

# Rule Making for Outer Space Activity -Japan's effort and international cooperation-

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# Current Status of International Rule Making for Outer Space Activity

## COPUOS

- 1967 **Outer Space Treaty**  
⇒ Prohibition of stationing nuclear weapons or any other kinds of weapons of mass destruction in outer space
- 1968 **Rescue and Return Agreement**
- 1972 **Liability Convention**
- 1975 **Registration Convention**
- 1979 **Moon Agreement**



COPUOS promotes international rule making by the UNGA Resolution such as Principles, Declaration and Recommendations, not by legally binding instruments.

## CD, The 1st Committee of UN GA

- 1963 **Partial Test Ban Treaty (PTBT)**
- 1985~1994 **Ad hoc committee on PAROS** in CD
- 1996 **Comprehensive Nuclear-Test –Ban Treaty (CTBT)** (not yet entered into force)  
⇒ Prohibition of any nuclear weapon test explosion or any other nuclear explosion at any place including outer space

- 2007 **Anti-Satellite weapon (ASAT) test by China** generated a large number of space debris
- **Advancement of space technology and increasing use of space for both civil and security applications**  
→ Necessity of rule which is **non-legally binding** and **covers both civil and military activities in outer space**
- 2008 EU proposed a draft **International Code of Conduct for Outer Space Activities (ICOC)**.

⇒ **Refraining from intentional destruction of space objects (including ASAT test)**

2013 May 1st Open-ended Consultations in Kiev

Nov. 2nd Open-ended Consultations in Bangkok

2014 May 3rd Open-ended Consultations in Luxembourg

(More than 90 UN Member States engaged in the Consultations.)

2008 China and Russia submitted a draft **Treaty on the Prevention of the Placement of Weapons in Outer Space, the Treat or Use of Force against Outer Space Objects (PPWT)** to the CD.

2013~ Russia declared Joint Statement with some countries that they would **not be the first to place weapons of any kind in Outer Space (NFP)**.

2014 The **NFP resolution** was adopted in UN.

# Main Agenda Item in COPUOS and Japanese Contribution

Fourth Committee of the UN General Assembly

**Committee on the Peaceful Uses of Outer Space  
(COPUOS)**

※2012.6 ~ 2014.6  
Chair: Mr. Horikawa

Secretariat: OOSA  
Chief, Mr. Doi

**Scientific and Technical Subcommittee  
(STSC)**

※2017 ~ Candidate for Chair: Ms. Mukai

**Legal Subcommittee  
(LSC)**

WG of the Whole  
(WGW)

WG on the Use of  
NPS in Outer Space

**WG on the LTS of Outer  
Space Activities**

Near-Earth Objects  
(NEO)

※to discuss as a regular agenda  
after submitting final WG report

EG-A: Sustainable Space  
Utilization supporting  
Sustainable  
Development on Earth

EG-B: Space Debris,  
Space Operations and  
Tools to support  
Collaborative Space  
Situational Awareness

EG-C:  
Space Weather

Co-Chair: Mr. Obara

EG-D: Regulatory  
Regimes and Guidance  
for Actors In the Space  
Arena

WG on the Status and  
Application of the Five UN  
Treaties on Outer Space

WG on the Definition and  
Delimitation of Outer Space

WG the Review of International  
Mechanisms for Cooperation in  
the Peaceful Exploration and Use  
of Outer Space

Chair: Ms. Aoki

National legislation

※to discuss as a regular agenda after  
submitting final WG report

# Background of International Rule Making for Outer Space Activity

## ● Increasing space-utilizing nations and advancement of space technology

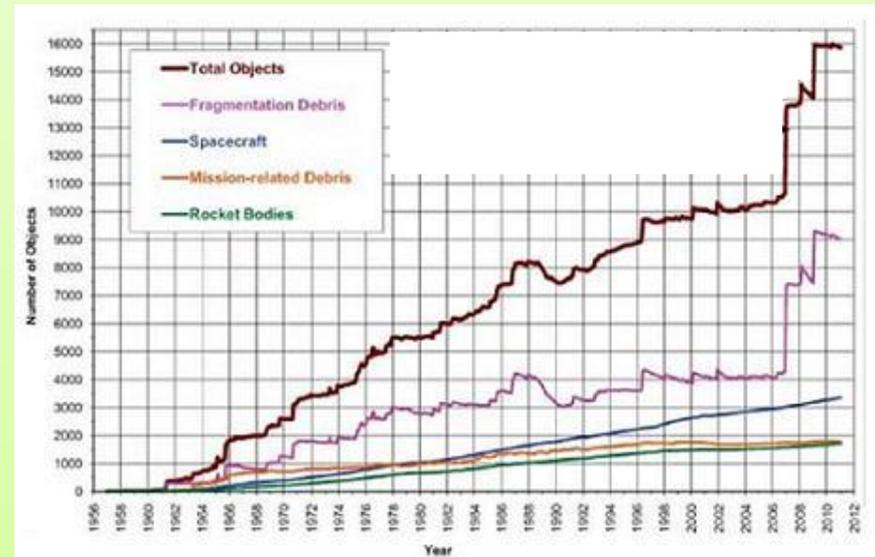
- The number of nations possessing satellites : more than 50 nations
- The number of nations possessing launching Technology : 10 nations

## ● Increased use of space for both civil and security applications

- Navigation Satellite System, Telecommunication and broadcasting, remote sensing
- Information Gathering and Early Warning by Satellite, Missile Defense

## ● Increased vulnerability and risks involved in outer space activities:

- Congestion of Outer Space
- Increasing the number of space debris
- Satellites Collision
- Anti-Satellite weapon test by China



✧ NASA debris program Office

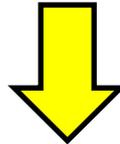
# ARF 2<sup>nd</sup> Space Security Workshop (9-10 October, 2014)

- Co-hosted by Japan, Indonesia and the United States
- Over 100 participants, comprising government officials and experts from ARF
- They shared views on:
  - ① The importance of Outer space for economy activity, social activity and security
  - ② The necessity of protection for the stable utilization of outer space
  - ③ The necessity of multilateral cooperation in securing the long-term and sustainable use of space as well as on the importance of rule-making in the field of space



# ICOC and LTS

**International Code of Conduct for Outer Space Activities  
(ICOC)**



**International Rule for Outer Space Activity**



**Long-term Sustainability of Outer Space Activities  
(LTS)**

# Discussion on the space security

## Outer Space Treaty

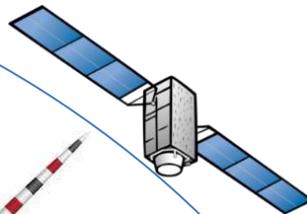
- Prohibit stationing nuclear weapons or any other kinds of weapons of mass destruction in outer space

## ICOC

- Non-legally binding
- Refrain from any action which brings about damage or destruction of space objects ~~including ASAT test~~
- Mitigate the creation of space debris



Weapon of mass destruction



ASAT test



Conventional weapon



## PPWT

- legally binding
- Not to place any weapons in outer space
- Not to resort to the threat or Use of force against outer space objects
- ~~Not prohibiting ASAT test~~

## NFP Resolution

- Non-legally binding
- Not to be first to place any weapons in outer space
- ~~Effectively declaring to follow suit as the second to place weapons in space~~

# New “Basic Plan on Space Policy” (excerpted)

## 2. Goals of Japan’s space policy

### (1) Ensuring space security

#### ① Ensuring stable utilization of outer space

To effectively address congestion in space due to space debris and the risks of attacks on satellites, etc., Japan will work to boost the resiliency of space-based systems and promote the formulation of international rules on space utilization, thereby preventing negative effects on our national security or civil interests from events occurring in outer space and ensuring the stable utilization of space.

## 4. Japan’s concrete approach to space policy

### (1) Policy framework for realization of space policy goals

#### ① Solidifying national security in space

Also, Japan will proactively pursue partnerships with other nations on realizing and reinforcing the rule of law in outer space, for example by promoting efforts to formulate the ICOC: International Code of Conduct for Outer Space Activities stipulating countermeasures against increased volume of space debris and prohibiting anti-satellite attacks. In addition, we will work toward an improved outer space utilization environment through measures such as developing debris cleanup technologies.

# New “Basic Plan on Space Policy” (excerpted)

## 4. Japan’s concrete approach to space policy

### (2) Specific initiatives

#### ④ Advancement of space diplomacy and reinforcement of overseas development strategies related to the space field

##### i) Realization and reinforcement of the rule of law in outer space

The government of Japan will further work toward the establishment of international rules, in particular by promoting the formulation of the International Code of Conduct for Outer Space Activities, and will proactively participate in and contribute to discussions in international conferences such as the United Nations COPUOS (Committee on the Peaceful Uses of Outer Space), so as to play the greatest possible role in the creation of rules by the international community.

In this process, we will actively utilize opportunities for bilateral and multilateral policy dialogues including the ARF (ASEAN Regional Forum) and other regional cooperative frameworks to convey to the international community Japan’s principles and position based on fairness, transparency, and reciprocity. In addition, we will encourage other nations to boost the transparency of space operations and work to foster mutual trust, so as to avoid unexpected situations due to misunderstanding or miscalculation.