

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

Your excellencies, Distinguished Delegates, Ladies and Gentlemen,

Japan recognizes the common interest of all humankind in progressing the exploration and use of outer space for peaceful purposes. We believe that exploration and utilization of space resources has the great potential to benefit humanity significantly, and to ensure sustainable development on earth.

Regarding space exploration, Japan participates in international space exploration activities for various purposes including, to expand human frontiers, to gain new knowledge that can benefit humanity and to promote international cooperation.

In the field of lunar exploration, Japan is participating in the lunar “Gateway” as part of the Artemis Program by leveraging the knowledge and technology acquired from the ISS program and space science missions. In fiscal year 2022, JAXA plans to launch the Smart Lander for Investigating Moon (SLIM), which was designed to demonstrate pinpoint landing capability on the lunar surface. JAXA is also developing the Lunar Polar Exploration mission (LUPEX) in collaboration with ISRO, which aims to investigate the presence of water and the possibilities for resource utilization in the lunar polar region.

Beyond lunar exploration, Japan is developing the Martian Moons eXploration, (MMX) mission, which is scheduled to launch in fiscal year 2024. Through this mission, JAXA plans to explore the two Martian Moons and collect a sample from one of the Moons called Phobos to bring back to Earth.

Along with these efforts, Japan’s private sector is also engaging in activities on the lunar surface.

All of these activities take place appropriately under the authorization and continuing supervision by the Japanese Government in accordance with Article 6 of the Outer Space Treaty. In order to do so, we have passed a domestic law which I will introduce later.

In October 2020, Japan signed the Artemis Accords as a political commitment to establish a set of principles for the use and exploration of outer space by civil space agencies. The Artemis Accords acknowledge that the utilization of space resources can benefit humankind by providing critical support for safe and sustainable operations and ensuring that they are executed in a manner that complies with the Outer Space Treaty. Furthermore, the Artemis Accords also acknowledge that, consistent with Article IX of the Outer Space Treaty, the Signatories commit to notify each other of their activities and to coordinate with any relevant actor to avoid harmful interference and ensure safety of future space exploration activities.

Therefore when developing a UN framework for such activities, it is meaningful to include several important concepts of the Artemis Accords, to secure the sustainability of

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future space exploration without discouraging innovation by various actors including industry, by ensuring that those activities are carried out consistent with existing international norms.

In December 2021, the “*Act on the Promotion of Business Activities for the Exploration and Development of Space Resources*”, commonly known as the “*Space Resources Act*” of Japan, came into force. It defines an actor’s obligations when applying for license to conduct exploration and development of space resources and acquisition of ownership of space resources. The act also sets rules to ensure that its enforcement does not hinder the good faith implementation of the treaties and other international agreements Japan has concluded, and that the act will not unjustly harm the interests of other States exercising freedom of the exploration and use of outer space. Based on this act, Japan is keen to establish internationally harmonized systems on the exploration and development of space resources in collaboration with other countries and international organizations.

In this context, we highly welcome the establishment of the Working Group on space resources, as well as the working group’s Chair Mr. Andrzej Misztal and Vice Chair Mr. Steven Freeland. We commend their outstanding leadership on establishing the working group’s mandate, terms of reference, workplan and methods of work during the 64th session of the Committee. We also appreciate the work of Professor AOKI as the Chair of the Legal Subcommittee for realizing this Working Group during the 60th session of this subcommittee. Her excellent leadership ensured the rapid conclusion of discussions, at an unprecedented rate. Japan is committed to contributing to this Working Group and is looking forward to fruitful discussions in the upcoming meetings.

Thank you for your kind attention.