

**Abstracts of the speech at the Sixty-second session Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space (Vienna, 20–31 March 2023)**

*Delegation of Ukraine*

**Item 8. Capacity-building in space law**

Distinguished delegates, Madam Chair,

Once again, Ukraine wants to emphasize that, having unleashed its aggressive war against Ukraine, Russia has irrevocably violated the UN Charter and continues its purposeful undermining of the international law. Therefore, perhaps the time is not far off when the aggressor state may attempt the law and order in the space sphere.

In this regard, we would like to underline that any actions of the UN Office for Outer Space to create an "Educational Center for Space Science and Technology in the Eurasian Region" on the territory of the aggressor state, Russia, will be perceived as a violation of the UN Charter. It was assumed in UN General Assembly resolution 76/76 that Russia would build partnership relations in the Eurasian region under the auspices of this center. With its inhumane actions against Ukraine, in particular, the use of ballistic missiles, Russia clearly proved that there can be no partnership with an aggressor.

We call on all member states to loudly and clearly condemn the new regional center in Russia. In turn, Ukraine can offer to create such an educational center in Ukraine on the basis of one or more universities with experience in the discussed field.

Meanwhile, in view of the terrible Russian aggression against Ukraine, the following question arises. Is there a place in any progressive international organization for a state that with the help of missile technology, carries out massive attacks on residential areas of cities and towns, killing thousands of civilians, including children, and destroying key civilian infrastructure?

Therefore, we call on the member states to condemn Russia's war against Ukraine and to exclude Russia from COPUOS, as well as to stop the implementation of joint projects with Russian specialized organizations.

International space law is based on general principles of the international law, in particular, the Charter of the United Nations. These principles are:

- 1) Sovereign equality of states;
- 2) Conscientious fulfillment by states of their obligations;
- 3) Resolving international disputes by peaceful means;
- 4) Abstaining from the threat of force or its use;
- 5) Equality and self-determination of peoples;
- 6) Cooperation of states;
- 7) Non-interference in matters that belong to the internal competence of any state.

The Helsinki Final Act of the Conference on Security and Cooperation in Europe in 1975 added three more to the basic principles:

- 1) The principle of inviolability of borders;
- 2) The principle of territorial integrity of states;
- 3) The principle of respect for human rights and fundamental freedoms.

All these principles have been neglected by Russia. Therefore, we call on the member states of the UN to resume the application of the UN Charter in the context of the legitimacy of Russia's presence in the UN, to deprive it of the status of a permanent member of the UN Security Council and to exclude it from the composition of the UN as a whole. Ukraine welcomes the resolution of the European Parliament on the exclusion of Russia from the UN Security Council. We also call on the UN as an international body to spread the policy of isolating Russia. We believe that Russia has no right to further participate in the formation of the international agenda. It has already been expelled from more than 25 international organizations and other formats of multilateral cooperation.

I would like to note that in 1945, Ukraine became one of the founders of the UN, which became a key factor in establishing its status as a subject of international law. Ukraine, as the Ukrainian SSR, was a subject of international legal relations, a participant in universal international treaties - from the UN Charter to agreements adopted within the framework of the activities of a number of specialized institutions of the Organization. Ukraine was a member of the main and auxiliary components of the UN system, including all treaties that form modern cosmic law and order.

The activities of the Ukrainian SSR in the bodies and institutions of the UN during 1945 - 1991 included active participation in the development of founding documents, draft resolutions, conventions, agreements, treaties aimed at the implementation of the principles of international cooperation. These included the development of drafts of some of the most important universal treaties. Today, an absurd situation has arisen, when Russia, as one-fifteenth of the former USSR, actually privatized the place of the USSR as a whole. It should be noted that the space achievements of the USSR are not the achievements of Russia, they are the achievements of all the states that were part of the USSR, their common heritage.

Ukraine is grateful to those UN member states that supported the Resolution of the UN General Assembly "Principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine", adopted on February 23, 2023. This will contribute to the unification of efforts to implement the Peace Formula and bring the war to a just end, establish the primacy of international law and punish the aggressor who unleashed a dirty, treacherous and the biggest war in Europe since 1945, threatening the existence of European civilization itself.

However, despite the war, the topic of space law in Ukraine is gaining more and more relevance. In particular, in the "space capital" of Ukraine in the city of Dnipro at the end of 2022, in the conditions of an artificial blackout, missile strikes

carried out by a terrorist state against Ukraine, a group of authors-scientists published the textbook "General Theory of Space Law".

Also in one of the leading educational institutions, Oles Honchar Dnipro National University, started compulsory discipline "Legal regulation of the protection, use and commercialization of outer space". The novelty of this discipline lies in the fact that it is taught not only at the Faculty of Law, but also to students of technical specialties. Therefore, future engineers of space activities can look at technical issues taking into account the legal aspects of regulating the implementation of space activities.

Thank you for attention