

**Statement by Germany**

**Agenda item 9 – General exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources**

Honorable Chair, distinguished delegates,

With the return of humankind to the Moon and its departure to other celestial bodies, the exploration and utilization of space resources such as regolith, water, minerals or strategic locations will become interesting. We must assume that all of these resources are fundamentally limited in quantity, which creates the potential for conflict between different uses and actors. As space and celestial bodies are a global common beyond national jurisdiction, only international law can regulate the exploration and use of the resources available there. For this reason, Germany is committed to developing the appropriate international legal framework for space resources activities within the framework of the United Nations. As a first step to this end, the Legal Subcommittee has established the Working Group on Legal Aspects of Space Resources Activities, whose work we fully support.

Of course, the legal aspects of space resources activities under investigation are complex. Therefore, we need all the expertise we can get. We are extremely grateful for everyone that has contributed with their perspectives and knowledge to both the Expert Meeting in Luxemburg and the International Conference on Space Resources on the first day of the session here in Vienna. In particular, we found those views interesting that help us understand what a sustainable resource activity could be, both in legal as well as practical terms. To us, sustainability means to ensure that pioneer activities are conducted in a way that does not unduly impair the opportunities of others, now or in the future.

It was important to make this knowledge of speakers, presenting their own expert views, accessible to all committee members. We feel that these were valuable contributions supplementing the official views exchanged by Member States under this agenda item and within the Working Group. We now have a solid and common basis to move forward. We continue to believe that the development of

recommended principles for space resources activities, to be adopted by the UN General Assembly, should be the priority of the Working Group. These principles will be a valuable tool to promote safe, secure and sustainable conduct, in accordance with international law and not giving rise to conflict of any kind. Agreeing on these principles will be reassuring not only for ourselves but for everyone closely observing whether COPUOS can deliver. We therefore look forward to many delegations bringing forward proposals concerning these recommendations.

According to the work plan of the Working Group under this agenda item, at this year's session we are to "Assess the benefits of further development of a framework for such activities including through additional international governance instruments." To the German delegation, these benefits are very clear:

- First of all, with an international framework we live up to the expectation of the Outer Space Treaty. Celestial bodies are beyond national jurisdiction, therefore international law is required to govern future space resources activities. We have in place the general principles, but we are united in our desire for further guidance which must be international in nature.
- Second, there has already been consensus on a treaty in the past. Germany is one of the spacefaring nations that have not yet ratified the Moon treaty. However, we believe that there are important clauses that remain valid and valuable. We see great benefit in reaffirming the consensus on these important aspects. To do this we need an honest and genuine dialog about where the limitations lie, and how we can overcome them.
- Third, in the end, there will be important benefits from an international framework. But even as we negotiate, we will gain valuable experience and knowledge, sharing best practices and views on the way forward.
- Last but not least, once in place, the international space resources governance instrument will provide the basis for the orderly and safe development and rational management of space resources. It will make the benefits available to all countries, while safeguarding the legitimate interests of the countries conducting these activities, preventing conflicts and ensuring sustainability and transparency.

In this spirit, we look forward to constructive discussions in the Working Group.

Thank you for your kind attention.