



Canadian Statement

Open-ended working group on reducing space threats

First session

Geneva, May 13th 2022

Agenda item 8: Exchange of views on the outcome of the first session and outlook towards the second session

Thank you, Chair. My delegation has been listening with great interest to the presentations and the discussions that have taken place this past week, and we are very appreciative for all of the delegates' thoughtful and constructive contributions. I would like to take a few moments to reflect on some of the points that have been raised and which Canada finds particularly important to emphasize.

I was struck by the parallels drawn by Mr. Stottler yesterday when he discussed the development of the legal regime for aviation, particularly when he noted that in the middle of the twentieth century, airplanes were seen as the one of the most lethal and dangerous security threats facing states, a technology that was easily considered dual-purpose. But Mr. Stottler noted that, with the recognition of the significant benefits to be derived from aviation, states were able to develop norms and standards of behaviour that were to the benefit of all, and which has resulted in the effective regulation and management of both civil and military aviation. Some of those norms were incorporated into treaties, particularly for civil aviation, while others remain voluntary or became a part of customary international law. It seems that, in relation to space, we find ourselves in the same position as we were in the early stages of aviation: trying to determine acceptable standards of behaviour, particularly as this applies to security. But we should find it reassuring to see that as we have so successfully managed to govern aviation to benefit of all States, we can find a way to effectively manage the space domain.

As this week has focused on taking stock of the existing international legal regime and normative frameworks concerning space, it's worth reiterating that international law applies to outer space activities and that includes IHL. I would like to emphasize that it is erroneous to assume that if we do not define the laws under which states should conduct themselves if an armed conflict were to occur in space, then that means armed conflict in space will not occur. No problem has ever been avoided by ignoring it. To agree that IHL applies in space does not mean that we condone a conflict in space.

We have also heard a few states this week express the idea that the result of the OEWG's work would divide states into two categories: responsible or irresponsible, and that doing so would be subjective, not based on legislation, and would risk politicization. We need to be careful about how we characterize the work of this OEWG. Responsible and irresponsible are labels we are applying to *behaviours*, not states. Any state can conduct a responsible or irresponsible behaviour, be it intentionally or inadvertently. [insert line about what we think the work of this body is?]. The purpose of our work is to reach consensus on the parameters of responsible behaviours that foster trust, confidence and ultimately enhance space security while identifying irresponsible behaviours that cause mistrust, misperceptions and insecurity that can lead to conflict and fuel an arms race in outer space.



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I want to conclude on a positive note, and say that while there have been points of contention and areas of disagreement expressed this week, it is worth underscoring a number of important points on which we all agree:

- First, we all wish to preserve the use of space for peaceful purposes, and for it to remain a domain free from conflict.
- Second, we all recognize the need to ensure space remains accessible for all states to use.
- Third, all states have expressed, in some form, agreement with the principle of due regard, and it is now just a matter of understanding what this means and how it translates into conduct and behaviours.
- And finally, we are all in agreement that we ultimately want to prevent an arms race in outer space. The work of this OEWG is a significant part of that effort.

Chair, thank you for the way you have conducted the work of this group over the past week. The discussions have been substantive and we look forward to engaging with all delegations in future sessions.