

Japan, Item 8 - “National legislation relevant to the peaceful exploration and use of outer space”

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Madam Chairperson, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen,

Japan established the Basic Space Act in 2008. The purpose of this Act is to comprehensively and systematically promote Japan’s space development and use in order to improve the lives of its citizens, and to promote national economic development, international peace and the welfare of humankind.

According to the Act, Japan formulates and publishes the Basic Plan on Space Policy as a comprehensive space policy, and has updated it four times. The current Basic Plan was updated in 2020, and consistently from the first edition, it contains a section referring to the promotion of international cooperation of Japan’s space activities.

The Basic Space Act provides that the Government shall legislate necessary laws and regulations to deal with space activities and the implementation of treaties and agreements as comprehensively, systematically and promptly as possible. In 2016, two national space acts regarding non-governmental space activities and remote sensing data utilization were enacted. In June 2021, the National Diet passed a bill concerning the exploration and development of space resources including private sectors.

The “*Act on Launching of Spacecraft, etc. and Control of Spacecraft,*” commonly known as the “*Space Activities Act*” established systems of authorization for non-governmental launches and for the control of satellites, and compensation schemes regarding third party liability for damage caused by launches, in order to ensure accurate and smooth implementation of the United Nations treaties on outer space. This is to ensure public safety, and to contribute to enhancing the livelihoods of people and the development of their activities. The Act and related orders came into effect in November 2018.

The “*Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data*”, established a licensing regime for using satellite remote sensing instruments and to address necessary measures with respect to restrictions associated with satellite data, in order to ensure the adequacy of using systems of satellite remote sensing and of handling data derived from the system. The Act and related orders came into effect in November 2017.

The act concerning the exploration and development of space resources including private sectors was established to promote these activities especially by private sectors, considering the growing expectations of commercial activities in this area. It defines obligations when applying for licenses to conduct exploration and development of space resources and acquisition of ownership of space resources, and ensuring international cooperation. The act also sets rules to ensure that its enforcement does not interfere with the implementation of treaties and other international agreements concluded by the Government of Japan, and that the act will not interfere unduly with the interests of other States in exercising their freedom of the exploration and use of outer space.

Japan also established the national guidelines for on-orbit servicing last November.

We believe that this guideline will facilitate "end-of-life service" and active debris removal provided by Japanese companies.

Considering the growing diversity of space activities, including for commercial use, it is essential for governments to ensure appropriate uses of outer space in accordance with international law. It is also important to promote commercial activities by setting up rational standards, and deal with safety and security concerns appropriately. The Japanese government is willing to address these challenges through the formulation of these acts.

Madam Chair,

Japan acknowledges the importance of information sharing and mutual learning on national space legislation for enhancing space activities pursuant to the treaties and other international norms on space development and utilization. In this regard, the "National Space Legislation Initiative (NSLI)" which was launched at the Asia-Pacific Regional Space Agency Forum (APRSAF)-26 held in Nagoya, Japan in November 2019 provides a regional opportunity to contribute to such objectives.

One of the aims of the Initiative is to promote information sharing and mutual learning on the practices of national legislation and policies in the Asia-Pacific region. This Initiative also aims to enhance drafting capacities and implementation of national space legislation and policies in Asia-Pacific countries, in accordance with international norms.

Under this Initiative, a study group consisting of practitioners in space policy and law from nine countries, namely Australia, India, Indonesia, Japan, Malaysia, the Philippines, the Republic of Korea, Thailand, and Viet Nam conducted a joint study to draft a report on the status of national space legislation. This report was jointly submitted by the nine countries to the 60th session of the Legal Subcommittee of COPUOS. The Subcommittee expressed its appreciation to the Study Group in the report of the 60th session. The second phase of the Initiative launched with the wide support of the APRSAF participants, and welcomed new participants from New Zealand, Singapore and Turkey. As the host country of the APRSAF and a participating country of the Initiative, Japan will actively promote the activities of the Initiative to further enhance the development of national space legislation in the Asia-Pacific region.

Madam Chair,

In May 2021, during the 60th session of the Legal Subcommittee of the UNCOPUOS, the Government of Japan and the United Nations Office for Outer Space Affairs (UNOOSA) announced their cooperation on UNOOSA's "Space Law for New Space Actors" project. Through this cooperation with UNOOSA, Japan supports capacity-building of emerging spacefaring nations in the Asia-Pacific region to draft national space laws and regulations in line with international space law.

Thank you for your kind attention.