

Outer Space and the United Nations

A backgrounder on what is being done to prevent an arms race in outer space at the UN

For many years, a ban on weapons in outer space has been a potential subject for disarmament negotiations within the United Nations. Several multilateral UN fora have taken up the issue:

United Nations General Assembly

The United Nations General Assembly is consensus-building body, where issues of international peace and security are collectively discussed among all UN member states. Its regular session convenes in September of each year, and after two weeks of General Debate, it breaks up into six specialized committees. Every member state is entitled to participate in each of the committees, where they consider proposals relevant to the substantive topics covered by the committee, and recommend resolutions for adoption by the General Assembly. While these resolutions are not legally binding, they can be normative—that is, they can indicate the establishment of customs, standards, and guidelines for appropriate behavior. Resolutions adopted by consensus also indicate substantive areas of agreement that are ripe for negotiation and can enable the creation of new treaties and the emergence of international legal norms. Furthermore, they demonstrate global governmental opinion, showing which governments support peace and security, and which choose to remain outside of or even impede the development of international cooperative security.

The General Assembly's work on disarmament is conducted through one of its main committees, the First Committee on Disarmament and International Security. Each year in the First Committee and then again in the General Assembly as a whole, a resolution on the **prevention of an arms race in outer space (PAROS)** is introduced and adopted by an overwhelming majority of UN member states. In fact, every country in the world votes in favor of negotiating a treaty on PAROS—except for the US, which has voted “NO” for the past three years, and Israel, which has abstained. The US administration argues that the existing multilateral arms control regime is sufficient, and that there is no need to address a non-existent threat. As one US representative said in 2006, “there is no—repeat, no—problem in outer space for arms control to solve.”

The PAROS resolution reaffirms the importance of the 1967 Outer Space Treaty, saying that PAROS efforts are in conformity with that Treaty. However, the resolution also notes that the current outer space legal regime “does not in and of itself guarantee the prevention of an arms race in outer space.” The PAROS resolution calls for states, especially those with space capabilities, to refrain from actions contrary to the objective of PAROS and to “contribute actively” to that objective. It argues for consolidation and reinforcement of the outer space legal regime, and says the Conference on Disarmament (see below) is the place for a new treaty on PAROS to be negotiated.

A PAROS treaty would complement the 1967 Outer Space Treaty, which aims to preserve space for peaceful uses, if it prevented the use of space weapons and the development of space-weapon technology and technology related to so-called “missile defense.” A PAROS treaty would also prevent any nation from gaining a further military advantage in outer space and would hopefully reduce current military uses of outer space.

In recent years, the UN General Assembly has started to move beyond merely calling on the Conference on Disarmament to commence negotiations on PAROS, to recommending measures on transparency and confidence-building in outer space. Many states have called on space-capable states to guarantee transparency in their outer space activities and to engage in confidence-building measures. In 2005, 2006, and 2007, Russia has introduced a resolution on transparency and confidence-building

measures in outer space activities. As with the PAROS resolution, the overwhelming majority of member states vote in favour of this resolution, with only the US objecting and Israel abstaining.

In 2007, the UN Secretary General released a report on “Transparency and confidence-building measures in outer space,” which contained perspectives on the matter from Austria, Bangladesh, Kenya, and Portugal on behalf of the European Union. The European Union proposed the development of a comprehensive code of conduct on space objects and space activities, and suggested guidelines for the general principles, scope, and participation for such a code. The EU is planning to submit a code of conduct to the Conference on Disarmament for further consideration.

Conference on Disarmament (CD)

PAROS has been a longstanding agenda item in the CD, the primary body where UN disarmament treaties are negotiated. The Conference established an “ad hoc committee” on PAROS in 1985 to examine and identify “through substantive and general consideration, issues relevant to [PAROS].” This committee lasted until 1994, though it made little progress. Annual CD reports suggested that the Western group of states, and in particular one state—presumably the United States—had been blocking the negotiation of a treaty banning weapons in space, or a treaty banning anti-satellite weapons, despite having made a proposal along these lines in 1981 that helped lead to the establishment of the ad hoc committee. The US stated openly in 1990 that it “has not identified any practical outer space arms control measures that can be dealt with in a multilateral environment.”

The CD did not reestablish the ad hoc committee in 1995. Since negotiating the Comprehensive Test Ban Treaty in 1996, the CD has been unable to reconvene any ad hoc committee or pursue negotiations on any subject. Despite this deadlock, certain states, particularly Russia and China, have continued to push for the CD to negotiate measures related to PAROS. In 2002, they submitted a joint working paper on “Possible Elements for a Future International Legal Agreement on the Prevention of the Deployment of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects.”

In 2008, Russia and China submitted a draft treaty for a ban on weapons in outer space to the CD, based on the elements outlined in their 2002 working paper. The US administration dismissed the proposal out-of-hand, characterizing the offer to make preserve space for peaceful uses “a diplomatic ploy by the two nations to gain a military advantage.” (See fact sheet on the draft treaty for more information.)

UN Committee on Peaceful Uses of Outer Space (COPUOS)

Also referred to as the Outer Space Committee, COPUOS was established in 1959 by the UN General Assembly in resolution 1472 (XIV) to review international cooperation in and devise UN programmes related to the peaceful use of outer space, encourage research and dissemination of information on outer space, and consider legal issues arising from the exploration of outer space. The Committee, which has 67 member states, and its two subcommittees—the Scientific and Technical Subcommittee and the Legal Subcommittee—meet annually in Vienna and their decisions are implemented by the UN Office for Outer Space Affairs.

In June 2007, COPUOS adopted debris mitigation guidelines, which had been developed by a working group on space debris in the Scientific and Technical Subcommittee over the past few years. The guidelines include measures to be considered for mission planning, design, manufacture, and operational (launch, mission, and disposal) phases of spacecraft and launch vehicle orbital stages. Member states have pledged to implement these guidelines within their national licensing or other applicable mechanisms “to the greatest extent feasible.”

The 2007 session of COPUOS also agreed on a draft resolution on the practice of states and international organizations in registering space objects to be submitted to the General Assembly, and approved a workplan for the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER).

More information

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