

***COMMITTEE ON THE PEACEFUL
USES OF OUTER SPACE***

Sixty-Fifth session

Vienna, 1-10 June, 2022

CANADA

**Item 8 – Report of the Legal Subcommittee on its fifty-third session
Statement by Ashlyn Milligan, Global Affairs Canada**

Mr. Chairman,

Canada expresses its gratitude to the United Nations Office of Outer Space Affairs, and in particular Mr. Niklas Hedman in his dual role as both Secretary and Acting Director of UNOOSA, for orchestrating a successful Legal Subcommittee in a challenging hybrid format. We would also like to thank Ms. Nomfuneko Majaja for her patience in chairing this session virtually. While this session of the LSC did experience some challenging moments due to the hybrid format, it delivered some important results that will allow member States to continue making progress on important legal issues relevant to the peaceful exploration and use of outer space.

The Canadian Delegation was pleased that the Legal Subcommittee was able to finalize and agree upon the workplan for the Working Group on Legal Aspects of Space Resource Activities. Together with the previously agreed mandate and terms of reference, the Working Group can now begin the substantive study of legal issues relevant to this exciting new field of outer space activities. Member States were able to agree on several crucial points such as, extending the workplan to cover the 2023 to 2027 timeframe, acknowledging the need to coordinate with the Scientific and Technical Subcommittee, and agreeing to hold an international conference under the auspices of the United Nations to hear the views of academia, non-governmental organizations and private industry.

Canada expresses its sincere gratitude to the Chair, Mr. Andrzej Misztal, and the Vice-Chair, Mr. Steven Freeland, for their perseverance and hard work in guiding member States towards an agreement on the workplan. Our delegation has the utmost confidence that this working group will deliver practical and useful results under their able leadership. The next step will be for the Chair and Vice-Chair to circulate a request during the intersessional period for information from member States on issues related to and arising from the mandate. That includes potential topics and issues to be addressed through one or more dedicated international conferences, subject to the availability of budgetary resources. The Canadian Delegation encourages all member States to provide information in response to the request from the Chair and Vice-Chair, and to participate actively in the deliberations of the working group.

The Canadian Delegation views the progression of the agenda item on space resource utilization to be a potential model for future methods of work. This topic was added to the agenda in 2017 to facilitate an

exchange of views on an emerging issue relevant to the peaceful exploration and use of outer space. The discussions demonstrated an interest from member States to progress beyond a general exchange of views towards a more specific outcome. At this year's session of the LSC, that interest crystalized into a workplan designed to deliver a specific outcome. This model of work results in practical outcomes that can produce useful legal guidance for all space actors.

While not all agenda items are suitable for such a trajectory, the LSC should periodically review agenda items to determine if there is still a practical need or interest in continuing to have general exchanges of views or information. For topics that generate significant interest, the LSC should consider if a specific outcome or product is desirable and establish a workplan to realize that objective. Conversely, where there is a lack of interest in or necessity for an item at the time of the review, the item can be suspended or removed. This procedure allows for more time within the formal sessions to fully explore topics of interest to member States without relying on informal sessions, absent translation services, to meet deadlines or preventing States from being heard. It is important to note that items previously suspended or removed can be re-introduced, perhaps from a different perspective, if there is an interest or need to do so. This approach can promote tangible results and maintain the vitality of the discussions at future sessions of the LSC.

Mr. Chairman,

It is Canada's view that the LSC works best and delivers the most value when we examine practical legal issues relevant to existing challenges faced by States in the peaceful use and exploration of outer space. The LSC has accomplished tremendous work throughout its history, including the conclusion of the core space treaties, the elaboration of important UN General Assembly resolutions on a range of topics,, and other products such as the Compendium on Space Debris Mitigation Standards. These accomplishments clearly demonstrate the positive outcomes of our collective work on specific topics of importance to space faring nations. It is Canada's sincere hope that the LSC can continue to deliver similar results in future sessions through our focused effort and diligent work.

Thank you Mr. Chairman.