

# Group of Governmental Experts on Further Practical Measures for the Prevention of an Arms Race in Outer Space

25 March 2019

English only

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## Second session

Geneva, 18-29 March 2019

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1. As set out in the resolution, the mandate is to consider and make recommendations on substantial elements of an international legally-binding instrument on the prevention of an arms race in outer space (PAROS), including, inter alia, on the prevention of the placement of weapons in outer space.
2. A comprehensive legally-binding instrument on PAROS would avert serious possible threats to international peace and security as well as save the world a huge opportunity cost from the economic point of view, as opposed to the waste in economic resources should an arms race in outer space take place.
3. The existing regime on outer space is not sufficient to prevent an arms race in outer space. There is consensus on the need to fill this important gap in the legal disarmament and arms-control regime at the strategic level. The first session of the GGE made significant strides towards creating points of convergence in the views of States on the possible approaches and on the ability to address key issues, especially with regard to the questions of the relevant scope, definitions and verification of a future treaty.
4. The Draft Treaty on the Prohibition of Placement of Weapons in Outer Space (PPWT) submitted by China and the Russian Federation in 2014 represents a good basis for discussion and the most mature proposal for future negotiations and deliberations on this matter, especially as far as the aspect of placement of weapons in outer space is concerned. It also provides several sufficient definitions, a reasonable scope that covers some of the scenarios of threat, and well-elaborated implementation and institutional arrangements. There is also a recognition on the part of the proponents that the draft may be subject to several improvements, especially regarding the scope of a possible Treaty.
5. For the treaty to be comprehensive and effective, its scope needs to include the prohibition of all acts that would represent a threat under all possible scenarios of threat. It also needs to utilize a diversified set of verification measures, without any infringement on peaceful activities or dual-use technologies.
6. Namely, the Scope of prohibitions in a comprehensive and effective treaty should include:
  - (a) The placement of any weapons in outer space for offensive or defensive purposes, including missiles, anti-ballistic missiles, or bunker-busting missiles.

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(b) Undertaking any armed attacks against satellites or other outer space objects, including through the use of missiles or other kinetic methods such as maneuverable satellites or robots.

(c) Any use of outer space objects as a weapon to conduct armed attacks or harmful interference against outer space or terrestrial targets.

(d) Any intentional harmful interference that would interrupt or affect the normal functioning of satellites or other outer space objects that is under the jurisdiction of another State or group of States, including through jamming, cyberattacks, directed energy systems such as laser or microwave, or any other electronic or non-kinetic methods.

(e) Developing, testing, stockpiling, and deploying weapons that are designed for the sole purpose of conducting armed attacks against satellites or other outer space objects, including Anti-satellite weapons (ASATs), or for the use as an outer space weapon.

7. Definitions can be kept to a minimum, while carefully capturing the necessary scope of prohibitions and avoiding possible negative implications on peaceful uses. It should be clearly indicated that these definitions are particularly limited for the purpose of this treaty to avoid any confusion with definitions that have been agreed in other existing or future instruments.

8. A more generic approach prohibiting weaponization and armed attacks is preferable to attempting to create an exhaustive list of related technologies or weapons. One of the options is to list the prohibited actions with possible inexhaustive examples of the types of weapons associated to them.

9. The treaty should also commit States Parties to prevent and suppress any activity prohibited to a State Party under the Treaty undertaken by persons or on territory under their jurisdiction or control.

10. Generic references in the preamble to the applicability of general principles of international law, especially the UN Charter and international humanitarian law, may resolve longstanding controversies regarding the definition of the use of force and the right of self-defense.

11. Any undue restrictions on peaceful and dual-use technologies or technology transfer will trigger strong opposition.

12. Verification should rely on a diversified set of tools and measures that vary in their level of intrusiveness and nature according to the level of threat. There should be an independent multilateral mechanism under the envisaged Executive Organization. The Executive Organization may also partly depend on the utilization of reliable and verifiable data provided by the relevant national authorities of States Parties and other international organizations. Certain agreed transparency measures, in addition to an institutional mechanism for dispute settlement and consultations can complement such a verification regime. The choice of verification measures can depend on the level of hostility associated with an act of possible noncompliance on a case-by-case basis. The specific elements of the verification regime and the modalities of the Executive Organization should be subject to a separate protocol(s) that can be elaborated in an open-ended working group, group of governmental experts, or during the actual negotiations on the treaty.

13. The preamble should also contain a reference to a reiteration of the States Parties commitment to the agreed objective of general and complete disarmament under strict and effective international control, in a manner that places the treaty in its proper context and ensures that it does not overlap with other outer space instruments addressing peaceful uses.

14. The attached two documents are an attempt to present these inputs in two formats:

(a) A concept note followed by the proposed elements in a regular clean-text format and a treaty-like language without explanations.

(b) The format circulated (a grid containing the explanations and logic behind the proposed language and amendments as much as possible. Deleted text indicates elements that are either problematic or unnecessary. Cells left empty indicate the possibility to include further elements that may be proposed by fellow experts).

15. The proposed elements are structured under the following sections: a preamble, and six sections covering General Obligations and Prohibitions, Verification and Transparency Measures, Definitions, Compliance and Dispute-Settlement, International Cooperation, and Institutional Arrangements.

16. The underlying logic is to propose the elements of a Framework Agreement that should be supplemented with a technical protocol or annex regarding the exact details on setting up the Executive Organization and the Verification Regime.

## **Proposed Elements**

### **Preamble**

The States Parties to this Treaty,

Pp1. Reaffirming that further exploration and use of outer space plays an ever-increasing role in the development of humankind,

Pp2. Acknowledging the vulnerability of the outer space domain,

Pp3. Recognizing the increasing human activity in outer space and risk of adverse effects,

Pp4. Recognizing also the catastrophic consequences of the weaponization of outer space or any military conflicts in outer space,

Pp5. Recalling that the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer space, Including the Moon and Other Celestial Bodies of 27 January 1967 (hereinafter referred to as the 1967 Outer Space Treaty), obliges the State Parties not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, not to install such weapons on celestial bodies, or station such weapons in outer space in any manner,

Pp6. Recalling also the resolutions of the United Nations General Assembly entitled “Prevention of an Arms Race in Outer Space” which inter alia emphasizes the need to examine further measures in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

Pp7. Recalling further that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purpose of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world’s human and economic resources,

Pp8. Reaffirming that the basic principles of international law, [including International Humanitarian Law], and the relevant international norms, are fully applicable in outer space,

Pp9. Recognizing that while the existing international agreements related to outer space and the legal regime thereof play a positive role in regulating outer space activities, they are not fully able to prevent the placement of weapons in outer space, armed attacks or intentional harmful interference against outer space objects, or an arms race in outer space,

Pp10. Reiterating their commitment to achieving the objective of general and complete disarmament under strict and effective international control,

Pp11. Recognizing the inalienable right of all States to fully utilize and develop outer space technologies and applications for peaceful purposes; expressing their commitment to avoiding any hampering of the peaceful uses of outer space; and stressing that nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to the peaceful exploration of outer space, including development, research, production and use of related technologies.

**Have agreed as follows:**

### **I. General Obligations and Prohibitions**

1. States Parties to this Treaty shall refrain from and prohibit:

- (a) The placement of any weapons in outer space for offensive or defensive purposes, including missiles, anti-ballistic missiles, or bunker-busting missiles.
- (b) Undertaking any armed attacks against satellites or other outer space objects, including through the use of missiles or other kinetic methods such as maneuverable satellites or robots.
- (c) Any use of outer space object(s) as a weapon to conduct armed attacks or harmful interference against outer space or terrestrial targets.
- (d) Any intentional harmful interference that would interrupt or affect the normal functioning of satellites or other outer space objects that are under the jurisdiction of another State or group of States, including through jamming, cyberattacks, directed energy systems such as laser or microwave, or any other electronic or non-kinetic methods.
- (e) Developing, testing, stockpiling, and deploying weapons that are designed for the sole purpose of conducting armed attacks against satellites or other outer space objects, including anti-satellite weapons (ASATs) or for the use as an outer space weapon.

## **II. Verification, Transparency and Confidence Measures**

1. States Parties agree to develop a diversified set of measures to ensure compliance with these provisions and to negotiate an additional protocol to this Treaty on verification measures, as well as strengthened transparency and dispute-settlement measures, including the establishment of a specialized Executive Organization with independent monitoring and reporting capabilities.
2. States Parties also agree to establish and implement the following agreed transparency and confidence-building measures on:
  - (a) Confidence-building measures and increased transparency, including by national regulation where appropriate, to limit the risk and/or perception of armed attacks or harmful interference.
  - (b) Increased transparency on On-Orbit-Servicing operations.
  - (c) On-site-visits of OOS capabilities.
  - (d) The exchange of information, as appropriate, and submitting declarations and periodical national reports on outer space activities, including the relevant military doctrines and strategies.
  - (e) Pre-launch notifications.
  - (f) Pre-launch inspections.
  - (g) Enhanced registration of space objects.
  - (h) Notifications of active space debris removal operations.
  - (i) Keep-away zones between outer space objects.
  - (j) Access to space object registries.
  - (k) Enhanced sharing of space situational awareness data.
  - (l) Access to space situational awareness catalogues.
  - (m) Notification of scheduled maneuvers.
  - (n) Notification of uncontrolled re-entries.
  - (o) Notification of intentional orbital breakups.

- (p) Familiarization visits to space facilities.
- (q) Visits to launch sites.
- (r) Technology demonstrations.
- (s) Review of new weapons in accordance with the provisions of this Treaty.
- (t) Other agreed transparency measures as appropriate.

### **III. Definitions**

For the purpose of this Treaty,

1. Outer Space objects: The term “Outer Space Object” means any device placed in outer space and designed for operating therein.
2. Armed Attack: The term “Armed Attack” means any act that aims to eliminate or permanently damage an outer space object.
3. Harmful Interference: The term “Harmful Interference” means any act that aims to temporarily disrupt the normal functioning of an outer space object.
4. Weapon in space: The term "weapon in outer space" means any outer space object or its component produced or converted with the sole purpose of eliminating, damaging or intentionally disrupting the normal functioning of objects in outer space, on the Earth's surface, or in the air, as well as to eliminate population, components of biosphere important to human existence, or to inflict damage on them by using any principles of physics.
5. Placement in outer space: An Outer Space Object is considered as “placed in outer space” when it orbits the Earth at least once, follows a section of such an orbit before leaving this orbit, or is placed in any location in outer space or on any celestial body other than the Earth.

### **IV. Compliance and Dispute-Settlement**

1. A State Party which has reasons to believe that another State Party fails to fulfil the obligations imposed by this Treaty may request the latter to clarify the related Situation. The Requested State Party shall provide the clarification as soon as possible.
2. If the State Party deems the clarification inadequate for resolving its concerns, it may request consultations with the Requested State Party. The Requested State Party shall immediately enter into such consultations.
3. The information concerning the outcome of consultations shall be sent to the Executive Organization who will share the relevant information with all State Parties.
4. Unresolved disputes and incidents of noncompliance shall be reported by the Executive Organization to the United Nations General Assembly, the United Nations Security Council, and the United Nations Secretary General.
5. A separate protocol on measures for the verification of compliance, including international independent mechanisms for that purpose and the mandate and structure of the Executive Organization, shall be negotiated by a specialized Open-Ended Working Group or by the Conference of States Parties.
6. In cases subject to the Convention on International Liability for Damage Caused by Space Objects of 1972, the relevant provisions of the Convention shall apply.

7. States Parties are also obliged to prevent and suppress any activity prohibited to a State Party under this Treaty undertaken by persons or on territory under their jurisdiction or control.

## **V. International Cooperation**

1. States Parties to this Treaty express their commitment to cooperate on the development and promotion of the peaceful uses of outer space.

2. States Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful exploration of outer space.

3. States Parties to the Treaty in a position to do so shall also cooperate in contributing, alone or together with other States or international organizations, to the further development of the applications of outer space for peaceful purposes, as well as to further the implementation of this Treaty, including through the provision of technical assistance and capacity building, with due consideration for the needs of the developing areas of the world.

## **VI. Institutional Arrangements**

The Conference of States Parties

1. A Conference of the States Parties shall be held [on an annual basis at the United Nations Headquarters] with a view to reviewing and strengthening the implementation of this Treaty starting from the year following its entry into force.

*The Executive Organization*

2. To promote the implementation of the purposes and provisions of the Treaty, the States Parties shall establish the Executive Organization of the Treaty, which shall:

- (a) consider matters related to the operation and implementation of the Treaty;
- (b) receive for consideration inquiries by a State Party or a group of States Parties related to an alleged violation of the Treaty;
- (c) organize and conduct consultations with the States Parties in order to address the situation related to the alleged violation of the Treaty;
- (d) refer the dispute to the United Nations General Assembly or the United Nations Security Council if the problem related to the alleged violation of this Treaty remains unresolved;
- (e) organize and hold meetings to discuss and accept the proposed amendments to this Treaty;
- (f) develop procedures for collective data sharing and information analysis;
- (g) collect and distribute information provided as part of transparency and confidence-building measures;
- (h) receive notifications on the accession of new States to this Treaty and submit them to the Secretary-General of the United Nations;
- (i) consider, upon agreement with the States Parties, other procedural and substantive matters.

3. The procedure of formation, the composition of the working bodies and policy-making organs, operating procedures and provisions of work of the Executive Organization of this Treaty shall be the subject of the additional protocol referred to in section II of this Treaty.

4. States Parties shall cooperate with the Executive Organization of this Treaty to facilitate its performance of the functions entrusted to it.

*Amendments*

5. Any State Party may propose amendments to this Treaty. The text of a proposed amendment shall be submitted to the Secretary-General of the United Nations for circulation to all States Parties. An amendment conference shall be convened if at least one third of the States Parties agree to do so.

6. Amendments shall enter into force upon their acceptance by consensus.

*Entry into force*

7. The Treaty shall be opened for signature by all States at the United Nations Headquarters. Any State which did not sign the Treaty before its entry into force may accede to it at any time.

8. The Treaty shall enter into force on the deposit of instruments of ratification by [twenty] States.

*Duration*

9. This Treaty shall be of unlimited duration.

*Withdrawal*

10. At any time after three years from the date on which the instrument has entered into force for a Party, that Party may withdraw from the Instrument by giving written notification to the Depositary.

11. Any Party that withdraws from the Instrument shall be considered as also having withdrawn from any protocol to which it is a Party.

12. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.

*Depositary*

13. This Treaty, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to all signatory and acceding States.



## Annex

### Elements for a legally binding instrument on the prevention of an arms race in outer space (All titles and headings in the left-hand column are indicative and without prejudice to the views of any expert on the structure and content of the report of the Group)

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Preamble, principles and objectives (The States Parties to this Treaty...)		
Purpose of an instrument on the prevention of an arms race in outer space (short, simple, description)	<p>The States Parties to this Treaty,</p> <p>Pp1. Reaffirming that further exploration and use of outer space plays an ever-increasing role in the development of humankind,</p> <p>Pp2. Noting the fragility of the outer space domain,</p> <p>Pp3. Recognizing the increasing human activity in outer space and risk of adverse effects,</p> <p><u>Pp4. Recognizing also the catastrophic consequences of the weaponization of outer space or any military conflicts in outer space,</u></p>	
Applicable principles contained in existing international outer space law	<p>Pp5. Recalling <del>further that</del> the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer space, Including the Moon and Other Celestial Bodies of 27 January 1967 (hereinafter referred to as the 1967 Outer Space Treaty), obliges the State Parties not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, not to install such weapons on celestial bodies, or station such weapons in outer space in any manner,</p> <p>Pp6. Recalling <u>also</u> the resolutions of the United Nations General Assembly <u>entitled</u> “Prevention of an Arms Race in Outer Space” which, inter alia, emphasizes the need to examine further measures in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,</p>	

Component of the instrument	Proposed elements	General Comments
Applicable principles contained in the Charter of the United Nations	<p><u>Pp7. Recalling further that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purpose of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.</u></p> <p><u>Pp8. Reaffirming that the basic principles of international law, including International Humanitarian Law, and the relevant international norms, are fully applicable in outer space.</u></p>	
Applicable principles contained in disarmament and non-proliferation law	<p><u>Pp9. Recognizing that while the existing international agreements related to outer space and the legal regime thereof play a positive role in regulating outer space activities, <del>however</del> they are not fully able to prevent the placement of weapons in outer space, armed attacks or harmful interference against outer space objects, or an arms race in outer space.</u></p> <p><u>Pp10. Reiterating their commitment to achieving the objective of general and complete disarmament under strict and effective international control.</u></p>	
(Other principles, objectives and preambular elements)	<p><u>Pp11. Recognizing the inalienable right of all States to fully utilize and develop outer space technologies and applications for peaceful purposes; and expressing their commitment to avoiding any hampering of the peaceful uses of outer space; and stressing that nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to the peaceful exploration of outer space, including development, research, production and use of related technologies.</u></p>	
General obligations (elements proposed in the form of prohibitions, a formulation such as “to refrain from”, or any other formulation, with proposed associated Verification, Monitoring and/or Confidence measure(s);		
(Research, development, testing, etc. could be a component of an obligation.)		
Issue or threat	<p><b>Jamming</b></p> <p><b>Laser blinding</b></p>	<p><b>Placement of weapons (certain objects or capabilities) in outer space</b></p>

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Obligations <u>and prohibitions</u>	<p>Have agreed as follows:</p> <p>I. General Obligations <u>and Prohibitions</u></p> <p><u>1. States Parties to this Treaty shall refrain from and prohibit:</u></p> <p><u>The placement of any weapons in outer space for offensive or defensive purposes, [including missiles, anti-ballistic missiles, or bunker-busting missiles].</u></p> <p><u>Undertaking any armed attacks against satellites or other outer space objects, [including through the use of missiles or other kinetic methods such as maneuverable satellites or robots].</u></p> <p><u>Any use of outer space object(s) as a weapon to conduct armed attacks or harmful interference against outer space or terrestrial targets.</u></p>	<p><u>A more generic approach prohibiting weaponization and armed attacks is preferable to attempting to create an exhaustive list of related technologies or weapons. One of the options is to list specific types of weapons and actions as examples for the prohibited action.</u></p> <p><u>All three scenarios are covered.</u></p>
Obligations <u>and prohibitions</u>	<p><u>Any intentional harmful interference that would interrupt or affect the normal functioning of satellites or other outer space objects that are under the jurisdiction of another State or group of States, [including through jamming, cyberattacks, directed energy systems such as laser or microwave, or any other electronic or non-kinetic methods].</u></p> <p><u>Developing, testing, stockpiling, and deploying weapons that are designed for the sole purpose of conducting armed attacks against satellites or other outer space objects, [including Anti-satellite weapons (ASATs) or for the use as an outer space weapon].</u></p>	

Component of the instrument	Proposed elements	General Comments
Possible Verification, Transparency and/or Confidence measures	<p data-bbox="551 228 1151 252">II. Verification, Transparency and Confidence Measures</p> <p data-bbox="551 276 1594 400"><u>States Parties recognize the need for a diversified set of measures to ensure compliance with these provisions and agree to negotiate an additional protocol on verification measures, as well as strengthened transparency and dispute-settlement measures, including the establishment of a specialized Executive Organization with independent monitoring and reporting capabilities.</u></p> <p data-bbox="551 424 1594 480"><u>States Parties agree to establish and implement the following agreed transparency and confidence-building measures on:</u></p> <p data-bbox="551 504 1594 560"><u>Confidence-building measures and increased transparency, including by national regulation where appropriate, to limit risk and/or perception of armed attacks or harmful interference.</u></p> <p data-bbox="551 584 1167 608"><u>Increased transparency on On-Orbit-Servicing operations.</u></p> <p data-bbox="551 632 920 655"><u>On-site-visits of OOS capabilities.</u></p> <p data-bbox="551 679 1581 735"><u>The exchange of information, as appropriate, and submitting declarations and periodical national reports on outer space activities, including the relevant military doctrines and strategies.</u></p> <p data-bbox="551 759 808 783"><u>Pre-launch notifications.</u></p> <p data-bbox="551 807 797 831"><u>Pre-launch inspections.</u></p> <p data-bbox="551 855 965 879"><u>Enhanced registration of space objects.</u></p> <p data-bbox="551 903 1144 927"><u>Notifications of active space debris removal operations.</u></p> <p data-bbox="551 951 1043 975"><u>Keep-away zones between outer space objects.</u></p> <p data-bbox="551 999 898 1023"><u>Access to space object registries.</u></p> <p data-bbox="551 1046 1122 1070"><u>Enhanced sharing of space situational awareness data.</u></p> <p data-bbox="551 1094 1077 1118"><u>Access to space situational awareness catalogues.</u></p> <p data-bbox="551 1142 943 1166"><u>Notification of scheduled maneuvers.</u></p> <p data-bbox="551 1190 954 1214"><u>Notification of uncontrolled re-entries.</u></p> <p data-bbox="551 1238 1010 1262"><u>Notification of intentional orbital breakups.</u></p> <p data-bbox="551 1286 965 1310"><u>Familiarization visits to space facilities.</u></p> <p data-bbox="551 1334 775 1358"><u>Visits to launch sites.</u></p> <p data-bbox="551 1382 853 1406"><u>Technology demonstrations.</u></p>	<p data-bbox="1657 228 1984 480"><u>The Executive Organization may also partly depend on the utilization of reliable and verifiable data provided by the national authorities of States Parties and other international and nongovernmental organizations.</u></p>

<i>Component of the instrument</i>	<i>Proposed elements</i>			<i>General Comments</i>
	<u>Review of new weapons in accordance with this Treaty.</u>			
	<u>Other agreed transparency measures.</u>			
Issue or threat	<del>Ground to space attacks resulting in long-lasting debris</del>	<del>Other ground to space attacks</del>	<del>Space to space attacks resulting in long-lasting debris</del>	<u>See section I.</u>
Obligations				
Possible Verification, Transparency and/or Confidence measures				
Issue or threat	<del>Other space to space attacks</del>	<del>Space to ground attacks(bunker busting munition)</del>	<del>Attacks against terrestrial infrastructure related to outer space objects</del>	<u>See section I.</u>
Obligations				
Possible Verification, Transparency and/or Confidence measures				
Issue or threat	<del>Use of nuclear weapons in outer space</del>	<del>Protection of objects dedicated to civilian use</del>	<del>Protection of objects essential to the survival of the civilian population</del>	<u>See section I.</u>
Obligations				
Possible Verification, Transparency and/or Confidence measures				
Issue or threat	<del>Transfer of dual-use equipment, technology and materials</del>	<del>(Other components of the instrument under “General obligations”)</del>	<del>(Other components of the instrument under “General obligations”)</del>	<u>Any undue restrictions on peaceful and dual-use technologies would trigger strong opposition.</u>
Obligations				

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Possible Verification, Transparency and/or Confidence measures		
Issue or threat	(Other components of the instrument under “General obligations”)	
Obligations		
Possible Verification, Transparency and/or Confidence measures		
Definitions		
Outer Space objects	<p>III. Definitions</p> <p>1. <u>For the purpose of this Treaty.</u></p> <p><u>Outer Space objects: The term “Outer Space Object” means any device placed in outer space and designed for operating therein.</u></p>	<p><u>The chapeau intends to avoid any confusion with definitions used in other existing outer space treaties while covering the terms used in the scope of prohibitions.</u></p>
<u>Armed Attack</u>	<u>Armed Attack: The term “Armed Attack” means any act that aims to eliminate or permanently damage an outer space object.</u>	
<u>Harmful Interference</u>	<u>Harmful Interference: The term “Harmful Interference” means any act that aims to temporarily disrupt the normal functioning of an outer space object.</u>	
Weapon in space	<p>Weapon in space: The term "weapon in outer space" means any outer space object or its component produced or converted <u>with the sole purpose of eliminating, damaging or intentionally disrupting the</u> normal functioning of objects in outer space, on the Earth's surface or in the air, as well as to eliminate population, components of biosphere important to human existence, or to inflict damage <del>to</del> <u>on</u> them by using any principles of physics.</p>	
Placement in outer space	<p>Placement in outer space: An Outer Space Object is considered as “placed in outer space” when it orbits the Earth at least once, <del>or</del> follows a section of such an orbit before leaving this orbit, or is placed in any location in outer space or on any celestial body other than the Earth.</p>	
(Other terms)		
General transparency measures		

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Exchanges on military doctrines and strategies		<u>See section II on verification and transparency measures.</u>
Pre-launch notifications		<u>See section II on verification and transparency measures.</u>
Pre-launch inspections		<u>See section II on verification and transparency measures.</u>
Enhanced registration of space objects		<u>See section II on verification and transparency measures.</u>
Public access to space object registries		<u>See section II on verification and transparency measures.</u>
Enhanced sharing of space situational awareness data		<u>See section II on verification and transparency measures.</u>
Public access to space situational awareness catalogues		<u>See section II on verification and transparency measures.</u>
Notification of scheduled maneuvers		<u>See section II on verification and transparency measures.</u>
Notification of uncontrolled re-entries		<u>See section II on verification and transparency measures.</u>
Notification of intentional orbital breakups		<u>See section II on verification and transparency measures.</u>
Familiarization visits to space facilities		<u>See section II on verification and transparency measures.</u>
Visits to launch sites		<u>See section II on verification and transparency measures.</u>
Technology demonstrations		<u>See section II on verification and transparency measures.</u>

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
<del>Review of new weapons in accordance with international humanitarian law</del>		<u>See section II on verification and transparency measures.</u>
<del>(Other transparency measures)</del>		<u>See section II on verification and transparency measures.</u>
General monitoring and verification		
<del>Verification measures applicable to the general obligations</del>		<u>See section II on verification and transparency measures.</u>
<del>Space situational awareness</del>		<u>See section II on verification and transparency measures.</u>
<del>National technical means</del>		<u>See section II on verification and transparency measures.</u>
<del>Attribution of prohibited acts</del>		<u>See section II on verification and transparency measures.</u>
(Other monitoring and verification measures)		
<del>Implementation, compliance and settlement of disputes</del>		
VI. Compliance and dispute-settlement.	<p><u>IV. Compliance and dispute-settlement.</u></p> <p><u>A State Party which has reasons to believe that another State Party fails to fulfil the obligations imposed by this Treaty may request this State Party the latter to clarify the related Situation. The Requested State Party shall provide the clarification as soon as possible.</u></p> <p><u>If the State Party deems the clarification inadequate for resolving its concerns, it may request consultations with the Requested State Party. The Requested State Party shall immediately enter into such consultations.</u></p> <p><u>The information concerning the outcome of consultations shall be sent to the Executive Organization who will share the relevant information with all State Parties.</u></p>	



<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
	<p><u>Unresolved disputes and incidents of noncompliance shall be reported by the Executive Organization to the United Nations General Assembly, the United Nations Security Council, and the United Nations Secretary General.</u></p> <p><u>A separate protocol on measures for the verification of compliance, including international independent mechanisms for that purpose and the mandate and structure of the Executive Organization, shall be negotiated by a specialized Open-Ended Working Group or by the Conference of States Parties.</u></p> <p><u>In cases subject to the Convention on International Liability for Damage Caused by Space Objects of 1972, the relevant provisions of the Convention shall apply.</u></p> <p><u>States Parties are also obliged to prevent and suppress any activity prohibited to a State Party under this Treaty undertaken by persons or on territory under their jurisdiction or control.</u></p>	
State responsibility		
<del>State responsibility for the conduct of nationals, including non-states actors</del>		<u>See section IV on compliance.</u>
<del>Compliance</del>		<u>See section IV on compliance.</u>
<del>Consultative mechanisms</del>		<u>See section IV on compliance.</u>
<del>Settlement of disputes</del>		<u>See section IV on compliance.</u>
<del>Conference of States parties</del>		<u>See section VI on institutional arrangements.</u>
<del>Secretariat/Organization</del>		<u>See section VI on institutional arrangements.</u>
<del>Costs</del>		<u>See section VI on institutional arrangements.</u>
(Other implementation measures)		
Peaceful use of outer space		

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Recognition and protection of the right to develop technology for peaceful purposes		<u>See the preamble.</u>
Avoidance of hampering the technological and scientific development of States parties		<u>See the preamble.</u>
Positive obligations on cooperation and promotion of peaceful uses	<p>V. International Cooperation</p> <p><u>1. States Parties to this Treaty express their commitment to cooperate on the development and promotion of the peaceful uses of outer space.</u></p> <p><u>2. States Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful exploration of outer space.</u></p> <p><u>3. States Parties to the Treaty in a position to do so shall also cooperate in contributing, alone or together with other States or international organizations, to the further development of the applications of outer space for peaceful purposes, as well as to further the implementation of this Treaty, including through the provision of technical assistance and capacity building, with due consideration for the needs of the developing areas of the world.</u></p>	
(Other measures related to the peaceful use of outer space)		
International cooperation		
Capacity building		<u>See section V.</u>
Assistance to States parties in implementing the instrument		<u>See section V.</u>
(Other measures for international cooperation)		
Final provisions		

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
VII. Institutional Arrangements	<p>VI. Institutional Arrangements</p> <p>Conference of States Parties</p> <p><u>1. A Conference of the States Parties shall be held [on an annual basis at the United Nations Headquarters] with a view to review and strengthening the implementation of this Treaty starting from the year following its entry into force.</u></p> <p>The Executive Organization</p> <p><u>2. To promote the implementation of the purposes and provisions of the Treaty, the States Parties shall establish the Executive Organization of the Treaty, which shall:</u></p> <p><u>(a) consider matters related to the operation and implementation of the Treaty;</u></p> <p><u>(b) receive for consideration inquiries by a State Party or a group of States Parties related to an alleged violation of the Treaty;</u></p> <p><u>(c) organize and conduct consultations with the States Parties in order to address the situation related to the alleged violation of the Treaty;</u></p> <p><u>(d) refer the dispute to the United Nations General Assembly or the United Nations Security Council if the problem related to the alleged violation of this Treaty remains unresolved;</u></p> <p><u>(e) organize and hold meetings to discuss and accept the proposed amendments to this Treaty;</u></p> <p><u>(f) develop procedures for collective data sharing and information analysis;</u></p> <p><u>(g) collect and distribute information provided as part of transparency and confidence-building measures;</u></p> <p><u>(h) receive notifications on the accession of new States to this Treaty and submit them to the Secretary-General of the United Nations;</u></p> <p><u>(i) consider, upon agreement with the States Parties, other procedural and substantive matters.</u></p> <p><u>3. The procedure of formation, the composition of the working bodies and policy-making organs, operating procedures and provisions of work of the Executive Organization of this Treaty shall be the subject of an additional protocol as referred to in article **.</u></p> <p><u>4. States Parties shall cooperate with the Executive Organization of this Treaty to facilitate its performance of the functions entrusted to it.</u></p>	

<i>Component of the instrument</i>	<i>Proposed elements</i>	<i>General Comments</i>
Amendments	<p>5. Any State Party may propose amendments to this Treaty. The text of a proposed amendment shall be submitted to the Secretary-General of the United Nations for circulation to all States Parties. An amendment conference shall be convened if at least one third of the States Parties agree to do so.</p> <p>6. Amendments shall enter into force upon their acceptance by consensus.</p>	
Protocols		<u>See sections II &amp; VI.</u>
Entry into force	<p>7. The Treaty shall be opened for signature by all States at the United Nations Headquarters, any State which did not sign the Treaty before its entry into force may accede to it at any time.</p> <p>8. The Treaty shall enter into force on the deposit of instruments of ratification by [twenty] States.</p>	
Duration	9. This Treaty shall be of unlimited duration.	
Withdrawal	<p>10. At any time after three years from the date on which the instrument has entered into force for a Party, that Party may withdraw from the Instrument by giving written notification to the Depositary.</p> <p>11. Any Party that withdraws from the Instrument shall be considered as also having withdrawn from any protocol to which it is a Party.</p> <p>12. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.</p>	
Relationship with other instruments		
Depositary	13. This Treaty, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to all signatory and acceding States.	
(Other final provisions)		