Multilateral Discussions of Norms for Space Security and Stability

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Note: This briefing is compiled entirely from public, unclassified sources
Norms in Space Governance

• Much of the existing space governance framework is based on norms
  – Example: Freedom of overflight for satellite reconnaissance
    • Launch of Sputnik in 1957 helped set the norm that satellite overflight did not breach territorial sovereignty
    • By mid-1960s, freedom of overflight was a generally accepted norm
    • Was not codified into “hard law” until Outer Space Treaty of 1967
• Norms are likely going to be the main mechanism to address future challenges
  – Far more space actors than ever before, with diverse interests and goals
  – Increasingly challenging to get global consensus on new “hard law”
SWF’s Counterspace Threat Assessment

• Space domain undergoing significant changes
• Existence of counterspace capabilities is not new, but the circumstances surrounding them are
• Discussions of space capabilities often veer quickly into classified territory
• *Global Counterspace Capabilities: An Open Source Assessment*
  – Significant research and development of a broad range of destructive and non-destructive counterspace capabilities in multiple countries: direct ascent, co-orbital, electronic warfare, directed energy, cyber
  – US, Russia, China, Iran, North Korea, India, France, and Japan
  – *Only non-destructive capabilities are actively being used in current military operations*
• [https://swfound.org/counterspace](https://swfound.org/counterspace)
Multilateral Discussions (1)

- Challenging to accurately include all stakeholders because very state-centric
- Limitations of the way the UN is set up to discuss space security issues
- OST
- PPWT/NFP
- Code of Conduct
- 2013 GGE on TCBMs
Multilateral Discussions (2)

• Space security discussions have been stymied at the multilateral level
  – Subsidiary Body 3 of the UN Conference on Disarmament
  – GGE on further practical measures for the prevention of an armed race in outer space (PAROS)
  – UN Disarmament Commission Working Group 2

• UK resolution “Reducing Space Threats through Norms, Rules and Principles of Responsible Behaviours” A/RES/75/36, Dec. 2020
  – Submit national views to UNSG by May 3
  – UNSG report in time for fall 2021 UNGA
Moving forward

• Question: which fora will be used for this? Will the discussions be bilateral, trilateral, multilateral?

• IncSea – for space?

• Improve general verification capabilities (SSA)

• Enhance communications

• KE-ASAT test ban
  – UNIDIR: no debris, low debris, notification
What are the LTS guidelines?

- In 2010, the United Nations Committee on the Peaceful Uses of Outer Space (UN COPUOS) established the Working Group on the Long-Term Sustainability (LTS) of Outer Space Activities.
- The Working Group was tasked with producing a set of voluntary, non-binding guidelines for all space actors to help ensure the long-term sustainable use of outer space.
- The Working Group’s mandate ended in June 2018, at which point the UN COPUOS member States reached consensus on 21 guidelines and a context-setting preambular text.
- In June 2019, the COPUOS plenary officially adopted these 21 guidelines, and agreed to create a working group under the agenda item of on the long-term sustainability of outer space activities of the Scientific and Technical Subcommittee.
The 21 LTS guidelines

- The 21 agreed guidelines comprise a collection of internationally recognized measures for ensuring the long-term sustainability of outer space activities and for enhancing the safety of space operations.

- 92 Member States agreed on these guidelines.

- Full text of agreed guidelines available in UN document A/AC.105/2018/CRP.20. The four major sections:
  - Policy and regulatory
  - Safety of space operations
  - Cooperation and capacity-building
  - Scientific and technical R&D
Woomera and MILAMOS Manuals

- MILAMOS
SWF Handbook for New Actors in Space

• **Goal:** Create a publication that provides an overview of fundamental principles, laws, norms, and best practices for safe, predictable, and responsible activities in space

• **Two specific audiences:**
  – Countries developing space programs and/or having to oversee and regulate their first satellites
  – Universities and start-up companies that are developing/operating satellites

[www.swfound.org/handbook](http://www.swfound.org/handbook)
Questions?

Thanks.

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