

Kingdom of the Netherlands – Agenda-item 9 General Exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources

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Mr Chair, distinguished delegates

Mr Chair, thank you for giving me the floor. The creation of a legal regime for space resources activities has been dear to my government. Indeed, it is an obligation for us, and rightly so. As the only one of the five UN Space Treaties, the Moon Agreement foresaw the possibility of space resources activities, and envisaged that, for the avoidance of conflict, regulation would be required. Only with adequate regulation may the exploration, exploitation and utilization of space resources be carried out without discrimination of any kind, on the basis of equality and in accordance with international law. As a State Party to the Moon Agreement, we are especially committed to establishing an international regime, including appropriate procedures, to govern the exploitation first, and possibly also the utilization later, of space resources.

It is with the spirit of cooperation in mind that we have also become a signatory to the Artemis Accords. We hope that these may be conducive to the constructive regulation of space resources activities. We also continue to emphasise the importance of the *Building Blocks* of the The Hague International Space Resources Governance Working Group. These present a framework for each of the elements necessary for adequate regulation of space resources activities.

Mr. Chair, the following considerations guide the Kingdom of the Netherlands in this matter. First, we continue to believe that the emphasis should be on the exploration, or search, for space resources. The exploitation and utilisation, or recovery and extraction, can be reserved for a later stage. This is because adaptive governance should be a guiding principle, dictating a step-by-step approach.

Second, we would continue to stress the importance of the inclusion of views of all stakeholders, beyond the member States and Observers to this Committee. We therefore welcome the conference organized by Luxembourg and Belgium, but we would stress that the input obtained through that process must be included in the work of this Committee, and would prefer to see a continuation of this process. The Kingdom of the Netherlands would urge the Sub-Committee to take into account, to welcome, and to seriously consider the views of the relevant industries, Non-governmental organisations, academics etc. It goes without saying that the final decision on the character (binding or non-binding) and content of any regime that will be designed is for States to make. But that decision can only be the right decision if well-informed.

Third, and finally, we consider that a comprehensive regime would be desirable. For it to be adequate, it should encompass the following elements. 1) regulate jurisdiction, responsibility and title; 2) regulate cooperation, due regard, avoidance of harmful impact, and safety zones; 3) regulate technical standards and monitoring; 4) regulate the sharing of benefits and information; and 5) regulate the institutional side of the matter including a registry, dispute settlement mechanism and a regular review of the regime itself. We would recall that all of these issues have been included in the The Hague Building Blocks, which could provide a point of departure for the design of a regime for space resources activities.

With these guiding principles in mind, we believe the design of an adequate legal model for the regulation of space resources activities should be feasible.

Mr chair, distinguished delegations, I thank you for your attention.