organization of the work of the Subcommittee. For this very reason, we support the German proposal to simplify the structure of its agenda and to establish a new, more dynamic approach, to take full advantage of its fortnight format.

In conclusion, allow me to express our appreciation for the initiative of the International Institute of Space Law and the European Centre for Space Law to promote a symposium on the theme of "Regulatory needs for very small satellites", successfully held the first day of this session. It proved to be an excellent opportunity to reflect on what should be the most suitable legal framework for small satellite missions. Thank you, Mr. Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished representative from Italy, Ambassador Formica, for his statement. Thank you very much Ambassador. I now turn to my distinguished predecessor, Mr. Tare Charles Brisibe, representing Nigeria. You have the floor.

Mr. T. C. Brisibe (Nigeria) Thank you very much Mr. Chairman. Nigeria congratulates you on your election to Chair the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space. We assure you of our full support in the discharge of your duties and are confident the Subcommittee will benefit from your extensive professional experience and insight. The Nigerian delegation warmly welcomes Madame Simonetta Di Pippo as the new Director of the Office for Outer Space Affairs, and avails itself of the opportunity to express deep appreciation to the former Director of the Office for Outer Space Affairs, Madame Mazlan Othman.

Mr. Chairman, Nigeria places great importance on compliance to, and conformity with, legal principles enabling the application of international law in accordance with the five United Nations Treaties governing space activities. Nigeria has ratified four of the five United Nations Treaties on Outer Space which have established a solid basis for the conduct of space activities while strengthening international cooperation.

Nigeria further acknowledges the importance of States implementing their international obligations by domestic legislation. The 2010 National Space

Research and Development Agency Act, among other provisions, establishes the National Space Council, responsible for authorization and licensing procedures and empowers the Council to make further regulations in order to implement specific provisions of the Act. The Federal Government therefore anticipates implementation of further Regulations to ensure compliance with conditions and obligations associated with conducting space operations in accordance with the Act.

Mr. Chairman, Nigeria welcomes the European Union's initiative for an international code of conduct in outer space and wishes to underscore the imperative for greater cooperation between space faring nations and emerging space nations for the purpose of information and technology sharing. My delegation congratulates Professor Setsuko Aoki of Japan on her election as the Chair of the Working Group established under the scope of a multi-year workplan on the item "Review of international mechanisms for cooperation in the peaceful exploration and use of outer space".

Mr. Chairman, Nigeria also attaches great importance to capacity-building, believing that training and education in space law are critical to international, regional and national efforts to further develop space activities and to increase knowledge of the legal framework within which space activities are carried out. The Nigerian delegation commends the Office for Outer Space Affairs concerning the Space Law workshop organized on the occasion of the 5th African Space Leadership Conference, hosted by Ghana and convened in Accra from 3rd to 5th December 2013.

Nigeria welcomes the completion, by the Office for Outer Space Affairs and associated group of experts, of a curriculum for the teaching of space law courses at the Regional Centres for space science and technology education affiliated to the United Nations. There is also an intensified move to include space law in the general international law courses of the various institutions in Nigeria. And on the regional level, Nigeria will host the African regional round of the Manfred Lachs Space Law Moot Court competition scheduled in Abuja, Nigeria, from 8th to 9th May 2013.

Mr. Chairman, beyond the five United Nations Treaties governing space activities, the Committee on the Peaceful Uses of Outer Space and its subsidiary bodies have facilitated the adoption of a number of instruments in the form of Legal Principles and Declarations related to outer space activities including technical guidelines and frameworks endorsed as part of the Committee's documents by the United Nations General Assembly. The application, implementation and adherence to such instruments, is not necessarily

evident and it is unclear whether they serve as hortatory evidence of emerging legal principles or constitute possible independent authoritative sources of international law.

It is necessary to consider the legal significance and role of these instruments in the progressive development of international space law. Especially as they declare or embody general rules of conduct addressed to States and other international persons, the establishment of which contributes to the strengthening of international cooperation in the peaceful uses of outer space. These legal principles and declarations, including technical guidelines and frameworks, continue to play a regulatory role addressed to all members of the international community, including member States of the General Assembly, over which they exercise a wide influence in the progressive development and codification of international space law.

Nigeria therefore welcomes the inclusion of a new item on the agenda of the Legal Subcommittee concerning the “General exchange of information on non-legally binding United Nations instruments on outer space”, and looks forward to participating in deliberations concerning this issue during this session of the Legal Subcommittee. Thank you Mr. Chairman,

Mr. K. Schrogl (Chair) I thank the distinguished representative from Nigeria, Mr. Brisibe, for his statement.

There are no more speakers on my list. Are there any delegations wishing to speak under agenda item 4, “General exchange of views” at this time?

I see none.

We will therefore continue our consideration of agenda item 4, “General exchange of views”, this afternoon.

Distinguished delegates, I would now like to continue our consideration of agenda item 7, “Matters relating to the definition and delimitation of outer space, and the character and utilization of the geostationary orbit”.

The first speaker on my list is the distinguished delegate from Venezuela, Mr. Roberto Becerra. You have the floor, sir.

Mr. R. Becerra (Bolivarian Republic of Venezuela, interpretation from Spanish) Thank you very much Mr. Chairman. The delegation of the Bolivarian Republic of Venezuela believes that while up until a certain time there was no legal controversy among States regarding the delimitation of outer space, we must take into account the fact that the accelerated

technological development and progressive increase in space activities by States as well as the commercialization of space and the growing participation of various actors in space, makes it necessary to clearly define the delimitation between airspace and outer space. And, as a result, to set up a legal regime that would be applicable to one and the other. We are aware that the diverse positions of member States on this issue makes it difficult to reach a definition that would be fully satisfactory and meet the expectations of all States. Therefore, this delegation believes that it is necessary that this issue should continue being discussed by the Subcommittee with a view to reaching consensus-reached agreements that will in future make it possible to develop legal instruments that would bring legal clarity and certainty to States as to the sovereignty of their space guaranteeing them this way, the free use of outer space as enshrined in existing principles. Thank you very much.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Venezuela speaking on item 7, and as you are aware, we have a subdivision under this item and we are now talking about the definition and delimitation of outer space, while then will turn to the second part, which is the (b), the character and utilization of the geostationary orbit.

Are there any speakers on the part (a) the “definition and delimitation of outer space”? Yes, I see Brazil. Brazil has the floor.

Mr. Rypl (Brazil) Thank you Mr. Chairman. Mr. Chairman, my delegation would like to congratulate the Working Group on the definition and delimitation of outer space and especially the Chair of the Working Group, Professor José Monserrat, for his outstanding and especially persistent work.

I believe that the discussions we witnessed yesterday during the meeting of the Work Group are a cleared sign of progress after years of what could be called a stand still — or even more appropriate — a stalemate, involving two seemingly irreconcilable positions.

Brazil supports the view that it is necessary to agree on a clear definition of the boundaries between outer space and air space. In our view, this would offer a double benefit: it would allow COPUOS to concentrate on developing and improving legal instruments that apply to activities that are not restricted to a one single realm of space; and in addition this would create the legal certainty that is necessary to provide commercial operators with the necessary assurances to carry out their activities. By agreeing on a definition of outer space, we would

avoiding potential conflicts of sovereignty and we would be better able to deal with questions relating liability, for example.

My delegation is also aware of an additional incentive for the Subcommittee to make progress on this issue: we have learned that the International Civil Aviation authority has started to consider this matter, and I quote the following information from their website: “Air and space transportation systems over the last few decades have evolved remarkably over the past decades, including the appearance of vehicles that can operate seamlessly in the atmosphere and in outer space, and which pose challenges to the international legal boundaries, as well as to airspace and outer space legal regimes”. And now, we can read this information in a number of ways: in a positive light we can see this as an opportunity — an opportunity to improve general awareness of the importance of defining and delimiting outer space and perhaps, may I suggest, even consider the possibility of working together with the International Civil Aviation authority to address this issue in a more comprehensive manner. However, this also poses a risk — and that is a warning: if we, COPUOS and this Subcommittee — if we fail to act, we might lose our edge on this issue, you know. And this, in our view, would be tantamount to neglecting our mandate. So, therefore, we welcome the progress that was made yesterday and the proposal that we discussed — that seems to point a way forward — and we would like to urge all delegations to cooperate and see if we can finish this session this year with some progress in indicating something of the way forward. Thank you very much, Mr. Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Brazil referring to the work under the Working Group and I can assure you that, me as the Chairman of the Legal Subcommittee, will assist you in trying to further this progress.

Now, there is no more speaker on my list on the part “definition and delimitation of outer space” so we turn to the second part of this agenda item, which is “the character and utilization of the geostationary orbit” and I have as the first speaker on my list Ms. Teresita Alvarez, representing GRULAC. You have the floor.

Ms. T. Alvarez (GRULAC, interpretation from Spanish) Thank you Chairman. With regards to the agenda item “Character and utilization of the geostationary orbit”, GRULAC would like to reaffirm its position that this is a natural resource, which as it is limited, runs the risk of saturation — a situation which the international community should become aware of. For that reason, GRULAC considers that the use of geostationary orbit should be rationalized and be extended to all States, providing them the possibility to

accede to them on an equitable footing, taking into account the needs and interests of developing countries and the geographic position of certain countries, in compliance with principles established by the ITU and other United Nations standards and decisions.

Because of this and in order to guarantee the sustainable of this medium, GRULAC believes that it is necessary to keep consideration of this agenda item on this Subcommittee’s agenda through setting up working groups or intergovernmental panels when and as appropriate, and urges the ITU to have greater participation in COPUOS and its subsidiary bodies.

GRULAC grants specific importance to the use of the geostationary orbit. It is very important for developing countries and therefore our aspiration is that we continue to debate this in search of new points of consensus to respond to the specific characteristics of this limited national resource. For that reason, GRULAC is promoting the setting up of working groups, intergovernmental panels — both technical and legal in nature — to deal with the equitable use of the geostationary orbit. Thank you.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Chile speaking on behalf of GRULAC. The next on my list is the representative of Venezuela, Mr. Becerra. You have the floor sir.

Mr. R. Becerra (Bolivarian Republic of Venezuela, interpretation from Spanish) Thank you for the granting me the floor, Chairman. The delegation of the Bolivarian Republic of Venezuela would like to reiterate its support to the principle of freedom of access to outer space on an equitable basis for all States without discrimination and we specifically promote the equitable and rational use of the different orbital positions of artificial satellites.

Equitable access for all States to the orbital spectrum and geostationary orbit is of specific importance because these can help produce social programmes that benefit the most vulnerable populations through education and medical care, as well as guaranteeing their access to information and communications technologies, enabling them to improve their connection to sources of information to strengthen social organizations as well as enabling them to disseminate and exchange their knowledge without the intermediation of commercial interests.

This delegation also believes that the different orbital positions, which are a limited natural resource, should be available on an equitable and rational footing and therefore the method that is used to allocate frequencies is extremely important and should be covered by international instruments.

Based on this, in order to guarantee the peaceful and sustainable use of the geostationary orbit, we believe it is necessary to keep consideration of this item permanently on the agenda of COPUOS and its two Subcommittees through setting up task forces, working groups or intergovernmental panels. I feel I cannot conclude without saying that we have a great deal of hope and faith in the work of the group on the sustainability of outer space activities. Countries such as mine ask the group to take this subject into account because it is very important to us, so through you, we would like to convey to the Working Group and to the group of experts, that we are eagerly awaiting the results that they have achieved on this important subject of geostationary orbit. Thank you Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Venezuela for his statement. Are there any other delegations wishing to speak on that item?

Yes, I see Mexico.

Ms. R. M. Ramirez de Arelanno (Mexico, interpretation from Spanish) Good morning everyone. I am going to refer to item 7, “Character and utilization of the geostationary orbit” to guarantee the rational and equitable use of the geostationary orbit without prejudice to the role of the ITU. The geostationary orbit, as the distinguished representative of GRULAC said, is a limited resource, which could become saturated. I would like to recall that we started there in 1957, therefore its use should be based on the principle of rational and equitable access for all States, independently of their technological capacity, bearing in mind the special needs of developing countries and those of specific geographic position.

According to the constitution of the ITU in article 44, there is reference to two things: the use of the radioelectric frequency spectrum and geostationary orbits and other orbits. Paragraph 1, article 44, says that member States will endeavour to use the minimum indispensable frequencies to achieve proper functioning of satellites and they will endeavour to apply technological advances. Towards the end of article 44 of the ITU constitution, the use of frequency bands for radio communication technologies, member States will take into account that the geostationary orbit is a limited resource, which should be used rationally, effectively and economically in compliance with the radio communication regulations of the ITU to enable equitable access to these orbits and frequencies to countries and groups of countries, bearing in mind the special needs of developing countries and the geographic location of certain countries.

We had a very good presentation from a representative of the ITU about how different orbits are

registered and the associated frequencies, as well as other orbits, with their associated frequencies, so I will not go into detail on that because I believe the representative of the ITU dealt with that, and I would like to bring that expert back to the Legal Subcommittee so that we can continue to work to on this very important subject. When I say it is of great or vital importance — let me explain why it is of vital importance: we are talking of essential issues for countries. My country cannot develop without Earth observation satellites because that will tell me if there is drought in the desert, if there is deforestation in forests, if there is global warming of our oceans. We need these satellites and they are part of development and infrastructure equipment in any country. The subject of equitable access to the geostationary orbit is something that has been widely discussed in the ITU and the decision was taken that it even covers aspects that are not covered by the scope of the ITU because the ITU basically established rules and regulations and we need to study this in COPUOS too. The ITU says that it regulates access to orbits, frequencies and allocation of spectrums. This was then our subject, which was given political tint, was then sent to COPUOS. I believe we need to foster international cooperation so that we can guarantee the principle of the application of equitable access. All States should be able to have access to that orbit.

Mexico reiterates once again that, in conformity with article 2 of the treaty on the activities of states in the peaceful use and exploration of outer space — the Space Treaty — space cannot be subject to national appropriation or sovereignty claims. We believe we need to continue to analyse this subject. Other delegations have said similar things and therefore, Mr. Chairman, we believe that this should continue on the agenda. Thank you.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Mexico for her statement. Are there any other delegations wishing to speak?

I see none.

We will therefore continue and then suspend our consideration of agenda item 7, “Matters relating to the definition and delimitation of outer space” pending the discussions in the Working Group on the definition and delimitation of outer space and continue, and also hopefully conclude, our consideration of agenda item 7 (b) “Matters relating to the character and utilization of the geostationary orbit” this afternoon.

Distinguished delegates, I would now like to turn agenda item 8, which is “National legislation relevant to the peaceful exploration and use of outer space”.

The first speaker on my list is the distinguished delegate from France, Mr. Julian Mariez. You have the floor.

Mr. J. Mariez (France, interpretation from French) Thank you Chairman. Chairman, ladies and gentlemen, colleagues, my delegation welcomes the adoption by the United Nations General Assembly on December 11, 2013, resolution 8/RES/68/74 presenting recommendations on national legislation on the peaceful exploration and use of outer space.

France could only support national initiatives to transpose the obligations of international treaties into domestic law, the authorization and continuous monitoring of space operations, liability and registration of space objects.

International space treaties have benefitted from wide range adoption by States but in order for them to be effectively implemented, we believe it is absolutely necessary for these obligations to be converted into national law. More and more States, and we are pleased to note that, are having access to space. The greatest challenge is that we need to control private access to space, which is on the increase. In this context, the authorization and monitoring of national space activities and the registration of space objects, are indispensable. They enable States to take ownership of their international liability and commitment and they are also a prerequisite for protection of the space environment and the long-term maintenance of space as a place that can be freely explored and used by all countries.

We believe it is only by the national application of these treaty measures by all States that we will see action with regard to the prevention of space debris or the limitation of collision risks in orbit. We believe, Mr. Chairman, that General Assembly resolution 68/74 is an excellent reminder of the issues and problems all States need to consider when they wish to introduce an efficient law and we would like to thank Professor Marboe from Austria, who successfully led the work of the Working Group and achieved such positive results.

To conclude, Mr. Chairman, we would like to say that the 2008 French law on space operations, which, I believe has been presented here at recent sessions, is whole consistent with the recommendations of the aforementioned resolution. Thank you.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from France for his statement. Next on the list is the distinguished delegate from the United States, Mr. Brian Israel, you have the floor please.

Mr. B. Israel (United States of America) Thank you Mr. Chairman. The United States is pleased if the Legal Subcommittee continues to exchange information on national legislation relevant to the peaceful exploration and use of outer space. We would like to express our gratitude to Professor Irmgard Marboe for her leadership of the Subcommittee's work on this topic, which was completed last year and culminated in the adoption by the General Assembly of resolution 68/74, setting forth recommendations on national legislation relevant to the peaceful exploration and use of outer space.

As the chair of the working group on the status and application of the five United Nations treaties observed yesterday and characterizing the historical trajectory of international law and governance in outer space, we are living in the age of national space legislation, as the distinguished delegate from France has observed, more and more of our national space activities are undertaken by non-governmental entities and national legislation is thus one of the most important mechanisms for implementing the treaties. It is difficult to understate the importance of the Legal Subcommittee's work on this topic. We encourage member States to continue to provide updates on developments in their national legislation relevant to the peaceful exploration and use of outer space, and we support the continuation of this agenda item to facilitate this continued exchange. Thank you Mr. Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from the United States for his statement. And last on my list is the representative from South Africa, Ms. Lydia Greyling. You have the floor.

Ms. L. Greyling (South Africa) Thank you Mr. Chairman and good morning to colleagues. The South African is pleased to inform the Subcommittee of the progress made internally to reform and modernize its national space legislation. South Africa prides itself on advancing outer space legislation that promotes the ethos and norms contained in the United Nations space treaties in its domestic law. To that effect, South Africa has ratified the four main United Nations treaties and uses these as a measure in regulating national space activities, including its licensing practices.

Mr Chairman, the increased involvement of private and other non-governmental entities in the space sector in the country specifically, and the push to ensure that the African continent maximises the benefits of space use in general, have led to an evaluation of the factors that would act as constraints to the rapid deployment of these important technologies. To that effect, we have embarked on a

process to ensure that our domestic space laws cater for the new legal requirements in a changed space environment. Hence, we have embarked on a review of our general space act, the Space Affairs Act of 1993, and associated legislative instruments, related to space use. This process has been enhanced by the concurrent work and our participation in the work of the Working Group on National Legislation that took place in this forum, which has now been adopted as a United Nations General Assembly resolution 68/74, “Recommendations on national legislation relevant to the peaceful exploration and use of outer space”. We are sincerely grateful to Professor Irmgard Marboe for her expertise and hard work which resulted in this UNGA resolution.

Mr. Chairman, South Africa is active to ensure that the application of space legal norms is central to participation in the space enterprise. To that end, we are cooperating in developing an African Space Policy, within an African Union institutional framework, which will guide African presence in space endeavours. This exercise will eventually assist other African States to develop national space legislation in harmony with international space law principles, especially resolution 68/74 of 11 December 2013. I thank you, Mr. Chairman.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from South Africa for her statement. And I have another request for the floor from Venezuela, Mr. Roberto Becerra. You have the floor sir.

Mr. R. Becerra (Bolivarian Republic of Venezuela, interpretation from Spanish) Thank you, Mr. Chairman. A very practical clarification, very brief, something I wanted to share with you and other delegates. These are national initiatives in the area of space activities on which my country is working right now: the first and fundamental one is part of the United Nations treaties and principles — very briefly. Currently our constitution has article 11, which establishes the Republic’s right in outer space and in those areas which are common heritage of humanity and the terms established in the international treaties. We have a law on creating the Bolivarian agency for space activities. That is a law that has set up an autonomous institution which has been given very important responsibilities. This is the national body that executes national space policy. In the bilateral area, we have agreements signed with a number of countries — and that is also part of our commitment — we have agreements on space cooperation with China, India, Uruguay, Brazil, Argentina and Bolivia. We are currently negotiating such agreements with France, Russia and Ecuador. To conclude, my country currently is setting up a working group with the

national assembly to come up with a draft law — a new draft law — and I would like to express my satisfaction at what has been achieved in this Subcommittee in that regard. The new law will incorporate many of the elements that we have discussed and agreed on here in this Subcommittee. It will have to do with the scope of application, the issues of licences, safety, security, monitoring, registration, accountability and insurance. We will also consider, obviously, the need to align it with our constitution and our plan of work. This is all, Mr. Chairman, thank you very much for this opportunity and hope this provides additional motivation to other colleagues to continue working on national legislation. Thank you very much.

Mr. K. Schrogl (Chair) I thank the distinguished delegate from Venezuela for his informative statement. Are there any other delegations wishing to speak under agenda item 8 “National legislation relevant to the peaceful exploration and use of outer space” at this moment?

I see none.

We will therefore continue our consideration of the item this afternoon.

Distinguished delegates, I would now like to proceed with the technical presentations I mentioned at the outset. Presenters are kindly reminded that technical presentations should be limited to 15 minutes in length.

We will now hear two technical presentation. The first one will be by a representative of Indonesia, entitled “The Indonesian Space act No. 21, year 2013”, and by a representative of Japan entitled “International mechanisms for cooperation in the peaceful exploration and use of outer space in the case of Japan Aerospace Exploration Agency”. Mr. Mardianis, you have the floor.

Mr. Mardianis (Indonesia, technical presentation) Thank you, Mr. Chairman.

First of all, please allow me to introduce myself. My name is Mardianis, Head of Division for Aerospace Law Assessment, of the National Institute of Aeronautics and Space of Indonesia, known as LAPAN. I am honoured to be here today at the 53rd Session of the Legal Subcommittee of COPUOS and to deliver a presentation titled “The Indonesian Space Act No. 21 year 2013”.

I have divided my presentation into five parts, as shown by the outline: (1) background; (2) activities covered by the Act; (3) purposes of the Act; (4) contents of the Act; (5) essential points of the Act and recommendations of the working group of national legislation.

In relation with the background, I will elaborate it in three sections: first, the history of space activities in Indonesia; second, Indonesia's space policy; and the third relates to why Indonesia needs this Act.

Space activities in Indonesia started in the early 1960s. At the beginning, space activities focused on rocket research and development. In 1963, sounding rockets built by Indonesia and Kappa rockets (bought from Japan) were successfully launched from Pameungpeuk rocket launching station located in West Java. The space activities were suspended for a few years until 1970 due to the country's political situation, but have grown more important ever since. Since 1970, space activities continue to increase within the broader spectrum, focusing on space applications. Programmes related to space science and technology have been intensifying since 1980, including research and development efforts, in support of space applications.

Pertaining to space policy. In 1993 the Indonesian national space development programme was firmly spelt out in the 1993-1998 Guidelines of State Policy, approved by the Indonesian People's Consultative Assembly. Emphasis on the national space development has been on the space technology applications and is meant to improve the welfare of Indonesian people by the mastery of space science and technology and through human resources development. One essential aspect of this national space development programme is the element of cooperation with other countries. The direction contained in the Guidelines of State policy has put space programme as a high priority in the national development programmes. This priority is also delineated by the constellation of national organizations responsible for space activities. Indonesia has the National Council for Aeronautics and Space of the Republic of Indonesia (known as DEPANRI). The council functions as the highest national coordination committee and policy formulation forum in the country for space development. The Chairman, Vice-Chairman and Secretary of the Council are the President of the Republic of Indonesia, the State Minister for Research and Technology, and the Head of the National Institute of Aeronautics and Space, or LAPAN.

Some of the reasons why Indonesia enacted this Act are that Indonesia currently operates 6 satellites (5 in geostationary orbit and 1 in low Earth orbits). Indonesia has ratified four of the core space treaties (1967 Outer Space Treaty, 1968 Rescue Agreement, 1972 Liability Convention and 1975 Registration Convention). Indonesia complies with the international space acts. The Indonesian Space Act provides a legal framework for the existing and emerging space activities in Indonesia.

The Act covers the following: all space activities performed in the sovereign territory and jurisdiction of Indonesia. Indonesian people and Indonesian legal entities involved or participating in any space activities abroad.

The purposes of the Act are to achieve self-reliance and improve Indonesia's competitiveness in carrying out space activities; to optimize the implementation of space activities for the welfare of the nation; to ensure the sustainability of space activities for the benefit of present and future generations; to provide a foundation and legal certainty in space activities; to provide safety and security in space activities; to protect the State and its citizens from the negative impacts of space activities; to optimize the implementation of international agreements for national interest.

There are 19 chapters and 105 articles in the Act, consisting of: space activities; competent authority; spaceport establishment and its operation; safety and security of space applications; mitigation of falling space objects and search and rescue of astronauts; registration of space objects; international cooperation; liability and indemnification; insurance, mortgage and facility; environmental safety; financing; society engagement; and sanctions.

Some essential points of the Act and Recommendations of the Working Group of National Legislation are:

- LAPAN supervises all space activities in Indonesia;
- LAPAN is the register agency of space objects to OOSA;
- The utilization of slot orbits and frequency spectrums is controlled by the Ministry of Communication and Information;
- Government's assurances on liability and indemnification;
- No mortgage applies to Government assets;
- Government provides facilities for space industry initiators, such as through tax incentive;
- Obligation to insure any space activities, not including space activities done by Government entities. In this case, the Government is liable for the damages of third parties;
- Sanctions (1 until 20 years' imprisonment and a maximum of US\$ 500 million fine);
- Transfer of ownership applies to exchange liability since the day of signature of the sale agreement;

- Export control: imported sensitive technologies are not permitted out of Indonesian territory.

Some of these important points of the Act are related to the Recommendations on national legislation relevant to the peaceful exploration and use of outer space (Resolution adopted by the General Assembly on 11 December 2013). That brings us to the end of my presentation. I would like to thank you all for your attention. Thank you.

Mr. K. Schrogl (Chair) I thank Mr. Mardianis for his presentation on behalf of Indonesia and also congratulations for passing your space act.

Are there any questions you would like to address to the speaker?

Yes, I see Poland.

Mr. L. Kulaga (Poland) Thank you Mr. Chairman and thanks to the delegate of Indonesia for the presentation, and we are also drafting our national space act, I would be interested as to when the sanction of imprisonment applies, according to the space act of Indonesia. Thank you.

Mr. K. Schrogl (Chair) Thank you. Are there any other questions?

There are none, so I would like to ask the representative from Indonesia to respond to this question.

Mr. Mardianis (Indonesia, technical presentation) Thank you delegation from ... I am sorry. Sanctions in Indonesia in this act, why imprisonment until 20 years to launch weapon of mass destruction. That is, we ... very ... launch something. Thank you.

Mr. K. Schrogl (Chair) Thank you for your response and thank you again for your presentation.

We now turn to the second presentation we will hear this morning. It is by Ms. Motoko Uchitomi of Japan, entitled "International Mechanism for Cooperation in the Peaceful Exploration and Use of Outer Space: In the Case of JAXA". The floor yours, Uchitomi san.

Ms. M. Uchitomi (Japan, technical presentation) Thank you, Mr. Chairman, distinguished delegates, representatives. It is my great pleasure and honour to participate in this session of the Subcommittee and to take the floor to make a presentation on behalf of the Japan Aerospace Exploration Agency (JAXA).

Before I start this presentation, I would like to thank Prof. Marboe of Austria, Chair of the Working Group on "General Exchange of information on national legislation relevant to the peaceful exploration

and use of outer space", for her interest in Japan's legal mechanism for international space cooperation, especially for JAXA's involvement, at the last Legal Subcommittee.

Taking this opportunity, I would thus like to make a presentation on JAXA's legal framework and mechanism for international cooperation in the peaceful exploration and use of outer space along with two ongoing examples of JAXA's international space cooperation.

I would also like to express my sincere gratitude to Prof. Marboe for her significant contribution to the successful conclusion of her Working Group, which was adopted as a stand-alone General Assembly resolution titled "Recommendations on national legislation relevant to the peaceful exploration and use of outer space" in the 68th United Nations General Assembly.

The arrangements for international cooperation concluded by the Government of Japan fall into three categories: firstly, the Conventions and Treaties, such as United Nations Conventions. Japan has concluded all of the United Nations Conventions for space activities except for the "Agreement Governing the Activities of States on the Moon and Other Celestial Bodies"; secondly, the multilateral agreements involving several nations such as the IGA; and finally, bilateral agreements between two nations, such as the US-Japan Cross-Waiver Agreement.

In my presentation, I would like to introduce the legal framework, laws and rules applicable to JAXA for international cooperation and then two of JAXA's recent international space cooperation mechanisms: ALOS Kyoto and the Carbon Initiative and Sentinel Asia, an initiative of APRSAF.

Let me briefly introduce main domestic laws, governmental policies, and so on, with which JAXA should comply in the course of conducting its activities.

As an incorporated administrative agency that is the core organization in Japan's space exploration, JAXA is to follow these laws and regulations listed here.

The law concerning the Japan Aerospace Exploration Agency (Law No. 161, 2002) is known as "JAXA Law".

JAXA Law establishes the purpose and scope of activities for JAXA.

Article 24 of JAXA Law states that JAXA shall correspond to requests of the competent Ministers to take necessary actions, when the competent Ministers

deem it necessary: first, in order for Japan to fulfil its treaty and other international agreements regarding space development and utilization; or second, upon request from a relevant government agency, in order to promote international cooperation or maintain international peace and safety or where there is an urgent necessity.

Under “Act on General Rules for Incorporated Administrative Agency”, JAXA shall prepare a Statement of Operation Procedures and obtain the approval of the competent Ministers. Then, JAXA shall conduct its activities pursuant to the Statement of Operation Procedures.

Article 21 of the current Statement of Operation Procedures provides measures taken by JAXA which are necessary to fulfil JAXA’s responsibility under Article 24 of JAXA Law, which is for international cooperation. For example, JAXA shall take necessary measures, such as obtaining a liability insurance used to compensate for certain damage caused by activities under international agreements, such as the IGA for space station and US-Japan Cross Waiver Agreement.

Also, to comply with international agreements, JAXA shall take other necessary measures regarding for the Code of Conduct for International Space Station Crew, the treatment of technical Data and Goods, and so on.

As Japan’s core space exploration agency, JAXA has been taking part in numerous international space cooperation efforts. International Arrangement between Space Agencies can roughly be divided into two types: cooperative and contract.

In my presentation, the activity under cooperative arrangements which are performed without compensation. Each party shall bear own costs for the cooperation. This is common for international space mission such as research cooperation and technical cooperation. It can be concluded between advanced countries or between developing countries, and usually the contents are the same for advanced countries or developing countries. However, later I would like to introduce a special arrangement associated with the ALOS Kyoto and Carbon Initiative, that incorporated some requests from developing countries.

A Contract, on the other hand, is an onerous contract, such as a sales contract, a service contract.

The ALOS Kyoto and Carbon Initiative, the so-called ALOS KC is an international collaborative project led by JAXA.

Using the satellite data from L-band SAR, (PALSAR) data, from JAXA’s Advanced Land Observing Satellites, ALOS and ALOS-2, which will

be launched this year, in 2014. ALOS KC supports to realize the contents of conventions such as the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, the United Nations Convention to Combat Desertification, the Convention on Biological Diversity and the Ramsar Convention.

ALOS KC is being undertaken by an international science team lead by JAXA. ALOS PALSAR data is analysed and processed to understand global-scale forest carbon volume change to compile useful data for control measures to tackle deforestation and forest deterioration.

For ALOS PALSAR data distribution, JAXA concludes an arrangement with cooperative organizations around the world, such as research institutes, universities, NGOs and so on.

The Japan International Cooperation Agency (JICA) is a Japanese incorporated administrative agency, that provides technical cooperation to promote economic and social development in developing countries.

Currently, JICA is promoting REDD+ (Reducing Emissions from Deforestation and Forest Degradation in developing countries; and the role of conservation, sustainable management of forests and enforcement of forest carbon stocks in developing countries).

One of the developing countries where JICA is promoting tREDD+ projects is Mozambique.

JICA is providing technical cooperation with Mozambique’s National Directorate Lands and Forest (DNTF) with an aim to establish a forest resource monitoring system by utilizing satellite image data.

DNTF is also one of the cooperative organizations of ALOS KC with JAXA.

Upon DNTF’s request, JAXA concluded a special arrangement in addition to the ALOS KC arrangement. This special arrangement allows DNTF to use ALOS PALSAR data for the REDD+ project, since the use of PALSAR data for other purposes other than ALOS KC is normally prohibited.

Also, under this special arrangement, JAXA provides JAXA’s Measurement, Reporting and Verification software to analyse such PALSAR data.

JAXA also concluded a similar special arrangement in addition to the ALOS KC arrangement to support the JICA-Colombia REDD+ project. Other than the special condition listed above, it includes the dispatch of JAXA personnel for PALSAR data analysis training using the MRV software.

Now, I would like to introduce a second example of international cooperation, Sentinel Asia, which is an initiative of APRSAF.

Firstly, APRSAF, the Asia-Pacific Regional Space Agency Forum, is a forum where participating organizations such as space agencies exchange views, opinions and information on space activities in the Asia-Pacific region. APRSAF was established with the goal to promote and expand space activities and their applications for socioeconomic development in Asia and the Pacific.

The objectives of APRSAF are to provide a forum in order to identify and undertake measures to contribute to sustainable development in this region, and to promote and expand mutually beneficial cooperation among space research and development agencies, providers of space-based services and products, as well as users. In view of the diversity of needs for space utilization and developments in the Asia-Pacific region, APRSAF provides a non-legally binding, open and flexible framework. Therefore, participating parties carry out their activities on a voluntary basis.

This slide shows the framework of the Sentinel Asia project, which is the initiative of APRSAF. Over the past decades, Asia has been seriously damaged by a number of large-scale natural disasters. In October 2005, at the APRSAF-12 in Kitakyushu, Japan, a recommendation was made to utilize space technology to reduce society's suffering from the damages caused by natural disasters and to establish the pilot project named "Sentinel Asia".

Now, Sentinel Asia is an voluntary based international cooperation project on emergency observation by satellites in case of a great disaster. Sentinel Asia promotes cooperation among the space community, that is, the disaster management community, and the international community such as UN ESCAP, UN OOSA and ASEAN.

Sentinel Asia was designed to progress in 3 steps, and From 2013, STEP 3 has started. Step 3 aims to establish a comprehensive "Disaster Management Support System" in the Asia-Pacific region by expanding Sentinel Asia's activities to cover the entire disaster management cycle, which is pre-disaster mitigation (the mitigation/preparedness phase), and just after the disaster response (the response phase), and post-disaster recovery (the recovery phase).

It will be achieved by utilizing many and varied satellites, such as Earth observation, communication and navigation satellites, and share their data in near real-time across the Asia-Pacific region, using primarily the Web-GIS platform.

The concepts of Sentinel Asia Step3 also include further human networking by the joint project team (JPT) through capacity-building and outreach.

The document structure of Sentinel Asia Step3 is as shown here:

- The Terms of Reference defines the membership, responsibilities, operation and other terms related to the JPT for Sentinel Asia Step-3, established to promote disaster information-sharing projects as initiated under the Sentinel Asia Project which comprises international cooperation on the best efforts basis.
- Sentinel Asia Step3 Implementation Plan defines concrete plan of each activity and discussion items.
- Procedure for Emergency Observation Request and Data Provide Node and Data Analysis Node are also prepared.

Furthermore, Sentinel Asia has collaboration scheme with the International Disaster Charter. To clarify the Interface between two systems, the Interface Control Document is prepared. Its scope includes also any reporting, promotional or policy requirements identified for either system.

Conclusion.

It is clear that the cooperation mechanism based on the international arrangement between space agencies will stay as a useful tool for international space cooperation, for both advanced and developing countries as I introduced in the ALOS KC project.

At the same time, I would like to note that cooperations based on non-legally binding mechanisms, such as Sentinel Asia or APRSAF, are also working very well.

It is valuable for Member States to review their legal framework and pursue the most appropriate form of international framework for future international cooperation in the peaceful exploration and use of outer space under agenda item 13.

In conclusion, JAXA wishes to continue to strengthen international cooperation in the peaceful exploration and use of outer space, and JAXA will continuously contribute international cooperation in accordance with the provisions of applicable domestic law, as well as international law, including the Charter of the United Nations and the United Nations Treaties, and hopes that the review and discussion on "International Legal Mechanism" — under agenda item 13 — will provide good results to promote future space cooperation. Thank you very much for your attention.

Mr. K. Schrogl (Chair) I thank Ms. Uchitomi for her informative technical presentation. Are there any questions you would like to address to the speaker?

Yes, I see the Republic of Korea.

Mr. Y. Jung (Republic of Korea) Thank you Mr. Chairman and also thank you so much for the good presentation. I have two questions. You mentioned at the level — at the intergovernmental level — you mentioned two agreements: the one is the agreement for international space station and the second is the US-Japan Cross Waiver Agreement, but I want to know if there are — are there any — intergovernmental agreements with that treaty have been concluded recently. And the second question is the JAXA level, I, as far as my understanding concerns, JAXA concluded instrument of space agency memorandum of understanding agreement ... arrangement. I would like to know if there are any differences between this kind of instrument that JAXA concluded with outer space agency. Thank you Mr. Chairman.

Mr. K. Schrogl (Chair) Thank you, Republic of Korea. Are there any other questions?

I see none, so I would like to ask Ms. Uchitomi to respond to these two questions.

Ms. M. Uchitomi (Japan, technical presentation) Thank you for your question from Korea. I would like to clarify the second question, but for the first question, I would like to answer.

There are many intergovernmental agreements, for example, with the United States, for implementation for implementation of the project under US-Japan Cross Waiver Agreement ... but is example of the other agreements. Could you clarify second question again?

Mr. Y. Jung (Republic of Korea) My second question is that if JAXA conclude a [...] agreement with other countries, with agencies, for example, memorandum of understanding and agreement and arrangement? I [...] some discussion on the arrangement agreement with JAXA and that I think that the JAXA use various forms of this kind instrument and agreement/arrangement, in that regard I want to know if there is any difference the three kind of instruments.

Ms. M. Uchitomi (Japan, technical presentation) Thank you for your question. There are no such concrete definition in JAXA to use terminology over this type of agreements. We are very flexible, it is up to the contents — of the level of agreement, who signs, or something like that — or contents, [...] responsibility

or request from our counterpart. So, we use several terms, it is up to the coordination.

Mr. K. Schrogl (Chair) Thank you very much for this response as well as for your presentation.

I will shortly adjourn this meeting of the Subcommittee, so that the Working Group on the Definition and Delimitation of Outer Space can hold its second meeting. 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 4, “General exchange of views”, and continue and hopefully suspend our consideration of agenda item 7 (a), “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 7 (b), “Matters relating to the character and utilization of the geostationary orbit”. We will also continue our consideration of agenda item 8, “National legislation relevant to the peaceful exploration and use of outer space”.

The Working Group on the Status and Application of the Five United Nations Treaties on Outer Space will then hold its second meeting.

Time permitting, the Working Group on Matters Relating to the Definition and Delimitation of Outer Space will then hold its third meeting.

Are there any questions or comments on this proposed schedule?

I see none.

The meeting is adjourned until 3.00 pm.