



THE GROUP OF GOVERNMENTAL EXPERTS (GGE) REPORT ON TRANSPARENCY AND CONFIDENCE BUILDING MEASURES IN OUTER SPACE ACTIVITIES

HELLMUT LAGOS KOLLER
FORMER MEMBER OF THE GGE
CHAIRMAN OF UNCOPUOS LEGAL SUBCOMMITTEE



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I. INTRODUCTION

GA Res A/RES/65/68, 5 January 2011 establishes GGE on basis of equitable geographical representation

Mandate : To conduct a Study on Outer Space Transparency and Confidence Building Measures (TCBMs)

Methodology: Review of previous GGE report and other proposals.

Agreement through consensus

II. THREATS AND RISKS TO SUSTAINABILITY, SAFETY AND SECURITY OF OUTER SPACE

- Congestion
- Collisions
- Space Debris
- ASATs
- Placement of Weapons in Outer Space
- RF Interference

III. DIFFERENT APPROACHES

Disarmament Approach	“Responsible Behaviour” Approach
<ul style="list-style-type: none">• PAROS in the CD• PPWT Proposal by Russia and China• No first Placement Initiative• Legally Binding Instruments	<ul style="list-style-type: none">• Voluntary Space Debris Mitigation guidelines• UNCOPUOS Working Group on Long Term Sustainability of Outer Space Activities• GGE Process• Proposal of International Code of Conduct for Outer Space Activities• Soft Law

IV. INTERNATIONAL LEGAL FRAMEWORK

- Outer Space Treaty (1967)
- The Rescue Agreement (1968)
- The Liability Convention (1972)
- The Registration Convention (1976)
- The Moon Agreement (1984)

MAIN PRINCIPLES IN THE TREATIES

- Non-appropriation of Outer Space
- Freedom of Exploration
- Prohibition of Placement of Nuclear Weapons or Other WMD in Outer Space
- Liability for Damage caused by space objects
- Rescue and Return of Spacecraft and Astronauts
- The prevention of harmful interference with Space Activities and the Environment
- The obligation to notify the international community and to register space activities

V. MAIN CHALLENGES IDENTIFIED

- Difficulty to agree on main focus: responsible behavior or disarmament dimension?
- Legally binding or Soft Law?
- New International environment with increasing number of actors
- Increasing role of emerging States and non state actors

VI. STUDY OF THE GGE GENERAL CHARACTERISTICS AND BASIC PRINCIPLES OF OUTER SPACE TCBMS

- (a) General TCBMs aimed at enhancing the availability of information on the space policy of States
- (b) Information exchange about development programmes for new space systems, as well as information about operational space-based systems
- (c) The articulation of a State's principles and goals relating to their exploration and use of outer space for peaceful purposes;
- (d) Specific information-exchange measures aimed at expanding the availability of information on objects in outer space and their general function, particularly those objects in Earth orbits;
- (e) Measures related to establishing norms of behaviour for promoting spaceflight safety such as launch notifications and consultations that aim at avoiding potentially harmful interference, limiting orbital debris and minimizing the risk of collisions;
- (f) International cooperation measures in outer space activities.

CRITERIA FOR TCBMS

- A proposed TCBM should:
 - (a) Be clear, practical and proven, meaning that both the application and the efficacy of the proposed measure have been demonstrated by one or more actors
 - (b) Be able to be effectively confirmed by other parties in its application, either independently or collectively
 - (c) Reduce or even eliminate the causes of mistrust, misunderstanding and miscalculation with regard to the activities and intentions of States

TESTING A TCBM

	<u>Implementation</u>	<u>Demonstration</u>
Who	Who should implement the measure?	Who will be able to confirm that the measure has been implemented?
What	What is the measure that should be implemented? Is it clearly identified and understood?	What should be demonstrated to confirm implementation?
Why	What is the value or benefit of performing the measure?	Does a clear understanding of why it is important to be able to confirm or demonstrate implementation exist?
When	When should the measure be implemented?	At what point is demonstration or confirmation performed?
How	How should the measure be implemented?	How is implementation of the measure validated, demonstrated or confirmed?

RECOMMENDED TCBMS

- Information exchange on national space policy and on military space expenditures
- Information exchange on outer space activities
- Notifications on risk reductions such as scheduled manoeuvres
- Voluntary visits to launch sites, command and control centers
- International cooperation, consultative mechanisms, outreach also TCBMs
- Concludes that voluntary political measures can form the basis for legally binding obligations

THANK YOU FOR YOUR ATTENTION!



The Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, United Nations, New York, 27 July 2012

From left to right: João Marcelo Galvão de Queiroz - Brazil, Chulmin Park - Republic of Korea, Richard Crowther - United Kingdom, Musthafa M. Jaffeer - Sri Lanka, Peter Martinez - South Africa, Andrii Kasianov - Ukraine, Frank Rose - USA, Victor L. Vasiliev - Russian Federation - Chairman, Augustine U. Nwosa - Nigeria, Gérard Brachet - France, Dumitru-Dorin Prunariu - Romania, Sergio Marchisio - Italy, Huaicheng Dai - People's Republic of China, Hellmut Lagos - Chile, Ruslan Amirgerreyev - Republic of Kazakhstan