

STATEMENT

By Ambassador Victor Vasiliev

Chairman, Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities (2012-2013).

At the UNIDIR Conference

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“TCBMs: Post-GGE Perspectives”

Dear Colleagues,

Putting the hat of the Chair of the GGE I will share with you the results of the Study on TCBMs in Outer-Space activities that was undertaken by the Group of Governmental experts in 2012-2013. Though the Report is the “product” of 15 Experts representing Brazil, Chile, China, France, Italy, Kazakhstan, Nigeria, Republic of Korea, Romania, South Africa, Sri Lanka, Ukraine, United Kingdom, United States and Russia, it is also the result of inputs by many other States which presented their views both in response to the respective GA Resolutions on TCBMs and directly to the GGE, the interaction by the Group with other international Organizations and bodies such as UN COPUOS, ITU, WMO, etc. I also briefed the UNIDIR Space Conference in 2013 as well as the CD on the deliberations at the GGE and received responses from some delegations as well as from the NGOs that were considered by the Group.

The Report of the GGE was adopted in August 2013 (A/68/189) and latter approved by Resolution 68/50 of the UN General Assembly by consensus – the first consensus reached on this issue in decades.

Though the Study was undertaken 20 years after the previous Report of the UN Secretary-General on this matter (1990-1993) and reflected the growing dependence of the mankind on uses of space, dramatic increase in numbers of actors in outer space activities as well as the new environment we didn't want to “reinvent the wheel”.

Much is in place already. The Group acknowledged five major international instruments and treaties on outer space containing several TCBMs: Outer Space Treaty of 1967, Rescue Agreement of 1968, Liability Convention of 1972, Registration convention of 1976 and Moon Treaty of 1984. There are several bilateral agreements among spacefaring nations on exchanges of information. Organizations like ITU, WMO maintain procedures to regulate their spectrum of space assets. At the same time Experts agreed that there were lacunas in the existing mechanisms and further measures are needed to address challenges pertaining to outer space activities.

The Group noted the work that was underway on several tracks. This includes Vienna based UN COPUOS Working Group on the Long Term Sustainability of Outer Space Activities, the EU-led work to promote an international code of conduct, the debates at UNGA First and Fourth Committees. We also have initiatives by some States or group of States. And of course, the Conference on Disarmament has an agenda item “Prevention of an arms race in outer space” and the draft Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Treat or Use of Force Against Outer Space Objects was introduced at this forum in February 2008.

As an outcome of three sessions discussions and extensive inter session work the GGE came up with the Report that contained both the overview of the general characteristics and basic principles of outer space TCBMs as well as the series of measures to enhance them. Let me remind the basics.

- The GGE identified categories of and criteria for TCBMs.

- The Group agreed that the proposed measures should be of voluntary, non-legally binding character without prejudice to the implementation of those measures that are part of existing obligations by Member States parties to such arrangements.

- TCBMs can not serve as the substitution to the legally binding arrangement and States shall consider their accession to all relevant arrangements.

The Report contains specific recommendations to enhance the transparency of outer space activities. These include:

Information exchange on space policies, the principles and goals of a State's outer space policy, on major military outer space expenditures and other national security space activities.

Information exchange and notifications such as on orbital parameters of outer space objects and potential orbital conjunctions, on forecast natural hazards in outer space and spacecraft launches.

Risk reduction notifications, including on scheduled manoeuvres, uncontrolled high-risk re-entry events, other emergency situations and of intentional orbital break-ups.

An important confidence building measure - contacts and visits to space launch sites and facilities.

The GGE recommended that stronger coordination and interaction shall be established between participants in outer space activities, including national space agencies, international organizations with specific mandates, as well as commercial operators.

The deliberations in the Group demonstrated that many issues of relevance can be resolved through interaction and dialogue. It was also concluded that the GGE itself served as a good vehicle of confidence. For me personally it was an opportunity to see the diversity of missions (political, technical, scientific) that are being carried out by different Organizations and UN Bodies in addressing space security issues. I came out with a strong conviction that a lot can be achieved if we only achieve synergy between them.

The GGE also acknowledged that being ambitious we must be realistic if we want this Study to be seriously considered by the UN Member States as well as by the operators. With this in mind we tried to put forward proposals that were practical, implementable, did not undermine sovereign rights or security of States. From that prospective I shall once again stress that the measures contained in the Report are of voluntary nature, many are part of existing instruments.

I will now turn to the conclusions and recommendations of the Report.

- The GGE encourages States to review and implement the proposed TCBMs through relevant national mechanisms.

- The GGE recommends universal participation in and adherence to the existing legal framework relating to outer space activities.

- The GGE recommends that the General Assembly decides how to further advance TCBMs in Outer Space, including by referring the above recommendations to the respective UN bodies and holding a joint meeting of the First and Fourth Committees.

- The GGE called upon the UN Secretary-General to circulate the Report to all relevant entities and organizations of the UN system in order that they may assist in effectively implementing its conclusions and recommendations.

Dear Colleagues,

Of course, now we are posed with the questions where we move from here and whether the Study and the Report will serve their purpose or will be just another file in the archive? Here, I would rather put on my personal hat and share my expert views.

The Report of the GGE and proposed TCBMs are not ultimate solution to emerging challenges in space security. They take stock of the existing mechanisms and practices and lay ground to further work in the multilateral formats and consideration by various actors dealing with space to fill in the lacunas. Colleagues at this panel will share with you some ways forward. I will not “eat their bread” and limit my remarks by mentioning that TCBMs were considered in the framework of PAROS and draft PPW Treaty as a possible/temporary measure in absence of a verification mechanism. While the “roots” of a draft international code of conduct and TCBMs in outer space activities are the same and it is important to find an appropriate procedure and format to advance ICC.

My experience in dealing with various UN bodies shows that due to different membership, rules of procedure, composition (diplomats v scientists v lawyers) etc. it is close to impossible to find mutual understanding. But the thing is that there is no other forum to address global issues and the attempts to by-pass proved to be ineffective, create a wider divide or illegitimate.

The GGE made an attempt to bring synergy to the deliberations of space security within UN bodies by recommending holding a joint ad hoc meeting of the UNGA First and Fourth Committees to address possible challenges to space security and sustainability since TCBMs are of relevance in different aspects. Latter this proposal was supported by UNGA resolution 69/38. I am looking forward to this meeting. In my opinion, it may come out with the decision by the Chairs of both Committees to join the efforts to promote space security. For example, here, in Geneva, the Conference on Disarmament may engage in multilateral discussions on the TCBMs in Outer Space of relevance to security.

Let me conclude by expressing my appreciation to the organizers and sponsors of the UNIDIR conference for their sustained interest, support and promotion of space security.