

Response by the Kingdom of the Netherlands to UNGA-resolution 77/251 on Transparency and confidence-building measures in outer space

Introduction

The Netherlands considers transparency and confidence-building measures to be fundamental to preserve a safe, sustainable and secure outer space. The obligation of due regard, provided for in Article IX of the Outer Space Treaty, is a core principle to reduce threats in outer space. From this obligation flows the sharing of information and other transparency and confidence-building measures (TCBMs).

This is all the more important as the space domain has become increasingly congested and contested. More and more countries are developing capabilities with which they can limit or even deny other users' access to space assets. Also, many sophisticated technological advances originate from the private sector and a range of private actors are increasing and expanding their activities in space. Hence, differentiating between civilian and military usage of space is becoming increasingly complex. This nature of our space domain together with the technological sophistication and dual-use technologies may also blur the lines between offensive and defence usage of space.

In this context, TCBMs, in their potential to reduce, or even eliminate, misunderstandings, mistrust and miscalculations with regard to the activities and intentions of countries in outer space are an important step towards improving space security in a step-by-step approach towards a possible legally binding instrument in the future. This is why the Netherlands supports United Nations General Assembly (UNGA)-resolution 77/251 on transparency and confidence-building measures in outer space.

National implementation of TCBMS

Information exchange on space policies

Mutual trust between states can be further improved through open exchange of information on space policies. This concerns matters such as the publication by UN member states of their national policies, strategies and doctrines with regard to space, including safety and security aspects. This is why the Netherlands published a translation of its [national space security policy](#) and supported the publication of an unclassified version of NATO's space policy. To further improve such transparency the Netherlands welcomes the [UNIDIR Space Security Portal](#), to which it has submitted national space policy documents and other relevant information regarding national space activities.

Information exchange and (risk reduction) notifications related to outer Space activities

Transparency about space operations such as launches and orbital manoeuvres is key in ensuring a safe, sustainable and secure outer space. Such transparency can in part already be achieved through existing mechanisms, including the timely provision of information to the [United Nations Register of Objects Launched into Outer Space](#). We call on all countries to utilize all existing mechanisms to ensure maximum transparency, by duly registering their space activities. In order to ensure its national implementation, the Netherlands has codified the registration convention in its national space law, of which English versions are publicly available on the [website of UNOOSA](#). Our [national Space Activities Act](#) for example, contains rules concerning space activities and established a [public national registry of space objects](#). This registry also documents the decommissioning of space objects under Dutch jurisdiction, thereby providing information on space debris mitigation. Furthermore, the Netherlands is investigating the need for adjusting its Space Activities Act to ensure full implementation of the Guidelines for the Long-term Sustainability (LTS) of Outer Space Activities, about which it reports to the LTS 2.0 Working Group in UNCOPUOS.

Another relevant mechanism is the [Hague Code of Conduct Against Ballistic Missile Proliferation](#) (HCoC). As a subscribing state the Netherlands submits an annual declaration of our relevant policies on ballistic missiles, space-launch vehicles and sounding rockets. This and other relevant tools of this Code are instrumental in the context of space, as it facilitates the exchange of information between states, including pre-launch notifications related to outer space activities.

Contact and visits to space launch sites and facilities

Based on our conviction of the value of visits to space launch sites and facilities, the Netherlands contributed in the framework of HCoC to a transparency visit of international observers to the *Centre Spatial Guyanais* that was organised by France with the support of the European Union (EU) in December 2022.

International cooperation

International cooperation based on transparency, mutual trust and the exchange of knowledge and experience is an important element in addressing the challenges relating to space. As part of its national space security policy the Netherlands commits (*inter alia*) to contribute in international and multilateral context to transparency and confidence-building measures. The Netherlands therefore actively contributes to discussions in the Open-Ended Working Group (OEWG) on Reducing Space Threats, but also in other UN fora, for example through statements in the UNGA and the Conference on Disarmament, as well as through written contributions such as this contribution to the UNSG report. The Netherlands considers that these are all confidence-building measures in itself as such exchanges in multilateral fora focus on understanding each other's threat perceptions and views on responsible and irresponsible behaviour.

Given the major interests at stake, and the views associated with them, which may be different for each UN member state, it is important for this to be an inclusive process, in which the Netherlands believes there should be a role for the private sector too. The Netherlands for example, organized a stakeholder consultation with participants from Dutch civil society and the private sector to collect views on responsible and irresponsible behaviour in outer space in preparation of the recent session of the OEWG on Reducing Space Threats.

Furthermore, the Netherlands has recently joined the EU SST partnership. Through its participation the Netherlands contributes to regional data sharing of space objects and associated risks within the EU in form of the EU SST services. The EU SST partnership provides collision avoidance, re-entry analysis, and fragmentation analysis services to entitled users through a secure portal. The Netherlands shares experience, best practices and information related to space objects under Dutch jurisdiction and control with states, international intergovernmental organisations and non-governmental entities/private entities in an open and transparent manner. The Netherlands will continue with this in support of the long-term sustainability of space activities.

The Netherlands also recognizes the importance of international cooperation on scientific, technical and development projects between both spacefaring and non-spacefaring nations. In this context the Netherlands, together with our European partners in the Copernicus program, was responsible for the technical development of TROPOMI, a tropospheric monitoring instrument that was launched onboard a satellite and delivers invaluable atmospheric data, leading to new insights on combatting climate change and air quality management.

The Netherlands furthermore supports the use of satellite data for achieving the Sustainable Development Goals by funding the Geodata for Agriculture and Water (G4AW) Facility. This year the program reached the milestone of supporting 4 million smallholder food producers with satellite based information services. In 2021 the Netherlands Space Office, responsible for the G4AW

program, received the GEO Innovation Award from Group on Earth Observations in Geneva for its role as an early adopter of space data for sustainable development. The Netherlands cooperates closely with the Food and Agriculture Organization of the United Nations in making data on water productivity in agriculture available.

The way forward

The Netherlands remains committed to contributing constructively to the international dialogue and addressing the vulnerability of space. In the Netherlands' view, a step-by-step approach is the most pragmatic and immediate way forward and may eventually lead to legally binding instruments. Such steps could be taken based on a political commitment and further operationalised by means of norms, standards and principles about (inter alia) TCBMs. As a concrete step in this direction, the Netherlands has expressed its commitment not to conduct destructive direct-ascent anti-satellite missile tests at the recent High-Level Segment of Conference on Disarmament in February 2023. Further steps should aim to enshrine this commitment into a legally binding instrument, possibly beyond the current focus on ground-based direct ascend systems.

Transparency and trust can also be enhanced by further international cooperation in the area of space situational awareness (SSA) and the exchange of information on this subject between countries. Furthermore, The Netherlands believes that SSA capabilities can assist in facilitating the monitoring and compliance with current and future international agreements on responsible behaviours in outer space. The Netherlands' ambitions as regards further development of such capabilities, such as the Netherlands' joining the EU SST partnership, show our desire to play an active role in developing the potential of SST further within the framework of space security, so that SST and the input in international discussions on this issue can complement and reinforce each other.

Finally, countries should commit to further increase the synergy between the various multilateral fora involved in ensuring a safe, secure, and sustainable outer space. We fully recognize that these fora have their own mandates and roles but can simultaneously benefit from available expertise, ideas, and documented outcomes, specifically also with regards to TCBMs.

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