



STATEMENT OF THE G-77 AND CHINA DURING THE FIFTY-FOURTH SESSION OF THE LEGAL SUBCOMMITTEE OF THE UNITED NATIONS COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE, 13 - 24 APRIL 2015, DELIVERED BY H.E. AMBASSADOR ARMIN ANDEREYA, PERMANENT REPRESENTATIVE OF CHILE

Monday, 13th April 2015

Agenda Item 3: GENERAL EXCHANGE OF VIEWS

Mr Chairman,

1. On behalf of the Group of 77 and China, I would like to express our satisfaction for your successful Chairmanship of the 53th session of the Legal Subcommittee of COPUOS and assure you our full support during this session. Rest assured of our full support and cooperation of the Group of 77 and China for the fruitful conclusion of the meeting.

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

Mr. Chairman,

3. The Group of 77 and China firmly believes in the peaceful uses of outer space and its benefits to human development. Therefore we underscore that every exploration activity as well as the utilization of outer space should be regulated in particular by international space law.

4. COPUOS and its two Subcommittees should remain the main bodies to carry out activities in promoting international cooperation on peaceful use of outer space as well as for the elaboration of treaties and other instruments governing outer space activities and for offering an adequate environment to discuss matters that have great impact in the development of nations.

5. Developing countries are increasingly and deeper engaged in Space Activities and in the discussions of COPUOS. While several Member States of the G-77 and China have achieved important milestones in space activities, others are just beginning to include space activities into their national programs. This fact shows that all members of the Group have a cumulative awareness of the potential, importance and impact that space activities have today.

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

7. The Group of 77 and China remains convinced about the benefits that derive from the peaceful use of outer space, and recognizes their important contribution to sustainable development of nations. In this regard, it reiterates its attachment and strict adherence to the principles and agreements Governing the Activities of States in the Exploration and Use of Outer Space, including:

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

Space for the benefit of all mankind.

- b) The principle of non-appropriation of outer space, including the moon and other celestial bodies, which cannot be appropriated by any State, by claiming sovereignty, use, occupation or any other form.
- c) The commitment by States to the strict use of outer space for peaceful purposes.
- d) The non-militarization of outer space, which shall never be used for the installation of weapons of any kind, and as a common heritage of mankind, its strict use for the improvement of living conditions and peace among peoples that inhabit our planet.
- e) International cooperation in the development of space activities.

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

Mr. Chairman,

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

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

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

12. Regarding the issue of the Long-Term Sustainability of Outer Space Activities, the Group recognizes the work that has been done by the Working Group on the Long-Term Sustainability of Outer Space Activities in the Scientific and Technical Subcommittee, under the chairmanship of Mr. Peter Martinez of South Africa, and encourages this Subcommittee to follow the discussions on that item, from a legal point of view, in order to contribute collectively to make space activities more secure for all space actors and simultaneously ensure that all countries are able to have equitable access to the limited natural resources of outer space.

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

14. Therefore, the G77 and China looks forward for the final updated draft guidelines with all the views, amendments and proposals presented by Member States until 58th COPUOS Session, to be considered and hopefully approved by the Committee in its 59th session, so that the General Assembly can adopt them during its 71st Session.

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

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

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

Mr. Chairman,

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

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

Thank you Mr. Chairman.

Agenda item 6a: THE DEFINITION AND DELIMITATION OF OUTER SPACE

Mr. Chairman,

1. The Group of 77 and China would like to thank the Secretariat for preparing the documentation on the definition and delimitation of outer space, including the replies received from Member States to questions on the definition and delimitation of outer space, contained in documents A/AC.105/1039 Addenda 4 and 5 and A/AC.105/889, as well as the report of the Working Group at the last Subcommittee's session, contained in annex II of the document A/AC.105/1067.

2. The Group of 77 and China would also like to convey its appreciation to the Chairman of the Working Group on Definition and Delimitation of Outer Space, Jose Monserrat Filho from Brazil, for the work he has done in facilitating discussion in order to reach consensus among member states on this issue.

3. Since COPUOS was established more than fifty years ago, space activities and technology have developed tremendously and are becoming more complex. Nevertheless, this matter has remained on its agenda for all these years. Despite lengthy debates, no consensus so far has been reached on the definition and delimitation of outer space.

4. Definition and delimitation of outer space will help to address legal clarity in the implementation of outer space law and airspace law. The Group of 77 and China encourages the Subcommittee to reinvigorate its efforts to reach consensus on this issue and stands ready to continue participating constructively in substantive discussions.

Thank you Mr. Chairman.

Agenda item 6b: GEOSTATIONARY ORBIT

Mr. Chairman,

1. The Group of 77 and China would like to thank the Secretariat for the preparations of this agenda item and would also like to share its views with the subcommittee on this item.
2. The geostationary orbit is a limited resource which has great potential for the implementation of a wide array of programs to benefit our countries. The Group of 77 and China is concerned by the risk of saturation that threatens the sustainability of space activities in this environment. The utilization of this orbit spectrum must be rationalized and extended to all States in conditions of equality, taking into account the necessities and interests of developing countries in compliance with the established principles in the normative framework and the decisions made by both the ITU and other relevant bodies of the UN system; giving priority to the contributions of space activities to sustainable development and the achievement of the Millennium Development Goals.
3. This topic should be considered within the COPUOS and its two Subcommittees in an entirely interstate environment.

Thank you Mr. Chairman.

Agenda item 9: REVIEW AND POSSIBLE REVISION OF THE PRINCIPLES RELEVANT TO THE USE OF NUCLEAR POWER SOURCES IN OUTER SPACE

Mr. Chairman,

1. The Group of 77 and China would like to refer to the use of nuclear power sources in outer space, specifically in the geo-stationary orbit and low-Earth atmosphere. More consideration should be given to this issue in order to address the legal aspects of the problem of potential collisions of nuclear powered space objects in orbit and the incidents or emergencies that may be created by an accidental reentry in the Earth's atmosphere and impact on its surface by these objects, and their consequences on health and life of people and the ecosystem.
2. The Group considers that increased attention should be given to these issues through an adequate interaction with the Scientific and Technical Subcommittee in order to develop strategies, long term planning and regulations related to these matters, considering the recommendations included in the Safety Framework for Nuclear Power Sources Applications in Outer Space.

Thank you Mr. Chairman.

Agenda item 8. CAPACITY-BUILDING IN SPACE LAW

Mr. Chairman,

1. The Group of 77 and China would like to thank the Office of outer Space Affairs for the activities carried out during the last year on the promotion of capacity building in space law. In this regard, we would like to

highlight the Workshop on Space Law, held in Beijing, China from 17 to 21 November 2014.

2. The Group of G77 and China considers that more effective efforts are needed in order to increase awareness on the importance of space law and the legal framework in carrying out space activities and programs. Capacity building in space law, in particular in developing countries, needs to be promoted through international cooperation. Therefore, the Group of 77 and China calls OOSA and Member States for greater support to enhance cooperation of both North-South and South-South to facilitate the sharing of knowledge related to space law among nations.

3. The Group of 77 and China also calls upon OOSA and Member States to make available more opportunities for greater academic linkages, long term fellowships and further collaboration with universities, UN Centers of research and other national and international institutions on space law with institutions in developing countries.

4. The Group would like to refer to the activities organized by the Office of Outer Space Affairs in cooperation with host countries aimed to enhance the capacity building in space law and regional and international cooperation in the peaceful uses of outer space. The work carried out by UNOOSA with space law educators and representatives of the regional centers for space science and technology education, affiliated to the United Nations, should further focus on the development of the curriculum on space law.

Thank you Mr. Chairman.

Agenda item: 10 GENERAL EXCHANGE OF INFORMATION ON NATIONAL MECHANISMS RELATING TO SPACE DEBRIS MITIGATION MEASURES

Mr. Chairman,

1. The Group of 77 and China considers that the future of space activities largely depends on the mitigation of Space Debris. This topic should continue to be treated as a priority with the view to further increase research in the areas of technology for space debris observation, space debris environmental modeling and technologies to protect space systems from space debris and to limit substantially the creation of additional space debris.

2. In this regard, implementation of the Space Debris Mitigation Guidelines is of the utmost importance. The research in the areas of technology to be carried out and its possible outcome would improve the Guidelines and keep them up to date with new techniques and capabilities of detection and reduction of space debris, in accordance with Resolution 62/217 of the General Assembly.

Thank you Mr. Chairman.