

Sixty-third Session
of the Legal Subcommittee
of the Committee on the Peaceful Uses of Outer Space

Agenda item 4

General Exchange of Views

Statement by Mr. Gregor Schusterschitz, Austria

16 April 2024

Mister Chair,

As this is the first time that Austria takes the floor, I would like to congratulate you on your election, Chair. We are confident that our work during this session of the Subcommittee will greatly benefit from your skills and experience. I would also like to express our gratitude to the Director of the Office for Outer Space Affairs and her able and dedicated team for the preparation of this session.

Austria fully aligns itself with the statement of the European Union, including the condemnation of the unprovoked and unjustified war of aggression against Ukraine, which grossly violates international law and the UN Charter and which has had a direct impact on space activities, including through threats made by a Member of the Committee to target third party space objects.

Mister Chair,

Due to the exponential increase of space activities, there is a clear need for effective multilateralism to ensure the safety and sustainability of human activities in outer space. Austria therefore encourages all States, which have not yet done so, to ratify and implement the UN treaties on outer space, including the Moon Agreement, and to cooperate in order to develop and implement new sets of rules.

In March 2023, at the Conference on Disarmament, Austria joined other States, including many members of COPUOS, in making a political commitment not to conduct destructive tests of kinetic direct-ascent anti-satellite weapons. Austria, together with all EU Member States, also supported the relevant UNGA Resolution 77/41. Austria furthermore is of the view that, due to the unacceptable consequences of the debris produced through such tests, they indiscriminately endanger third States' space operations. Therefore, in principle, Austria considers destructive direct-ascent ASAT tests to be in violation of Article IX of the Outer Space Treaty and customary international law, including the *no harm principle*.

Austria also wishes to highlight the important work conducted by the *UN Open-Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviour* in Geneva. Austria is disappointed at the OEWG's failure to find consensus on a substantive report. We hope that a successor to the OEWG and other Geneva-based processes will continue this important work, since sustainable space activities require both operational safety as well as international security. Without

infringing on the work and mandate of other processes and bodies in the UN system, Austria wishes to reiterate that COPUOS and its Subcommittees have never been precluded from considering security aspects relevant to their work. Austria supports a holistic, intergovernmental process for the global governance of outer space, which we hope will generate meaningful results across a broad agenda of topics bringing together diverse national interests and values.

Mister Chair,

Based on the report "Our Common Agenda", the UN Secretary-General proposes a high-level "Summit of the Future" from 22-23 September 2024 in New York. Austria welcomes that the peaceful, safe and sustainable use of outer space features prominently in that Summit. Increased efforts at the multilateral level are necessary to preserve space as an intergenerational global commons. We welcome the efforts by the Scientific and Technical Subcommittee in support of the Outer Space Track of the Summit of the Future 2024. We hope that the Summit will create new impetus for our work in COPUOS. In particular, Austria wants to highlight the need for new initiatives, in order to further the work on concrete measures regarding the issue of Space Traffic Management in the Legal Subcommittee. In this context, we welcome the proposal made yesterday by the Delegation of Germany to set up a Study Group.

As all distinguished delegations, Austria hopes that the input collected at the preparatory expert meeting three weeks ago in Luxembourg as well as yesterday's International Conference on Space Resources, will provide a solid factual and scientific background for the continued deliberations in the *Working Group on Legal Aspects of Space Resource Activities*.

We also want to thank the delegation of Romania for their proposal to establish an action team to study a potential consultative mechanism for lunar activities within the framework of the Committee. We appreciate the opportunity to have further informal discussions during this session, in order to determine whether establishing such an action team would be both useful and feasible, while respecting the mandate of the *Working Group on Legal Aspects of Space Resource Activities*.

Mister Chair,

Austria attaches great importance to the strengthening of the Legal Subcommittee as the prime multilateral body with the mandate to promote the progressive development of international space law for the peaceful uses of outer space.

In concluding, let me again underline that the Austrian delegation will continue to provide strong support to the work and deliberations of this Subcommittee. In this spirit, we are convinced that the 63rd Session of the Legal Subcommittee will be both productive and rewarding.

Thank you, Mr. Chair.