EFFORTS IN THE UNITED NATIONS TO MAINTAIN OUTER SPACE AS A REALM FREE OF CONFLICT AND OPEN FOR THE BENEFIT TO ALL STATES BEGAN IN 1957, MONTHS PRIOR TO THE LAUNCH OF THE FIRST ARTIFICIAL SATISSATE INTO EARTH ORBIT. EARLY PROPOSALS FOR PROHIBITING THE USE OF SPACE FOR MILITARY PURPOSES AND THE PLACEMENT OF WEAPONS OF MASS DESTRUCTION IN OUTER SPACE WERE CONSIDERED IN THE LATE 1950S AND EARLY 1960S BY THE UNITED NATIONS.

THE EXISTING LEGAL FRAMEWORK

The 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”) entered into force in 1967, after consideration by the Committee on the Peaceful Uses of Outer Space and the General Assembly. The Treaty provides the basic framework for international space law. In particular, it prohibits the placement of nuclear weapons or any other kinds of weapons of mass destruction in outer space and the stationing of such weapons on celestial bodies. It also prohibits the establishment of military bases, the testing of any type of weapons and the conduct of military manoeuvres on celestial bodies. Moreover, it establishes basic principles related to the peaceful use of outer space. This includes that the exploration and use of outer space shall be carried out for the benefit and in the interests of all countries and that the moon and other celestial bodies shall not be subject to national appropriation or claims of sovereignty.

“Security, including in the realm of outer space, is best guaranteed through cooperation and the rule of law, backed by effective and practical measures for verification and enforcement”

Angela Kane, then High Representative for Disarmament Affairs, Statement to the GGE on Transparency and Confidence-Building Measures in Outer Space Activities, July 2012
Current efforts

Since the early 1980s, the Conference on Disarmament (CD) has considered further proposals under the agenda item “prevention of an arms race in outer space”, including draft treaties aimed at, *inter alia*, preventing the placement of weapons in outer space and prohibiting the use of anti-satellite weapons. In June 2014, China and Russia introduced document CD/1985 containing an updated version of the 2006 draft Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects.

Building upon renewed political interest in advancing cooperative approaches to questions of outer space security, by resolution 65/68 the General Assembly established a governmental expert group on transparency and confidence-building measures (TCBMs) in outer space activities. The group adopted, by consensus, a report containing voluntary TCBMs (A/68/189*).

Subsequently, Member States have taken steps to implement the TCBMs, including the consideration of political commitments to encourage responsible action in outer space activities. Such commitments include a proposal to develop norms of responsible behaviour for outer space activities and unilateral pledges to not be the first to place weapons in outer space. In 2015 and 2017, the First and Fourth Committees convened joint ad hoc meetings on possible challenges to space security and sustainability. The group of governmental experts on the prevention of an arms race in outer space, established pursuant to resolution 72/250, completed its work in 2019 without agreement on a substantive report (A/74/77).

Member States have continued to explore the implementation of TCBMs. The Disarmament Commission decided to include on its agenda for 2018–2020 an item on implementation of TCBMs with the goal of preventing an arms race in outer space. In 2018, the Committee on the Peaceful Uses of Outer Space, completed its work on guidelines on the long-term sustainability of outer space.

The role of the UN Office for Disarmament Affairs

The General Assembly endorsed enhanced coordination between United Nations entities on matters related to outer space TCBMs, the United Nations Office for Disarmament Affairs continues to support Member States in their implementation of the TCBMs cooperating closely with other parts of the United Nations system to this end. The Office for Disarmament Affairs has established strong cooperation with the Office for Outer Space Affairs in this regard.

For more information:  www.un.org/disarmament

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