

53rd COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Legal Aspects of Space Security (3)

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DEVELOPING A EUROPEAN-CHINESE/RUSSIAN APPROACH TO THE ISSUE OF
NON-WEAPONIZATION OF OUTER SPACE: A FEASIBLE GOAL?

Abstract

Preventing the weaponization of outer space is one of the most debated space law issues. The last few years have seen an increasing amount of discussions on this issue, involving not only the major space powers but also a large group of developing countries, in international fora, such as the First Committee of the United Nations General Assembly, the UN Conference on Disarmament and the UN Committee on the Peaceful Uses of Outer Space. While it has not been possible to arrive at an agreed solution on how to efficiently deal with the problem of the possible weaponization of outer space, a large consensus on the need that something must be done has emerged. China and Russia on one side and the European Union on the other have taken the lead in the debate concerning the prevention of weaponization of outer space. While the formers have submitted a proposal for a treaty demilitarizing outer space, namely the Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects, the latter has issued a Draft Proposal for European Code of Conduct for Outer Space Activities. Despite the differences existing between the two proposals in terms of legal and formal contents, this paper will examine the possibility to develop a common European-Chinese /Russian approach to the issue of non-weaponization of outer space. Although such goal is surely challenging, some factors, both political and legal, induce to look at it with hopes for success.