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Disarmament Commission**Substantive session of 2022**

New York, 4–21 April 2022

Agenda item 5

Preparation of recommendations to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space, in accordance with the recommendations contained in the report of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities**Working paper submitted by the Arab Group**

1. The Arab Group welcomes the inclusion of an agenda item on transparency and confidence-building measures for the prevention of an arms race in outer space at the present session. In this context, the Arab Group emphasizes that, in addition to reaching balanced recommendations under the agenda item on nuclear disarmament and non-proliferation, any conclusions that the Commission may adopt at its present session under this item need to be consistent with the following key principles:

(a) Outer space is public property and shared heritage for humanity as a whole; accordingly, all activities in outer space should be addressed in the relevant United Nations forums with the objective of guaranteeing inclusiveness, universality, non-discrimination and consensus;

(b) Any effort towards regulating outer space activities should be aimed at enhancing the peaceful uses of outer space for the benefit of all the States and peoples of the world and should not therefore undermine the inherent right of each State to use outer space for non-armament-related purposes;

(c) There should be a commitment to keeping outer space free of conflicts, wars or armaments until a universal, legally binding and verifiable instrument is concluded in this regard. Accordingly, there is a need to prevent any placement or deployment of weapons in outer space, whether for offensive or defensive purposes, as well as to prevent any potential arms race or any targeting of objects in outer space;

(d) It is essential to work towards enhancing the availability of technological exchange in the field of outer space, by providing technical cooperation and assistance and building the relevant capacities in developing countries.



2. The Arab Group stresses that voluntary transparency and confidence-building measures may temporarily represent a positive contribution, but they do not represent a reliable substitute in the long term for legally binding instruments that streamline and properly codify the relevant commitments and measures.
3. The 2013 report of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities (A/68/189), upon which our discussions at this session are mainly based, makes it clear that transparency and confidence-building measures can contribute to, but not be a substitute for, measures to verify arms limitation and disarmament agreements. It also concludes that voluntary political measures can form the basis for the consideration of concepts and proposals for legally binding obligations.
4. There is a clear need for serious efforts to adopt new legally binding instruments that complement the existing regime on the regulation of outer space activities, taking into consideration the significant technological developments during the past few years, as well as the increasing role of non-State actors in this area.
5. The Conference on Disarmament represents the most appropriate and relevant forum for negotiating these binding rules. However, until the launch of actual negotiations at the Conference, it seems necessary to intensify efforts to create significant momentum and build knowledge of the complex issues involved in the area of the prevention of an arms race in outer space.
6. It is important to note that there are very strong interlinkages and synergies between the guidelines agreed upon in the context of the Committee on the Peaceful Uses of Outer Space and transparency and confidence-building measures, as well as existing and future legally binding rules in the area of the prevention of an arms race in outer space. Possible recommendations by the Disarmament Commission under this agenda item should highlight the importance of streamlining all relevant efforts and ensuring that there is no duplication.
7. The above-mentioned 2013 report of the Group of Governmental Experts contains several positive elements that can represent an excellent basis for more detailed and elaborated recommendations by the Disarmament Commission on the prevention of an arms race in outer space and by the open-ended working group on reducing space threats through norms, rules and principles of responsible behaviours. It contains, to name a few, a series of measures for outer space activities, including the exchange of information relating to national space policy, such as major military expenditure on outer space; notifications on outer space activities aimed at risk reduction; and criteria for developing transparency and confidence-building measures in outer space activities and for testing their implementation and validation.
8. One key recommendation of the report was to encourage the further development of international cooperation between spacefaring and non-spacefaring nations in the peaceful uses of outer space, as well as coordination and consultation between the mechanisms aimed at improving interaction and communication between participants in outer space activities and clarifying information and ambiguous situations.
9. Another very significant recommendation of the report was that States should articulate the principles and goals relating to their outer space activities, which would represent a major step in the area of transparency and confidence-building at this critical juncture.

10. The Arab Group initially proposes the following elements to be included in the recommendations of the Disarmament Commission:

(a) Calling upon States to periodically formulate and submit papers on the principles and objectives of their national policies and programmes in the field of outer space; the papers should emphasize that such national programmes do not include any intentions or plans regarding the placement of any kinds of weapons in outer space or targeting of objects in outer space;

(b) Requesting the Secretariat to present a brief triennial report to the First and Fourth Committees of the General Assembly on the interlinkages and synergies between the guidelines agreed upon in the context of the Committee on the Peaceful Uses of Outer Space and transparency and confidence-building measures in the area of the prevention of an arms race in outer space; the implementation of the existing international legal commitments in the area of the prevention of an arms race in outer space; and possible endeavours to negotiate new legally binding commitments in this regard, with the aim of coordinating these efforts and assessing their effectiveness.

11. The Arab Group hopes that the present session of the Disarmament Commission will result in integrated and balanced recommendations that would contribute to the revival of disarmament efforts worldwide.
