

## **Statement – Australia**

### **61<sup>st</sup> Legal Subcommittee**

#### ***Agenda item 4 – General exchange of views***

Madam Chair, distinguished delegates,

I would like to congratulate you on your appointment as Chair of this Subcommittee. The Australian delegation commends the Secretariat and staff for their continued support of the Committee and Subcommittees. We look forward to a successful and productive session.

#### ***Ukraine***

While we appreciate that this forum pertains to the peaceful uses of space, we join with the international community in recognising that we cannot ignore violations of international law when they occur on Earth.

Australia condemns in the strongest possible terms the Russian Federation's unprovoked act of aggression in invading Ukraine.

The actions of the Russian Federation are a flagrant breach of the UN Charter and its prohibition on the use of force.

Australia calls on Russia to cease all hostile actions and withdraw all its forces immediately from Ukraine, consistent with the legally binding decision of the International Court of Justice (16 March).

Australia reiterates its unwavering support and solidarity for Ukraine's sovereignty and territorial integrity and for the people of Ukraine.

I would like to comment on Russia's proposal to establish a regional centre for space science and technology education affiliated with the United Nations, referred to in UNGA resolution 76/76. Considering Russia's invasion of Ukraine is incongruent with the United Nations' aim to maintain international peace and security, Australia expresses serious concern with the establishment of a Russian-led and hosted regional centre.

Madam Chair,

Australia is a founding member of the Committee, and a State Party to the five international space treaties.

Developing domestic regulations and policies consistent with our international legal obligations, as well as norms, is an important part of our goal to be a responsible global citizen.

Central to this is the update and continuous improvement of Australia's regulatory framework for civil space activities.

### ***Australia's regulatory framework***

Madam Chair,

Recent significant investments in Australia's space sector have presented a timely opportunity to ensure our regulatory framework encourages entrepreneurship, and continues to build a culture of space safety and sustainability.

To that end, the Australian Government has announced that the Australian Space Agency will undertake a program of regulatory refinement.

This may include identifying improvements to procedures and practices, and streamlining interaction with industry. These reforms aim to ensure that Australia's regulation of civil space activities is continuing to support industry growth and entrepreneurship, while ensuring public safety.

We look forward to sharing more about this program with Member States in due course.

Madam Chair,

Currently, the Australian Space Agency is responsible for regulating activities that go 100km above mean sea level, or involve high power rockets, as specified under the *Space (Launches and Returns) Act 2018* (the Act) and associated Rules (the Rules), which commenced on 31 August

2019. The Rules regulating high power rocket activities commenced on 30 June 2020.

The Act establishes a regulatory framework for the licensing of, and provides safety requirements for, space activities in Australia or involving Australian interests overseas. It is supported by three sets of Rules, and also implements elements of our international obligations.

A key purpose of the Act and supporting Rules is to balance the risk of damage to persons and property with the benefits of increased participation in the Australian space industry.

Since the establishment of the Agency in 2018, the Agency has assessed 4 complex applications, including for launch facility licences and an Australian launch permit, and has assessed 18 overseas payload permit applications. These applications come from an increasingly diverse range of organisations, including small to medium enterprise, and universities.

In 2021, the Agency performed functions under the regulatory framework in relation to launch activities, including oversight of the first civil launch regulated by the Act and predecessor legislation in almost 20 years.

Effective regulatory frameworks, which allow for activities in a safe environment, help provide certainty to the widening range of stakeholders who are seeking to undertake, or develop new capabilities

### ***Working Group on Space Resources***

Madam Chair,

Australia is committed to working with Member States to address emerging issues, particularly through the development of norms and initiatives to ensure the long-term sustainability of outer space. It is clear that space resource exploration, exploitation and use is both an increasing area of interest and an emerging issue for outer space.

As such, Australia welcomes the establishment of the working group on space resources. We look forward to sharing our views as the group prepares to commence its substantive work, including deepening our understanding of how the existing legal framework and other relevant instruments apply to space resources activities. As a State Party to all five space treaties, including the Moon Agreement, Australia looks forward to sharing our perspectives in this regard.

We also extend our full support to the Chair, Mr Andrzej Misztal, and Vice Chair, Prof Steven Freeland, in their leadership of the working group.

### ***Conclusion***

Madam Chair,

The Committee plays an important role in facilitating the development of rules and norms that contribute to a safe, stable and sustainable outer space environment; as well as facilitating a consensus-based approach to addressing emerging challenges.

Australia is committed to its international obligations and to engagement with Member States through the Committee. We look forward to collaborating with Member States as we continue the important work of this Subcommittee.

Thank you.