

# Delimiting, Dissuading and Deflating Conflicts: Preserving Outer Space for Peaceful Purposes

62<sup>nd</sup> Session of the United Nations Committee on the Peaceful Uses of Outer Space  
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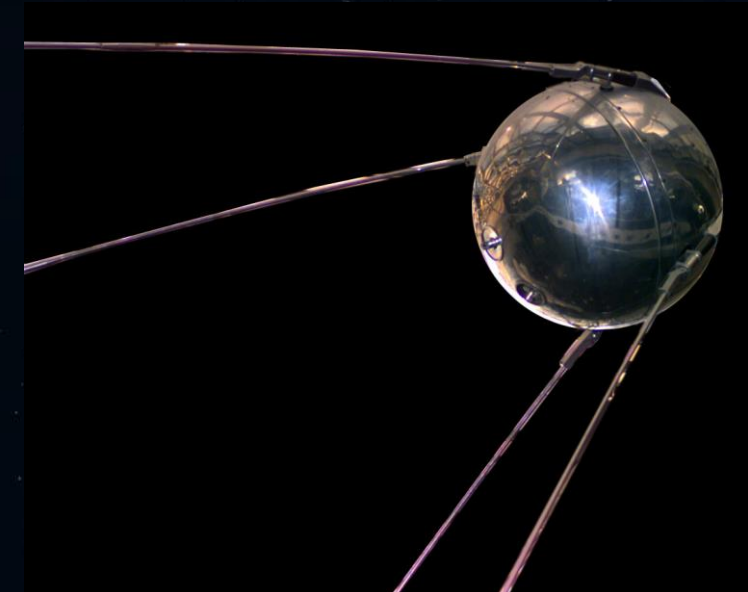


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# Context



- Humanity, with cooperation, has achieved phenomenal progress and benefits in the past 60 years of space exploration.
- A day without space technology may cripple global governance and economy.
- Space exploration started with military ambitions, but today, space is much more than just strategic or military advantage.
- The start of space age indeed was due to military ambitions but....

# Outer Space for Peaceful Purposes

## 1348 (XIII). Question of the peaceful use of outer space

*The General Assembly,*

*Recognizing* the common interest of mankind in outer space and recognizing that it is the common aim that outer space should be used for peaceful purposes only,

*Bearing in mind* the provision of Article 2, paragraph 1, of the Charter of the United Nations, which states that the Organization is based on the principle of the sovereign equality of all its Members,

*Wishing to avoid* the extension of present national rivalries into this new field,

*Desiring to promote energetically* the fullest exploration and exploitation of outer space for the benefit of mankind,

*Conscious* that recent developments in respect of outer space have added a new dimension to man's existence and opened new possibilities for the increase of his knowledge and the improvement of his life,

*Noting* the success of the scientific co-operative programme of the International Geophysical Year in the exploration of outer space and the decision to continue and expand this type of co-operation,

*Recognizing* the great importance of international co-operation in the study and utilization of outer space for peaceful purposes,

*Considering* that such co-operation will promote mutual understanding and the strengthening of friendly relations among peoples,

*Believing* that the development of programmes of international and scientific co-operation in the peaceful uses of outer space should be vigorously pursued,

*Believing* that progress in this field will materially help to achieve the aim that outer space should be used for peaceful purposes only,

*Considering* that an important contribution can be made by the establishment within the framework of the United Nations of an appropriate international body for co-operation in the study of outer space for peaceful purposes,

*Desiring to obtain* the fullest information on the many problems relating to the peaceful uses of outer space before recommending specific programmes of international co-operation in this field,



Source: <http://legal.un.org/avl/ha/tos/tos.html#>

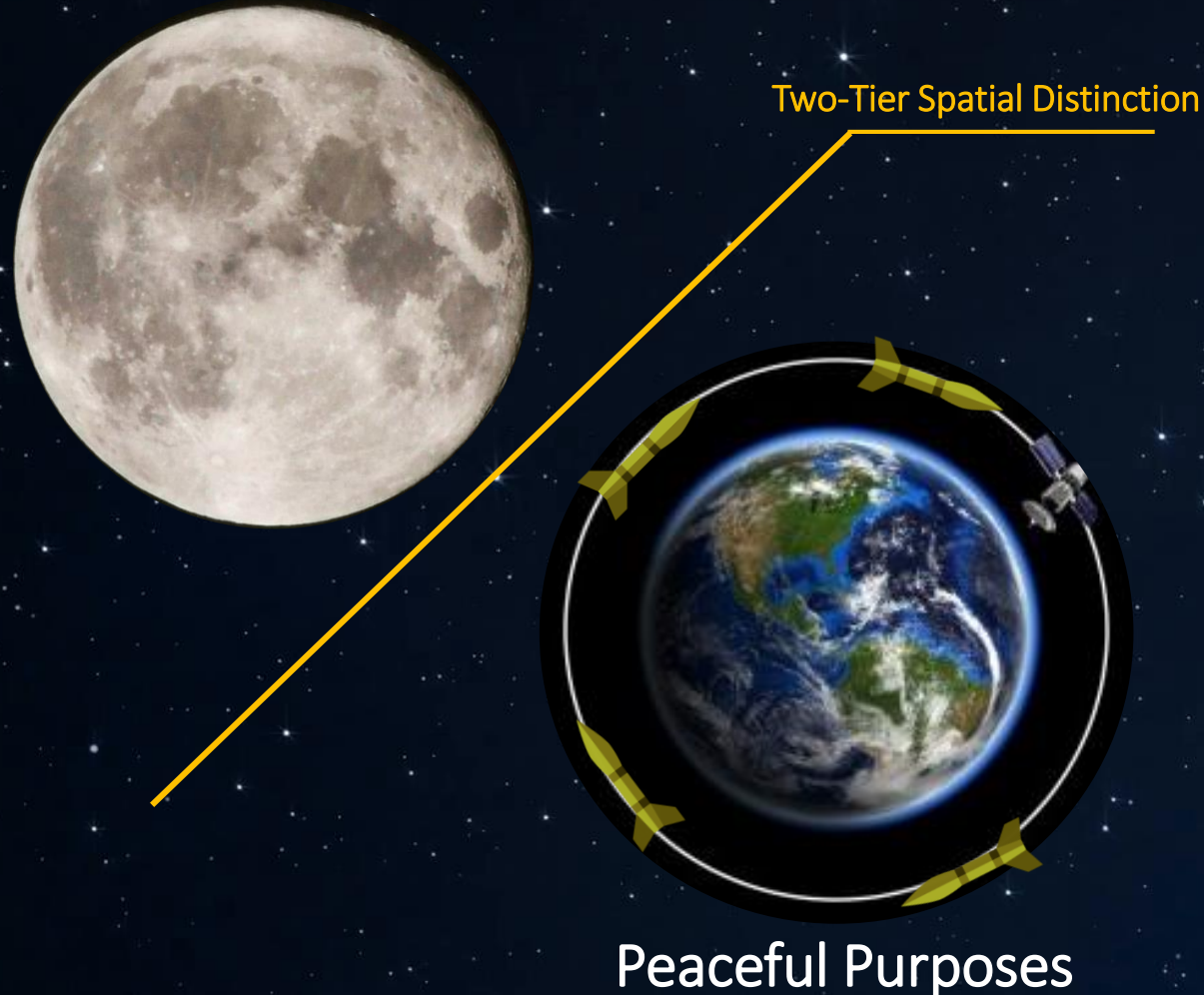


Source: <http://legal.un.org/avl/ha/tos/tos.html#>

- The international community soon came together to deter, what could have been, an arms and appropriation race in outer space.
- Resolution 1348 (XIII) –
  - **Common interest of humanity in outer space.**
  - **Avoiding extension of national rivalries to outer space.**
  - **Outer space for Peaceful Purposes only.**
- Resolution followed by five space treaties...

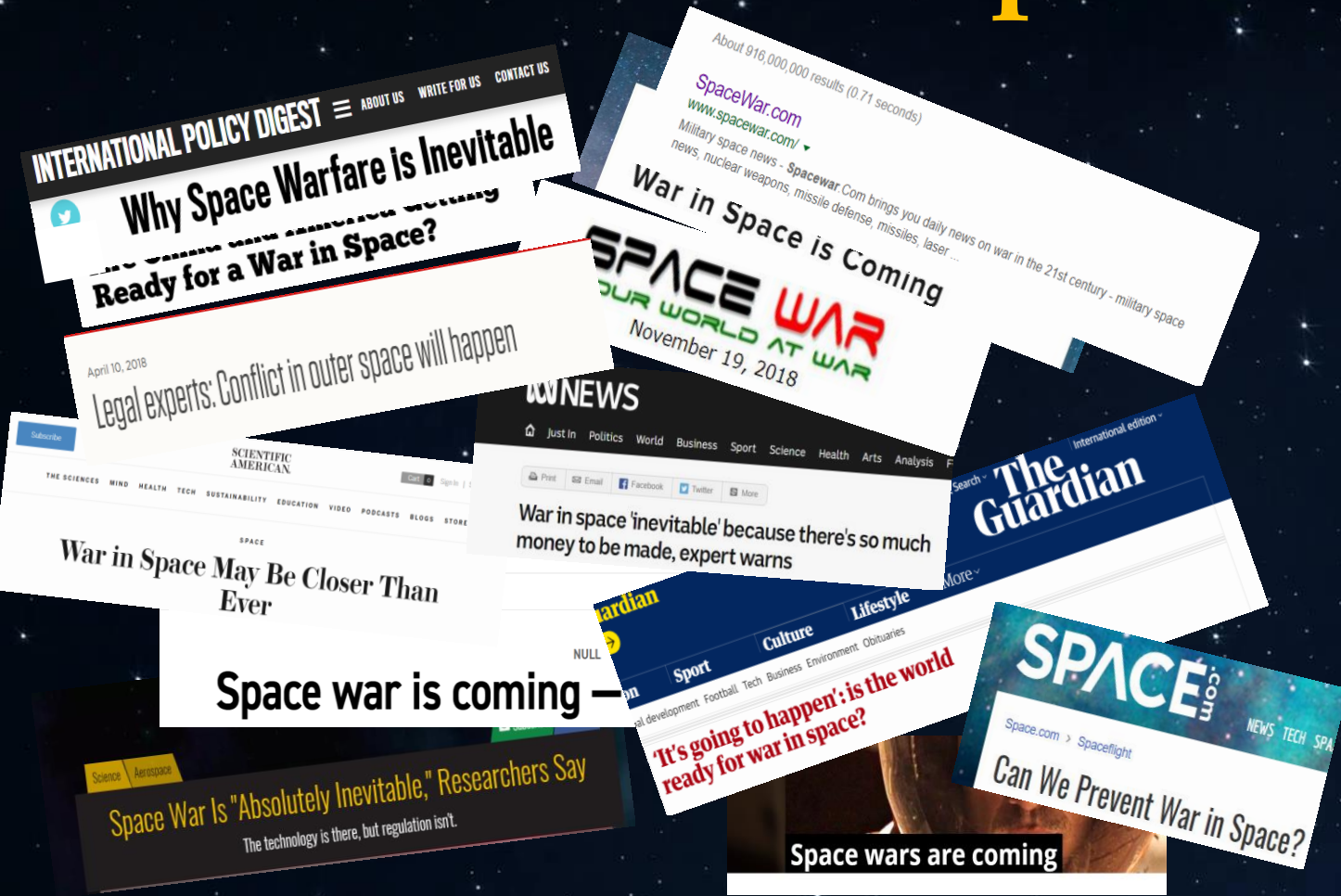
# Outer Space for Peaceful Purposes

Exclusively for Peaceful Purposes



- Outer Space Treaty – compromise on “exclusively” peaceful.
- Two-tier spatial distinction – Moon and celestial bodies to be explored and used exclusively for peaceful purposes, but orbits around the Earth and outer space otherwise can be utilized for non-aggressive military uses.
- Dilution of language to protect unknown future strategic self-interests.
- Today, interest and visions for outer space – fairly *matured, concrete, ascertainable and predictable*.
- Devoid of uncertainties, international community must *revisit and reaffirm its vision for outer space as a peaceful domain*.

# “Peaceful Purposes” Under Attack



Herz security dilemma



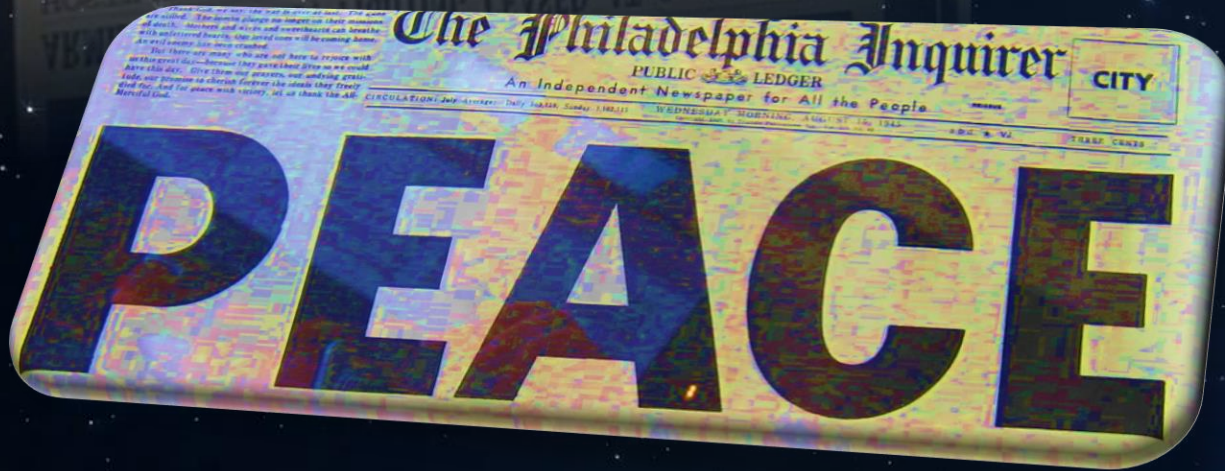
States heighten security – military or weapons

Other States escalate security measures

Fear and Anxiety

# Lessons in History

- Outer Space Treaty – embedded with lessons from the history and on-going circumstances.
- Drafters of the Outer Space Treaty – intentionally set the tone of the treaty to curb act of hostilities and conflict arising from an arms race or race to resources.
- Current sensationalist narrative of outer space with an affinity to space war is – a presumptuous far-fetched interpretation of law that argues legitimacy of conflicts in space.
- This narrative is incompatible with the agreed upon principles of the Outer Space Treaty – that establish and instill peace and interests of all countries.



# Attacking the Sensationalist Narrative

- Avoidance of miscommunication by building mechanisms of clear and transparent communication.
- Promoting determinate legal actions based on rules-based global order.
- Committing to cooperate for the progress of humanity.



# MILAMOS PROJECT

Manual on International Law Applicable  
to Military Uses of Outer Space

McGill lead project to draft a Manual on International Law Applicable to Military Uses of Outer Space (MILAMOS) aims to clarify the *lex lata* (existing rules) rules during peacetime, envisioning that our efforts aid towards conflict-avoidance and promote peaceful cooperation in outer space.

Institute of Air and Space Law  
University of Cologne



Keio Space Law Center, Japan



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# Conclusions

- Ratification of all space treaties to promote rules-based global governance.
- International law is constantly evolving towards idea of greater justice, peace and mandatory multilateralism.
- Unilateral actions must be unitedly discouraged by international community.
- Collective effort to seek clarity of law on issues relating to peaceful purposes and space resource utilization.

# Conclusions

- Sensitizing developing nations and future space faring nations of their countless vested interests in outer space.
- Persistent and immediate legal need is arising to prohibit use and placement of any kind of weapons in outer space, particularly Anti-Satellite Weapons – as they indiscriminately pose threat to the peaceful exploration and use of outer space by other countries for many years.
- **Delimiting Earthly Conflicts, Dissuading situation giving rise to conflicts and Deflating any conflicts – exclusively through peaceful means – is the only way forward to maintain and preserve outer space as a safe, cooperative and peaceful domain.**

Thank you.



International Association for the Advancement of Space Safety

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