

Research Report

Forum: First General Assembly

Issue: Creating transparency and confidence-building measures in outer space activities

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Introduction

Efforts in the United Nations to maintain outer space for peaceful purposes began in 1957, months prior to the launch of the first artificial satellite into Earth's orbit. Early proposals for prohibiting the use of space for military purposes and the placement of weapons of mass destruction in outer space were considered in the late 1950s and early 1960s by the United Nations.

The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies ("Outer Space Treaty") entered into force in 1967, after consideration by the Committee on the Peaceful Uses of Outer Space and the General Assembly. The Treaty provides the basic framework for international space law.

In particular, it prohibits the placement of nuclear weapons or any other kinds of weapons of mass destruction in outer space and the stationing of such weapons on celestial bodies. It also establishes basic principles related to the peaceful use of outer space. This includes that the exploration and use of outer space shall be carried out for the benefit and in the interests of all countries and that the moon and other celestial bodies shall not be subject to national appropriation or claims of sovereignty.

Definition of Key Terms

Confidence-building measures (CBMs)

Actions, that will be taken to reduce the fear of attack by both (or more) parties in a situation of tension, with or without physical conflict. The term is most often used in the context of international politics, but is similar in logic to that of trust and interpersonal communication used to reduce conflict situations among human individuals.

Group of Governmental Experts (GGE)

The GGE consists of a small group of international space experts from a selection of space faring countries with the main objective to improve international cooperation and reduce the risks of misunderstanding and miscommunication in outer space activities. The final goal for the group is to deliver a consensus report that outlines conclusions and recommendations on transparency and confidence-building measures for space security and sustainability.

Outer space

Any region of space beyond limits determined with reference to the boundaries of a celestial body or system, especially the region of space immediately beyond Earth's atmosphere of the interplanetary or interstellar space.

Transparency

Minimum degree of disclosure to which agreement, dealing, practices, and transactions are open to all for verification.

General Overview

The outer space environment, and the immense resources it provides, is a critical component of human endeavour in the 21st century. From communications to financial operations, farming to weather forecasting and environmental monitoring to navigation, surveillance and treaty monitoring, outer space resources play a key role in the activities of all nations. Outer space activities play a significant role in social, economic, scientific and technological development, as well as in the field of international peace and security.

Today, there are more than 1,000 operational satellites in orbit around the Earth. More than 60 Member States, government consortiums and other entities own or operate those space assets and more and more Member States are becoming spacefaring nations and/or increasing their space-based capabilities and resources.

The result of the increase in space actors and space users is that the space environment, especially key Earth orbits, has become increasingly utilized over the past few decades. As a consequence, the outer space environment is becoming increasingly congested, contested and competitive. In the context of international peace and security, there is growing concern that threats to vital space capabilities may increase during the next decade as a result of both natural and man-made hazards and the possible development of disruptive and destructive counter space capabilities.

In addition to the growth of space actors and space resource users, since the last study by governmental experts on the application of confidence-building measures in outer space, the political climate regarding outer space sustainability and security has fundamentally changed.

The Governmental Experts recognized the invaluable role played by the existing international treaties on outer space, adopted by the General Assembly, especially the 1967 Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, in consolidating a legal regime aimed at fostering use of outer space and strengthening international cooperation in outer space activities. In that context, the Governmental Experts recognized that Member States are ultimately responsible for the authorization and continuing supervision of all space activities under their jurisdiction. Under the legal framework of those treaties and of other instruments that may also be relevant and applicable to the space environment in that context, use of outer space by Member States, international organizations and private entities has flourished. As a result, space technology and services contribute immeasurably to economic growth and improvements in the quality of life around the world.

With regard to maintaining international peace and security, it is clear that it is in the shared interest of all nations to act responsibly and in accordance with international law when carrying out outer space activities, in order to help to prevent mishaps, misperceptions and miscalculations. As more governmental and non-governmental entities become involved in outer space activities, greater international cooperation is needed to uphold the long-standing principle that the exploration and use of outer space should be carried out for the benefit and in the interests of all countries. Such cooperation is essential if the international community is to succeed in safeguarding the use of outer space for peaceful purposes and for future generations.

The Governmental Experts noted that efforts by States, and the international community as a whole, are being undertaken to advance concerted, well-thought out, effective and timely bilateral, regional and multilateral initiatives to strengthen stability and security in outer space in a constructive manner.

In 2010, the Scientific and Technical Subcommittee established the Working Group on the Long-Term Sustainability of Outer Space Activities. The Working Group is mandated to prepare a report on the long-term sustainability of outer space activities and to recommend a set of guidelines focused on practical measures that could be implemented in a timely manner to enhance the safety and long-term sustainability of outer space activities.

In general terms, transparency and confidence-building measures are a means by which Governments can share information with the aim of creating mutual understanding and trust, reducing misperceptions and miscalculations and thereby helping both to prevent military confrontation and to foster regional and global stability. They also assist in building confidence as to the peaceful intentions of Member States and can help Member States to increase understanding, enhance clarity of intentions and create conditions for establishing a predictable strategic situation in both the economic and security arenas.

Although there is no universal or comprehensive prescription for identifying transparency and confidence-building measures, there are certain characteristics that may be used to determine their effectiveness. In general, there are two types of transparency and confidence-building measures: those dealing with capabilities and those dealing with behaviours.

Also, The Governmental Experts recognized that the need for transparency and confidence-building measures in outer space activities has increased significantly over the past two decades. It is generally acknowledged that such measures can augment the safety, sustainability and security of day-to-day space operations and can contribute both to the development of mutual understanding and to the strengthening of friendly relations between States and peoples.

The Governmental Experts identified the following categories of transparency and confidence-building measures for outer space activities as being of relevance:

- General transparency and confidence-building measures aimed at enhancing the availability of information on the space policy of Member States involved in outer space activities;
- Information exchange about development programmes for new space systems, as well as information about operational space-based systems providing widely used services such as meteorological observations or global positioning, navigation and timing;

- The articulation of a Member State's principles and goals relating to their exploration and use of outer space for peaceful purposes;
- Specific information-exchange measures aimed at expanding the availability of information on objects in outer space and their general function, particularly those objects in Earth orbits;
- Measures related to establishing norms of behaviour for promoting spaceflight safety such as launch notifications and consultations that aim at avoiding potentially harmful interference, limiting orbital debris and minimizing the risk of collisions with other space objects;
- International cooperation measures in outer space activities, including measures aimed at promoting capacity-building and disseminating data for sustainable economic and social development, that are consistent with existing international commitments and obligations.

Major Parties Involved

The Outer Space Treaty was opened for signature in the United States, the United Kingdom, and the Soviet Union on 27 January 1967, and entered into force on 10 October 1967. As of July 2017, 107 countries are parties to the treaty, while another 23 have signed the treaty but have not completed ratification. The following countries has signed the Treaty: https://en.wikipedia.org/wiki/Outer_Space_Treaty

Timeline

10 October 1967	Outer Space Treaty entered into force
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Previous attempts to solve the issue

Various proposals have also been put forward, including a draft treaty introduced at the Conference on Disarmament on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects and the proposal for an international code of conduct for outer space activities.

Possible Solutions

As shown, CBMs can be applied in a large variety of cases such as strictly military matters, but also for the implementation of treaties into national legislations or on matters where tensions between states might arise such as cyber security. What all of them share is the promotion of values central to the UN: cooperation, dialogue, and often transparency between states. Research has shown that CBMs in a regional and sub-regional context can also address this same variety of different fields and remain a highly applicable tool in the context of current events in international peace and security. Their particularity is to offer the opportunity to shape responses and measures

to the specific situations and needs of different regions. CBMs tailored to local and regional demands can prove to be more effective and should therefore be promoted.

Some potential measures that lead to greater confidence and better relations between states can be to set up an outer space alliance between all Member States, between which clear rules for outer space activities will be set up and all outer space activities or outer space plans will be recorded, so that transparency will be achieved and confidence between all Member States will arise.

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