

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 9. Future role and method of work of the Committee

Distinguished delegates, Madam Chair,

Taking into account the intensification of space activities commercialization, the rapid use of artificial intelligence in human activities, the Subcommittee should include the issue of cyber security of space activities and the outer space in its agenda.

In the context of the intensification of space activities commercialization, rapid changes in space technology, the need to preserve the relevance of space law in the context of the latest scientific and technical achievements in space activities, the importance of the Committee grows significantly. In particular as it is a unique platform for the coordination of international cooperation in the use of outer space for peaceful purposes. The importance of the Subcommittee is also great as it is the main body at the international level, dealing with legal issues related to space activities, is one of the main pillars of a multilateral and stable approach to the development of space international legal regulation.

In addition, the Committee and its subsidiary bodies are the only platform in the UN system for a comprehensive discussion of issues related to the peaceful use of outer space, including the Moon and other celestial bodies. The use of modern space technologies without a proper legal basis can lead to unwanted disputes and torts in the international space legal order. Therefore, it is necessary to establish close cooperation between the Scientific and Technical Subcommittee and the Legal Subcommittee.

One should also take into account the significant increase in the volume of space activities of the developing countries. In this regard, it is important for all subjects of space activities of all states engaged in such activities to ensure the application at the national level of the principles provided for in the treaties of the United Nations Organization regulating space activities.

At one time, the active role of the UN and the political consensus of the USA and the USSR led to the adoption of a kind of "space constitution" by the UN General Assembly on December 19, 1966 - the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. Getting acquainted with its text, on the one hand, we see the confirmation that the research and use of space is the property of all mankind and are carried out for the good and in the interests of all countries, and on the other hand, the declaration of the use of outer space and celestial bodies exclusively for peaceful purposes, with the prohibition of the creation of military bases and similar structures, tests of any type of weapons and conducting military

maneuvers. Therefore, peace and cooperation is the ideology of the people born in the 1960s, accepted by all states. 20th century cosmic law and order.

The development of space technologies and equipment should directly serve the use and research of outer space for peaceful purposes. However, Russia's full-scale invasion of Ukraine, which began on February 24, 2022, once again emphasizes the vulnerability of both outer space and space technologies, and the international space legal order as such. Space technologies, which should improve people's lives, paving the way for them into the future, are today widely used by Russia, the aggressor state, in the military sphere. In particular, Russia uses the satellite navigation system to direct its missiles at civilian objects in Ukraine, satellite television for low-grade and mass propaganda, banal intimidation, not to mention others manifestations of barbaric, inhuman behavior of this state.

All this raises the issue of the dual nature of space exploration, development and implementation of new space technologies. We should remember the colossal responsibility before present and future generations from the use of technological achievements not as intended, that is, not for welfare and progress, but for the arrogance and aggressiveness of maniacal personalities or chauvinistic states.

Military activity in outer space is one of the most important and controversial issues of international space law in the context of international and national security.

With the beginning of the space age, states realized the advantages that the use of outer space can provide from a military point of view. Over the years, thanks to technological development, the military use of outer space has expanded significantly. Today, space assets are used to support military operations on the ground and have become an integral part of the national security strategies of most states.

The legal regime regulating human activities in outer space and, in particular, activities of a military nature, has so far managed to keep outer space free from military confrontations. However, due to some critical shortcomings, such as the lack of clarity regarding the legality of deploying and testing conventional weapons in space and the methods of acts of self-defense in space, such a regime may not be able to achieve the goal of "preserving peaceful space for humanity" in the coming decades. Indeed, as a result of the growing dependence of modern states on the use of space, states may be tempted to resort to military force to protect their valuable space objects and national interests in space, despite its international status and de facto de-sovereignty.

Therefore, it is time to supplement the existing regulatory framework regulating the use of outer space for military purposes with provisions aimed at ensuring a higher level of security of space objects and preserving the peaceful nature of the space environment. That is why it is necessary to think about the possible reorganization of the UN Committee on Space into a relevant international organization that would take care of the issue of space law in all aspects.

Thank you.