

*Wystąpienie zostanie wygłoszone 7 czerwca br.*

### **Agenda item 3 General Exchange of Views**

#### **Statement of the Republic of Poland**

*Madame Chair,*

*Excellencies, Distinguished Delegates,*

Let me at the outset congratulate you Madame Chair, on behalf of our delegation, on the assumption of the post of Chair of the Legal Subcommittee; although your election took place already some time ago, it is only now that we have the opportunity to see you at last at the lead of the session of this august body. We wish you all the success and we stand ready to support you at any times in the exercise of your duties.

Let me also thank my colleague, Ambassador Andrzej Misztal for his efforts during his tenure of the Chair of the Legal Subcommittee. And on his behalf I would like to express once again the gratitude to all the delegations for their continuous and meaningful support that led the Subcommittee to successful conclusion of the previous sessions. We are confident that his and prof. Freeland's moderation of the scheduled informal consultations on the space resources is bringing us closer to the framework that the international community needs for a reliable, sustainable and well-based in terms of law, handling of this subject.

Finally, let me also express our gratitude and appreciation to the United Nations Office for Outer Space Affairs and Madame Director, Simonetta di Pippo, and her staff headed by the Secretary of the Committee, Mr. Niklas Hedman, for their tireless preparatory work and everyday efforts, aimed at ensuring proper, safe and effective course of our debates, especially taking into account the pandemic and its challenges that seem to shrink but not recede totally. We can imagine how complicated is to organize the whole system in conditions of restrictions from all sides. The sensitivity, the focus on the human health and safety were remarkable during the recent months.

*Madame Chair,*

*[My delegation aligns itself with the statement made on behalf of the European Union and wishes to make some remarks of a general nature in our national capacity.]*

Last year, unusual, critical and tragic due to the new challenges caused by the pandemic, showed us how important and precious the multilateral diplomacy with all its inherent elements is. This was particularly noticeable when we had to take difficult decisions to, accordingly, cancel or reschedule sessions and to secure that all the package of

issues is carried through to 2021. And it also proved that multilateralism cannot be replaced by any other format or method to achieve the global goals.

Of course we can, as we do from time to time, ask ourselves whether this UN organ has been able to fully respond to the needs and expectations of the international community. In our view, however, it has. Given the specific context, complexity of issues, growing number of concerns, with the principle of consensus as the basis for decision making etc. COPUOS has nevertheless been able to create valuable guidance to the international community. It would be neither reasonable nor feasible to declare that there are no big differences between states and their methods to tackle the issues of the space activities, nor to say that we can achieve results that would be fully satisfactory to all. But COPUOS used all the instruments available to provide the relevant guidance for the states.

My delegation believes that it is absolutely crucial to recall what is enshrined in the resolution titled 'Fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space: space as a driver of sustainable development'. Namely we, the countries that subscribed to this act, were particularly right when we agreed to recognize the Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and its Legal Subcommittee and the Office for Outer Space Affairs serving as the Secretariat, as unique platforms for international cooperation in the peaceful uses of outer space, in the fulfilment of their respective mandates. Such a firm declaration is what we, the United Nations, owe to this forum.

If we think about the best choice for us, the Legal Subcommittee of the COPUOS due to the very nature of space activities, is indeed the right forum to respond to the growing expectations to coordinate internationally the actions including legislative activity, in order to get a comprehensive, reliable and enduring scheme of international standards, and what is more important – standards applicable to all. And we believe the LSC can agree on a common approach that would be useful in providing for a framework to direct our activities.

All the steps and measures developed and adopted in the course of the implementation of outer space treaties, including by the creation of non-binding documents, and standards of limited geographical scope, can contribute to the development of common norms or standards. COPUOS is the place where countries can share, and not confront, their individual approaches and views. And the experience of the LSC proves to us, that at times no major shift is needed to make use of this forum to deal with the present and future challenges. As before, it is fundamental to give the multilateral approach priority, to exert once again measures of confidence, and to keep the door open for a fruitful, flexible and inclusive debates.

It is true that the increasing progress in human endeavors to reach new frontiers and seemingly unreachable standards that we try to find, may provoke some to think we wouldn't be able to cope, in legal terms, with the requirements of the quickly developing

space technologies. That there is a better way to deal with them than to wait until we get consensus. But is it really so?

The Legal Subcommittee possesses the natural ability to channel the discussion on the emerging issues. The statements made by delegations contain a lot of useful information and proposals. It is the feeling of this delegation that frequently the gap between the positions is very narrow and what we need is a political decision to capitalize on the rich discussions and call for concrete steps to convert them into a framework that would respond to the needs of the international community.

We highly appreciate the debates within the Legal Subcommittee and we look forward to seeing us back in the in-person format that would allow for more time and interpersonal contacts that serve in the best way to the achievement of the understanding around the fundamental issues in the LSC agenda. We believe that they also contribute to a better atmosphere that will eventually translate into political decisions.

We should keep in mind that the role of the COPUOS, with the assistance of UNOOSA is not only to fill in the legal gaps, as the founding UNGA resolution envisages, but also to exercise governance at a global level and within the multilateral framework of the space activities. And the best way for the international community to use this instrument for coordination is to consider all other relevant efforts as part of the overall network of space governance, with the United Nations in the center contributing to the attainment of multilateral, reliable and mutually complementary and supportive system.

Taking into account this responsibility for governance it is essential to continue the review of the methods of work of the Committee and its Subcommittees, to ensure better interaction and genuine dialogue. As we proceed in the session, we have to be flexible in order to direct our efforts in an effective way. We can, as it was stated on some occasions, suspend discussions on issues that have not produced major shift nor resulted in a common understanding.

At the same time more attention could be paid to ensure better coordination between the activities of the Legal Subcommittee and the Scientific and Technical Subcommittee, guided by the decisions and more effectively scrutinized by the COPUOS, but also with other international organs, such as ITU, IMO, International Law Commission etc.

*Madame Chair,*

Last year we were unable to hold the scheduled informal consultations on the issue of exploration and exploitation of space resources as the session of the Legal Subcommittee was canceled. Thanks to the co-moderators of the process and a number of delegations it was possible to achieve a good level of agreement on the most important issues in the intersessional period and come to elements for a proposal on the establishment of the working group, that formed the basis for the consultations during this session.

With the process still underway, but hopefully very close to the consensus, my delegation hopes that the Legal Subcommittee will be able to take the decision on the establishment of the working group that will allow for a genuine, open, transparent interactive dialogue on all pertinent issues to ensure that space resources activities are conducted in a safe, sustainable and peaceful manner, for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and in accordance with international law.

*Madame Chair, Distinguished delegates,*

To conclude let me stress that the peaceful competition and cooperation among space faring nations was always in the core of the activities in outer space. It appears that we found ourselves again in a point that the world of diplomacy, especially of legal diplomacy, was in the beginning of its adventure with the outer space. We don't need the full analogy to understand that we have to make our choice again and the obvious one is to reassert the unique role of the COPUOS and its Legal Subcommittee and to fill it with meaningful and genuine contents.

*Thank you for your attention.*