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13th meeting**

Summary record of the joint ad hoc meeting of the First and Fourth Committees on possible challenges to space security and sustainability

Held at Headquarters, New York, on Thursday, 22 October 2015, at 3 p.m.

Co-Chair: Mr. van Oosterom (Chair, First Committee) (Netherlands)

Co-Chair: Mr. Bowler (Chair, Fourth Committee) (Malawi)

Contents

Agenda item 53: International cooperation in the peaceful uses of outer space
(*continued*)

Agenda item 97 (dd): Joint ad hoc meeting of the First and Fourth Committees on possible challenges to space security and sustainability

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The meeting was called to order at 3 p.m.

Agenda item 53: International cooperation in the peaceful uses of outer space (*continued*)

Agenda item 97 (dd): Joint ad hoc meeting of the First and Fourth Committees on possible challenges to space security and sustainability

1. **Mr. Bowler** (Co-Chair) said that he was chairing the meeting jointly with the Chair of the First Committee, who would guide the first part of the proceedings. The joint ad hoc meeting, convened pursuant to General Assembly resolution 69/38, was an innovative effort to allow the respective Committees to discuss potential challenges to space security and sustainability. It was clear that the long-term security and safety concerns about the sustainable operations of space activities needed to be actively addressed, especially in the context of the global development agenda. Any efforts to do so on a broader level must relate to the fundamental development needs of all nations and peoples. The newly-adopted 2030 Agenda for Sustainable Development and its main areas of focus, namely, people, planet, prosperity, peace and partnership, were all closely related to possible challenges to space security and sustainability. The international community must ask what needed to be collectively done to secure the future use of space assets in order to ensure that operational space activities continued to be safe and secure for the sustainable development of societies, planet Earth and the near-Earth environment as a whole. In the broader sense, ensuring space security would require trust, confidence and sustainability-building measures as well as mechanisms for the safety of space operations.

2. As the United Nations addressed the various man-made and naturally-caused hazardous phenomena and emergency situations in outer space, including asteroids, space weather, orbit collisions, loss of spacecraft control and the re-entry risks posed by space debris, it should keep in mind the significant role of space applications in poverty eradication, food security, health education, energy, climate change, marine resources, biodiversity and disaster management, among others. The 17 Sustainable Development Goals offered a unique opportunity to reflect on the future role of space exploration science and technology as indispensable tools in the international community's efforts to address global challenges. Development, sustainability and space security went hand in hand in

establishing space governance goals for the benefit of all humanity.

3. *Mr. van Oosterom (Co-Chair) took the Chair.*

4. Mr. van Oosterom (Co-Chair) said that, while outer space provided ample opportunities for human activities and development, it remained a fragile environment. To address that issue, the international community had first discussed the relevance of transparency and confidence-building measures for outer space activities in 1993. Twenty years later, in 2013, the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities had recognized in its report (A/68/189) that the advancement of such measures required coordination and support across the full range of United Nations bodies dealing with the security and sustainability of outer space. The General Assembly had decided during its sixty-eighth session to refer the Group's report to the Committee on the Peaceful Uses of Outer Space (COPUOS), the Disarmament Commission and the Conference on Disarmament, and at its sixty-ninth session it had decided to convene the current joint ad hoc meeting. The need for effective coordination was demonstrated by various ongoing initiatives addressing many of the issues highlighted in the report, which included continuing efforts within COPUOS to develop guidelines on the long-term sustainability of outer space activities. The current meeting contributed to the effective coordination of international efforts to ensure space security and sustainability.

Introductory statements

5. **Mr. Vasiliev** (Chair, Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities) said that the ultimate goal of space security and sustainability could be achieved only through synergy and interaction between actors, which was why the Group of Governmental Experts had recommended convening the current joint meeting of the First and Fourth Committees. The Group's aim had not been to establish a new initiative, but to take stock of existing instruments and practices, identify gaps and propose ways to enhance space security and sustainability.

6. The Group had acknowledged five major international instruments and treaties on outer space containing several transparency and confidence-building measures: the 1967 Treaty on Principles

Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies (Outer Space Treaty), the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, the 1972 Convention on International Liability for Damage Caused by Space Objects, the 1976 Convention on Registration of Objects Launched into Outer Space and the 1984 Agreement Governing the Activities of States on the Moon and Other Celestial Bodies. Several bilateral agreements also existed among spacefaring nations on exchanges of information, while such organizations as the International Telecommunication Union (ITU) and the World Meteorological Organization (WMO) maintained procedures to regulate their spectrum of space assets.

7. The Group had noted important ongoing initiatives such as the work of the COPUOS Working Group on the Long-term Sustainability of Outer Space Activities, the work of the European Union to promote an international code of conduct for outer space activities and the discussions of the First and Fourth Committees of the General Assembly. Some Member States had also undertaken initiatives not to be the first to place weapons in outer space.

8. At the culmination of three sessions and extensive intersessional work, the Group had issued a report (A/69/189) containing both an overview of the general characteristics and basic principles of outer space transparency and confidence-building measures and a series of steps to enhance them. The Group had agreed that the proposed measures should be of a voluntary, non-legally-binding nature, without prejudice to the implementation of obligations deriving from existing legal commitments, and that they could not substitute legally binding arrangements. The report's specific recommendations to enhance the transparency of outer space activities included exchanging information on the principles and goals of outer space policies, major military outer space expenditure and other national security space activities; exchanging information and providing notification on such matters as the orbital parameters of outer space objects, potential orbital conjunctions, forecast natural hazards in outer space and spacecraft launches; and implementing risk reduction notifications, including with regard to scheduled manoeuvres, uncontrolled high-risk re-entry events and other emergency situations. The Group had also

recognized that, although its objectives were ambitious, it must remain realistic. It had therefore sought to put forward proposals that were practical, viable and did not undermine States' sovereign rights or security.

9. The latest developments to promote space security and sustainability proved that the Group had been on the right track in making the recommendations contained in its report. The current meeting would add to the synergies between various United Nations bodies dealing with space security and increase understanding on how they could complement each other's work. It would also be important to universalize all arrangements affecting space security and sustainability and to ensure their strict implementation. In that regard, the General Assembly should call upon States that had not yet become parties to the various international treaties governing the use of outer space to consider ratifying or acceding to them.

10. In preparing the report, the Group had cooperated with other international organizations and bodies, including COPUOS, ITU and WMO, receiving responses and proposals from over 50 countries and working closely with non-governmental organizations. While all input had been considered, the report was ultimately the work of the Group's 15 experts. Although it had been adopted and later approved by consensus by the General Assembly in resolution 68/50 — the first consensus reached on the issue in decades — work on transparency and confidence-building measures, as well as on the draft International Code of Conduct for Outer Space Activities, should continue under the purview of universal or established United Nations bodies. In that regard, it would be important to find an appropriate procedure and platform to advance the draft International Code of Conduct.

11. The introduction of the updated 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 at the Conference on Disarmament in 2014 indicated that the international community was also moving toward a legally binding treaty banning weapons in outer space. In the meantime, some countries and regional organizations had made a very important commitment not to be the first to place weapons in space. He strongly encouraged broader support for that initiative. While there were many elements to achieving space security and sustainability, each of which was needed to complete the picture,

transparency and confidence-building measures provided the background for the picture as a whole.

12. **Mr. Martinez** (South Africa), Chair of the COPUOS Working Group on the Long-term Sustainability of Outer Space Activities, speaking via video link from Cape Town, South Africa, said that space science and applications were now an integral part of people's daily lives and were used in such activities as meteorological forecasting, climate modelling and satellite navigation systems. Nevertheless, as the amount and diversity of space activities increased, so did the challenges to space security and sustainability. Such challenges were inherently multilateral. In multilateral space diplomacy, the international community had the chance to collaboratively find ways not only to expand access to the benefits of space, but also to ensure that the space environment was preserved and protected for future generations' use.

13. The objectives of the Working Group on the Long-term Sustainability of Outer Space Activities, established in 2010 by the COPUOS Scientific and Technical Committee, included identifying areas of concern for the long-term sustainability of those activities and proposing measures in the form of voluntary non-legally-binding guidelines to enhance the safe and sustainable use of outer space for peaceful purposes and for the benefit of all countries. The Working Group had established four expert groups to focus on the areas of sustainable space utilization; space debris, space operations and tools to support collaborative space situational awareness; space weather; and regulatory regimes. Each expert group had compiled information and provided analysis on the current practices, procedures and cross-cutting issues related to its topic, identified gaps in existing approaches, proposed candidate guidelines and recommended topics for future consideration by COPUOS. By mid-2013, the Working Group had had before it a compilation of candidate guidelines proposed by the four expert groups, which in 2014 it had consolidated to reduce duplication and overlaps. Several Member States had proposed additional draft guidelines and the Working Group had agreed to extend its work plan to 2016.

14. The Working Group, which operated under the auspices of the Fourth Committee, had been tasked with considering appropriate linkages between its work and that of the Group of Governmental Experts, which

was carried out under the auspices of the First Committee. Although the Working Group's draft guidelines were still under negotiation, it was already possible to identify some correspondence between them and the Group's recommendations, including in relation to exchanges of information on orbital parameters of outer space objects, the registration of space objects, and notifications relating to scheduled manoeuvres that might result in risk to the flight safety of other space objects. In 2015, the Working Group had streamlined the draft guidelines to eliminate overlaps and identify gaps, discussed their structure and format and considered additional guidelines and new substantive proposals made by Member States.

15. In October 2015, the Working Group had held an intersessional meeting in Vienna, continuing productive discussions on the policy and regulatory framework for space activities; the safety of space operations; international cooperation, capacity-building and awareness; scientific and technical research and development; and the implementation and updating of the proposed guidelines. While the Working Group had yet to reach consensus on all 28 draft guidelines and differing opinions had been expressed at the recent intersessional meeting, Member States' engaged participation and continued active interest in its work pointed to a global acknowledgement of the need for a voluntary multilateral guiding instrument for the safe and sustainable conduct of outer space activities that balanced the interests of nations at various levels of space development.

16. The Working Group also recognized that space activities were increasingly being carried out by non-State actors, which had amassed valuable experience in the safe conduct of those activities. A workshop had been organized in 2013 to give representatives of national non-governmental organizations and private sector entities an opportunity to share their experiences with the Working Group's members.

17. **Ms. Di Pippo** (Director, United Nations Office for Outer Space Affairs) said that the Office served as the secretariat for COPUOS and its subsidiary bodies. In addition to discharging the Secretary-General's responsibilities under the United Nations treaties and principles on outer space, it was tasked with assisting in global efforts to enhance international governance in the long-term sustainability of outer space activities. In that connection, it was mandated, under the 1975

Convention on Registration of Objects Launched into Outer Space, to maintain the United Nations Register of Objects Launched into Outer Space, which functioned as the core mechanism for treaty-based transparency and confidence-building. It was important to recognize the impact of General Assembly resolution 62/101 on registration practice, since several States increasingly used its recommendations to provide additional and voluntary registration data that they deemed appropriate for enhancing the safety of space operations.

18. With the evolution of space awareness in society, COPUOS was positioning itself at the forefront of the overarching global sustainable development process, including by addressing challenges to space security and sustainability. In the context of preparations for the fiftieth anniversary of the first United Nations Conference on the Exploration and Peaceful Uses of Outer Space, the Committee would review space cooperation and coordination efforts to foster stronger space governance and global partnerships. At its fifty-eighth session in June 2015, COPUOS had requested that the Office should prepare a special report of the Inter-Agency Meeting on Outer Space Activities (UN-Space) on the implementation of the report of the Group of Governmental Experts, for consideration at its fifty-ninth session, and that it should coordinate the preparation of that report with other relevant United Nations entities. The report would address how United Nations entities supported the implementation of transparency and confidence-building measures in outer space activities in accordance with their existing mandates and would identify how those entities could assist Member States in implementing the Group's recommendations, as well as addressing means of coordinating the work of United Nations entities in line with the recommendations of the Group's report.

19. The Office stood ready to cooperate with relevant United Nations entities, in particular the Office for Disarmament Affairs, to advance cooperation and coordination within the United Nations system to support Member States. Enhanced capacity-building, outreach and awareness-raising were fundamental to establishing transparency and confidence-building measures. The two Offices were well suited to making joint efforts in that regard, particularly for the benefit of developing countries.

20. **Mr. Kim Won-Soo** (Acting High Representative for Disarmament Affairs) said that the unprecedented

nature of the current joint meeting reflected Member States' growing recognition of the need to comprehensively address the cross-cutting aspects of security challenges in outer space.

21. The Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, the first such group established on that issue for 20 years, had been able to achieve initial consensus on recommendations for voluntary transparency and confidence-building measures in outer space. It had also recognized the need for cooperation across United Nations entities and, in that regard, relevant entities, including the Office for Disarmament Affairs, had already begun to collaborate with each other beyond their respective mandates. Under General Assembly resolution 68/50, his Office had transmitted the report of the Group of Governmental Experts to COPUOS, the Disarmament Commission and the Conference on Disarmament and circulated it to all relevant United Nations entities, as well as holding regular meetings with the Office for Outer Space Affairs to ensure effective coordination on the implementation of transparency and confidence-building measures. The two Offices were fully prepared to implement the cooperative mechanism set forth in the Group's report and would accelerate their joint work as soon as Member States agreed on how they wished them to proceed.

22. Member States were holding continued discussions in various forums to find a consensual way forward. Most recently, in July 2015, the meeting on multilateral negotiations on an International Code of Conduct for Outer Space Activities, convened by the European Union, had resulted in a common understanding that future meetings should be conducted within the framework of the United Nations; however, Member States had yet to agree on the modalities for such future meetings. The Secretariat fully respected the prerogatives of Member States and would be guided by their decisions.

23. At a time of growing uncertainty in the international security environment, transparency and confidence-building measures were needed more than ever to lower the risk of unintended conflict by mitigating misunderstandings. Member States must build on the considerable work accomplished so far and find common ground for a way forward.

General debate

24. **Mr. Isnomo** (Indonesia), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement shared the international community's desire to strengthen the safety, security and long-term sustainability of outer space activities and to ensure that outer space was used for peaceful purposes and for the benefit of all States, irrespective of their degree of social, economic or scientific development.

25. The exploration and use of outer space for exclusively peaceful purposes was a common interest of all mankind and a sovereign right of all States. Preventing an arms race in outer space, including through a ban on deploying or using weapons therein, would avert a grave danger for international peace and security. Strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime regarding the use of outer space, was therefore of paramount importance.

26. The Movement recognized the relevance of drafting a voluntary multilateral code which would set forth rules of conduct in outer space that were acceptable to all States, without prejudice to the need to negotiate, at the Conference on Disarmament, a legally binding instrument on the prevention of an arms race in outer space, which must remain a priority. The drafting of such a code should be consistent with the respective mandates of all relevant United Nations bodies and should be based on inclusive, transparent and consensus-based multilateral negotiations within the framework of the United Nations, according to a proper and unequivocal mandate without specific deadlines and taking into account the interests of all States regardless of their level of development, in order to reach a balanced outcome that addressed the needs and reflected the concerns of all participants. Such a code should actively promote international cooperation in the peaceful uses of outer space and should not include discriminatory provisions that would establish thresholds limiting the equal right to the exploration and use of outer space by developing countries and emerging spacefaring nations.

27. **Mr. Bylica** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process country Bosnia and Herzegovina;

and, in addition, Iceland, the Republic of Moldova and Ukraine, said that space technologies would be essential for overcoming many of the challenges faced by the international community in delivering the ambitious 2030 Agenda for Sustainable Development, in such areas as climate change, disaster management, health and environmental protection. The European Union had developed strong space capabilities and had established a unified European space policy, with key priorities including global navigation and Earth observation through the flagship Galileo and Copernicus programmes, and space research.

28. The space environment currently faced significant challenges stemming from the proliferation of dangerous orbital debris, which increased the likelihood of destructive collisions, the crowding of satellites, the growing saturation of the radio-frequency spectrum and the threat of deliberate disruption or destruction of satellites. Such challenges called for the serious and timely involvement of States to ensure greater safety, security and sustainability in outer space. The European Union attached considerable importance to the development and implementation of transparency and confidence-building measures as a means of strengthening security and ensuring sustainability in the peaceful use of outer space; it was for that reason that it had proposed a non-legally-binding international code of conduct for outer space activities.

29. The meeting on multilateral negotiations on an International Code of Conduct for Outer Space Activities, convened at United Nations Headquarters in July 2015 at the initiative of the European Union, with the assistance of the United Nations Office for Disarmament Affairs, had been well attended. Regrettably, it had not been possible to commence negotiations; however, the European Union was confident that the extensive discussions held would help the international community move forward on that process. General scientific progress had been so rapid that many military activities now relied on the civilian technologies deployed in space. The deeply integrated nature of human activity in outer space demanded that the international community should consider future measures to improve international governance in outer space in a holistic manner, as envisaged in the proposed Code.

30. **Mr. Rose** (United States of America) said that in the current dynamic environment, in which more than

60 nations and numerous government consortiums, scientists and commercial firms accessed and operated satellites for economic, scientific, educational and social purposes, and international space systems and activities benefited not only their immediate users, owners and operators, but also the global economy and security environment, it was clear that no one nation could address such challenges as orbital congestion, collision avoidance and the continued development of destructive counter-space capabilities. International cooperation to address those challenges must be achieved through practical means. In that regard, the July 2013 consensus report of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities (A/68/189) offered a solid starting point for discussions on addressing challenges to space security and sustainability and provided useful criteria for considering new concepts and proposals for transparency and confidence-building measures. It also encouraged responsible actions in and the peaceful use of outer space. In that regard, the United States had pursued a range of bilateral space security exchanges and offered support to all spacefaring nations to reduce the chances of accidental satellite collisions. Furthermore, the United States was already implementing many of the specific transparency and confidence-building measures contained in the report, including information exchanges, risk reduction notifications, contacts and visits, international cooperation, outreach and coordination.

31. His Government also supported efforts in multiple forums to implement the report's recommendations by encouraging responsible actions by all nations in the peaceful use of outer space. It had joined the Russian Federation and China in sponsoring General Assembly resolutions 68/50 and 69/38, which encouraged Member States to review and implement, to the greatest extent practicable, the proposed transparency and confidence-building measures contained in the report and to refer its recommendations to the Conference on Disarmament, the Disarmament Commission and COPUOS, and would sponsor another similar resolution in the First Committee at the current session. The international community should focus on pragmatic forms of international cooperation that advanced implementation of the report's recommendations.

32. At its June 2015 session, COPUOS had considered the report's recommendations and had reviewed the submissions of its members. The United States submission had highlighted his Government's implementation of the transparency and confidence-building measures contained in the report, in particular those that were relevant to the work of the Committee's Working Group on the Long-term Sustainability of Outer Space Activities.

33. **Mr. Quinn** (Australia), noting that there had been useful exchanges on the key principles of the norms of conduct that would help preserve outer space for the global common good, said that, while the adoption of a legally binding treaty was a worthwhile longer-term ambition, there were important non-legally-binding confidence-building measures that should be undertaken as soon as practicable before entering what would be complex and protracted negotiations on a legally binding treaty covering both civil and military uses of outer space. In that regard, the Group of Governmental Experts had already recognized the value of developing transparency and confidence-building measures. His delegation also urged COPUOS to finalize its guidelines on the long-term sustainability of outer space activities.

34. The proliferation of space debris was a major concern for Australia. Orbital debris affected spacefaring and non-spacefaring countries alike, since they all relied to varying degrees on satellite-dependent services. The unchecked proliferation of said debris could lead to a tipping point that would render space too expensive or dangerous for collective use. The international community should therefore support stronger regulations against the creation of further space debris. His delegation remained flexible, pragmatic and open-minded with regard to the best way to proceed and would actively consider all ideas and issues raised at the current joint meeting. One of its key objectives was to pursue practical initiatives in an inclusive and consultative manner and to avoid the polarization that had beset space security issues in the recent past. It welcomed the increased attention to be given to space issues at future sessions of the General Assembly.

35. **Mr. Saito** (Japan) said that the current joint meeting was important and timely because the structure of multilateral forums had not caught up with the reality of outer space activities. The distinctions between civil and national security activities in outer

space were becoming more blurred. The issue of ever-increasing space debris, in particular, could not be clearly attributed to either civil or national security activities. The international community thus needed to address outer space challenges in a comprehensive manner. A good example of such efforts was the process to develop an International Code of Conduct for Outer Space Activities, led by the European Union. The proposed Code addressed all activities in outer space and stipulated measures for preventing the further creation of space debris, regardless of its intended purpose. Among other things, it would require States to refrain from any action causing direct or indirect damage or destruction to space objects such as satellites. It would also provide for a notification and information-sharing mechanism and a consultation mechanism.

36. Space debris mitigation measures must also be implemented urgently, since such debris was a real threat to all types of entity conducting space activities. His Government would intensify its efforts in the field of space situational awareness and in developing space debris removal technology. As stated in its latest Basic Plan on Space Policy, approved in January 2015, it intended to construct space situational awareness-related facilities and the required operational framework by the 2020s.

37. **Mr. Yermakov** (Russian Federation) said that the current joint meeting reaffirmed the significance and complexity of space security and the inextricable link between all outer space issues. The question that must be answered, which would dictate the content and course of all future discussions, was whether there would be weapons in outer space.

38. In the modern world, an increasing number of States used outer space for both civil and national security purposes. The international community's common strength lay in the fact that it had to date managed to keep outer space free from any kind of weapons and from intergovernmental military confrontation. An absolute majority of Member States firmly supported the prevention of an arms race in outer space, the prevention of the threat or use of force against outer space objects and the draft treaty on the prevention of the placement of weapons in outer space. However, given the development of ever more advanced military technologies and the political and military aspirations of certain States, the threat of weapons being deployed in outer space was growing.

39. His delegation recalled that, under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems, the use of weapons in outer space had been deemed unacceptable. However, in 2001, the United States had unilaterally withdrawn from that treaty. To prevent an outer space arms race analogous to the nuclear arms race which the United States had instigated when it had deployed nuclear weapons, the Russian Federation had taken immediate action, upon the withdrawal of the United States, to begin the development of transparency and confidence-building measures in outer space activities. It had then promoted the globalization of political commitments to no first placement of weapons in outer space, with the ultimate aim of establishing a legally binding treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects. His delegation called on all States to join that global initiative before it was too late. The international community should not repeat the mistakes of the past. Introducing weapons in outer space could disrupt the entire international security system.

40. His country clearly understood the position of the United States, whose national doctrine on outer space established the aim of dominating all other States and provided for the possibility of conducting military operations against other States' orbital property. The Russian Federation failed to understand why delegations such as Australia, Canada, Japan, the Republic of Korea and the European Union would pay lip service to the prevention of an arms race in outer space while doing everything in their power to undermine the globalization of the initiative against first placement of weapons in outer space. All States must recognize that without resolving the issue of the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, it would be difficult to resolve the remaining space security issues. His delegation called on all States to continue their comprehensive dialogue on space security and to join the global "no first placement of weapons in outer space" initiative.

41. **Mr. Laggner** (Switzerland) said that as the uses of space for the development, economic well-being and security of States became more crucial, the challenges associated with the sustainable use of outer space were growing and diversifying. Cooperative approaches were necessary to meet those challenges and it was

essential to develop both politically and legally binding norms to ensure the safety, stability and long-term use of outer space. As with any process aimed at strengthening the international normative framework, discussions would be required to clarify certain remaining questions and reach a common understanding of the concepts involved in the use of outer space as well as the nature of the norms to be developed and the forums in which to do so.

42. The security and stability of outer space and the long-term sustainability of space activities were interdependent and must be addressed in a holistic manner. His delegation therefore welcomed the opportunity provided by the current debate bringing together the space and disarmament communities and hoped that further opportunities for global cross-cutting reflection would arise. Certain specific topics which were currently not subject to extensive deliberation in any forum, such as the exercise of the right to self-defence in outer space, deserved joint consideration by both communities. Further efforts within the United Nations for the transparent and inclusive development of an international code of conduct for outer space activities, on the basis of the European Union proposal, would give practical shape to the synergies created by the current meeting. The representatives of the First and Fourth Committees must adopt a pragmatic and constructive approach in order to overcome the obstacles facing certain initiatives relating to outer space. It was their duty — and in their common interest — to find solutions that would allow future generations to continue to use outer space for peaceful purposes.

43. *Mr. Bowler (Co-Chair) took the Chair.*

44. **Mr. Duarte** (Brazil) said that as a developing country with a peaceful space programme, Brazil fully shared the view, outlined in the landmark Outer Space Treaty, that space activities must be carried out in conformity with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international cooperation and understanding. The complexity of developments in space activities required all countries to respond with effective legal solutions negotiated in the framework of the United Nations to preserve space as a peaceful environment.

45. Brazil remained committed to the work done by COPUOS to that end through the establishment of

relevant guidelines. It was important to ensure that developing countries could fully benefit from space technologies and applications by promoting data democracy policies and the use of open source software applications. The world relied greatly on space-based resources, which provided essential services for a myriad of peaceful activities. Any use of force in outer space, including weaponization, was therefore incompatible with the long-term sustainability of outer space activities.

46. His country had long held that the Conference on Disarmament should negotiate a legally binding instrument on preventing an arms race in outer space. Such a treaty should not interfere with the unimpeded peaceful use of outer space but should be sufficiently clear to ban the placement of weapons and the use of satellites as weapons, and should prohibit any sort of attack on devices in orbit. The revised version of the draft treaty on the prevention of the placement of weapons in outer space introduced by the Russian Federation and China was a positive development with a view to starting negotiations. Brazil was among a growing number of countries advocating high-level commitment to a policy of no first placement of weapons in outer space, as an interim step pending the adoption of a legally binding instrument.

47. **Mr. Fu Cong** (China) said that, with the advancement of space exploration and utilization, space security was being affected by multiple factors and the international community was gaining a deeper understanding of the need to ensure the security and long-term sustainability of outer space. The current joint meeting provided an opportunity to contemplate and work for more consensus on ways to address challenges to space security and sustainability. In-depth discussions on those issues could be conducted only on the basis of a full and comprehensive understanding of space security threats. The rapid development of space technology and access to such technology had increased the challenges of space environmental degradation, space congestion and space debris. Furthermore, as the strategic importance of outer space became more pronounced, there was a growing trend towards space weaponization, which was increasingly affecting space security and the international strategic architecture, and posed the biggest challenge to space security and sustainability. It was therefore necessary to negotiate a new legally binding instrument on space arms control to

consolidate and reinforce the existing legal regime and so ensure that outer space was used solely for peaceful purposes.

48. Delegations should work to foster closer cooperation and synergy among relevant United Nations mechanisms and institutions. More importantly, they should arrive at a more comprehensive understanding of space security and sustainability and make efforts to reach consensus on three main issues. The first was the need to maintain the peaceful nature of space. China and the Russian Federation, attaching great importance to the comments made by some countries in relation to the updated version 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, introduced in June 2014, had submitted another working paper containing follow-up comments in September 2015. He called on all parties to conduct discussions in an open and constructive manner in order to initiate negotiations on a multilateral outer space arms control treaty at an early date. Second, while appropriate and feasible transparency and confidence-building measures in outer space activities could complement efforts to prevent an outer space arms race, it must be emphasized that countries with different space capabilities might have different concerns and that their ability to accept a specific measure might also vary. Multilateral discussions on that subject must be conducted in an equal and open manner to ensure that agreed measures could be implemented smoothly and effectively. Third, the pragmatic promotion of international cooperation was indispensable for attaining space security and sustainability. Spacefaring nations should take responsibility for providing public goods and should help nations with limited or no space capabilities to enjoy the benefits of space exploration. China had done much in that regard, having entered into bilateral space cooperation agreements with 30 countries, provided satellite launching services to more than 10 countries and promoted the international application of the BeiDou Navigation Satellite System. China was willing to expand cooperation in the peaceful use of outer space with interested States and would continue to work with the international community for more equal and equitable use of outer space.

49. **Mr. Mati** (Italy) said that his country, aware of society's increasing reliance on the use of outer space,

underscored the urgent need to guarantee its peaceful use and to address potential escalation dynamics and the possible security risks arising therefrom. As a party to the core United Nations treaties on outer space and to more than 60 bilateral agreements with both spacefaring and developing countries, Italy actively participated in different regional and international organizations and interagency committees relating to the development and peaceful use of outer space. It had also participated actively in the work of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities and looked forward to the concrete implementation of the Group's 2013 report, particularly with regard to the draft International Code of Conduct for Outer Space Activities proposed by the European Union. Well-designed voluntary measures for outer space activities, such as those included in the draft International Code of Conduct, could complement existing international legal frameworks without undermining standing obligations. Such measures were not intended to hamper the lawful use of outer space, but would benefit and preserve such use, particularly in the interests of emerging space actors.

50. Italy remained convinced that a code of conduct would be a useful confidence-building measure in line with the recommendations of the Group of Governmental Experts, as endorsed by the General Assembly, and constituted a first step towards the communication needed to prevent misunderstandings and avoid unnecessary tensions. Its implementation could provide the momentum for the establishment of more stringent and legally binding rules in the longer term. The code of conduct should be a pragmatic instrument, based on a preventive approach, to foster international cooperation to enhance the safety, security and sustainability of outer space, for the benefit of both spacefaring and non-spacefaring countries. Italy therefore valued the useful elements derived from the debate during the multilateral meeting held in New York in July 2015, which confirmed the continued importance of and interest in a space code of conduct, and was confident that the outcome of that meeting would foster further positive developments.

51. **Ms. Guitton** (France) said that the joint ad hoc meeting responded to the international community's awareness that while outer space was a vital resource that could be used in numerous specific ways and was fundamental to international security, the increasing

use of outer space meant that humanity was becoming more and more dependent on space-based facilities and there were a number of challenges to its capacity to use outer space fully and freely, including space environment degradation owing to accidental collisions or deliberate destruction of space objects. The resultant risks to all space activities called for a comprehensive response covering civilian as well as military aspects.

52. All current and potential spacefaring nations must seek to establish a climate of confidence and transparency as a central requirement for the continued development of space activities, which, in turn, would help to prevent an arms race in outer space. France was, in principle, open to the establishment of instruments and initiatives to that end within the programme of work agreed and prioritized in the Conference on Disarmament. Above all, there was a need to encourage responsible practices through the development of voluntary transparency and confidence-building measures. France welcomed the progress made in that regard, particularly in the work of COPUOS on the long-term sustainability of space activities, in which it was participating actively so as to finalize the relevant operational guidelines. The draft International Code of Conduct for Outer Space Activities also responded to the dual need for a comprehensive approach and transparency and confidence-building measures.

53. Given the need for rapid action and responsiveness, the current meeting could provide real added value. The sustainability of space activities was fundamental to the economic growth and development of an increasing number of countries. Further degradation in the use of outer space must be avoided if space applications were to benefit all countries, particularly developing countries. A collective response was needed in order to preserve access to outer space for future generations while continuing to develop knowledge of the space environment. Moreover, the ad hoc format of the meeting presented several advantages with regard to the essential question of transparency and confidence-building measures, including by bringing together expertise from two complementary fields. Given the dual nature of space activities and the intertwining of civilian and military space applications, as well as concrete problems — such as space debris — faced in outer space, a cross-cutting approach was extremely useful. France would be in favour of holding joint meetings more regularly

in order to foster dialogue and progress in a field in which the work of the First and the Fourth Committees was closely linked.

54. **Mr. Krasna** (Israel) said that both the Fourth Committee and the First Committee played important and unique roles that were crucial to ensuring fair and professional treatment and promotion of the issues covered by the two Committees. The advancement of scientific initiatives and cooperation in research that would enable humanity to reap the benefits of outer space must not be delayed. Israel shared the goal of promoting voluntary, non-legally-binding, pragmatic and timely measures that were essential to the long-term sustainability, safety, stability and security of outer space.

55. Space could contribute significantly to international security, sustainable development and communications for all nations. It must therefore remain accessible and sustainable. It was of vital importance to address the issue of space debris and orbital congestion. Israel supported the international effort to draft a voluntary code of conduct which, together with the consultation mechanism, must remain non-legally-binding. Israel was proud of its spacefaring tradition and its production and use of space technologies. It cooperated with United Nations outer space and disaster relief bodies and Israeli satellite technology would be used in a new initiative to improve communications technology in Africa.

56. Improvement in coordination, information and confidence-building measures in space matters across the United Nations system was necessary, but should be a means to an end and not an end in itself. He commended COPUOS for its work on the long-term sustainability of outer space activities and the timely completion of concrete guidelines which could contribute to broader efforts to enhance stability in outer space.

57. **Mr. Forés Rodríguez** (Cuba) said that all Member States were responsible for ensuring that outer space did not become the next target of an arms race. The only effective way to prevent the militarization of space, which was a serious threat to the future of humanity, was to adopt international legal norms prohibiting the placement of weapons in outer space. The current international legal framework was insufficient and Cuba reiterated its call for all States to negotiate and adopt a legal instrument guaranteeing the

strictly peaceful use of outer space. Constructive dialogue to that end was necessary between COPUOS — in particular its Legal Subcommittee — and the Conference on Disarmament, which, as the only multilateral forum for the negotiation of disarmament treaties, must play a key role in preventing the militarization of outer space. As a result of growing concern about that possibility, transparency and confidence-building measures had been promoted as an interim measure in the absence of a definitive solution. General Assembly resolution 43/78 H clearly stated that such measures were not a substitute for arms control agreements. All States must comply fully with existing international outer space treaties, which already provided for such measures.

58. While the report of the Group of Governmental Experts referred to the importance of international cooperation, its recommendations did not include concrete measures to that end. The inclusion of such measures would help to improve transparency and confidence in outer space activities. Cuba noted with concern the attempts by certain States to promote the drafting of international legal norms on outer space outside the framework of the United Nations. All initiatives must be based on a clear mandate and on rules of procedure established by a decision of the General Assembly. COPUOS was the only appropriate forum for discussions on improving the ethical principles and legal instruments guaranteeing the peaceful, fair and non-discriminatory use of outer space.

59. The geostationary orbit was a limited natural resource at risk of becoming saturated. Cuba therefore condemned the use of spy satellites to obtain information detrimental to other nations, instead of for the benefit of humanity, which led to the degradation of that invaluable resource and created space debris. Cuba reiterated its concern about the increase in space debris and its collision with space objects. The mitigation of such debris was vital for the future of space activities.

60. All States, irrespective of their level of scientific or economic development, had the right to access outer space on an equal footing, taking into account in particular the needs of developing countries. The definition and delimitation of outer space was an urgent matter for the international community and the Legal Subcommittee should step up its efforts, focusing on the theoretical aspects of the topic and on

gaps in space law, rather than — as some States had argued — limiting itself to practical aspects, which might actually provide a platform for the possible militarization of outer space. Although all States had the right to the peaceful use of outer space, it remained a pipe dream for most developing countries. That made international cooperation all the more urgent, particularly in the areas of information exchange, capacity-building and technology transfer. He emphasized the need for strengthened cooperation among countries, without discrimination, so that they could benefit fully and responsibly from the limitless possibilities offered by space exploration and applications.

61. **Mr. Varma** (India) said that the meeting was a unique opportunity to build common ground to address emerging challenges to space security and improve system-wide coordination while respecting the specific mandates of the First and Fourth Committees, the Conference on Disarmament and COPUOS. His country, a signatory to all major international treaties relating to outer space, was a major spacefaring nation: it cooperated with a number of countries and international organizations and ran a successful and cost-effective space programme that had launched, inter-alia, a spacecraft to the Moon and a space-based observatory. It was therefore unfortunate that India had not been included in the Group of Governmental Experts, since greater representativeness could have enhanced the content of the Group's report. He trusted that the Secretariat would convey his delegation's dismay to the Acting High Representative for Disarmament Affairs.

62. While India was not against transparency and confidence-building measures, any such measures should be negotiated by consensus and under the framework of the United Nations in an inclusive and transparent manner, with a view to enhancing space security for all users. Despite the considerable gaps in the draft treaty proposed by China and the Russian Federation, India was prepared to examine the document further. Moreover, notwithstanding its exclusion from the Group of Governmental Experts, India had already implemented a number of the measures recommended in the Group's report and had actively participated in COPUOS. It would chair the COPUOS Scientific and Technical Subcommittee in 2016 and looked forward to the Subcommittee's final

report on the long-term sustainability of outer space activities.

63. India supported the initiative concerning the no first placement of weapons in outer space, but it was a limited step that should not hinder the consideration of substantive legal measures. The Conference on Disarmament, whose membership included the militarily significant States, was the appropriate forum for substantive discussion on space security and the prevention of an arms race in outer space. Member States must be given the incentive to protect their interests by investing in legally binding multilateral instruments rather than resorting to national or interim measures that did not fully address the concerns of all space actors.

64. **Ms. Huh Yoonjeong** (Republic of Korea) said that the wide-ranging applications of space-based services — from telecommunications to navigation and weather forecasting — meant that the world was increasingly dependent on them and a disruption to such services would instantly affect nearly all States. Safety and security of the space environment had clearly become a global commons to be protected by all. One of the main challenges to the safety and security of outer space came from space debris. A holistic approach was therefore needed to counter effectively the threats caused by increasing congestion and competition in outer space. Given the importance of a practical, flexible and integrated approach to outer space issues, her delegation welcomed the joint ad hoc meeting, which would serve as a starting point for a more structured discussion on responding effectively to space challenges through sharing expertise and maximizing synergies.

65. It was in the interest of all stakeholders to promote space programmes responsibly. Voluntary transparency and confidence-building measures must therefore be drafted and strengthened. The work of the Group of Governmental Experts was vital in that regard and it was important for Member States to implement the measures proposed in the Group's report (A/68/189). The proposed International Code of Conduct for outer space activities was also of great importance and could provide a new reference point by bringing together best practices on mitigating space debris, enhancing transparency and mutual confidence, and sharing information to avoid collisions. Her delegation hoped that a way forward would be found to continue negotiation on that instrument.

66. **Mr. Mazzeo** (Argentina) said that his country recognized the common interest of all humanity in the exploration and use of outer space and the sovereign right of States to do so for exclusively peaceful purposes. Argentina supported the non-militarization of outer space and its use only to improve the living conditions of and ensure peace among nations, in line with the third and fourth preambular paragraphs of General Assembly resolution 69/38. Preventing an arms race in outer space and prohibiting the placement and use of arms in outer space would avert a grave danger for international peace and security.

67. His country was aware that increasing use of outer space by an ever-growing number of space actors could have unforeseeable repercussions on the space environment. Saturation of the geostationary orbit, the management of space debris, the use of nuclear energy or placement of nuclear weapons in Earth orbits and an arms race in outer space could all affect the sustainability of space activities. It was therefore necessary to regulate and coordinate such activities to make them safe and sustainable, and thereby ensure that outer space could be used peacefully for the benefit of present and future generations, even in countries without access to outer space. Such nations should not bear the consequences or costs of the irrational use or misuse of space by other countries.

68. Argentina recognized the importance of the long-term sustainability of outer space activities, consideration of which should under no circumstances be used by countries with a tradition of space technology to restrict others that legitimately aspired to develop and use space technology to improve the lives of their citizens. International cooperation in space activities was fundamental and should be strengthened. It was not only vital for the use of outer space, but it also enabled the sharing of knowledge and best practices and capacity-building at regional and national levels, generating synergies and raising awareness of the contribution of space science and technology in sustainable development.

69. **Ms. Thunberg** (Sweden) said that the space environment and industry had changed drastically since the adventurous early days of space exploration; space-based infrastructure formed an integral part of modern societies and had provided tremendous benefits to human development. Yet the international space regime had not kept pace with the ever-increasing number of actors and activities in outer space, the

growing risk of conflict in the space environment and the proliferation of space debris. It must therefore be updated to take into account the current realities of the use of outer space. Essential to that work was the realization that because of the peculiarities of the space environment, it was impossible to distinguish between civilian and military satellites, or between the safety and security of space objects. Space debris was created indiscriminately by civilian and military activities alike in outer space. Furthermore, most — if not all — space assets had dual-use applications and capabilities. To mitigate the impact of space debris, and to keep outer space from conflict, military and civilian activities must be addressed jointly. The current meeting was therefore timely.

70. To address the challenges to outer space security and sustainability, the international community was conducting important work, including in relation to the COPUOS guidelines and the proposed International Code of Conduct for Outer Space Activities, which Sweden supported, since by focusing on actual behaviour in outer space and circumventing the artificial divide between civilian and military definitions of space assets, it provided a comprehensive and efficient framework for dealing with space issues. However, a reference to the right to self-defence was not appropriate in any future code of conduct as it was already covered by the Charter of the United Nations. A space code of conduct — important in its own right — would also be an achievable first step towards a legally binding instrument.

71. **Ms. Janjua** (Pakistan) said that ensuring the safety, security and long-term sustainability of outer space should be a common objective. Growing concerns about the weaponization of outer space and space debris had been compounded by the development and deployment of anti-ballistic missile systems and must be addressed urgently. Such weaponization not only endangered the peaceful uses of outer space, but could also intensify conflicts on Earth, with potentially disastrous consequences for international peace and security.

72. A long-standing advocate of the peaceful use of outer space, Pakistan supported efforts to develop transparency and confidence-building measures in outer space activities. However, while such measures were important, they could not be a substitute for legally binding arrangements negotiated in the Conference on Disarmament to prevent an arms race in

outer space and ensure its safety, security and long-term sustainability. The final document of the tenth special session of the General Assembly (A/RES/S-10/2) contained more than 30 paragraphs relating to preventing an arms race, and referred specifically to outer space in paragraph 80; the Conference on Disarmament had also long been seized of the issue. Pakistan appreciated the efforts of the European Union to identify outer space issues needing to be addressed. The meeting on the draft International Code of Conduct held in July 2015 had provided an important platform for States to express relevant concerns and views. The best way to advance transparency and confidence-building measures in outer space was through an inclusive, transparent and consensus-based United Nations process.

73. The draft text presented by the Russian Federation and China provided a useful basis for commencing negotiations, in the Conference, on a legal instrument for the prevention of an arms race in outer space. Such negotiations had been prevented, despite the overwhelming support for them, by a handful of States. The only possible explanation for such opposition was that those States sought to protect their monopoly on technology and maintain their full spectrum dominance in the field.

74. **Ms. Álvarez Muñoz** (Chile) said that it was essential — and a global shared responsibility — to address the current challenges of space security and the long-term sustainability of outer space activities. Chile was a member of the Group of Governmental Experts, which had in itself served as a transparency and confidence-building measure once members had dispelled their initial distrust in order to work towards a common goal. Efforts must be made to implement the conclusions and recommendations of the Group's report in all relevant forums, including COPUOS. Those recommendations and the outcome of the work conducted in the Working Group on the Long-term Sustainability of Outer Space Activities could help to mitigate space debris and ensure the safety of outer space activities. Chile had also participated in the wide-ranging consultations on the draft International Code of Conduct for Outer Space Activities proposed by the European Union. The negotiation and adoption of the International Code of Conduct should be inclusive and non-discriminatory, and should be conducted within the multilateral framework of the United Nations, in order to strengthen international

cooperation in the peaceful use of outer space. All States must be able to develop and build capacity and benefit from outer space on an equal basis. There was also a need for consensus in COPUOS with regard to the adoption of relevant guidelines.

75. Voluntary initiatives were no substitute for legally binding instruments, including a treaty on the prevention of the placement of weapons in outer space. Such instruments could lay the foundations for a climate of trust and cooperation and take the international community closer to the goal of strengthening the international legal regime. The placement of weapons in outer space was the greatest threat to space security and the long-term sustainability of space activities. It was therefore vital to prevent the use of outer space for military purposes.

76. **Mr. Combrink** (South Africa) said that, given the consensus view that outer space was the common heritage of humankind and that all States had an equal stake in outer space activities, a process towards effective voluntary measures in that area would logically require participation by as many States as possible. To achieve a credible, effective and internationally acceptable instrument on outer space activities, based on agreed transparency and confidence-building measures that would contribute to the safety, security and sustainability of outer space, certain elements could be considered for a negotiating mandate within the United Nations framework. Such a mandate could include, inter alia, a decision to commence negotiations on an international code of conduct, based on transparency and confidence-building measures and addressing the needs and concerns of all States, within the context of an inclusive, non-discriminatory, multilateral process. A consensus-based approach was the most appropriate way to proceed. The code of conduct should strengthen the safety, security and long-term sustainability of outer space activities, and ensure that outer space was used for peaceful purposes and to the benefit of all States, irrespective of their degree of social, economic and scientific development. It should actively promote international cooperation in the uses of outer space for peaceful purposes, taking into consideration the needs of developing countries and emerging spacefaring countries, and should also promote those countries' equal right of exploration and use of outer space, by including appropriate assistance mechanisms. Furthermore, it should complement — and not

contradict or undermine — the existing applicable international framework, and should not duplicate or replace other initiatives, including those of a legally binding nature.

77. Several options existed for negotiation of an international instrument on the conduct of outer space activities within the United Nations framework, including in the Conference on Disarmament, COPUOS, and the First and Fourth Committees, all of which would enable wide participation and the use of relevant expertise. However, the plenary Assembly might also provide an appropriate platform, particularly since negotiation mandated by the plenary would not prejudice the eventual scope of such an instrument, on which consensus might not currently exist and which might be the subject of future negotiations. While South Africa would support such negotiations and the conclusion of a voluntary instrument, such an instrument could not replace, and must not negatively affect, the work that should be done in COPUOS on the long-term sustainability of outer space activities and in the Conference on Disarmament on legally binding measures aimed at the prevention of an arms race in outer space.

The meeting rose at 5.05 p.m.