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Page 3: Submitter Information

Q1

Personal Information

Name

**Edwina Hughes**

Email Address



Q2

Are you making this submission on behalf of a business or organisation?

Yes (Please tell us your company/organisation):  
Peace Movement Aotearoa

Page 4: New Zealand's interests in space

Q7

What are your interests and relationship to space? Pick as many as apply below:

**General interest in space,**

Other (please specify):

Peace Movement Aotearoa is the national networking peace organisation, and we work on a range of issues related to humanitarian disarmament, human rights and humanitarian law, and Te Tiriti o Waitangi. Our Coordinator is a member of the Public Advisory Committee on Disarmament and Arms Control (PACDAC), which has space launches from Aotearoa New Zealand on its agenda.

## Q8

Please note any other interests and relationship to space below that you would like to share.

Peace Movement Aotearoa is the national networking peace organisation, and we work on a range of issues related to humanitarian disarmament, human rights and humanitarian law, and Te Tiriti o Waitangi. Our Coordinator is a member of the Public Advisory Committee on Disarmament and Arms Control (PACDAC), which has space launches from Aotearoa New Zealand on its agenda.

The points below are made on the basis of our experience of several online meetings with MBIE / NZ Space Agency and others over the past four weeks, notes sent to us by individuals who attended in-person MBIE / NZ Space Agency consultation meetings, and concerns that have been raised by our Coordinator at PACDAC meetings, with the Minister for Disarmament and Arms Control, and the Ministry of Foreign Affairs disarmament division at various times in the course of our work around space launches from Aotearoa over the past few years.

Our key concerns about the space programme and legislation as it is currently operates and the space policy review are outlined here, with some additional comments in other sections below:

Concerns around Te Tiriti o Waitangi: While the policy refers to MBIE's desire "to engage with Māori on New Zealand's space activities and engagements" that has certainly not been the experience of Māhia mana whenua as outlined the 'Concerns around the consultation process' section below. Additionally, the consenting process for Rocket Lab's Māhia launch was not in any way consistent with Te Tiriti; and the community were promised the facility would not be used for military purposes which has turned out not to be true.

It is not clear what, if any, engagement MBIE has had with Māori astronomers who raised concerns about space launches during the consultation meetings; and concerns have been raised about MBIE's misappropriation of 'kaitiakitanga' as the concept which informs its values.

Concerns about disarmament obligations and policy: It is not at all clear if New Zealand's disarmament obligations are being met when payload applications are being assessed, nor if New Zealand's obligations under humanitarian and human rights law are being considered at all. This is obviously a particular concern with regard to prohibited weapons, including nuclear, biological and chemical weapons, as well as cluster munitions, landmines and other weapon systems with inhumane and indiscriminate effects that are banned by New Zealand law. The same lack of clarity exists around New Zealand's disarmament policy, particularly around the commitment to ban and regulate autonomous weapon systems (also known as killer robots).

It is of the utmost importance that payloads that may be used for command, control, guidance or geopositioning of any prohibited weapon system; and / or that enable any prohibited military activity under humanitarian or human rights law, are not launched from New Zealand territory because that would breach these obligations.

Specific concerns around launches of US military payloads: While there are concerns around all military payloads, the payloads that are being launched for US military and related agencies are a particular concern for two main reasons: firstly, because of US policies on "full spectrum dominance" and "integrated deterrence" (the seamless combination of capabilities across warfighting domains - conventional, nuclear, cyber, space, and informational domains / and land, air, maritime, cyber and space domains); and secondly, because the US is armed with nuclear weapons, and it is not a state party to either the Mine Ban Treaty or the Convention on Cluster Munitions.

Concerns about how payload application decisions are made: There is a total lack of transparency around how decisions on payload applications are made, and we have been told different things about the decision making process by officials from different government agencies. We asked for a flowchart of the decision making process more than two weeks ago, but that has not yet arrived.

What is clear is that no application to launch a payload has yet been declined - even payloads linked to the US Joint Warfighting Concept or systems "designed to rapidly process data and disseminate targetable intelligence directly to tactical weapon systems deployed across the battlefield, and generate situational awareness for battlefield commanders".

There are questions about whether MBIE has the knowledge to assess applications in relation to New Zealand's "national interest", which we have been told includes New Zealand's disarmament obligations, or the technical expertise to determine what the technology in any payload is for - and as the payloads are sealed, decisions are anyway reliant on information provided by the payload applicant.

Concern around the lack of a precautionary approach: MBIE, and indeed Rocket lab, have commented that payloads may contain dual use technology. It is our view that where there is any doubt whatsoever about how technology in a payload may be used, or

## Space Policy Review Consultation Submission Form

unar-use technology. It is our view that where there is any doubt whatsoever about how technology in a payload may be used, or there is a possibility it may breach one of New Zealand's obligations, a precautionary approach must be applied and the application must be declined. Concerns around the environmental and biodiversity impact, and the emissions profile, of space launches: It is not clear if a full environmental assessment of the Māhia launch site was ever carried out prior to the launches starting, and local whānau have observed a loss of bird life and kaimoana in the area since the launches started. There is no information about ongoing environmental or biodiversity monitoring of the Māhia launch site.

Despite the rapidly escalating climate emergency, there is no information about the emissions profile of space launches - when asked about this, MBIE replied that is not required by the Outer Space and High-altitude Activities Act 2017. This is clearly an inadequate response - most, if not all, government departments do not have a requirement around an emissions profile in their legislation, yet they are providing that information.

Furthermore, there appears to be a lack of transparency around emergency procedures in place for any accident or explosion at the Māhia launch site.

Concern around the lack of an independent regulatory authority: It is not appropriate for any government agency tasked with promoting space launches from NZ territory and "growing" the space sector to also be the regulatory authority which approves payloads. This is a blatant conflict of interest and there is a clear need for an independent regulatory authority.

Concern about collusion between MBIE and Rocket Lab: The need for an independent regulatory authority is even more crucial given the appearance of collusion between MBIE / NZ Space Agency and Rocket Lab, with spokespersons making identical statements when asked about militarisation of space - see, for example, our comments about this at <https://www.facebook.com/PeaceMovementAotearoa/posts/5527351420645515>

Concerns around the consultation process for this review: There are a number of concerns around the consultation, and the two main ones are: firstly, the lack of proper consultation with Māhia mana whenua, the rushed process with little time between the public meetings and submissions closing date, and the lack of notice for meetings - particularly for Māhia mana whenua. Secondly, the submissions will be reviewed and summarised by a private company, who among other things advertise services "to help eliminate the hassle associated with collating and analysing qualitative feedback to public consultation and engagement activities" - this does not inspire much confidence in their ability to accurately reflect what submitters are saying in their feedback. The way the submission form is formatted is obviously to facilitate simple analysis of the responses, but this is a complex issue about which there is a range of complex and justified concerns. There has been considerable difficulty in trying to get MBIE / NZ Space Agency officials to comprehend the complexity of those concerns in discussion at their public meetings, and they won't even be seeing what submitters are saying - simply a summary put together by a company that may have less understanding of what is at stake.

We have made the points above available for other submitters, and you may therefore receive other submissions with similar points.

Thank you for your attention to our submission.

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Page 5: New Zealand's values in space

**Q9**

**Respondent skipped this question**

To what extent do you agree or disagree that these values should apply to New Zealand's space activities and engagements?

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**Q10**

Are there any other values, or aspects of kaitiakitanga (guardianship), that you think should apply to New Zealand's space activities and engagements? For example, cultural values regarding space.

We are extremely concerned at the way this question, and indeed all of the questions in this feedback document are framed to pre-determine the outcome - clearly most, if not all, submitters would support these values, but even if they do indicate support for the values, that in no way indicates support for how those values are being put into practice by MBIE / NZ Space Agency or Rocket Lab (currently the sole corporation launching payloads from Aotearoa).

Please also refer to our comments about the consultation process in Section 1 above and other areas of relevance to the development of this policy.

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Page 6: New Zealand's space policy objectives

**Q11**

Respondent skipped this question

Rank these key policy objectives in order of importance to you: Click and drag to reorder the objectives from 1 (most important) to 5 (least important)

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Page 7: Growing an innovative and inclusive space sector

**Q12**

Respondent skipped this question

To what extent do you agree or disagree that these policy objectives will help the New Zealand government to grow an innovative and inclusive space sector?

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**Q13**

Do you have any comments on these policy objectives? (e.g. any suggested change to how they are framed? Is there anything missing?)

We do not agree with any of the policy objectives as they are currently framed because they appear to be mainly focused on growing a space sector for economic reasons when there is a range of other factors that must be considered, as outlined in our comments in Section 1.

The policy objectives must be framed around the following: fully meeting Te Tiriti o Waitangi, and New Zealand's disarmament, human rights and humanitarian law obligations; transparency around how decisions on payload applications are made and the use of a precautionary approach for dual use technology; monitoring the environmental and biodiversity impact, and emissions profile, of space launches; transparency around emergency procedures in place for any accident or explosion at the Māhia launch site (and any future sites); and an immediate end to any collusion between MBIE / NZ Space Agency and Rocket Lab.

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**Q14**

Are there any other policy objectives that you think would help the New Zealand government to grow an innovative and inclusive space sector?

Please refer to our comments at Question 6 above

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**Q15**

Do you have any questions or comments about what these objectives would mean in practice?

Please refer to our comments at Question 6 above

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Page 8: Promoting the responsible uses of space internationally

**Q16**

Respondent skipped this question

To what extent do you agree or disagree that these policy objectives will help the New Zealand government to promote the responsible uses of space internationally?

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**Q17**

Do you have any comments on these policy objectives (e.g. any suggested change to how they are framed? Is there anything missing?)

We support objective a) Advocating for effective international rules, norms and standards in space; but have concerns about how b) and c) are being, and will be, put into practice. Partnering with like-minded launch states is already problematic because of the launch of payloads for the US military and related agencies - please refer to our comments under the 'Specific concerns around launches of US military payloads' heading in Section 1 above.

If c) means in practice an increasing number of launches from New Zealand territory when there is no emissions profile or comprehensive environmental or biodiversity monitoring of the impact of the launches to date, then we do not support it.

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**Q18**

Respondent skipped this question

Are there any other policy objectives that you think would help the New Zealand government to promote the responsible uses of space internationally?

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**Q19**

Respondent skipped this question

Do you have any questions or comments about what these objectives would mean in practice?

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Page 9: Protecting and advancing our national security and economic interests

**Q20**

Respondent skipped this question

To what extent do you agree or disagree that these policy objectives will help the New Zealand government to protect and advance our national security and economic interests?

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**Q21**

Do you have any comments on these policy objectives (e.g. any suggested change to how they are framed? Is there anything missing?)

We have substantial concerns about these policy objectives, which appear to be framed in a way that does not rule out aggressive military use of space, including the points made previously and the collection of military intelligence that may provide targeting coordinates for UAV or other missiles strikes used by some states for extrajudicial executions, as well as civilian harm, in breach of human rights and humanitarian law.

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**Q22**

Are there any other policy objectives that you think would help the New Zealand government to protect and advance our national security and economic interests?

Yes: ensuring New Zealand's disarmament, human rights and humanitarian law obligations are fully met; ensuring transparency around how decisions on payload applications are made and use of a precautionary approach for dual use technology; and monitoring the environmental and biodiversity impact, and the emissions profile of space launches. These are essential for New Zealand's international reputation, and to ensure that New Zealand's space policy and practice models positive beneficial practices for others to follow, and its commitment to its related obligations and policies.

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**Q23**

Respondent skipped this question

Do you have any questions or comments about what these objectives would mean in practice?

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Page 10: Modelling sustainable space and Earth environments

**Q24**

Respondent skipped this question

To what extent do you agree or disagree that these policy objectives will help the New Zealand government to model sustainable space and Earth environments?

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**Q25**

Do you have any comments on these policy objectives (e.g. any suggested change to how they are framed? Is there anything missing?)

The first objective must be assessing the impact of space activities on the Earth environment - both in terms of the impact of launches on New Zealand territory; and the impact of launches of military technology that may be used for command, control, guidance or geopositioning of any prohibited weapon system; and / or that enable any prohibited military activity under humanitarian or human rights law.

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**Q26**

Are there any other policy objectives that you think would help the New Zealand government to model sustainable space and Earth environments?

There are two key policy objectives that would help with this: i) refusing all payload applications for launches of military technology that may be used for command, control, guidance or geopositioning of any prohibited weapon system; and / or that enable any prohibited military activity under humanitarian or human rights law; and ii) ensuring there is ongoing monitoring of the environmental and biodiversity impact, and the emissions profile, of space launches.

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**Q27**

**Respondent skipped this question**

Do you have any questions or comments about what these objectives would mean in practice?

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Page 11: Regulating to ensure space activities are safe and secure

**Q28**

**Respondent skipped this question**

To what extent do you agree or disagree that these policy objectives will help the New Zealand government to promote the responsible uses of space internationally?

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**Q29**

Do you have any comments on these policy objectives (e.g. any suggested change to how they are framed? Is there anything missing?)

These policy objectives are not, as we have pointed out in previous sections, currently being met, please refer to the overall summary in Section 1.

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**Q30**

Are there any other policy objectives that you think would help the New Zealand government to ensure space activities are safe and secure?

Yes: ensuring New Zealand's disarmament, human rights and humanitarian law obligations are fully met; ensuring transparency around how decisions on payload applications are made and use of a precautionary approach for dual use technology; and monitoring the environmental and bio diversity impact, and the emissions profile, of space launches. These are essential for New Zealand's international reputation, and to ensure that New Zealand's space policy and practice demonstrates positive beneficial practices for others to follow, as well as a commitment to its related obligations and policies.

In addition, there must be an independent agency to assess payload applications - it is simply not acceptable that the agency promoting the growth of a space industry is also regulating it.

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**Q31**

**Respondent skipped this question**

Do you have any questions or comments about what these objectives would mean in practice?

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Page 12: Regulating in line with our national interests

**Q32**

Are there any comments you would like to make about these criteria that inform consideration of the national interest?

The criteria must include all weapon systems prohibited by New Zealand legislation and international law, as well as human rights and humanitarian law standards. This would increase the likelihood that payloads that may be used for command, control, guidance or geopositioning of any prohibited weapon system; and / or that enable any prohibited military activity under humanitarian or human rights law, are not launched from New Zealand territory.

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**Q33**

What questions do you have about how the national interest is considered in practice?

We have a number of questions about how MBIE / NZ Space Agency ensures disarmament, human rights and humanitarian law obligations are fully met; and how decisions about payload applications are assessed as mentioned above. This information and the decision making process must be made fully transparent.

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