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PPWT 2008 VS EU CODE OF CONDUCT 2008

Abstract

The joint draft Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects (PPWT 2008) presented by China and Russia, represents an attempt to increase regulation of states' activities in outer space, specifically in the contexts of force and weapons. The EU draft Code of Conduct (2008) was proposed in order to further negotiations and agreements between states in order to increase global security in the context of outer space.

States' activities in outer space remain problematic for global security. PPWT 2008 introduces some definitions which have been lacking in previous outer space treaties. Developing space powers tend to prefer the clarity and security that such treaties offer including the signatory and ratification process. By contrast the EU Code of Conduct lacks such definitions and represents an approach which tends to be preferred by more powerful states, which often prefer flexibility of interpretation. If the EU Code of Conduct were to be adopted by space faring states, then future developments might include the more general adoption of such principles, perhaps in a manner analogous to the law of the sea which became customary international law and ultimately was formulated into a treaty.

Both approaches have differing strengths and weaknesses, yet both retain structural deficiencies which may prevent them from achieving long term utility.

This paper will discuss the strengths and weaknesses of these two approaches. It will compare and contrast the structure and purpose of the documents and discuss possible difficulties which may arise as a result. Finally this paper will make suggestions as to how these problems might be addressed and will propose new solutions relevant to the further development of space security.