



# **BratMUN 2019 Study Guide**

Committee on Peaceful Use of Outer Space

<b>FOREWORD FROM THE CHAIRS</b>	<b>2</b>
<b>ABOUT THE COMMITTEE</b>	<b>3</b>
Responsibilities	3
<b>INTRODUCTION TO THE TOPIC</b>	<b>4</b>
<b>KEY ACTORS</b>	<b>5</b>
The United States of America	5
Russian Federation	6
The People’s Republic of China	6
<b>BRIEF HISTORY</b>	<b>7</b>
<b>KEY RESOLUTIONS AND PACTS</b>	<b>9</b>
Resolutions	9
General Assembly	9
<b>FURTHER READING</b>	<b>12</b>
<b>PRIMARY SOURCES</b>	<b>13</b>
UN-related documents	13
Other	14
<b>QUESTIONS TO BE ADDRESSED</b>	<b>15</b>
<b>CLOSING REMARKS</b>	<b>16</b>

## FOREWORD FROM THE CHAIRS

It is our great pleasure to welcome you at the BratMUN 2019 Committee for Peaceful Use of the Outer Space. This committee is not present too often during the MUN simulations, making the BratMUN a more special conference in the Central European region. During the three days of BratMUN, you will absolve a potentially nerve-cracking simulation of diplomatic talks, which will utilize your communication and argumentation skills. During this time, you will have the once-in-a-lifetime opportunity to change the international space law.

As the Committee will be dealing with sensitive international law issues, we encourage you to read through this study guide and also make your own research.

Now we would like to introduce ourselves. The first chairperson for Your committee is Adam Lauko. Adam Lauko was awarded the “Honorable delegate” award in the international MUN in Mostar, where he represented Germany in the CCPCJ committee. This will be his first chairing experience, nevertheless, he is looking forward to using his knowledge of international relations for moderating a fruitful debate on space disarmament.

The second chairperson is Rio Matsui. He has previously attended 7 MUNs as a delegate in Bahrain and received the “Best Delegate” award in NISMUN, and the “Most Diplomatic Delegate” award in KanooMUN. This will also be his first chairing experience in an official MUN, and he is looking forward to listening to all the intense debating that will be held in the committee

We hope that this Committee will be powered by the drive and fruitful debate of the delegates, leading to a realistic and well-formed resolution. Nevertheless, the result of the MUN experience should not only consist of a piece of paper. We hope that attending BratMUN will help the personal growth of each of our delegates.

We look forward to seeing during BratMUN 2019.

Best Regards,

Rio Matsui and Adam Lauko

## ABOUT THE COMMITTEE

The Committee On Peaceful Use of Outer Space, established in 1959, is the UN's body for cooperation in outer space issues. It's activities revolve around eliminating existing and potential problems connected to the outer space use and exploration, such as using nuclear power in space, satellite surveillance, rescuing astronauts, creating bases on Celestial Bodies or placing weapons on the orbit. In order to keep track with the development of space technologies, the COPUOS established two subcommittees, the Scientific and Technical Subcommittee, and the Legal Subcommittee. Today, with 92 member states, COPUOS is one of the largest committees in the United Nations. Interestingly enough, despite the fact that issues of global security are often debated in the COPUOS, no country has veto power.

### Responsibilities

- reviewing international space cooperation
- studying space-related activities
- encouraging space research programmes
- studying legal problems arising from exploration of the outer space



## INTRODUCTION TO THE TOPIC

On the 27th of January, 1967, the treaty that will later be a backbone for the Space Law was opened for signature, the “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies” -famously known as the Outer Space Treaty. The treaty only consisted of 17 articles, but it had clearly sent a message to the world that the international community is now willing to maintain the peace in outer space, and alienate any kind of arms race. 50 years from the signing of the Treaty, now, Space is on the verge of turning in to the next battlefield.

Weaponization and militarization of space has always been a topic discussed in the international stage, however, it received a limited amount of public attention until recently. The spotlight was casted on the topic in 2018, when the US President, Donald Trump, has announced the establishment of the sixth branch of the US armed forces, the Space Force. While the full purpose of the branch is yet unknown, it signalled the world that militarization and possible weaponization of space is right around the corner.

The US conflict with China and Russia regarding the development of space weapons also adds more concern for the international community, as this conflict could be converted into a possible arms race in outer space.

The issue also extends to the current Space Law, as the problem lies in its lack of detail. In comparison to the Law of the Sea Treaty, which became the backbone for the International Law of the Sea and consists of hundreds of articles in length, the Outer Space Treaty’s 17 articles are definitely not enough for it to be a reliable legal instrument. In addition, the lack of detail also provides an escape route for nations, as it allows changing interpretation and definitions.

Our mission as the Committee On Peaceful Use of Outer Space is to ensure that the outer space is used for the “benefit of mankind”, and to seek a final and irreversible solution for the issue.

## KEY ACTORS

### The United States of America

The United States of America can be considered as the prime mover of this issue. President Donald Trump first announced the establishment of the US Space Force in the National Space Council in 2018, and this year, a presidential directive (Space Policy Directive-4) was issued and signed (waiting for congressional approval to formally proceed with this act). The US currently regards China and Russia as their biggest military threat in outer space and is concerned about their development of counter-space weapons.

Unlike Russia and China, the US remained its public stance to oppose agreements and treaties regarding the prevention of weaponization of outer space (especially the ones supported by Russia and China). The US has constantly refused to back the Prevention of an Arms Race in Outer Space (PAROS) treaty, and also to support the draft Treaty introduced by Russia and China to the Conference on Disarmament.

### Russian Federation

On the public stage, the Russian Federation has repeatedly encouraged the international community to prevent the weaponization of outer space. In 2008, the Russian and Chinese government introduced their draft Treaty, "Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects (PPWT)", to the Conference on Disarmament (stated as "CD" from now). In 2015, the Russian government has made a joint statement in the CD with Venezuela to declare that they will not be the first to place weapons of any kind in outer space.

However, on the other hand, despite their public stance on the issue, it is almost certain that the Russian government is also viewing the space as a

warfighting domain. Russia has never made an explicit statement about their space military program, just to avoid international criticism and contradiction with its public stance. Although, according to a report published by the US Defense Intelligence Agency, the Russian military is certainly increasing its counter space weapons capabilities: both Directed Energy Weapons (DEW) and Electronic Warfare (EW). The establishment of the Russian Space Force as the new branch in the Russian Aerospace Forces also indicates how Russia is pointing its focus towards the outer space. It can also be interpreted that their public stance is only a defensive act to prevent the US to take advantage in outer space.

## The People's Republic of China

China has a fairly similar public stance to Russia, as they also call out for the peaceful use of outer space, and the prevention of possible militarization and arms race. In 2008, China introduced the PPWT draft Treaty to the Conference on Disarmament with the Russian government, and in 2011, China issued a statement saying that the weaponization of outer space is “against the interest of all countries”.

However, in the same way as Russia, China is accused by the US for developing military capabilities in space despite their public stance. The US government claims that the Chinese government is currently developing space weapons, including DEW such as laser weapons, EW weapons, and cyberspace capability. As a response to this, in 2019, the Chinese Foreign Minister, Wang Yi, spoke to the media stating that “The Chinese side did not, and will not take part in an arms race in outer space of any form”.

## BRIEF HISTORY

In 1957, the Soviet Union launched the first satellite in the world - Sputnik 1. Shortly after, in 1958, the United States launched the Explorer 1. In a short time, both East and West were able to use the orbit to deploy weapons able to see and later also hit any place on the Earth. In later development, both blocks released numerous

reconnaissance and communication satellites, which were primarily intended for military role, although serving mainly for support and intelligence purposes. However, satellites haven't been used for military purposes only. Satellites improved the world's economy by supporting transport, agriculture, mining, forestry and other important elements of human activity. In the last 60 years, satellites have become a tool we need to use properly, such as a knife or a wheel, and the international community has to make its decision on whether it is still in its best interest to consider militarization of space illegal under international law.

In the history of military use of outer space, first experiments with surveillance date back to 1959. American Corona program, the first surveillance satellite ever, was operated for 13 years, entirely Top secret. This suggests that powerful countries of the international community never had to care too much about whether the international community approves something or not, just because they had the ability to conduct such operations secretly. Then there are countries which do not have to care too much about the opinion of the international community. North Korea, for example, managed to launch 3–5 satellites (intelligence is not approved), threatening countries such as Japan in the process. Nevertheless, it should also be said that the United States was also conducting operations potentially threatening the Soviet Union, China, or DPRK during the Corona program, let alone the violation of these countries sovereignty.

In recent years, to the great pleasure of the international community, the launching of a space satellite ceased to be an ability of a well-developed economy. But, to the concern of the international community, well-developed countries are able to mask their military satellites in the great number of launches. As was already observed, many times are classified spy satellites declared as failed ones, such as is the case of the US Zuma satellite. Zuma was declared to be destroyed, nevertheless, there is a controversy whether the satellite really failed or it is just a deception made by the US. In each case, secret launches pose potential harm for the international community, because due to the usage of stealth technologies on satellites, there is an increased risk of collision, wasting billions of dollars of very precious resources. Therefore, the international community has to take a look at solving these problems.

## KEY RESOLUTIONS AND PACTS

### Resolutions

*These are the resolutions regarding treaties and principles that are significant for this issue.*

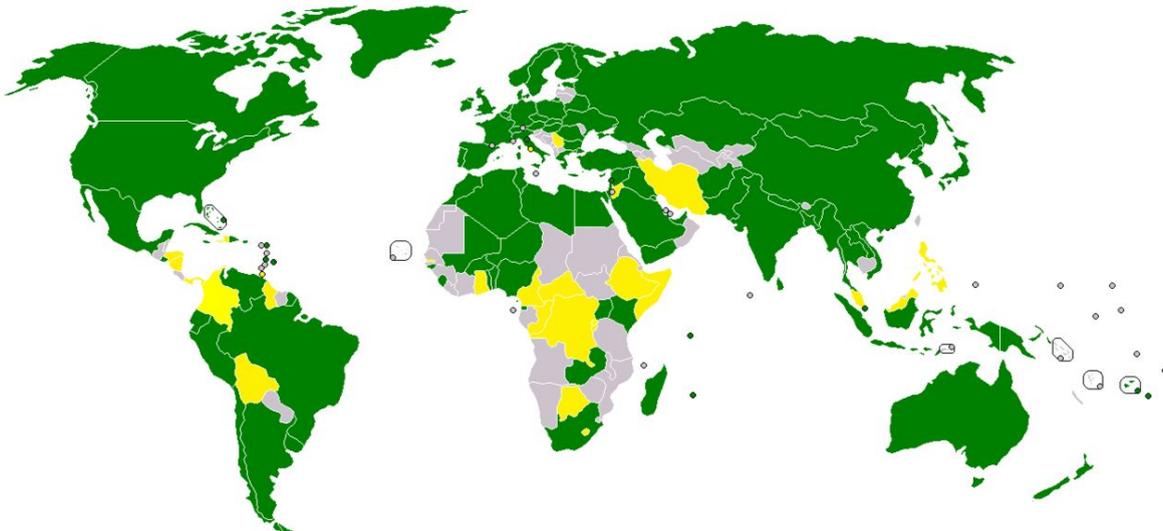
#### General Assembly

- **RES 2222 (XVII)** – “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies”, or widely known as the “Outer Space Treaty”, is a must read document. The treaty prescribes the general principles regarding space activities, and it represents the basic legal framework of international space law.
- **RES 34/68** – “Agreement Governing the Activities of States on the Moon and Other Celestial Bodies” or widely known as the “Moon Treaty”, is an agreement that prohibits any claim on the land of a celestial body. As shown in the map below, the limited number of Parties and Signatories are concerned.
- **RES 3235 (XXIX)** – “Convention on Registration of Objects Launched into Outer Space”, or widely known as “Registration Convention”, is one of the treaty that is forming the International Space Law. This convention requires states to furnish to the United Nations with details about the orbit of each space object.
- **RES 41/65** – “Principles relating to remote sensing of the Earth from outer space” is a document that states that all remote sensing activities should be used for the benefit of all nations. The Principles were adopted by the United Nations, but it is not yet an official treaty that is included in the International Space Law.

- **Partial Nuclear Test Ban Treaty** – the official name being “Treaty Banning Nuclear Weapon Test in the Atmosphere, in outer Space and under Water”, is a treaty that prohibits nuclear tests in the atmosphere, outer space, and under water.

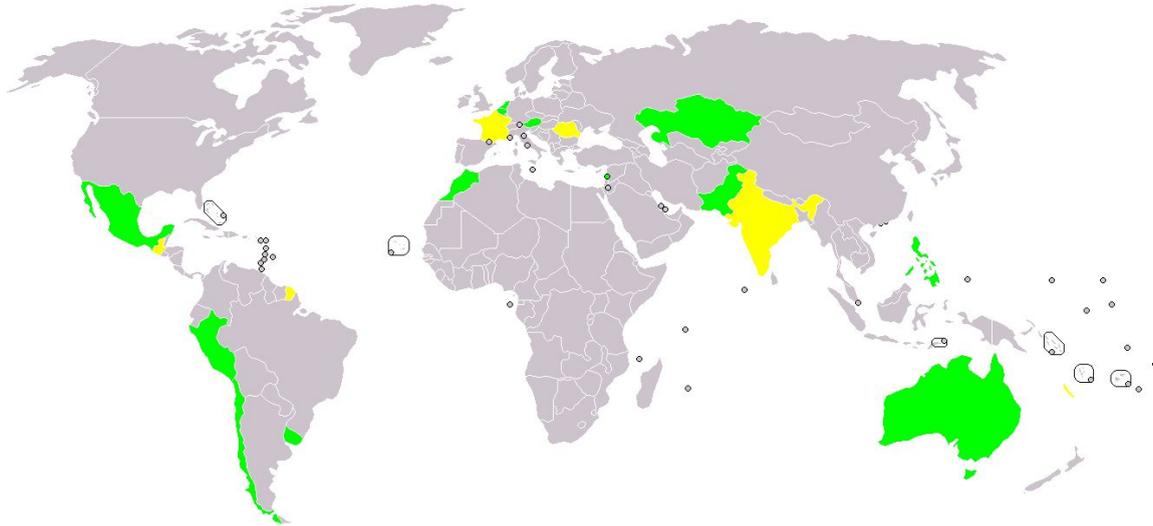
*All the resolutions except the last one can be found in this document below. The document can also be used for studying the International Space Law in more depth as it contains every principles and treaties related.*

[http://www.unoosa.org/res/oosadoc/data/documents/2017/stspace/stspace61rev\\_2\\_0.html/V1605998-ENGLISH.pdf](http://www.unoosa.org/res/oosadoc/data/documents/2017/stspace/stspace61rev_2_0.html/V1605998-ENGLISH.pdf)

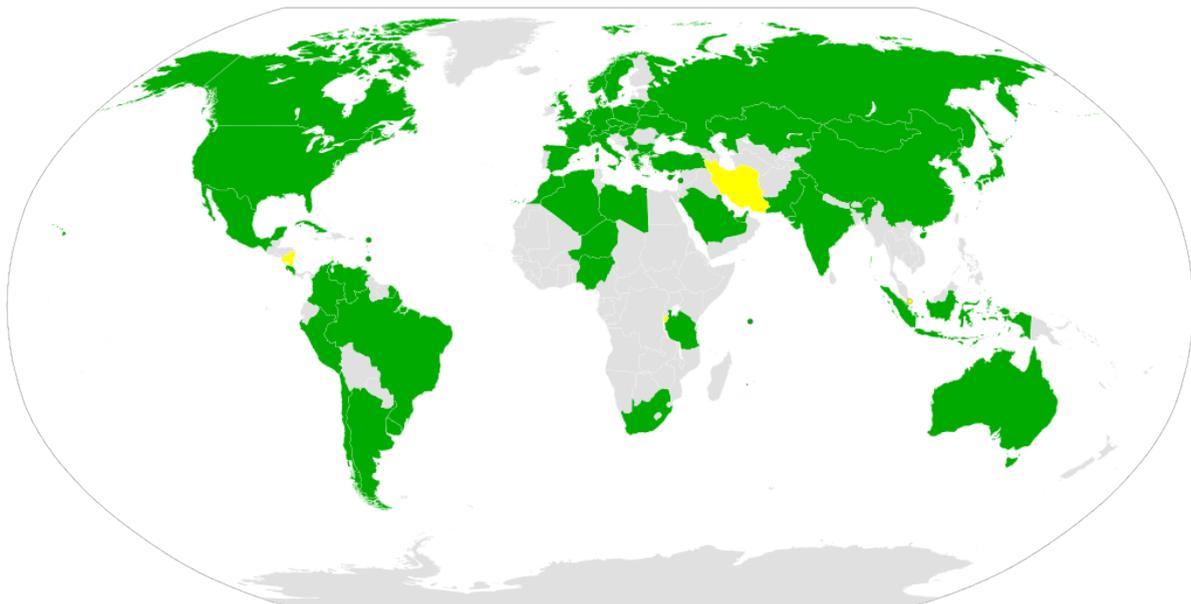


*Outer Space Treaty:*

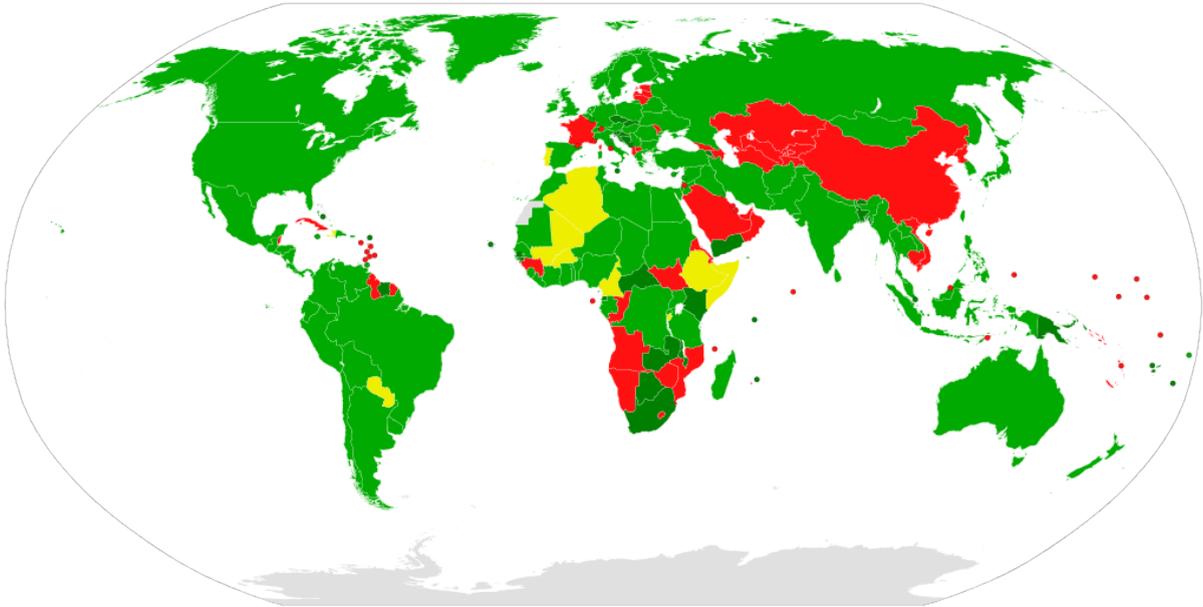
*Parties (green), Signatories (yellow), and non parties (grey)*



*Moon Treaty:  
Parties (green), signatories (yellow), and non-parties (Grey)*



*Registration Convention:  
Ratified (Green), Signed but not ratified (Yellow), Not signed (Grey)*



*Partial Nuclear Test Ban Treaty:*

*Signed and Ratified (Light Green), Acceded or Succeeded (Dark Green),*

*Only signed (Yellow), Not signed (Red)*

## FURTHER READING

[https://www.dia.mil/Portals/27/Documents/News/Military%20Power%20Publications/Space\\_Threat\\_V14\\_020119\\_sm.pdf](https://www.dia.mil/Portals/27/Documents/News/Military%20Power%20Publications/Space_Threat_V14_020119_sm.pdf) – an official report published by the US Defense Intelligence Agency regarding the space military capabilities of Russia and China.

<https://www.nti.org/learn/treaties-and-regimes/proposed-prevention-arms-race-space-paros-treaty/> – A brief timeline until 2017 about all actions taken in the Conference on Disarmament regarding the PAROS treaty. (secondary source)

<https://www.un.org/disarmament/topics/outerspace/> – Brief introduction about UNODA and Outer Space.

<http://opiniojuris.org/2018/09/13/the-legality-of-a-u-s-space-force/> – A scholar discussing the legality of the US Space Force (secondary source)

<https://2009-2017.state.gov/t/isn/5181.htm> – a brief timeline about the

establishment of the Outer Space Treaty published by the US Department of State.

<https://bigthink.com/politics-current-affairs/china-space>

<https://www.ilsa.org/Jessup/Jessup%20Competitor%20Resources/intlawintro.pdf>

—

in order to make the simulation as accurate and as effective as possible, please, read the document carefully

## PRIMARY SOURCES

### UN-related documents

- **A/74/77** — an official report published by the General Assembly that contains recommendations suggested by the Group of Governmental Experts (consisting from 25 member states) regarding the further practical measures for the prevention of an arms race in outer space.
- **A/73/20** (partially related to our issue) — an official report about the 61st COPUOS session that was held in June 2018. Information related to the peaceful use of outer space can be seen from page 14.
- **A/74/20** (partially related to our issue) — an official report about the 62nd COPUOS session that was held this year in 2019. Information related to the peaceful use of outer space can be seen from page 8.
- **CD/2140** — a report published by the Conference on Disarmament regarding the prevention of arms race in outer space.
- **CD/2060** — Declaration made by Venezuela and Russia that they would not be the first to place weapons of any kind in outer space. This was signed in September 2015.

### Other

Draft on “Treaty on the Prevention of the Placement of Weapons in Outer Space, the

Threat or Use of Force Against Outer Space Objects”, which was written by China and Russia. <http://reachingcriticalwill.org/images/documents/Disarmament-fora/cd/2014/documents/PPWT2014.pdf>

Online text version of the Space Policy Directive-4 published by the White House.

<https://www.whitehouse.gov/presidential-actions/text-space-policy-directive-4-establishment-united-states-space-force/>

Official document published by the COPUOS that was published January 2019

regarding the current status of international agreements relating to activities in outer space. It has all the information about which countries are ratified, signed, or not signed for the treaties or agreements. [http://www.unoosa.org/documents/pdf/spacelaw/treatystatus/AC105\\_C2\\_2019\\_CRP03E.pdf](http://www.unoosa.org/documents/pdf/spacelaw/treatystatus/AC105_C2_2019_CRP03E.pdf)

## QUESTIONS TO BE ADDRESSED

- Should outer space be internationally recognized as the new battlefield next to sea, land, and air? If so, how would the Space Law be revised? Or should the UN desperately defend the stance of keeping the space away from weaponization?
- Should we ban all types of weapons in outer space?
- Should we allow those military superpowers to develop Space Weapons? Or should we immediately take judicial measures to restrict those countries? Or can we?
- What can we do to countries, such as China and Russia, who have the possibility to be building Space Weapons secretly?
- Is usage of anti-asteroid nuclear weapons and their presence on the orbit an issue of international security? Or should countries be justified for using it for national security?
- Is satellite surveillance considered a space military asset?

- Would the creation and development of Space forces be an obstacle for scientific research conducted in Space? If so, what kind of framework should be made to coexist them?
- Should extraterrestrial bases have the same legal status as islands?
- What should be the borderline between airspace and outer space?

## CLOSING REMARKS

This study guide provides a brief overview of the topic. You should go through the recommended reading section, conduct further research into your country's policy and start brainstorming possible answers to the questions to consider and solutions to the discussed issue. The chairpersons are aware that this is not an easy task, however, your performance in the committee will reflect your preparation and research. This will also ensure that all of us have the best time possible at BratMUN 2019.

**In addition, you are expected to send a position paper approximately in the length of an A4 paper no later than the 25.10.2019 to the email address [copuosbratmun2019@gmail.com](mailto:copuosbratmun2019@gmail.com)**

The position paper should contain four sections: Background of Topic, Past International Actions, your Role and Pacts or Laws applicable to the Case, Questions to Ask, Possible Solutions. It should be accompanied with your name, surname, your position or role in the committee, the topic, and the name of the committee.

We are looking forward to seeing you and cooperating with you at the conference and wish you the best of luck with your preparation.

In case of any questions about the topic, position paper, Rules of Procedure or anything else, do not hesitate to contact us via the aforementioned address.

*Best regards,*

*Rio Matsui & Adam Lauko*

*Chairpersons of the BratMUN Committee on the Peaceful Use of Outer Space*