

U.S. Statement to the Open-Ended Working Group on Reducing Space Threats
January 30, 2023
Delivered by Ambassador Bruce Turner

Thank you, Mr. Chair, for giving me the floor. As this is my first opportunity to provide remarks to the Open-Ended Working Group since taking up my position in Geneva, let me assure you of the United States' strong support for your efforts here. The United States has long advocated for norms, rules and principles of responsible state behavior in outer space and looks forward to continuing to work with all of you on this important issue. The United States appreciates the significant engagement that has occurred during the first two meetings of this OEWG and we will continue our efforts to reach a successful outcome for this process.

Mr. Chair, as this group meets to discuss developing norms related to national security space behaviors, we must take a moment to reflect on the revolutionary, world changing events that are going on in outer space. From weather forecasting, to navigating, to communicating, space has become an essential tool driving prosperity and security for all States.

To preserve these global benefits and reduce the risks to the outer space environment from anti-satellite weapons, and to reduce the risks of miscalculation and misinterpretation leading to conflict, the OEWG must take steps to address these risks and threats.

In October, at the UNGA First Committee, the body tasked with dealing with threats to peace, Russia very clearly and repeatedly stated that satellites providing support to Ukraine in response to Russia's illegal invasion, "may be a legitimate target for a retaliatory strike." I would urge colleagues to think about that statement, especially in light of Russia's recently demonstrated capability to destroy satellites in outer space using ground-launched, direct-ascent anti-satellite missiles.

I would also encourage you to think about Russia's choice in the First Committee to make use of this capability in conjunction with its statements regarding retaliatory strikes, when you hear another country state that, "irresponsible policies, doctrines and strategies of one superpower – which we presume to mean the United States -- is the greatest threat to outer space security, and the root cause of the increasing risks of the weaponization of and an arms race in outer space."

In the current environment of tension and mistrust, it is important that we take tangible and concrete steps to address the risks of misunderstanding leading to conflict or a degradation of the outer space environment. That is why the United States believes the most critical issue to address is not doctrines or strategies or unworkable and unverifiable legal treaties, but addressing those behaviors that could lead to miscalculation and misunderstandings.

We hope to use the discussions over the course of this week to offer some real-world examples of recent satellite interactions in orbit, as a means to create shared understandings about the threats and the potential misperceptions that can result from these interactions. Our hope is

that we can use those events as examples of why we need to develop guidelines of responsible behavior that enhance trust.

Ultimately, this is an issue that affects all countries, not just the so-called “major powers.” All countries use outer space – whether they launch their own satellites, field their own satellites, or benefit directly from satellites. We must take steps to reduce the risk to all of us, by using this process to develop norms of behavior that can strengthen peace and stability.

Mr. Chair, in the [U.S. working paper](#) that was submitted to the OEWG last week, we put forward seven proposals for norms, rules and principles of responsible State behavior. 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; and
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.

My delegation looks forward to providing more insight on our proposal in the course of this week’s meeting and working with colleagues here to discuss these ideas.

In keeping with today’s topic, I would like to discuss our first proposal, which calls upon states to promote compliance with international law and adherence to voluntary guidelines and standards applicable to space activities.

International law, including the law of armed conflict, applies to activities in outer space. Compliance with international law and consistent adherence to a State’s voluntary commitments are the foundation of the rules-based international order and peaceful relations between States. We encourage all states to promote compliance with existing international law applicable to outer space activities, including the four core outer space treaties, the Charter of the United Nations, and other international law, including the law of armed conflict.

As we have heard from the previous sessions, the Outer Space Treaty serves a constitutional role in the international legal framework for outer space. It has enabled the exploration and use of space by an increasingly diverse range of actors, serving a growing set of vital needs on Earth. The Treaty incorporates the basic principles that address the legal character of the space domain, which were originally addressed by the entire international community of States in the UNGA’s 1963 Declaration of Legal Principles Governing the Activities of States in the Exploration

and Use of Outer Space. These basic principles were further elaborated in the other three core space treaties: the Rescue and Return Agreement; the Liability Convention; and the Registration Convention.

The Outer Space Treaty lays out essential rules for, and restraints on, States Parties' exploration and use of outer space, including with respect to national security. States Parties must conduct their activities with due regard to the interests of other States Parties, as well as undertake international consultations before proceeding with an activity that it has reason to believe would cause potentially harmful interference with the activities of others in the peaceful exploration and use of outer space. Of particular relevance to our work, the Moon and other celestial bodies can only be used exclusively for peaceful purposes, and States Parties are prohibited from placing nuclear or other weapons of mass destruction in orbit around the Earth, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner.

As activities in outer space continue to expand both in numbers and complexity, it is in our collective long-term interest to promote compliance with the four core space treaties. Especially since membership in the four core space treaties is not universal. There are 193 UN member states, but only 112 state parties to the Outer Space Treaty. 98 States are party to both the Rescue and Return Agreement and the Liability Convention. Only 72 states are party to the Registration Convention.

Take our Iranian colleagues, for example, who have been very vocal in calling for additional legally-binding arms control measures. They have signed but not ratified the Outer Space Treaty and the Registration Conventions. At the same time, Iran's Islamic Revolutionary Guards Corps has announced that it has successfully put several "military" satellites in orbit. However, it appears that none of these military satellites have been registered. We would welcome our Iranian colleagues' thoughts on these military satellites and whether Iran intends to register them with the UN. This is not the way to enhance trust and reduce perceptions of threat.

As we shift to the other topics this week, we can further develop how norms, rules and principles of responsible behavior can promote common understandings regarding activities undertaken in outer space when operating in accordance with existing international law.

There have been discussions at the OEWG on elaborating what terms like "due regard" or "harmful interference" mean in practice. There have been several working papers, including one by the Philippines, that have referenced these issues. We do not believe it would be advisable to re-open any of the four core space treaties, or that this the correct forum to engage in a definitional exercise. Instead, we believe that this OEWG, through its focus on identifying responsible behaviors, can articulate voluntary, non-legally binding measures that address how to operate safely in outer space in accordance with existing international law and examine ideas to further determine if there are shared understandings between nations which could serve as impetus for future work. Our proposals on safe separation and safe trajectory,

or on limiting the creation of new space debris, are examples that could be considered by the OEWG.

Lastly, I understand Mr. Chair, that during the last OEWG session, you had a memorable “close approach” with one of the presenters. I was not here to see that but this is a good opportunity to note that we must make sure any future such close approaches are done in a safe and professional manner, both here in the room and in orbit around the Earth.

Thank you.

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