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Disarmament Commission

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Agenda item 5

Preparation of recommendations to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space, in accordance with the recommendations set out in the report of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities

Working paper submitted by the Non-Aligned Movement

1. The Non-Aligned Movement recognizes the common interest of all humankind, and the inalienable, legitimate sovereign rights of all States in the exploration and use of outer space for exclusively peaceful purposes, reconfirms its stand to oppose and reject any act denying or violating it and emphasizes that prevention of an arms race in outer space, including a ban on the deployment or use of weapons in outer space, as well as the threat or use of force against outer space objects, would avert a grave danger for international peace and security.
2. The Movement underlines the importance of the urgent negotiations and the early conclusion of an international legally binding instrument to prohibit the placement and use of weapons, and to prevent the arms race, in outer space, at the Conference on Disarmament.
3. In this context, the Movement welcomes the inclusion, in the agenda of the United Nations Disarmament Commission in its 2018, 2022–2023 cycle, of an item on “Preparation of recommendations to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space, in accordance with the recommendations set out in the report of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities”.
4. The Movement underscores that, while voluntary transparency and confidence-building measures may partially contribute to reducing mistrust and enhancing the safety of outer space operations in the short term by avoiding accidents resulting from mistakes or miscalculations, they cannot represent a substitute for a legally binding



instrument on the prevention of an arms race in outer space, including the prohibition of the placement of any weapons in outer space, as well as the threat or use of force against outer space objects.

5. The Movement is of the view that elements of transparency and confidence-building measures could also be integrated into a future legally binding instrument on the prevention of an arms race in outer space (PAROS).

6. As a positive contribution to the consideration of this agenda item, the Non-Aligned Movement proposes the inclusion of the following elements in the Commission's outcome document under this agenda item:

(a) Recognizes the common interest of all humankind and the inalienable, legitimate sovereign rights of all States in the exploration and use of outer space for exclusively peaceful purposes;

(b) Emphasizes that prevention of an arms race in outer space, including a ban to deploy or use weapons therein, is essential for ensuring the exploration and use of outer space for peaceful purposes and also for the promotion of international peace and security;

(c) Underscores the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space;

(d) Expresses concern over the negative implications of the development and deployment of anti-ballistic missile defence systems, anti-satellite weapons capabilities and the threat of weaponization of outer space or turning outer space into a battlefield, especially in the light of the abrogation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty);

(e) Is also seriously concerned at the negative security consequences of the deployment of strategic missile defence systems which could trigger an arms race and lead to the further development of advanced missile systems and an increase in the number of nuclear weapons;

(f) Warns about the negative implications of the threat of weaponization of outer space and invites the Conference on Disarmament to establish an ad hoc committee under its agenda item entitled "Prevention of an arms race in outer space" as early as possible to advance the substantive works towards the negotiation of a legally binding treaty on the prevention of an arms race (PAROS) in outer space in accordance with the mandates of the Conference;

(g) Calls upon the Conference on Disarmament to commence its substantive work and negotiations as soon as possible, inter alia, on the prevention of an arms race in outer space, taking note of the joint Russian-Chinese initiative of a draft treaty on the "Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects", noting that this initiative is a constructive contribution to the work of the Conference and is a good basis for further discussion towards adopting an international legally binding instrument;

(h) Welcomes the resolutions of the General Assembly on the "Prevention of an arms race in outer space" and "No first placement of weapons in outer Space", both of which reaffirm the importance and urgency of the objective of preventing an arms race in outer space and the willingness of all States to contribute to reaching this common goal;

The Movement welcomes the valuable progress made through the discussions of the Group of Governmental Experts established pursuant to General Assembly resolution [72/250](#) and regrets that consensus on the draft final report of the Group of Governmental Experts was blocked by one member, and noted that it could have represented a good basis for further negotiations towards adopting an international legally binding instrument. The Movement takes note of the establishment of the new Group of Governmental Experts pursuant to Assembly resolution [77/250](#), to consider and make recommendations on substantial elements of an international legally binding instrument on the prevention of an arms race in outer space, including, inter alia, on the prevention of the placement of weapons in outer space; and calls on the new Group of Governmental Experts to take into consideration the deliberations that took place in the 2018/2019 Group of Governmental Experts, and its documents, including inter alia, the working papers and the draft final report.

The Movement underscores that, while voluntary transparency and confidence-building measures may partially contribute to reducing mistrust and enhancing the safety of outer space operations in the short term, they cannot represent a substitute for the early conclusion of a legally binding instrument on the prevention of an arms race in outer space, including the prohibition of the placement of any weapons in outer space, as well as the threat or use of force against outer space objects.

The Movement further notes the establishment of the Open-Ended Working Group on Reducing Space Threats through norms, rules and principles of responsible behaviour and emphasizes the importance of reaching a consensual outcome document, taking into account the concerns of all Member States;

(i) Urges all Member States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space;

(j) Underlines the importance of, and calls for, the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes, including by paying particular attention to the benefits for and the interests of developing countries;

(k) Underlines further the commitments of all States to the universally agreed principles governing the activities related to the exploration and use of outer space for peaceful purposes, on equal access to outer space for all without discrimination, including non-discrimination cooperation referred to in this domain in accordance with the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of all States, taking into particular account the needs of developing countries (1996 Declaration) contained in General Assembly resolution [51/122](#);

(l) Strongly urges States to refrain from any unilateral measures in contravention of international law that could impede or prevent space activities for peaceful purposes by developing countries and the full, effective and non-discriminatory implementation of the principles and treaties governing international space law;

(m) Recognizes the growing scope and significance of international cooperation among States and between States and international organizations in the exploration and use of outer space for peaceful purposes, and underlines the necessity and the significance of further strengthening international cooperation in order to reach broad and efficient collaboration in this field for the mutual benefit and in the interest of all parties involved, in accordance with General Assembly resolution [51/122](#) in 1996 entitled “Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the interest of all States, taking into particular account the needs of developing Countries”;

(n) Reaffirms the need for a universal, comprehensive, transparent and non-discriminatory multilateral approach towards the issue of missiles in all its aspects, negotiated multilaterally within the United Nations, and that any initiatives on this subject should take into account the security concerns of all States and their inherent right to peaceful uses of outer space technologies.
