

Practical implementation of transparency and confidence-building measures in outer space

Views and Proposals of the United States of America

Submitted in response to Secretariat note verbale ODA/2023-00013/TCBMs in outer space activities

March 2023

The United States affirms the continued importance of transparency and confidence-building measures in outer space activities. In particular, the United States supports the report of the Group of Governmental Experts (GGE) on Transparency and Confidence Building Measures (TCBMs) in Outer Space Activities.¹ In the decade since the GGE's report was adopted in 2013, the number of operational satellites in earth orbit has increased from 1,000 to over 7,600. Space activities around the globe are rapidly accelerating. This has created new opportunities in multiple sectors of society, as well as new challenges to global space governance, the sustainability of the space environment, and safe and secure space operations.

Confrontation or conflict in outer space is not inevitable. Adherence during peacetime to a common set of voluntary, non-legally binding measures can increase stability and predictability, enable crisis management, enhance operational safety, and reduce the risks of misperception and miscalculation, thus contributing to the prevention of conflict. Therefore, it is essential for all nations to continue to review and implement, to the greatest extent practicable, the consensus recommendations on transparency and confidence-building measures contained in the 2013 GGE report.² All States should also support development of new TCBMs that contribute to the safety, stability, security, and long-term sustainability of space activities.

In this regard, the United States continues to implement such measures in line with previous submissions,³ and to engage in dialogue through activities such as active participation in the open-ended working group (OEWG) on "reducing space threats through norms, rules and principles of responsible behaviours," established by the General Assembly in 2021.⁴

The United States also supports and actively participates in discussions on the practical implementation of space TCBMs in the Committee on the Peaceful Uses of Outer Space, the Disarmament Commission, and the Conference on Disarmament.⁵

It is essential for all nations to take concrete, pragmatic, and practicable steps to reduce the risks of misunderstanding leading to conflict or a degradation of the outer space environment. The most critical task is to address those behaviors that could lead to miscalculation and misunderstandings.

¹ A/68/189

² A/RES/77/251, paras. 1-2

³ A/AC.105/1080 and CD/2078

⁴ A/RES/76/231

⁵ A/RES/77/251, para. 3

As one practical measure to build confidence and advance norms of responsible behavior, the United States was the first nation to commit in April 2022 not to conduct destructive direct-ascent anti-satellite missile testing. The United States welcomes the increasing number of States which have since made this commitment, demonstrating that the commitment is an emerging norm of responsible behavior. As General Assembly resolution 77/41 notes, the commitment contributes “to the development of further measures for the prevention of an arms race in outer space.”⁶

As additional steps to develop norms of behavior for international peace and security in outer space, the United States has also proposed in the OEWG seven additional measures for consideration.⁷ These are:

1. States should promote compliance with international law and adherence to voluntary guidelines and standards applicable to space activities;
2. States should share information publicly and with other States about national space policies, strategies, doctrine, and major activities;
3. States should operate in, from, to, and through space in a safe and professional manner;
4. States should limit the creation of new space debris;
5. States should avoid the creation of harmful interference;
6. States should maintain safe separation and safe trajectory;
7. States should communicate and make notifications to enhance the safety and stability of outer space activities and to resolve concerns about international peace and security that arise from the conduct of outer space activities.

The seven U.S. proposals to the OEWG are consistent with, and in many cases, correlate directly with the categories and particular TCBMs found in the 2013 TCBM GGE report, including, but not limited to, “(a) General transparency and confidence-building measures aimed at enhancing the availability of information on the space policy of States involved in outer space activities,” or “(e) Measures related to establishing norms of behavior for promoting spaceflight safety such as launch notifications and consultations that aim at avoiding potentially harmful interference, limiting orbital debris and minimizing the risk of collisions with other space objects.”

The United States believes that discussions in disarmament fora on TCBMs specifically relating to national security space activities can effectively be reinforced by distinct and complementary efforts to ensure the long-term sustainability (LTS) of outer space activities. The 2013 GGE Report specifically acknowledged the complementarity of these efforts, noting in particular that the LTS guidelines of the Committee on the Peaceful Uses of Outer Space,⁸ “will have characteristics similar to those of transparency and confidence-building measures; some of them could be considered as potential transparency and confidence-building measures, while

⁶ A/RES/77/41, para. 2

⁷ A/AC.294/2023/WP.5

⁸ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 20 (A/74/20)*, annex II

others could provide the technical basis for the implementation of certain transparency and confidence-building measures.”

In this regard, it is essential for all States to fully implement the guidelines for space debris mitigation⁹ and long-term sustainability endorsed by the UN General Assembly after adoption by the Committee on the Peaceful Uses of Outer Space in 2007 and 2019.¹⁰ These consensus guidelines serve as cornerstones for protecting the space environment as well as advancing key principles for international cooperation in the peaceful uses of space. It is essential for States to participate constructively in ongoing COPUOS discussions to ensure their governmental and non-governmental activities are conducted consistent with both sets of guidelines.

⁹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20 (A/62/20)*, paras. 117 and 118, and annex

¹⁰ A/RES/62/217, paras. 26-27 and A/RES/74/82, paras. 1-2.