

Statement by Germany

Agenda Item 14 – General exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources

Honorable Madam Chair, distinguished delegates,

Although we see rapid developments in the way we explore and use outer space, the five United Nations treaties on outer space continue to provide the legal framework for the exploration and use of the moon and other celestial bodies. In particular, activities related to space resources must be conducted in accordance with these treaties and shall be governed by international law.

As governmental and private actors prepare to make space resource utilization and exploitation feasible, further legal guidance is necessary – and increasingly called for. Based on the letter and in the spirit of the Outer Space Treaty, such further guidance can only be international in nature. Therefore, it is Germany's firm belief that an international legal regime for the sustainable space resources activities is warranted. Such regime shall facilitate:

- the orderly and safe development,
- the rational management and
- the expansion of opportunities in the use of outer space resources.

It shall appropriately take into account the efforts of countries contributing to the exploration, exploitation and utilization of celestial bodies and ensure that all countries irrespective of their degree of economic or scientific development can benefit from these activities, without taking away the investment incentives for public and private space flight. Last but not least, due account must be given to the long-term sustainability and environmental compatibility of such activities.

COPUOS – and in particular this Legal Subcommittee – is the competent multilateral forum for the elaboration of such regime. Therefore, we welcome the scheduling of informal consultations under this agenda item and congratulate the moderators on the excellent coordination in preparation of these consultations. As we are convinced that the establishment of a working group on space resources is the appropriate and timely

next step to start work on this issue without further delay, we have been coordinating closely to find common ground for a decision on the establishment of such a working group. As a result, we have been providing together with Finland, Austria, Slovakia, [add further co-sponsors] a non-paper containing a proposal for a mandate, terms of reference as well as a results-oriented work plan for such a working group. We propose that a Working Group will, under a five-year workplan:

First, assess and report on the legal framework applicable to space resources activities,

Second, recommend principles and practical measures for space resources activities to ensure that they are carried out in safe, sustainable and peaceful manner and in accordance with international law, for possible adoption by the United Nations General Assembly in a dedicated resolution; and

Third, assess and report on the expected benefits of the further development of an international framework for space resources activities and recommend potential next steps and a possible timeframe.

We sincerely hope that this proposal may serve as a useful contribution to the scheduled informal consultations and we look forward to continuing the discussion on this issue under agenda item 14 as well as during the scheduled informal consultations.

Thank you for your attention.

Bemerkung: Je nach Zeitpunkt der Stellungnahmen und Verlauf der informellen Konsultation zur Einrichtung der Arbeitsgruppe muss der 2. Teil des Statements ggf. aktualisiert werden.