Continuing Progress on Ensuring the Long-Term Sustainability and Security of the Space Environment
Conference on Disarmament Plenary
Frank A. Rose
Deputy Assistant Secretary for Space and Defense Policy
Bureau of Arms Control, Verification and Compliance

Geneva, Switzerland, June 10, 2014

Thank you, Mr. President. Excellencies, colleagues, I am pleased to join you today at the Conference on Disarmament and to have this opportunity to address an issue that is vital to the interests of the United States, as well as the entire global community: ensuring the long-term sustainability, stability, safety, and security of the space environment.

Since the beginning of the space age, the global community has been inspired by humanity's space endeavors and reaped the benefits of the use and exploration of outer space. Many may take these benefits for granted so we must ask ourselves: "what will the consequences be if the space environment were to become unusable?"

The use and exploration of space and the information we derive from these activities permeate almost every aspect of our daily lives. We are safer, healthier, and more knowledgeable—not to mention more connected—due to humanity's creativity, ingenuity and willingness to transcend the difficulties mankind faces in harnessing outer space. All nations and peoples have seen a radical transformation in the way we live our daily lives and in our understanding of our planet and the universe. Today there are more than sixty nations and many non-governmental entities that are space-faring or that benefit from space capabilities.

But space, a domain that no nation owns but on which all rely, is becoming increasingly congested from orbital debris, and contested from man-made threats that may disrupt the space environment, upon which we all depend. The globe-spanning and interconnected nature of space capabilities and the world's growing dependence on them mean that irresponsible acts in space can have damaging consequences for all of us. Therefore, it is essential that all nations work together to adopt approaches for responsible activity in space to preserve this domain for future generations.

And so we must ask ourselves: What is the best way forward?

Some of us would suggest we pursue new legally-binding arms control agreements. The United States is willing to consider space arms control proposals and concepts that are equitable, effectively verifiable, and enhance the national security of international participants. However, we have not yet seen any legally-binding proposals that meet these criteria.

Therefore, it is important to focus on those areas that unite us rather than divide us. There are many ways forward in which we do agree—space faring nations have cooperated in numerous ways since the beginning of the space age. It is in those areas that unite us, I believe, we should focus on achieving progress in the near term. This is because the United States wants to see a
future where humanity continues to benefit from space activities. As the U.S. National Space Policy states “All nations have the right to explore and use space for peaceful purposes, and for the benefit of all humanity, in accordance with international law.”

**Transparency and Confidence-Building Measures**

Mr. President, we must work together in a productive manner to address these challenges. I believe there are challenges that need to be addressed through practical, near-term solutions such as non-legally binding transparency and confidence-building measures (TCBMs) to encourage responsible actions in, and the peaceful use of, space. Such pragmatic, non-legally binding measures exist, have been agreed to by consensus in the past, can be implemented quickly, address the problem of debris, and address the growing potential for actions that threaten the space environment.

Let me discuss some of the practical initiatives that the United States has pursued and supported over the past several years. First, there is the Group of Governmental Experts (GGE) study of outer space TCBMs. Thanks to the constructive approach taken by the GGE chair, Victor Vasiliev, the Group reached consensus on the final report in July 2013. This GGE report was then adopted by consensus on December 5, 2013 by the United Nations General Assembly.

The GGE report endorsed voluntary, non-legally binding transparency and confidence-building measures to strengthen stability in space. It endorsed efforts to pursue political commitments — including a multilateral code of conduct — to encourage responsible actions in, and the peaceful use of, outer space and it demonstrates the importance and priority of working on these voluntary and pragmatic measures. This report should be a central element in our informal discussions this week.

For those committed to peaceful cooperation and collaboration in space, recommendations from the report provide useful, near-term steps to further our shared goal of a long-term sustainable space environment:

First, states should take steps to ensure the long-term sustainability of space by adhering to international guidelines to mitigate space debris and cooperate on orbital collision avoidance. For its part, the United States is an active participant in these efforts, which include bilateral experts’ workshops and multi-national technical exchanges, such as the UN COPUOS’s Working Group on Long-Term Sustainability of Outer Space Activities.

Second, the report encourages states to implement further information sharing measures. Such measures provide clarity of intent about military space activities and avoid misunderstanding and miscalculations which, in the realm of space, could prove catastrophic for all who benefit from space assets. For example, States could exchange information regarding national security space policies as well as military space expenditures. Such measures would build on the practices already employed by a number of countries, including the United States, which currently publish their “whole of government” space policies as well as national strategies for military space activities.
Third, States should consider pursuing political commitments, including a multilateral code of conduct, to encourage responsible actions in, and the peaceful use of, outer space. The United States actively supports and participates in the effort to develop an International Code of Conduct for Outer Space Activities, and we encourage all interested States to continue to engage in this process.

Fourth, the GGE recommends that States address harmful radio frequency interference and exchange information on space weather hazards. These recommendations deserve further consideration by the International Telecommunication Union and the World Meteorological Organization.

The United States welcomes proposals for development of additional TCBMs for outer space activities as long as they satisfy the criteria established in the consensus report. Per the GGE consensus report, criteria for non-legally binding TCBMs for outer space activities should:

- be verifiable by other parties in their application, either independently or collectively;
- be clear, practical and proven, meaning that both the application and the efficacy of the proposed measure must be demonstrated by one or more actors;
- and finally, reduce or even eliminate the causes of mistrust, misunderstanding and miscalculation with regard to the activities and intentions of States.

In this regard, the United States believes that European Union efforts to develop an International Code of Conduct for Outer Space Activities can serve as the best near-term mechanism for States to implement many of the GGE’s recommendations. Furthermore, we believe such a non-legally binding Code of Conduct, if signed by established and emerging space powers, could help solidify safe operational practices, reduce the chance of collisions or other harmful interference with nations’ activities, and strengthen stability in space. I attended the recent round of Open-Ended Consultations on the Code in Luxembourg, which I found to be very productive and constructive. The United States fully support the EU’s ambition of finalizing the Code this year.

In addition to the GGE and the Code of Conduct, the UN Committee on the Peaceful Uses of Outer Space (COPUOS) has also been doing important work to move forward in the development of new international long-term sustainability guidelines. The Scientific and Technical Subcommittee’s Working Group on Long-term Sustainability of Outer Space Activities is playing an active role in developing these recommended guidelines, which are being further reviewed in Vienna this week. We believe numerous areas covered by this COPUOS agenda item are fruitful for international discussion and cooperation, such as space situational awareness, space operations, space debris, and space weather. Furthermore, we welcome an opportunity to discuss implementation of specific bilateral measures, such as exchanges of information on national space policies and military space activities, and provision of spaceflight safety notifications to other spacefaring nations.

So, as I have outlined today, the United States will continue to take a leadership role in ensuring the long-term sustainability, stability, safety, and security of the space environment by promoting and putting into practice the landmark GGE consensus report and continuing to support EU efforts to
develop an International Code of Conduct for Outer Space Activities. These efforts keep the focus on those areas that unite us rather than divide us and offer us the best way forward.

Other Proposals

Mr. President, as the United States has made clear, we are prepared to engage in substantive discussions on space security as part of a Conference on Disarmament's consensus program of work. Indeed, as I have described, the United States is fully engaged across a wide range of bilateral and multilateral fora in pursuit of sustaining the space environment. However, some proposals fail to meet the set criteria for a valid TCBM, as identified in the GGE report. For example, in assessing a Russian initiative for States to make declarations of "No First Placement" (NFP) of weapons in outer space we conclude that it is neither verifiable, nor does it adequately and satisfactorily define a "space weapon."

The United States believes that arms control proposals and concepts should only be considered by the international community if they are equitable, effectively verifiable, and enhance the national security of all. In this regard, the U.S. analysis of the draft “Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects” (PPWT), introduced in 2008 at the Conference on Disarmament in document CD/1839, does not meet the necessary criteria and remains valid. In this regard I note the revised draft PPWT sent to delegations yesterday evening by Russia. We will conduct an in-depth analysis of the revised draft text, but our preliminary assessment is that the new draft text does not address the significant flaws in the 2008 PPWT. Namely, there is not effective verification regime to monitor compliance, and terrestrially-based anti-satellite systems posing the greatest and most imminent threat are not captured.

Conclusion

Mr. President, last year we observed the 50th anniversary of a key piece of outer space diplomatic history: the adoption by the United Nations General Assembly of the “Declaration of Legal Principles Governing the Activities of States in the Exploration and Uses of Outer Space.” This resolution, adopted by consensus in December 1963, laid out key principles, including that the exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind and that outer space is free for exploration and use by all States on the basis of equality and in accordance with international law, including the Charter of the United Nations. Just over three years later, the Principles Declaration formed the core for the 1967 Outer Space Treaty, which remains the foundation of the international legal framework for space activities along with the three other core treaties on space. It is important that we not lose sight of how much has been — and continues to be — achieved for humanity's common benefit within this framework. The United States believes any discussions on space security in the CD or other fora should support the continued vitality of these principles.

Mr. President, sustaining the space environment is critical for all of mankind—for our aspirations, our economies, our environment, our health, as well as our security. If we are serious about maintaining the space environment for future generations, we must support measures that promote
positive activities in space and refrain from proposing ineffective measures that will fail to unify us in solving the challenges we face in the space environment.

Fortunately, the current legal framework for space activities rooted in that declaration of legal principles of fifty years ago provides a solid basis for operating in space today. The GGE recommendations offer the best, most practical solutions for bolstering the international community's efforts to ensure the availability of the space environment for all of humankind. By working together on pragmatic steps, our nations and the international community can advance the long-term sustainability and security of the outer space environment for all nations and future generations.

We have already witnessed progress on many fronts in pursuit of a sustainable, stable, safe, and secure space environment. This progress did not happen by accident. It required the sustained commitment and hard work of many, many individuals and governments from around the world. Yet much more progress must be made to ensure our ever greater goals in space are not hindered by miscalculation, accidents, or shortsighted actions.

Thank you, Mr. President, and thank you to all of my colleagues here this morning.