

Statement – Australia

61st Legal Subcommittee

Item 15 – General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources

Thank you, Madam Chair, distinguished delegates,

The Committee on the Peaceful Uses of Outer Space and the United Nations space treaties provide the foundation for ensuring the peaceful and safe use of outer space, including on the Moon and other celestial bodies. Further, the Committee's work supports a consensus-based approach to addressing emerging space issues.

Australia is a State Party to the five international space treaties, including the *Agreement Governing the Activities of States on the Moon and Other Celestial Bodies* (the Moon Agreement).

Australia is also a founding signatory to the Artemis Accords, which establish a practical set of principles to guide space exploration.

Australia's position is that the Artemis Accords are consistent with Australia's international legal obligations.

Australia considers that the Moon Agreement and the Artemis Accords provide frameworks that will *guide* and *enable* Australia's planned future activities on the Moon.

Moon Agreement

Madam Chair,

Australia supports the exploration, exploitation and use of space resources in a manner consistent with international law.

Australia's view is that the Moon Agreement provides a framework specific to the exploration, exploitation and use of the Moon and its natural resources.

Article 6 of the Moon Agreement permits States Parties to use the Moon's minerals and other substances in carrying out scientific investigations, including in quantities appropriate for the support of their missions.

This is supplemented by Article 8, which allows States Parties to land space objects on, and launch them from, the Moon in their pursuit of activities in the exploration and use of the Moon. States Parties may also place personnel, space vehicles, equipment and facilities, as well as establish manned and unmanned stations, on or below the surface of the Moon for the same purpose.

We note that certain obligations under the Moon Agreement have prospective (that is, future), rather than immediate, effect. This includes consideration of the potential establishment of an international regime at a time when exploitation of the Moon's natural resources is about to become feasible, as per Article 11 of the Agreement.

For Australia, the Moon Agreement provides a framework which clearly *enables* scientific investigation on the Moon and other celestial bodies, and may provide for other exploratory or experimental activities, prior to the establishment of an international regime. We look forward to further sharing our views during meetings of the working group on space resources.

This framework will support Australia's planned activities on the Moon over the coming years as part of NASA's Artemis program.

Robotics and Automation on Earth and in Space Roadmap 2021 – 2030

Madam Chair,

In January, the Australian Government released *The Robotics and Automation on Earth and in Space Roadmap*, which outlines our

efforts to translate robotics, automation and remote operations technologies on Earth into space.

The Roadmap is underpinned by our values of being a responsible spacefaring nation, and we will continue to ensure our activities in space are consistent with our international obligations.

Trailblazer program

Madam Chair,

In October 2021, the Australian Government announced an agreement with NASA for an Australian-made rover to be included in a future mission to the Moon – potentially as early as 2026.

Australian businesses and researchers will develop the rover, supported by the Trailblazer program, which is an element of Australia's Moon to Mars initiative. This is a part of Australia's contribution to furthering humanity's investigation of the Moon and our solar system.

Activities undertaken as part of this mission will be consistent with Australia's international obligations, including the Moon Agreement, and non-binding principles set out in the Artemis Accords.

Working Group on Space Resources

Madam Chair,

Australia is committed to working with Member States to address new challenges, particularly through the development of further norms and initiatives to ensure the long-term sustainability of outer space. With space resource exploration, exploitation and utilisation being of increasing interest to many Member States, there is value in continuing international coordination and cooperation on this topic.

As such, Australia welcomes the establishment and work of the working group. We are pleased consensus was reached on the group's mandate, terms of reference and methods of work.

We extend our full support to the Chair, Mr Andrzej Misztal, and Vice-Chair, Prof Steven Freeland, in their leadership of the working group.

Conclusion

Madam Chair,

As the nature of humankind's space exploration activities evolve, it is important for Member States to consider ways and means for ensuring the long-term sustainability of outer space through the Committee, including through the UN space treaties.

Australia continues to act in accordance with its international obligations, and as a responsible global citizen committed to safe and secure operations in space and on Earth.

We look forward to working with Member States as we collaborate to develop a common understanding in the area of space resources.

Thank you.