

UN Open-Ended Working Group on Reducing Space Threats

Fourth Session

Geneva, 28 August to 1 September, 2023

Statement by the Delegation of Brazil

Agenda Item 5 – Opening remarks

Thank you, Mr. Chairman.

We thank you and your team for your stewardship of this process thus far and for the preparation of the draft report that we have before us. We believe that the draft captures the gist of the proposals and ideas discussed throughout the three previous sessions, and that it represents a very solid basis for the substantive outcome that we fervently wish this OEWG will achieve.

My delegation associates itself with the joint statement delivered by the delegation of the Philippines on behalf of the Friends of the OEWG.

We also wish to take this opportunity to join others in congratulating India for its lunar exploration mission Chandrayaan-3. The success of this ambitious and daring endeavor is a success of all humankind.

Mr. Chairman,

My delegation has stated clearly in the previous three sessions of the OEWG that Brazil remains firmly attached to the objective of negotiating a legally-binding instrument on the prevention of an arms race in outer space. However, we see no opposition between that objective and the pursuit of the mandate of this working group, that is, the recommendation of non-binding norms on State behavior. We believe that such non-binding norms would contribute to clarifying the generic principles contained in the Outer Space Treaty and their relevance to space security, in a manner that is analogous to the work that has been carried out by COPUOS over the past seven decades in the field of civilian space activities. Brazil believes that such clarification would represent invaluable contributions to solving the conceptual disagreements that have thus far hobbled our efforts to reach consensus on a treaty on PAROS.

Mr Chairman,

Regarding the contents of your draft report, beyond the comments made in the joint statement of the Friends of the OEWG, my delegation has a few additional remarks to make in its national capacity.

First, my delegation commends the recognition of the applicability of international law, including the UN Charter, international humanitarian law to outer space. My delegation underscores the importance of the reference to the 1977 Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques (ENMOD).

Another issue of particular interest to my delegation is the issue of destructive anti-satellite weapons. These weapons and their testing have been identified by numerous states as one of the primary drivers of insecurity in outer space, as evidenced by the national positions consolidated in the report of the UN Secretary General contained in document A/76/77.

While reiterating the positions expressed in its working paper on the issue of Destructive ASAT weapons, circulated during the third session of the OEWG, my delegation strongly supports the proposal by the ICRC on Paragraph 20 of your draft report, which states that there is no international obligation that specifically prohibits the creation of debris caused by deliberate hostile acts or by the destructive testing of anti-satellite weapons. Like the ICRC, my delegation deems it important to qualify that statement by recalling that there are relevant rules of international law may nevertheless prohibit or restrict behaviours prone to the creation of debris.

Mr. Chairman,

Brazil is firmly committed to ensuring the continuation of the work carried out in this working group and to the preservation of a forum on issues related to space security that is inclusive and open to the participation of all States.

We are also committed to ensuring that the results of this OEWG build on the many discussions held in the CD on PAROS and that our recommendations become a firm basis for the negotiation of legally binding instrument, or instruments, on that issue.

The upcoming GGE on PAROS is the most promising avenue to ensure that goal.

Brazil chaired the first GGE on PAROS established by the General Assembly, which concluded its work in 2019. Regrettably that Group was unable to reach consensus on substantive recommendations. Such a result was not due to shortcomings of its final report, which was widely praised as balanced, consistent and useful. Instead, the lack of consensus derived from mistrust among key players, which prevented the leap of faith that is necessary in order for genuine progress in disarmament, non-proliferation and arms control to take place. We believe that if the upcoming GGE wishes to avoid repeating the dynamics of its predecessor, we will need to inject a dose of resolve and mutual trust into the process. In Brazil's view, the successful conclusion of the present OEWG and the adoption of recommendations on norms for responsible behavior in outer space can play that crucial role.

Having been selected to participate in the upcoming GGE, Brazil will undertake all efforts to ensure that the work of both fora are characterized by complementarity and a mutually reinforcing dynamics.

Mr. Chairman,

Before we move into informal closed negotiations on your draft outcome report, rest assured that Brazil will support your efforts to bring this OEWG to a successful conclusion.

Thank you, Mr. Chairman.