



Security Council

Distinguidos Delegados:

En nombre del Colegio San Ignacio y el comité organizador de SIMUN 2011, les doy una cordial bienvenida a la V edición del San Ignacio Model of United Nations.

Es para el Colegio San Ignacio y para mi persona un gran honor el poder realizar este evento que espero llene sus expectativas, ayude a su formación académica y contribuya a formar la consciencia necesaria para poder actuar e involucrarnos con una realidad que día a día nos golpea, es nuestro deber como jóvenes fomentar el cambio y hacer lo que podamos para alcanzar la paz y la felicidad de Venezuela.

Actualmente es imposible ignorar la diversidad de problemas y situaciones que se presentan en Venezuela, el ambiente de hostilidad y de miseria es cada vez mayor y los venezolanos comienzan a perder las esperanzas de seguir luchando por lo que creen, es ahora que debemos de estar más unidos y ser más tolerantes con los otros, vamos a poner en practica la diplomacia y las herramientas que se nos han dado a lo largo de nuestra experiencia en los modelos de Naciones Unidas, estamos llamados a ir más allá de las barreras y a construir un país que corresponda a un sueño común.

Comencemos a ser libres y jamás permitamos que otros nos impidan expresarnos, tomar el derecho de palabra Ser líderes incluyentes y que aprenden a negociar de una manera justa y humana es el sentido más profundo de los modelos. Tenemos el futuro del mundo en nuestras manos, una nueva comunidad de hombres es posible, está en nosotros hacerla realidad. Me despido entonces dejándoles un gran mensaje, como decía Billy Wilder, "Recuerda que eres tan bueno como lo mejor que hayas hecho en tu vida." Así pues delegados, les invito a dar lo mejor de ustedes y a prepararse para ser el cambio que el mundo necesita, Muchas gracias por asumir el compromiso y aceptar el reto de delegar en nuestros comités de trabajo en esta nueva edición de SIMUN 2011.

"En todo amar y Servir"

Andrea Constanza Hernández
Secretaria General SiMUN 2011

Dear Delegates,

My name is Diego Mujica, and will be the president of the United Nations Security Council for the 2011 San Ignacio Model of United Nations. I am in senior year at the San Ignacio School. I find very interesting all what happens in the world we live in, and I greatly enjoy the experience of models UN experience.

I am very excited for our committee this year. I chose these two topics because I found them very interesting. We are addressing the situation in the Koreas and the different issues of the use of outer space; the last incident between the Koreas, one of the many, is that on November 23, 2010 North Korea fired artillery to the Yeonpyeong Islands, resulting in 2 marines and 2 civilian's death. This topic will be very interesting to discuss because you can take from very different points of view. The second topic is about the different uses of outer space, this topic will mainly focus on crisis because recently there hasn't been any big news about it, so be prepared to have many crises during the conference.

My team has greatly enjoyed researching for this topic because both of them are really interesting. I hope to meet you all during the model.

With nothing more to say

Your president,

Diego Mujica.

Background of the Committee:

The Security Council has the responsibility of the maintenance of international peace and security. It is organized to work continuously and a representative of each of its members must be always present at United Nations.

Its powers include: the establishment of peacekeeping operations, the establishment of international sanctions, and the authorization of military actions.

The Security Council has 15 members, consisting of 5 veto-wielding permanent members who are: China, the United Kingdom, France, Russia, the United States, and 10 elected non-permanent members with a two-year term.

When there is a threat to peace, the first action is usually to recommend the parties to try to reach an agreement using peaceful means. The Council itself sometimes undertakes investigation and mediation. The Council may decide on enforcement measures, economic sanctions or collective military action if necessary.

Sometimes, the Council has issued cease-fire directives which have been important in preventing wider hostilities. It also sends United Nations forces of peace-keeping to help reduce tensions in areas with trouble, keep opposing forces apart and create conditions of calm. A State (Part of the UN but not of the Security Council) may participate, without voting, in its discussions when the Council considers that that country's interests are affected.

Topic A: The Situation in Korea.

Statement of the Problem

There have been various conflicts in Korea for a long time. The cause of these problems is the land that has been split in 2 different countries for many years. Nowadays, it is divided by the 38th parallel. The North and South parts have had lots of conflicts, which were the cause of a war in 1950.

There have been incidents recently that have brought not only tension but the international attention to what it is happening, due to the alliances between North and South with other countries.



History of the Problem

By 1910, due to Japan's victory in the Russo-Japanese war, Korea became part of Its Empire until 1945, at the end of World War II, when Japan formally surrendered. It would go to the allies, yet in the Potsdam Conference; they decided to split

Japan along the 38th parallel. The north part was ruled by the Soviets and the south part by the Americans. In 1946 the north established a provisional government. In 1947 the UN tried to pass a resolution in which these countries should have their own elections. However, this resolution did not pass due to the veto power of the Soviet Union.

Finally, in 1948, there were elections in the south, and the Soviet troops retired from the north.

The Korean War started in 1950, when troops from the north passed the 38th parallel and invaded the south. As a response, the south destroyed a bridge to stop the army from moving south. This war continued for 3 years, until finally an armistice was agreed and the north was separated from the south by the 38th parallel. This division was a Korean Demilitarized Zone (DMZ), a separation of 4 km wide and 250 km long. This war is also considered part of the Cold War due to the intervention of the Americans and the Soviets, each helping one side.



When the Armistice was signed, the sea was delimited by a northern Limit Line, which separated the north from the south.

Then in 1966 the Korean DMZ conflict started and ended in 1969. There were low leveled armed

clashes. It is also known as the Korean Second War which there was 397 soldiers killed.

In 1970, Five South Korean soldiers were wounded and three North Korean infiltrators were killed.

By 1974, there were a series of infiltration tunnels under the DMZ. The first one was found that year and a second one was found the following year. In 1976 more infiltrators were killed alongside South's soldiers. This same year, in the Axe Murder incident, two U.S. soldiers were killed, alongside other South Korean soldiers. This took place in the neutral zone of the Joint Security Area.

In 1978, a third infiltration tunnel was discovered. The next year, three North Korean infiltrators were spotted trying to infiltrate the DMZ, where one of them was killed.



Three Infiltrators from North Korea were killed trying to enter the south on March, 1980. The following year, three infiltrators were spotted, only one was killed. Similar Incidents with North Korean infiltrators spotted and killed occurred in 1981 and in 1982. On March, 1990, more infiltration tunnels were found, 17 in total.

At Cheorwon, Gang won-do, three Infiltrators from the north disguised in South Korean

uniforms were killed, there were also wounded from the South. This happened in May, 1992.

In 1996, there was a violation of the Korean armistice agreement when several hundred armed troops from North Korea entered the Joint Security Area. A few days later, seven soldiers crossed the DMZ, but when the South Korean troops fired at them, they withdrew.

In 1997 five North Korean soldiers crossed the military demarcation line and fired at South Korean positions. Later that year more soldiers crossed the demarcation line from the North and there was an exchange of heavy gunfire for 23 minutes.

In 1999 North Korean patrol boats and torpedo boats crossed the maritime border. When South Korea patrol boats approached, the North opened fire and so did the South. North Korea lost a torpedo boat, and 30 sailors; 5 patrol boats were damaged and 70 sailors were wounded. One corvette was damaged from South Korea. After this, negotiations started. This is also considered the first battle of Yeonpyeong.

Near the Yeonpyeong islands, two North Korean patrol boats crossed the NLL. This ended in an open fire exchange for about half an hour. There were casualties and the boats were damaged from both sides. This took place on June, 2002. This is known as the Second battle of Yeonpyeong.

On November, 2009 a gunboat from the North entered the Daecheong Island in the Yellow Sea, intercepted by a corvette and four patrol boats. After the battle one South Korean patrol boat was slightly damaged and the North Korean gunboat was heavily damaged, with one person killed and three wounded.



One of the most recent incidents is the sinking of the Cheonan, in which a South Korean submarine broke in two parts and sunk. There are 46 missing bodies, presumably dead. This occurred in the Yellow Sea near the Baengnyeong Island.

The first accusation made was that North Korea had done it. North Korea denied it.

After several investigations from many different countries, they all concluded that it was made by North Korea.

On November 23, 2010 there was a cross border clash. North Korea fired artillery to the Yeonpyeong Islands, ending with 2 marines and 2 civilians deaths. It claims it didn't open fire first, blaming South Korea. The Republic of Korea promised air strikes if any further attacks took place.

Past Resolutions of the UN

The Security Council condemned the attack that led to the sinking of the Republic of Korea naval ship Cheonan, through a presidential statement.

A letter was sent to the Security Council by the Republic of Korea, addressed to the President (S/2010/281) and so did the Democratic People's Republic of Korea (S/2010/294).

The Northern Limit Line was drawn by the United Nations Command in 1953. Even though it was not described by the Korean Armistice agreement which was signed after the Korean War on 1953, there is the Military Demarcation Line and Korean Demilitarized Zone, dividing Korea through the 38th parallel.



There have been serious issues about the sea limitation, mainly because the NLL (Northern Limit Line) isn't bilaterally accepted. This has brought many conflicts over the years, named Crab Wars. These have been many attempts from

the Republic of Korea and the Democratic People's Republic of Korea to cross the NLL.

The cause of these attacks is because there are many rich crab waters in this zone and it represents an income of food and money to both countries, especially during crab fishing seasons.

A Joint Conference to address pressing disarmament, non-proliferation issues have occurred. This has been organized by the office for Disarmament Affairs through the Regional Centre for Peace and Disarmament in Asia and the Pacific. On January 2, the president of the republic of Korea had a discussion with the UN secretary about the situation in the region. In addition, there will be six-party talks about the situation soon, including nuclear talks.

Proposed Solutions

The Delegates may use existing treaties or organizations in order to find a way to solve the conflict of the sea delimitation.

To create a new sea delimitation. This will not be easily accepted, but it is what some countries are suggesting. Or there could be an enforcing of the already existing delimitation.

Some journalists say that due to the condition of passing command from father to son in North Korea, they do random attacks in order to receive help. Inside Korea, people see this as a victory of the new government.



Objective of the Committee

The Delegates must find a way to make these countries respect this line, whether getting to an agreement, or to a resolution by means of negotiation.

The Idea is to solve the problem with the international space of the yellow sea that brings conflicts. This is basically the objective of SIMUN 2011, which deals with international space

Links

<http://www.un.org/apps/news/infocusRel.asp?infocusID=69&Body=democratic+people&Body1=Korea>

http://search.un.org/search?ie=utf8&site=un_org&output=xml_no_dtd&client=UN_Website_English&num=10&lr=lang_en&proxystylesheet=UN_Website_en&oe=UTF-8&q=korea&Submit=Go&ip=157.150.34.22&access=p&entqr=3&ud=1&sort=date:D:L:d1&sort=date%3AD%3A%3Ad1

<http://www.oliverwillis.com/2010/11/23/white-house-response-to-north-korea-bombing-south-korea/>

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<http://www.aolnews.com/2010/12/03/seoul-threatens-to-bomb-north-us-japan-launch-drills/>

http://www.fox10tv.com/dpp/news/local_news/veterans-react-to-north-korean-bombing

http://www.bbc.co.uk/blogs/seealso/2010/11/daily_view_north_korea_attack.html

<http://www.bbc.co.uk/news/world-asia-pacific-11818729>

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<http://www.globalsecurity.org/military/world/war/nll.htm>

<http://www.atimes.com/atimes/Korea/EF14Dg03.html>

http://www.answerbag.com/q_view/5013

<http://www.imo.org/Pages/home.aspx>

<https://www.cia.gov/>

<http://www.un.org/en/>

Topic B: weapons development in outer space.

Problem Statement:

Since the countries are talking about militarizing the space, even though there are resolutions that forbid the militarization of space. We as the Security Council have to take part in this matter in case of any crisis so we can act quickly and effectively on the matter.

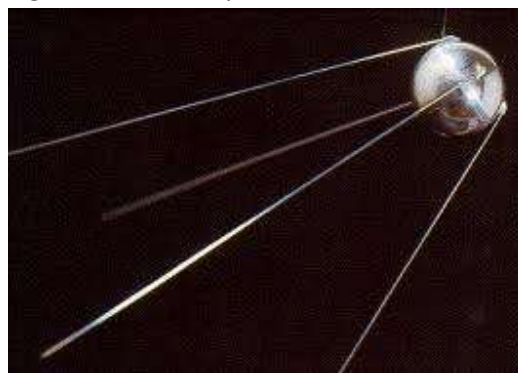
History of the problem:

On October 4th, 1957 comes to man the chance to see for the first time our planet from space. The launch of the satellite "Sputnik I" that day by the former Soviet Union represents a political event. It also represents scientific and technological development of enormous significance and marks the beginning of what is known by historians as the new space age.

The Space Age brought with it the chance to see "a small and fragile ball of blue, green and white colors" which is certainly far from the center of

the universe as it was believed until the time of Copernicus. Many think that the vision of the world from this new perspective led to a different point of view of our world and let the evolution of humanity from the second half of the twentieth century until today.

Since the first man entered to space , this led to the understanding of the fragility of planetary systems and to their complex interrelationship, but it has also provided valuable tools that can address many of the challenges humanity will face during the XXI century.



It is urgent to make appropriate use of these tools in order to successfully overcome those challenges. We can only succeed if we implement appropriate policies governed by principles and legal norms that show a sense of justice and order contributing to regulate the different interests that necessarily come together in international relations.

Satellites, spacecraft and space telescopes are used in order to help with the natural resources and the environmental care, to seek better and more accurate meteorological navigation aids, to improve data transmissions and communications of all kinds, to manage telecommunications, to help the global financial system and to help in the

relief of emergencies. It also serves as a source of information to make decisions in areas such as agriculture, defense, education and medicine and contribute decisively to the development of information and knowledge.

Obviously, the performance of these space activities by the nations of the world needs a legal body that governs the human activity in this area too. Outer space is an extraordinary environment from many perspectives and, as one would expect, It is also important from a legal standpoint.

First, all legal issues that have arisen about space have essentially an international character, since its consequences affect, as we have said, humanity as a whole.



In 1957, in the midst of a cold war the danger of confrontation was a real threat. According to the United Nations Charter, the Assembly resolutions are not binding as legal rules; therefore, its resolutions are merely recommendations to the Member States.

It is said that the General Assembly should be the United Nations, international organization committed to assume the regulation of human activity in space, paying particular attention to the fact of maintaining their position on disarmament and peaceful uses of outer space.

Only a few weeks after the launching of "Sputnik I" a resolution was adopted by the General Assembly. An inspection system was created to ensure that sending objects into space must be made only for scientific and peaceful purposes.

As It is well known, in the strictly legal level, one of the main responsibilities of the United Nations is to promote the progressive development and codification of international laws. In this new environment which is outer space, the United Nations became the focal point for international cooperation including the formulation of necessary rules of international laws.

So the United Nations created a space law that states: "The Outer Space Law is the law that is applicable to all activities conducted in space". The question is: What is the space?

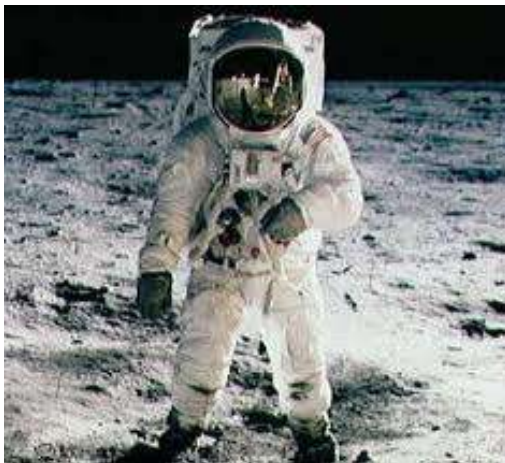
There have been many attempts to reach an agreement within COPUOS to set limits or a zoning law that works effectively.

Some of the scholars in the field attempted to solve this issue by providing a wide number of arguments and theories, to give the "space location" certain ranges.

However, many States consider that it is not essential or even relevant to resolve this issue nowadays.

In fact, the Space Law continues to hold today a clear functional design. Its applicability depends on the nature of the regulated activities. In short, this means that space activities are subject to the Law of Space regardless of physical location.

In practical terms, there has never been any serious international problem in terms of the implementation of the Space Law. The launches to space with a near-vertical trajectory over the territory in which it occurs, makes the object leaves the airspace of the country. The Convention on International Civil Aviation known as the Chicago Convention signed in 1944, stipulates that its rules are applicable mainly in the airspace above the territory of that State.



This conception of space law has never caused serious practical problems and has not been an obstacle to the its development , which has been shaped as a body of law that the doctrine has been named "Corpus Juris Spatialis."

The "Corpus Juris Spatialis" states the group of international laws applicable to space activities, which has taken shape gradually, under the direct patronage of the UN.



The methodology followed to carry out this essential work has consisted basically by conducting preliminary studies on questions of facts and laws that have been affecting the activities in space, proceeding with the formulation of principles of legal nature and, finally, getting gradually incorporation of these principles in many multilateral treaties.

Thus, the "Corpus Juris Spatialis" is made by five sets of principles adopted by the United Nations and five treaties on outer space, as well as other related resolutions also addressed and approved by the General Assembly.

What are the principles adopted by the General Assembly?

These sets of principles are :

1) The "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space", adopted on December 13, 1963 (Resolution 1962/XVII General Assembly) which is

the bedrock of international space law established for the first time the basic principles of the Law of Outer Space: freedom, equality, cooperation, peacekeeping, non-appropriation and responsibility.

2) The "Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television", adopted on December 10, 1982 (Resolution 37/92 of the General Assembly). The adoption of this principle was an attempt to agree on basic guidelines for behavior on the part of States in regard to direct television broadcasting.

Direct transmissions of television signals are those that can be captured directly by the citizens of a country through small satellite dishes and therefore require no retransmission by any telecommunications company (private or public). In theory these transmissions should escape from a potential monitoring of their contents by state authorities.

3) "Principles relating to remote sensing of Earth from space", adopted on December 3, 1986 (Resolution 41/65 of the General Assembly). Its purpose is to ensure that such activities are for the benefit and interest of all countries and that States carrying out such activities promote international cooperation and provide technical assistance to other States under the conditions which have been agreed.

Moreover, States that are the subject of remote sensing will have access to primary data and processed data that have been obtained by other states "without discrimination, at reasonable cost." Remote sensing should be maintained with

its fundamental objective: to empower humanity to protect itself against disasters caused by nature. For this reason, the State that obtains information that might be useful for a state that could potentially be affected by a natural disaster must transmit such information to the State concerned with the utmost urgency.

4) The "Principles Relevant to the Use of Nuclear Power Sources in Outer Space, adopted on December 14, 1992 (Resolution 47/68 of the General Assembly).

This resolution sets out the steps that States must adopt before sending objects into space using nuclear energy sources for propulsion, as well as legal consequences that would occur if there were any damages to third parties at the time of reentry into the Earth or at the outbreak.

In addition, to certain rules of construction and safety of space objects using such energy sources among those nuclear reactors, they should be used on interplanetary missions or in high orbits.

5) The "Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and Interest of All States, taking into account the needs of developing countries", adopted on December 13, 1996 (Resolution 51 / 122 of the General Assembly).

The main objective of this Statement carries out awareness-raising developed countries to contribute financial and technical assistance to

promote science and technology education in developing countries and fosters the development of space capabilities appropriate to their needs.

Immediately after the launch of Sputnik I in 1958, by Resolution 1348 (XIII) of the General Assembly it was established the Committee for the Peaceful Uses of Outer Space (better known as COPUOS), which was reinforced in 1959 and to which it in turn made a Scientific and Technical and a legal subcommittee. Specifically, the Legal Subcommittee has made a fundamental role in the work of extending the application of legal principles of international law to outer space. The amount of work continues to this day in collaboration with the Office for Outer Space Affairs (UN -OOSA) that serves as the secretariat of the Legal Subcommittee.



Discussion of the problem:

Recently, we have seen that the countries are talking about the militarization of space since there is almost no room for more weapons on earth. There are many resolutions about this problem but some countries do not embrace the ideas of these resolutions and they want to start an arms race in space.

The UN is trying to avoid this arms race. For example in the resolution, A/RES/55/32 they said that “The exploration and use of outer space (...) shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development. (...) [The] prevention of an arms race in outer space would avert a grave danger for international peace and security”. As said before there are some nations that do not embrace this idea like the United States of America and Federated States of Micronesia that did not sign this resolution passed by the General Assembly. On the other hand, there are some countries such as Iran, Russia and China that are trying to keep the United States of America from starting an arms race in outer space.

There is also the problem with the limit between where earth ends and the space starts. There are currently 8 different theories about where the airspace ends and where the space starts.

These theories are:

-Von Karman's theory: “above an altitude of about 720 kilometers, a typical vehicle would have to travel faster than orbital velocity in order to get enough aerodynamic lift to stand on its own power booster by the centrifugal force of the Earth”.

-The theory of the navigable airspace: “according to the density of air. Where Airspace ends where the air density has decreased so much that the ships could not sustain it. The height may be between 80 and 100km de pendent on continued technical development of aircraft”.

-The limit of human life: “the limit will be given to where human life is possible”

These are three of the eight airspace limit theories. This is a problem because any country could launch any weapon to the area that is between 80Km and 720Km and wouldn't be against the law because that area is a legal void, so in the committee this is something to be answered.

The U.S. always states that they want to send a satellite to space with an anti-ballistic missile just because they want to defend themselves from an attack. When the other nations heard this, they were really worried that the U.S. could have a weapon in space they don't. That' was when China used one of their own anti-ballistic missile ,placed on earth, to blow one of their own aging satellites causing mild panic among the international community.



Nuclear development in outer space

In 1961 the U.S. was the first country to use nuclear power to power up their satellites engine. Because the solar power ran out very fast, they had to find another power source for their engines for long distances missions. They did but these satellites are always a threat to humans because when these satellites are useless and they send another one, the last one can crash to earth.

There are, today, 21000 space objects in orbit and only 1000 are actually working. Most of the objects worked on nuclear power or are working on nuclear power. If one of the objects crashes on earth it can cause radiation and coalition damage. In 1978 an USSR radar crashed on earth because of a engine malfunctioning. This radar carried a nuclear reactor for power. When the satellite crashed on earth it landed in Canada. The USSR claimed that the satellite was completely destroyed when it reentered the earth.

A Canadian-American team recovered 12 large pieces of the satellites and only two had radioactivity but they also found 1% of fuel from the satellite and it had the radiation of 500 R/h, which is 100 times higher than the maximum annual, per-person, radiation level of 5 rem. Canada billed them for 6,041,174.70 Canadian dollars but the USSR only paid, eventually, 3,000,000 Canadian dollars.

Past actions made by the U.N.:

There are actually 110 resolutions about the different uses of outer space; we are only going to name a few of them.

RES 1472 (XIV) 1959: the creation of the committee of peaceful uses of outer space.

RES 2222 (XXI) 1966: the establishment of the principles governing the activities of states in the exploration and use of outer space

RES 2260 (XXII) 1967: first report of the committee on the peaceful uses of outer space after the establishment of the space principles.

RES 2345 (XXII) 1967: Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space

Resolution 2345 (XXII) 1968: Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

RES 2777 (XXVI) 1971: International Liability for Damage Caused by Space Objects.

RES 3235 (XXIX) 1974: Convention on Registration of Objects Launched into Outer Space.

RES 34/67 1979: Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

RES 34/68 1979: Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.

RES 36/97C 1981: Prevention of an arms race in outer space.

RES 37/78 K 1982: Monitoring of international disarmament agreements and strengthening of international security: proposal for the establishment of an international satellite monitoring agency.

A/RES/62/20 2007: prevention of an arms race in outer space.

A/RES/62/101 2007: Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects.

A/RES/62/43 2007: Transparency and confidence-building measures in outer space activities.

Possible solutions:

The creation of a new agreement, treaty or resolution to prevent an arms race in space, which embraces all the ideals of the nations.

The establishment of the limit of the airspace and where the space starts.

The creation of a sub-committee of the UNOOSA to treat with 20000 space objects that aren't functioning in space and what to do with them.



Questions a resolution must answer:

Where does the outer space begin and after which mile from the ocean?

Which is the definition of a space weapon?

Can the space be used in another way different from the one it has already been used?

Links:

<http://www.armscontrol.org/print/1060>

http://en.wikipedia.org/wiki/Outer_Space_Treaty

<http://www.globalissues.org/article/69/militarization-and-weaponization-of-outer-space>

http://www.unoosa.org/oosa/en/SpaceLaw/gares/html/gares_21_2222.html

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http://www.unoosa.org/pdf/gares/ARES_13_1348E.pdf

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<http://sites.google.com/site/lomasapuntos/derecho-internacional-publico/dr-luis-fernando-castillo-arganaraz/unidad-xv>

<http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/495/73/IMG/NR049573.pdf?OpenElement>

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http://news.yahoo.com/s/ac/20101227/bs_ac/7473540_2010_outer_space_policy_year_in_review

<http://www.insa.org/node/607>

<http://www.un.org/News/Press/docs/2006/gaspd347.doc.htm>

<http://www.oosa.unvienna.org/oosa/unspider/index.html>

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http://archives.cbc.ca/on_this_day/01/24/

http://en.wikipedia.org/wiki/Kosmos_954

<http://forums.bakabt.com/index.php?topic=21004.0>

http://www.esa.int/gsp/ACT/doc/POW/ACT-RPR-NPS-0804_TRISMAC_Summerer.pdf