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TRANSPARENCY AND CONFIDENCE-BUILDING MEASURES IN OUTER SPACE

Abstract

The political, economical and technological developments in space arena in recent twenty years have become to be quite topical. There is a need for continuous policy- and law-making for maintaining of a space framework which would meet needs and accommodate visions of all actors of such activities.

The present paper summarizes political, organizational and legal aspects of the work and its results, up to the present time, of Member States of the United Nations under the topic of transparency and confidence-building measures in outer space. It attempts to come up with a definition of such measures and to find if more broad and harmonized approach to address them was needed. Further, the paper aims at determining the effectiveness of relevant policy- and law-making activities, as well as at recommending, if appropriate, measures towards their improvement and future implementation.

There have been a number of ways towards furthering the evolution of the political and legal regimes for space activities. Besides continuous analysis of the United Nations treaties and principles on outer space, States and, to some extent, international intergovernmental organizations, endeavour to come up with a set of guidelines which will be suitable for addressing modern challenges posed to the exploration and use of outer space.

In this connection, for example, the efforts undertaken within the framework of the United Nations by its Member States, which are commonly referred to as “transparency and confidence-building measures”, are regarded as those aimed at eliminating risks of armaments and threatening technologies in space and elsewhere. In relation to space activities, the majority of such efforts are undertaken under auspices of the First Committee of the General Assembly and in the Conference on Disarmament.

There are also projects called to establish a set of rules, guidelines or recommendations with regard to specific matters (e.g. space debris, space nuclear power sources) or more general (such as space traffic management).

At present, all these activities are taking place under umbrellas of different forums, virtually without any coordinated or harmonized approach. Moreover, there is a little awareness among policy- and law-makers regarding these initiatives. There is also a certain risk of undermining the existing legal framework for outer space activities as a consequence of these activities, if there will be no proper cooperation established among actors concerned.