

Canada**Agenda Item 9 – General exchange of information and views on legal mechanisms relating to space debris mitigation and remediation measures.****Delivered by: Curtis Schmeichel, Global Affairs Canada**

Committee on the Peaceful Uses of Outer Space
Legal Subcommittee
Sixty-fourth session, Vienna, May 5-16, 2025

Chair, Distinguished delegates,

The Space Debris Mitigation Guidelines elaborated by this Committee were a much-needed initiative to address the growing challenge posed by space debris. The Compendium of space debris mitigation standards hosted on the UNOOSA website demonstrates that States are taking action on debris in line with the Space Debris Mitigation Guidelines. Canada recommends that all States review the Compendium at regular intervals to provide updated information. Such a review also presents an opportunity to learn about the measures being implemented by other States and to consider whether it might be appropriate to implement similar measures in our own national regulatory frameworks.

The value of the Space Debris Mitigation Guidelines is that they provide general standards that can be applied by each State in a manner that is appropriate for their space activities and regulatory framework. These standards can also be updated and refined as new technologies emerge and the debris situation on orbit changes. The elaboration of standards is the most effective mechanism for addressing matters of a highly technical nature because of the ability to evolve and adapt to changing situations. Evolving standards are also a proven method of achieving improved safety and harmonization amongst member States. The International Civil Aviation Organization (ICAO) employs

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this approach through the use of its Standards and Recommended Practices, or SARPs, which are frequently updated to address new challenges and technological advances. The growth, as well as the improvement in the safety, of civil aviation is a testament to the efficacy of the ICAO SARPs. COPUOS can and should continue to follow the approach of adopting and promoting standards and recommended practices to address the effects of space debris. The work currently underway to promote the application of the Guidelines on the Long-term Sustainability of Outer Space Activities is consistent with this approach and holds great promise for addressing space debris challenges.

However, debris mitigation is not the only way to address space debris. Active debris removal and on-orbit servicing may one day also contribute to improving the debris situation in orbit and promoting sustainable space activities. Removing debris through various active mechanisms, such as capturing it or speeding up its de-orbiting process through sails or other attachments, are being developed and tested. These innovative processes should be examined by COPUOS and its subcommittees to determine if they show promise for improving the debris situation in orbit, and because of the high level of international coordination these activities would most likely require. In testing, and perhaps one day employing these active debris removal techniques, it is important to recall that they can only be carried out with the consent of the State of Registration, the

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Launching State or States, and the owner of the space object. There are significant liability considerations associated with attempts to remove debris from orbit. This is also the case with on-orbit servicing designed to extend the life of active satellites or “recycle” space objects. The Liability Convention provides the legal framework for damages caused by space objects; which is based on fault for damage caused in orbit to the space objects of other States. A discussion of the liability issues and fault in the context of on orbit servicing or active debris removal are warranted within this Legal Subcommittee.

Chair, Distinguished delegates,

Space debris remains a challenge to the long-term sustainability of outer space activities. The work done regarding the development of The Guidelines on the Long-Term Sustainability of Outer Space Activities and the Space Debris Mitigation Guidelines is essential in order to implement commonly accepted and flexible standards that can be improved upon as technology develops. The Legal Subcommittee has an important role to play by promoting existing standards and advancing discussions on legal issues related to novel activities such as on-orbit servicing and active debris removal.

Thank you.