

52nd COLLOQUIUM ON THE LAW OF OUTER SPACE (E8)
Peace in Space: Transparency and Confidence Building Measures (2)

Author: Prof. Haifeng Zhao
Harbin Institute of Technology, China, zhaohaifeng_c@163.com

CODE OF CONDUCT FOR SPACE ACTIVITIES AND INTERNATIONAL RULE OF LAW

Abstract

This paper explores the main elements and significations of the Draft Code of Conduct for Space Activities adopted by the Council of the EU in December 2008, as well as its relationship with the Draft Convention on the prohibition of weapons in outer space (PPWT) submitted by Russia and China to the CD in February 2008. The author of this paper argues that a real international rule of law over outer space activities should be established, in order to maintain security in international community and to create a better environment for further exploration and exploitation of outer space. For this purpose, measures in the form of soft law on transparency and on confidence building in outer space activities are important, probably easier to be accepted and even to be implemented; yet adopting a treaty banning the weaponization in outer space is imperative for the establishment of a true peace and common security in outer space. At present time, the Draft PPWT resulting from long-term joint efforts of China and Russia has gained the support from the majority states of the world, thus, a solid basis for the adoption of future treaty in weaponisation prohibition is being formed. Although making such a treaty perhaps is hard and complex; it is, however, necessary and feasible.