

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

Legal Subcommittee – Sixty-second session
Vienna, 20– 31 March 2023

Canada

Item 3 - General Exchange of Views

Madam Chair,

The Canadian Delegation welcomes you back in the role of Chair for the 62nd session of the Legal Subcommittee and extends to you our full support. We also wish to express our appreciation to the Secretariat and the intrepid Mr. Hedman, Acting Director of UNOOSA, for all the hard work that went into the preparations for this session. Canada is confident that this will be an interesting and productive session of the Legal Subcommittee.

The peaceful exploration and use of outer space is entering an exciting phase involving new frontiers and new activities. However, the value of the United Nations Treaties on outer space remains constant. Canada strongly supports the four core United Nations treaties on outer space: the Outer Space Treaty, the Rescue and Return Agreement, the Liability Convention, and the Registration Convention. It is thanks to the legal framework established by these treaties that humanity has been able to successfully and peacefully use and explore outer space for the benefit and in the interests of all countries. These treaties have served and continue to serve the international community well.

Canada supports further principles, guidelines and initiatives that complement these treaties and assist States to implement the legal obligations contained in those treaties. One of the potential outcomes of the Working Group on Legal Aspects of Space Resource Activities is a recommendation for a set of principles applicable to those activities. Canada has already been active in its support for a set of practical principles for conducting deep space activities, including space resource activities, in a safe, sustainable and transparent manner. These principles are found in the Artemis Accords. Canada is of the view that the principles contained in the Artemis Accords represent a good foundation for further work on space resource activities within COPUOS; and we are not alone. The Artemis Accords are now supported by 23 States from various different regions of the globe representing different legal systems and different stages of development in their space programs. We look forward to sharing our views on the legal aspects of space resource activities in the context of the Working Group.

Madam Chair,

There are good reasons to view the future of space exploration with optimism but it is not without its challenges. Space debris mitigation must be one of our top priorities. In this context, it is essential that States refrain from intentionally destroying space objects as this creates unnecessary, long-lived debris that poses hazards for the long-term sustainability of outer space activities for all States. Article IX of the Outer Space Treaty obligates States to conduct their space activities with due regard for the

corresponding interests of all other States. Consultations in cases where a planned activity would cause potentially harmful interference with the activities of other States in the peaceful exploration and use of outer space are mandatory, not optional.

In addition to debris mitigation, remediation or removal of existing space debris can also play a role in preserving the long-term sustainability of outer space activities. However, the technology necessary for remediation is currently in development and there are important legal issues to consider. The concepts of jurisdiction, control, responsibility and liability in space law require examination in the context of remediation. However, it is important to note that such an examination does not require or authorize the LSC to redefine or expand the existing obligations in the Outer Space Treaties.

Madam Chair,

Space-based services are critical for almost every aspect of modern life. The Legal Subcommittee has much work to do at this session to help promote and preserve those space-based services upon which we rely. Therefore, it is unfortunate that it cannot be business as usual because of the unlawful use of force committed by Russia in its on-going illegal invasion of Ukraine. Russia has targeted critical civilian ground infrastructure, vital to providing services to Ukrainians, and repeatedly made threats against space objects. The peaceful exploration and use of outer space depends upon strict adherence to international obligations. Canada calls upon the Russian Federation to strictly adhere to Article 2(4) of the UN Charter and cease its unlawful use of force against the political independence and territorial integrity of Ukraine. Canada fully supports the sovereignty and territorial integrity of Ukraine, and commends the Ukrainian efforts to defend itself.

Madam Chair, Distinguished delegates,

Many new and exciting possibilities in space are emerging which are due in large part to the inspiration, innovation, and collaboration of an ever-expanding list of nation states and commercial space actors. It is worth reminding members that space has been a constant symbol of cooperation and peace, where nations set aside their differences for the sake of mutual achievement and the betterment of humanity through the peaceful exploration and use of outer space. Canada hopes that the spirit of cooperation and peace will prevail.

Thank you.