



STATEMENT OF THE G-77 AND CHINA DURING THE FIFTY-NINETH SESSION OF THE UNITED NATIONS COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE, 8 - 17 JUNE 2016, DELIVERED BY H.E. AMBASSADOR SIMON MADJUMO MARUTA, PERMANENT REPRESENTATIVE OF NAMIBIA

Agenda Item 5: GENERAL EXCHANGE OF VIEWS

Mr. Chairman,

1. On behalf of the Group of 77 and China, we would like to commend you on your election as the current Chairman of the Committee of Peaceful Uses of Outer Space and wish you success in the guidance of our work during this 59th session, for which we fully assure you our support and cooperation for the fruitful development of this meeting. We would also like to express thanks to the outgoing Chair Mr. Azzedine Oussedik, national of a country pertaining to this group, for his work.

2. The Group further takes the opportunity to thank the Director of the Office for Outer Space Affairs, Ms Simonetta Di Pippo, for her opening remarks, and the Secretariat for the excellent preparations made for this fifty-ninth session.

Mr. Chairman,

3. The Group of 77 and China underscores its firm conviction that the use and exploration of the Outer Space shall be carried out with exclusively peaceful purposes, for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and in conformity with the body of international law applicable.

4. In line with this, it reiterates its strict adherence to the principles 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.

Mr. Chairman,

5. The Group of 77 and China acknowledges the leading role COPUOS plays in regulating space exploration through its two Subcommittees. COPUOS remains the appropriate forum for discussion of issues such as remote sensing, space debris, near earth objects, disaster management, space weather, nuclear power sources and long term sustainability, among others.

6. The G77 and China celebrates that new states become interested in the work of this Commission and its Subcommittees expressing their wish to get involved in our discussions and their intention to contribute to the exchange of views in outer space related matters. The expansion of COPUOS is a clear sign that more states become aware of the benefits of peaceful uses of outer space for the humankind. Therefore, we welcome the application submitted by New Zealand on May 30th to become a new Member State of COPUOS.

7. The agenda of COPUOS and its Subcommittees reflects that some topics need to remain on the agenda due to their relevance and its continuous evolution in time and that the yearly work on them help the international community become aware of the importance of the utilization of outer space solely with peaceful purposes. On the other hand, as a product of this awareness coupled with the speedy scientific achievements in outer space, others topics emerge as new challenges that are identified and incorporated every year on the agenda for future sessions.

8. The opportunity to discuss in COPUOS a dynamic agenda that evolves at the same pace as the developments in the scientific area enables in particular developing countries to be well informed about them and engage in the process of decision-making and creation of instruments for the regulation of outer space activities, even if the technological capabilities of many are reduced. In this way, international cooperation plays a decisive role in helping developing countries get involved not only in the exchange of opinions, but also in the application of the scientific advances in benefit of all humankind, becoming real actors and not merely passive observers.

9. Outer space is a drive in the social and economic development of all countries, therefore, it is of utmost importance to increase equal access of the whole humankind to the benefits of space technology and its applications to help achieve the 2030 Agenda for Sustainable Development Goals. In this regard, we are firmly convinced that activities in outer space need to be carried out in a sustainable manner, observing international law in general and international space law in particular in order to warrant access to those benefits to the future generations in equal conditions as the present ones have.

10. For these reasons, we very much appreciate the significant progress made within the working group on the Long Term Sustainability of Outer Space Activities under the guidance of Peter Martinez. We are convinced that all these years of work in the field will bear the fruits as long as all delegations constructively cooperate to reach consensus on the aspects that still need further analysis.

11. The Group attaches great importance to this matter and is of the view that flexibility and spirit of compromise from all delegations is required in order to extend, if necessary, the mandate of the working group with the aim of finalizing the set of guidelines.

12. The G-77 and China is of the view that the outcome of this Working Group should avoid any measures that would limit or hamper access to space by countries with emerging space capabilities, bearing in mind that the envisaged guidelines will be an important tool for preserving outer space solely for peaceful purposes.

Mr. Chairman,

13. The year 2018 will mark the fiftieth anniversary of the first UNISPACE conference, held in Vienna, in 1968. UNISPACE+50 will be a good opportunity to chart the future role of the Committee, its Subcommittees and the UN Office for Outer Space Affairs and to take stock of the contributions of the three previous UNISPACE conferences (UNISPACE I, II and III).

14. In accordance with the proposal presented by the Steering Committee in document A/AC.105/L.297, COPUOS and its subsidiary bodies, at their respective sessions in 2018, are to address UNISPACE+50 as

the overarching theme under their respective agendas, within the framework of the thematic priorities identified in 2016, and build upon the following cross-cutting areas: Governance, Capacity-building, Resiliency, Interoperability, Space and Sustainable Development. In this context, the G-77 and China attaches great importance to international cooperation, capacity building and technical assistance.

15. The Group of 77 and China is willing to contribute to the process leading up to UNISPACE+50 and celebrates the active participation of delegations in the identification of thematic priorities. A step forward in this direction was taken during the last session of the Legal Subcommittee, where a new thematic priority was incorporated to the already proposed by the Steering Committee. We are convinced that the agendas of 2018 will definitely constitute a landmark in the work of COPUOS.

Mr. Chairman,

16. The Group will engage in the discussions during this fifty ninth session and will express its views under specific agenda items during the following days.

Thank you.

Agenda item 7: REPORT OF THE SCIENTIFIC AND TECHNICAL SUBCOMMITTEE ON ITS FIFTY THIRD SESSION

1. The Group of 77 and China would like to comment on some issues that were dealt with during the last session of the Scientific and Technical Subcommittee and that we consider of utmost relevance for developing countries.

2. One of them is the physical nature and technical attributes of the geostationary orbit and its utilization and applications. In this regard, the Group once more would like to draw the attention to the fact that the geostationary orbit is a limited resource that is at risk of becoming saturated, thereby threatening the sustainability of space activities in that environment. Against this background, it is necessary to ensure that its use is rational and equitable, i.e. access to it should be warranted to all States, irrespective of their current technical capabilities, taking into account the special needs of the developing countries and the geographical situation of particular countries.

3. Another topic on the agenda of this Subcommittee that is very much connected to the long term sustainability of outer space activities is the one related to space debris. This is a worrying issue that calls for immediate measures. For that reason, we encourage the voluntary implementation of the Space Debris Mitigation Guidelines of COPUOS and celebrate that day by day more States are adopting concrete actions to mitigate space debris, including the improvement of the design of launch vehicles and space crafts, the deorbiting of satellites, passivation, end-of-life operations and the development of specific software and models for space debris mitigation.

Mr. Chairman,

4. Space technology has advanced rapidly in recent years. However, a number of countries - mainly developing ones- still lack the human, technical and financial resources required to conduct even the most basic space-related activities, such as meteorology, communications and natural-resource management. Thus, the work of the Program on Space Applications bridges the gap in capacity-building, education, research and technical advisory services for countries that are in an emerging stage in the field.

5. The transfer of technology needs to be promoted through capacity building and by making technology accessible. Therefore, the Group of 77 and China calls upon OOSA and its Member States for greater support to the training programs of the regional centers affiliated to the United Nations, and to conduct widest exchange and cooperation among different regional centers, with the aim of enhancing North-South

and South-South cooperation to facilitate the transfer of technology among nations. The Group calls upon OOSA and Member States to make available more opportunities for academic linkages, long term fellowships and collaboration with national and regional institutions in the field outer space especially in developing countries.

6. In line with this, we commend the support of the Program in the activities carried out especially in countries pertaining to this Group, such as the workshops in Costa Rica on Human Space Technology, held in San José from 7 to 11 March 2016; in India on the Use of Earth Observations Data in Disaster Management and Risk Reduction, held at Hyderabad during 8 to 11 March, 2016 and those to be held in Kenya on Space Technology and Applications for Wildlife Management and Protecting Biodiversity, on 27 to 30 June and in the Islamic Republic of Iran, on the Use of Space Technology for Dust Storm and Drought Monitoring in the Middle East Region, in Tehran from 5 to 9 November 2016. We welcome future initiatives in which OOSA provides the tools of the Program to develop space capacities of the countries, especially of this Group.

Mr. Chairman,

7. Space science and its applications play an important role in having access to geospatial information in areas such as tele-health and tele-epidemiology, tele-education, disaster management, climate change, environmental protection, urban and rural development and Earth monitoring. The constant examination of ways in which space science and technology and their applications could contribute to the implementation of the 2030 Agenda for Sustainable Development should remain part of the work of COPUOS.

8. Information gathered through remote sensing provides an important source for disaster management and early warning. The Group of 77 and China would like to recall that remote sensing activities shall be carried out for the benefit and in the interests of all countries, taking into particular consideration the needs of the developing countries, promoting international cooperation to permit other States to participate in the activities, in accordance with the Principles relating to remote sensing of the Earth from space.

9. The G-77 and China welcomes initiatives that promote the diffusion and availability of space-based data to developing countries at little or no cost. In this regard, we celebrate programs such as COSMO SKY-MED of Italy, CBERS of China and Brazil, SARAL of France and India, the joint satellite missions of France and India, the joint remote sensing satellite constellation of Belarus and the Russian Federation, and the Sentinel satellites of the ESA Copernicus programme.

10. Finally, Mr. Chairman, the G-77 and China would like to briefly address the use of nuclear power sources in outer space, specifically in the geo-stationary orbit and low-Earth atmosphere. We consider that the Subcommittee should address the problem of potential collisions of nuclear powered space objects in orbit and the incidents or emergencies that may be caused by the accidental reentry of such an object in the Earth's atmosphere and impact on its surface, and the consequences of such an event to the health and life of people and the ecosystem. The Group considers that increased attention should be given to these issues through adequate strategies, long term planning and regulations, including the Safety Framework for Nuclear Power Sources Applications in Outer Space.

Thank you Mr. Chairman.

Agenda Item 8: REPORT OF THE LEGAL SUBCOMMITTEE ON ITS FIFTY – FIFTH SESSION

1. The Group of 77 and China would like to comment on some issues that were dealt with during the last session of the Legal Subcommittee and that we deem of utmost relevance for developing countries.

2. One of them is the debate on the definition and delimitation of outer space. It is worrying that despite lengthy debates, no consensus to date has been reached. The Group of 77 and China would like to

underscore once more that the definition and delimitation of outer space is a topic of paramount importance that should be kept on the agenda of this Subcommittee and that more work should be done in order to delimitate the legal regime applicable to the air and to the outer space. In this regard, we commend all the efforts made by the Chair of the Working on Definition and delimitation of Outer Space, José Monserrat Filho, in particular the proposal presented by him during the 55th session of the Legal Subcommittee, and encourage all delegations to contribute to the discussion in a constructive manner.

3. The Group of 77 and China considers that more effective and proactive efforts are needed in order to increase awareness on the importance of complying with international space law when carrying out space activities and programs. In order to achieve this aim, capacity building in space law becomes a fundamental tool that should be enhanced through international cooperation. Therefore, the Group calls for a greater support by OOSA and Member States to foster cooperation of both North-South and South-South to facilitate the sharing of knowledge and expertise in the field of international space law. In this regard, we are very enthusiastic about the next workshop to be held later this year, convinced that this will be another opportunity for cooperation and exchange of information and views on relevant topics of international space law.

Mr. Chairman,

4. During the last session of the Legal Subcommittee, we had the opportunity to be provided with information by the delegations of the United States and Luxembourg on their respective national law initiatives on exploitation of natural resources in outer space. The technological advances and the more frequent and active participation of non-state actors in outer space pave the way to new scenarios that need to be identified in advance with the aim to study potential negative effects and the how to react before they arise. Hence, the Group of 77 and China welcomes the inclusion of a new single item on the agenda related to this issue.

5. Space debris, nuclear power sources and the geostationary orbit are only some examples of topics that are part of the agendas of both Subcommittees although they are addressed from different standpoints. Their complexity and relevance reveal that a simple focus is not the appropriate approach. For this reason, we consider that the interaction and coordination between these two bodies is essential to ensure a comprehensive discussion of their different aspects bearing in mind that the work of the two Subcommittees should not be conceived as unconnected compartments but complementary.

Mr. Chairman,

6. Non-legally binding instruments have been an important instrument to guide States and other relevant actors in conducting their activities in outer space in a safe and secure manner. However, although they cover aspects that have not been addressed by binding instruments they should not replace the valuable source of treaties and customary international law. In this vein, the Group of 77 and China is of the view that the development of instruments of soft-law should not oust the continuous update of international space law, which on the other hand should keep the core principles unchanged.

7. Aware of the importance of the five UN treaties, COPUOS should be the forum that encourages States to adhere to the treaties, the space that provides technical assistance and capacity building to implement domestically their provisions and that enables States to identify areas that need supplementary regulation. Exchange of information on best practices and domestic law-making is an important source that should be enhanced and furthered.

Mr Chairman,

8. The Group has welcomed with enthusiasm the inclusion of an agenda item related to small satellites. This type of satellite are a valuable instrument in the development of space capabilities of developing countries

that lack the necessary resources for ambitious space programs. Consequently, some kind of guidance in the operation of these satellites is necessary in order to ensure its appropriate development, while not posing a high threshold on developing countries with emerging space programs.

9. In the framework of the preparations to UNISPACE+50, the legal Subcommittee has agreed upon a new thematic priority related to the legal regime of outer space and global space governance, which should focus on the promotion of universality of the five UN treaties, assess the interconnection with other instruments, whether legally binding or not, and its effectiveness. We endorse the inclusion of this thematic priority convinced that such an approach will help identify weaknesses and gaps of the current legal system that need further regulation. In the same vein, we welcome the inclusion of a specific item in the said thematic priority regarding the consideration of means to strengthen the Legal Subcommittee as the prime multilateral body with a mandate to promote the progressive development of International Law, including procedural and institutional improvements and closer cooperation with the Scientific and Technical Subcommittee.

Thank you Mr. Chairman.