

# 2022 OPEN-ENDED WORKING GROUP ON REDUCING SPACE THREATS



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## Summary

In 2021, the United Nations General Assembly (UNGA) voted to convene an Open-Ended Working Group (OEWG) on “Reducing space threats through norms, rules and principles of responsible behaviours.” The OEWG on Reducing Space Threats held four week-long meetings across 2022 and 2023 that included more than seventy countries and featured some of the first substantive discussions on space security since the 2011 Group of Governmental Experts (GGE) on Transparency and Confidence-building Measures (TCBMs) in Outer Space Activities. Key issues discussed included perspectives on what constitutes a space threat, anti-satellite (ASAT) testing, uncoordinated rendezvous and proximity operations (RPO), the role of international humanitarian law (IHL) in space, and various ways to mitigate these challenges. While the OEWG was ultimately unable to come to consensus on a final report, it advanced the multilateral discussion on space security significantly by highlighting the value of norms in addition to legally-binding measures and bringing more countries into the conversation.

## History and Background

Space security discussions within the United Nations have been taking place since the early 1980s, although without much progress. Since 1985, most space security discussions have taken place within the Conference on Disarmament in Geneva, Switzerland, under the topic of “Prevention of an Arms Race in Outer Space” (PAROS).<sup>1</sup> Due to ongoing geopolitical tensions, the PAROS discussions have not yielded meaningful results and the CD as a whole saw continued gridlock through the early 2000s. In 2008, Russia and China introduced a draft treaty on the “Prevention of Placement of Weapons in Outer Space and on the Threat or use of Force against space objects” (PPWT). The PPWT was strongly opposed by the United States and its allies, who did not offer an alternative proposal.<sup>2</sup>

In 2008, the European Union initiated a draft International Code of Conduct for Outer Space Activities (ICOC) as a way to get around the roadblock in the CD.<sup>3</sup> While the EU itself was able to come to agreement on the ICOC, the attempt to bring onboard a broader group of states failed due to concerns about the discussions being held outside the UN and not including perspectives from emerging space states and developing countries.<sup>4</sup>

In 2011, the UN created the Group of Governmental Experts (GGE) on Transparency and Confidence-building Measures (TCBMs) in Outer Space Activities, which brought together 15 international experts nominated by Member States to discuss ways forward on space security issues.<sup>5</sup> The GGE on TCBMs met three times over two years and delivered a consensus final report to the UN Secretary General in July 2013. This was the first time the United States, Russia, and China all agreed to a UN report on space security, but many of the GGE’s recommendations ended up not being implemented.

In 2020, a UK-sponsored UNGA resolution requested member states to submit views to the UN Secretary General on what could be done to “promote responsible behaviours in outer space.”<sup>6</sup> More than 40 states and civil society observers submitted responses,<sup>7</sup> and based on those inputs, another UK-sponsored resolution was adopted overwhelmingly by the UNGA in December 2021 that established an OEWG on “Reducing space threats through norms, rules and principles of responsible behaviours.”<sup>8</sup> The resolution called for the OEWG to meet twice each in 2022 and 2023 and generate a report on a consensus basis back to the UNGA by the end of 2023.<sup>9</sup>

## Focus and Structure

An OEWG is a well-known type of UN process, although it has not been used for space security issues recently. Unlike the GGE process, which has a fixed number of participants who are meant to be independent of their governments, an OEWG is open to all UN members who would like to participate and the delegations do so in their official capacity. Over the course of the four meetings, more than 70 countries participated and 50 made statements, a significant increase over the countries able to participate in the 2011 GGE. In addition, most of the OEWG process was open to civil society organizations, enabling them to participate in what historically had been a states-only process.

The OEWG on Reducing Space Threats had a significant shift in focus from several of the previous space security efforts, especially PAROS. The OEWG was an attempt to shift the space security discussion from banning or controlling specific technologies to looking at actions and behaviors in space and developing a more unified perspective on threats to space security. It was also designed to be inclusive of both legally-binding measures, such as those championed by Russia and China with their PPWT, and voluntary norms, which were preferred by the United States and its allies. The discussion within the OEWG focused on five types of threats:

- Nature and uses of the outer space environment and space systems in relation to current and future threats by states to space systems
- Current and future Earth-to-space threats by states to space systems
- Current and future space-to-space threats by states to space systems
- Current and future space-to-Earth threats by states to space systems
- Current and future Earth-to-Earth threats by states to space systems

## Results and Next Steps

The four working sessions of the OEWG on Reducing Space Threats featured many substantive statements by dozens of countries across a range of space security topics, significantly more so than other recent multilateral space security discussions, as well as inputs from a range of civil society entities.<sup>10</sup> Key points of discussion included what constitutes a space threat, destructive anti-satellite (ASAT) testing, uncoordinated rendezvous and proximity operations (RPO), the role of international humanitarian law (IHL) in space warfare, the challenge of identifying responsible or irresponsible norms, and whether voluntary norms or legally-binding treaties were the best way to address these challenges.<sup>11</sup> Just before the first session, the United States announced a voluntary moratorium on destructive testing of ground-based ASAT missiles, which was echoed by 34 more countries over the course of the OEWG.<sup>12</sup>

However, despite this progress, the OEWG on Reducing Space Threats was ultimately unable to come to consensus on a summary report of their discussions, let alone a set of recommendations. This was largely due to blocking by Russia and China, which were two of the handful of countries who voted against the original UNGA resolution establishing the OEWG.<sup>13</sup> Russia, supported by a handful of nations including China, also argued the very concept of responsible behavior in space was divisive and illegitimate and should not be an item on the UN's agenda. This was opposed by a larger diverse group of 39 nations, led by the Philippines, who argued that there should at least be an informal summary of the discussions.<sup>14</sup>

While the OEWG on Reducing Space Threats ended without a formal report or set of recommendations, the space security discussions will continue. A new GGE on PAROS, championed by Russia and China and focused on their draft PPWT and other treaty proposals, will begin in November 2023.<sup>15</sup> It remains to be seen whether any progress will be made in those discussions, given the continuing U.S. opposition to a treaty-only approach, or whether there will be support for another OEWG to try and continue the work of this one.

## Endnotes

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