



Statement by South Africa
The 58th session of the Legal Sub-committee
(1 - 12 April 2019)
United Nations Committee on the Peaceful Uses of Outer Space

Delivered by Ambassador T Seokolo
Agenda Item 3: General exchange of views (GEV)
2 April 2019

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Chairperson

The South African delegation wishes to express its sincerest appreciation for the work carried out by the Office for Outer Space Affairs, under its Director Ms Simonetta Di Pippo in terms of preparing for, and servicing this 58th Session of the Legal Sub-Committee of the UNCOPUOS. We would also like to pledge our continued support to you as Chairperson of this august gathering.

We welcome the new members to UNCOPUOS- Cyprus, Ethiopia, Finland, Mauritius and Paraguay.

The South African delegation aligns itself with the statement delivered by the Group of 77 and China.

Chairperson,

The five UN Treaties are the cornerstone of the international legal framework on outer space matters. It is in this context that South Africa places great importance on the development of legal mechanisms to regulate the peaceful use, exploration and utilisation of outer space. The peaceful uses of outer space are a common and shared responsibility for all of us, and we need to preserve this for current and future generations. South Africa continues to emphasise that the only way to ensure the long term sustainability of outer space activities is through the support of multilateralism, and therefore by extension the work of UNCOPUOS. In following a rules-based approach to the peaceful use of outer space, it is only by doing this that equal

access can be maintained between all nations participating in outer space activities, irrespective of their development status.

Last year, the Legal Sub-committee devoted a significant amount of time in deliberating the development of the General Assembly Resolution 73/6 entitled "Fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space: space as a driver of sustainable development". This was indeed a significant resolution and one that will provide a significant impetus to UNCOPUOS and indeed this sub-committee in terms of driving the agenda and transformation of UNCOPUOS. Last year the successful UNISPACE +50 celebrations highlighted that the environment of outer space, is increasingly being influenced by scientific and technical developments, including so called new space developments, deep space exploration, as well as in the relative near future, the exploitation and utilisation of celestial bodies.

There is also an increasing number of nations participating in outer space activities and wanting to be part of the governance thereof, as evidenced by the exponential growth of UNCOPUOS membership over the last few years. Activities in outer space, are increasingly being impacted upon by commercial operators, driven by ensuring financial returns on investment. Consequently, the space environment in which the 5 UN treaties were negotiated has changed. However, it is important to recognise that they remain the cornerstone of the rules-based framework for maintaining responsible actions in outer space.

Consequently, new emerging and developing space faring nations, as well as operators such as commercial companies and academic institutions are increasingly looking to UNCOPUOS and importantly, this sub-committee for guidance.

Chairperson,

South Africa would also like to call on all UNCOPUOS members who have signed the existing Space treaties to work within their legal prescripts and ultimately to domesticate them in national policies.

South Africa is in the process of finalising a review of our existing Space legislation in order to include new and relevant provisions. This task is proving extensive, given the commitment by government to ensure that the new draft legislation that will act as an enabler to our emerging Space industry. We are proud to state that this updated legislation, expressly incorporates the legal principles and elements established by the space treaties that South Africa is a Party to as well as certain declarations and other extensive guidelines of this Committee.

In addition, the South African Council for Space Affairs (SACSA) is actively pursuing its mandate as the regulatory body for Space Affairs in South Africa, under the leadership of the Minister of Trade and Industry.

Chairperson,

International cooperation is the cornerstone of South Africa's Space programme. In this regard, South Africa reiterate the importance of the African Space Policy and Strategy, which was adopted on January 2016. The development of this Policy and Strategy is one of the flagship programmes of the African Union, Agenda 2063 and is raising awareness to the central role of

space science and technology in Africa's socio-economic development. In addition, South Africa also welcomes the decision of the 32nd Ordinary Session of the Assembly of the African Union, held in February 2019, to establish of an African Space Agency to be hosted in Egypt. South Africa looks forward to working with our Continental partners, both multilaterally and bilaterally, towards the development of this agency.

Chairperson,

The Legal Subcommittee has a number of important items on its agenda that are relevant to South Africa as an emerging space nation. These include:

- a) Matters relating to the definition and delimitation of outer space;
- b) The consideration of ways and means to ensure the rational and equitable use of the geostationary orbit;
- c) The application of international law to small satellite activities;
- d) Potential legal models for activities in exploration, exploitation and utilisation of space resources.

South Africa looks forward to actively participating in these deliberations

Chairperson,

In terms of capacity building and international outreach, South Africa was again honoured to have organised the 2018 Africa Round of the Manfred Lachs Space Law Moot Court Competition. The Africa Round took place from the 28-29 of June 2018 and was hosted by the South African Council for Space Affairs and the Department of Trade and Industry, with the

support of the South African National Space Agency (SANSA). South Africa places great importance on this event as it offers a platform and exposure for students, academics, legal professionals and the space community from across Africa to gain exposure on matters of international space law. In 2018, four Universities participated from across the African Continent.

Chairperson,

I am also honoured to report that the University of Pretoria went on to represent Africa at the world finals held on the side-lines of the 69th International Astronautics Conference (IAC) that took place in Bremen, Germany during October 2018, thereby affirming the level of expertise in respect to Space Law in South Africa.

I am also pleased to report that South Africa will also again host the African Regional finals later this year in Pretoria.

Chairperson,

In closing, allow me to reiterate that the activities of states in the extreme environment of outer space, if not governed according to multilateral processes and the rule of law could lead to a situation of increased tension in outer space relations. Consequently, we should be guided by the existing international space treaties and by the fact that outer space is a global commons for equitable exploitation and indeed protection by all nations for today, as well as for the benefit of future generations.

Thank You.
