

30 April 2019

Original: English

Disarmament Commission

New York, 8–29 April 2019*
Agenda item 5

Concerns of the United States of America regarding the publication of non-consensus reports of the Group of Governmental Experts on further practical measures for the prevention of an arms race in outer space**Working paper submitted by the United States of America**

1. The United States welcomes the work in the Disarmament Commission to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space.
2. The United States appreciated the work of the Disarmament Commission in 2018, including the report of Working Group II, as it is our assessment that the most expeditious and effective way to reduce the risk of conflict occurring in outer space is through the development of practical norms and transparency and confidence-building measures, not protracted negotiations of an ineffective and unverifiable legally binding arms control agreement.
3. The United States regrets that one State has decided to publish a working paper containing the non-consensus report of the Group of Governmental Experts on further practical measures for the prevention of an arms race in outer space, which was established by the General Assembly pursuant to its resolution [72/250](#). The United States participated fully in the process of the Group of Governmental Experts and regrets that the Group could not reach a final consensus on the report.
4. The United States, however, cannot support the submission or consideration of a working paper that includes the non-consensus work of the Group of Governmental Experts.
5. The Group did not reach consensus due to concerns that the report was not balanced and did not reflect the substantive discussions of the Group, the legitimate concerns of the experts or the context of the Group's deliberations.
6. In the United States' view, the draft report of the Group did not take into account the significant division of views regarding the fundamentally flawed premises underlying the draft treaty on the prohibition of the placement of weapons in space

* The 2019 substantive session of the Disarmament Commission did not take place during the dates mandated by the General Assembly in its resolution [73/82](#).



proposal and on the way ahead. It also did not adequately address the challenges inherent in space arms control proposals, such as verification and definitions, nor did it adequately reflect our concerns about the ongoing lack of trust between nations.

7. Because the report did not attain consensus in the Group of Governmental Experts, it is unlikely to gain consensus in this group. The United States will not conduct any discussions in future sessions of the Disarmament Commission or in any other body on the basis of the above-mentioned working paper.

8. Submitting a non-consensus report of a group of governmental experts as a working paper to the Disarmament Commission sets the unfortunate precedent that if a United Nations group of governmental experts could not reach consensus on a final report, the non-consensus report can simply be published in a different forum.

9. This precedent of submitting a non-consensus working paper of a group of governmental experts as a working paper damages the credibility of groups of governmental experts by encouraging the future publication of divisive, non-consensus work and is likely to reduce States' willingness to participate in such groups or adopt a group's work. Moreover, it will discourage experts' candour if their recommendations or objections will simply be set aside by any country willing to publish the results of a group of governmental experts, even if not agreed by consensus.

10. Regardless of their views on the material in the draft report of this Group of Governmental Experts, the States in this room should consider the implications of allowing or supporting this precedent. Over the years there have been a number of reports of groups of governmental experts that did not attain consensus and there are likely to be many more in the future. The United States does not break consensus lightly, but when we do break consensus, we expect that act to be respected. Likewise, we may not agree when another country breaks consensus on a document we support, but we respect that country's right to do so.

11. The United States looks forward to the continued efforts of the Disarmament Commission during its 2020 session. We hope that it will be able to achieve results in the implementation of transparency and confidence-building measures.
