E.A.MUNC 2023

United Nations Committee on the Peaceful Uses of Outer Space Background Guide

AGENDA

Regulating the Militarisation and Weaponization of Space

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HISTORY OF COPUOS:

The Committee for the Peaceful Uses of Outer Space (COPUOS) was set up in 1959 as a permanent body, shortly after the launch of Sputnik. Since then, the organisation has played a pivotal role in ensuring peaceful exploration and use of outer space while also providing assistance for the advancement of research in the realm. By maintaining close relations with both governmental and non-governmental organisations, COPUOS enables the continuous exchange of space-related information. In addition, the committee exploits the technological advancements in space exploration and geopolitical changes to further the use of outer space. Consisting of merely 18 countries during its inception, COPUOS, as demanded by its pressing area of concern, is now one of the largest committees of the United Nations with 95 members. The United Nations Office for Outer Space Affairs (UNOOSA) serves as the secretariat to COPOUS and its two subcommittees; the Scientific and Technical Subcommittee, and the Legal Subcommittee. The committee convenes at Vienna, Austria, once every year to address issues and pose questions regarding the current and future status of outer space activities.

INTRODUCTION:

Over the years, outer space has come to be regarded as an avenue for improving human life and combating its various shortfalls. It currently holds around 4,852 satellites which serve a wide range of civilian and military purposes. Nowadays, militaries all over the world depend on satellites for command and control, communication, observing, and route with the Worldwide Situating Framework. Such space-based equipment facilitate numerous functions like monitoring and predicting disturbances in the climate, navigation and communication, scientific and astronomical development, etc.

Exploration of space began as an initiative for the benefit of the world. Deploying objects in outer space aimed at fulfilling peaceful, intelligence and commercial purposes. However, military strategists viewed this as an opportunity to gain precedence over other military users of space. Satellites capable of detecting, targeting and striking opponent's missiles were sought to be employed. They enabled battle-field surveillance and weapon targeting.

Weaponization of space refers to the deployment of space-based assets with deleterious capacity into orbit. It includes devices which can be permanently placed and made to advance through space to reach their targets like hypersonic technology vehicles. The space-based structure contains sensors which can track and destroy orbital or suborbital satellites from its launch along with its control and command segments.

Spatial militarization involves use of space in support of ground, sea and air-based military operations. These weapons could easily bring immense destruction upon targeted cities, shoot down enemy spacecrafts, intercept their communication and disable enemy satellites, plasma targets, orbital ballistic missiles, and satellite strikes.

The innate trust and cooperation required to sustain the systems deployed in space for peaceful reasons would be destroyed by a space conflict. Despite these realities, militarization and weaponization of outer space programs have been on the rise, with the goal of one country gaining supremacy over the others. The exploration of space with an objective of human welfare along with devising war is the paradox of the current world.

EXISTING LEGALITIES:

The need for laws that keep a check on the militarisation and weaponization of space was recognized during the infamous cold war between the United States of America and Russia. As a result, in 1963 the UN General Assembly approved two resolutions on outer space that successively served as the backbone for the prominent outer space treaty which was further elaborated and expanded into various agreements.

THE 1967 OUTER SPACE TREATY:

The Outer Space Treaty formally known as "Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies" bans the usage of weapons of mass destruction in outer space and lays down the rules and regulations that have to be followed for the peaceful and conservative use of space

The key aspects of the treaty are showcased in article 4. Which states:-

- Parties commit not to place in orbit around the Earth or other celestial bodies any nuclear weapons or objects carrying weapons of mass destruction
- Parties commit not to Install weapons of mass destruction on celestial bodies or station weapons of mass destruction in outer space in any other manner.
- Parties commit not to Establish military bases or installations, test any type of weapons, conduct military exercises on the moon and any other celestial bodies.

The treaty, however, allows the use of ballistic missiles equipped with WMD warheads , through space,it also has provisions in place that ensure no country has the right to claim outer space as a part of their domain

Like other space treaties, The Outer Space Treaty has the means for amendments or member withdrawal, in order for an amendment to be carried out it has to be agreed upon by a majority of the states-parties and is only applicable upon those that approve the amendment,a country can take withdrawal from the treaty only by submitting a written notification to the depository states and the withdrawal shall take effect a year after.

RESCUE AGREEMENT (1968):

The COPUOS Legal Subcommittee reviewed and negotiated the Rescue Agreement from 1962 to 1967. In 1967, the General Assembly gained a consensus through Resolution 2345. (XXII).

The Rescue Agreement's history dates back to a 1959 report by the Committee on the Peaceful Uses of Outer Space, which stated: "Problems of re-entry and landing of space vehicles would exist both with respect to unmanned space vehicles and later with respect to manned space vehicles of exploration." Recognizing that landings can happen by accident, mistake, or distress, members of the committee emphasised the importance of reaching global agreements on re-entry and landing

LIABILITY CONVENTION (1971):

The Liability Convention, which was officialised in 1971 after prolonged discussions and negotiations, elaborates on Article 7 of the Outer Space Treaty. According to this convention, the launching state will be held responsible for any damage caused by its spacecraft both on the surface of the earth and in outer space. To add to this, the State shall also be liable to pay compensation for the damage. The Convention has special provisions for procedures regarding the settlement of such damages.

MOON TREATY (1979):

From 1972 until 1979, the Moon Treaty was being developed by the Legal subcommittee for COPOUS. Adopted by the general assembly the same year as its completion, it was in July of 1984 that it was allowed to enter into force. The agreement forbids any form of oppressive action being undertaken on the moon, it prohibits establishment of bases and any form of fortification on the moon and ensures no kind of military testing can be carried out on its surface. On the other hand, use of equipment for scientific research and exploration abiding by international law, particularly The Charter of the United Nations is permitted.

This treaty explicitly upholds and elaborates on many of the provisions of The 1967 Outer Space Treaty, implying that the treaty is applicable to all celestial bodies in the solar system excluding the Earth. It stipulates that these bodies be used solely for peaceful purposes, that their environments be preserved and that the United Nations be informed of the location and purpose of any station installed on them. Presently, seven countries have acceded to the treaty and six countries have ratified it. However, due to the lack of approval from countries like the United States, the Russian Federation and the People’s Republic of China The Moon treaty is considered to be a failure from the standpoint of international law.


The Countries That Signed The Moon Treaty
Countries that are signatories/parties to the 1979 Moon Treaty in July 2019
Parties to the treaty
Signatories
Non-parties to the treaty
statista

PAROS TREATY:

The existing legalities banned the instalment of weapons or objects of mass destruction in space but did not provide against the placement of other weapons in space by countries. This limitation compelled countries to question its efficiency in safeguarding outer space. Taking this into account, The PAROS or Prevention of Arms Race in Space went into effect in 1967 with the purpose to prevent State Parties from installing weapons and threatening to use force against objects in outer space. It is established as an extension of the Outer Space Treaty.

The assembly urges the States to give due consideration to the suggestions of the Conference on Disarmament and to abide by this treaty to reduce the invention of destructive weaponry. To promote the peaceful usage of space, associative measures and political commitments with a view of building confidence among states should be initiated.

The PAROS treaties, however, have ambiguous legal bindings that could cause vastly divergent perceptions from state members. Conflicting interpretation of the treaty can potentially result in space war. This calls for proper understanding of the treaty by all state members. They should monitor and form norms against dangerous space related activities.

CHALLENGES:

The exploration and use of outer space shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development. The prevention of an arms race in outer space would avert a grave danger for international peace and security

-United Nations General Assembly Resolution, January 2001.

Arms Race:

The major concern of weaponizing space is the high probability of the dawn of an international arms race. This would destabilise the international security system and make the World vulnerable to an international war. If any one of the global superpowers, say China decides to develop space weapons, countries such as the United States and Russia would inevitably begin developing their own weapons to counteract China's dominance in space.
To try and reach a consensus, Russia stated in 2006 that if all the member states of the UN observe a prohibition on space weaponization, the inception of an arms race would be unlikely. China and Russia have also submitted a draft treaty which includes the prevention of placement of weapons in outer space. This potential arms race will also cost countries vast amounts of money and deplete the nation's capital resources. For reference, the "space weapon" X-37B of the United States military on one mission costs roughly $100 million. This is valuable capital that could be better spent on improving the lives of civilians via social causes and upgrading healthcare systems. The spending for space weapons has not had enough public scrutiny and hence the Government isn't urged to release the information to the public.

Space Debris

Another pressing issue is the proliferation of space debris due to usage of the aforementioned space weapons. The destruction of objects in space would generate incredibly dangerous debris with a long orbital life. Joel Primack, one of the leading experts on space debris and its ill effects stated, "the weaponization of space would make the debris problem much worse, and even one war in space could encase the entire planet in a shell of whizzing debris that would thereafter make space near the Earth highly hazardous for peaceful as well as military purposes."

Space debris already poses a considerable hazard to spacecraft, resulting from more than 50 years of space activity. The problem of congestion could heighten as a result of deploying a large number of weapons in the Low Earth Orbit (LEO). Additionally, launching space weapons into the already crowded domain of the LEO reduces the space required for civilian systems which will affect the quality of life civilians on Earth

Effects on arms control and nuclear disarmament:

The weaponization of space will undermine international and national security, destroy strategic stability and balance, and disrupt arms control mechanisms particularly those related to nuclear weapons and missiles. These effects will inevitably lead to the formation of a new arms race, which would lead to the troubles previously mentioned and severely derange the disarmament process. The withdrawal of the United States from the Anti-Ballistic Missile treaty in 2001 has caused an increase in tension internationally which gives rise to growth in missile proliferation.

The development of space-based technologies will likely force Russia and the United States to reject the formation of new treaties to regulate nuclear weapons and their development systems, and to make smaller reductions of their nuclear arsenals. China would likely increase the number of their warheads to maintain its nuclear deterrent which could in turn encourage India and then Pakistan to follow suit, threatening World peace.

QUESTIONS A RESOLUTION MUST ANSWER:

1. What would be the economical implications of militarisation and weaponisation of space?
2. How will a prospective arms race effect lesser economically developed nations
3. How can countries come together to form an internationally accepted definition of space weapons?
4. What measures can be taken to prevent an international arms race?
5. What measures should nation states take to regulate the weaponisation and militarisation of space?

POSITION PAPER GUIDELINES:

Font: Times New Roman
Font Size: 12
Position Paper Page Limit: One page (excluding bibliography)
Position Paper Format Page One:

Delegate Name : _____
Country : _____
Institution : _____
Topic :_____

'A quote is preferred, not compulsory'

Paragraph one: Introduction to the topic and steps taken by the UN on the topic at hand.

Paragraph two: Elaboration on the country's laws and policies regarding the topic and how it is affected by the topic at hand, its and measures incorporated by the country to combat the problem. Statistical Data is preferred.

Paragraph three: Unique solutions suggested by the delegate to combat the problem.

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Bibliography ----------

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