

International Codes of Conduct – Why Bother?

Agnieszka Lukaszczyk
alukaszczyk@swfound.org

**The Secure World Foundation (SWF)
is a private operating foundation
dedicated to the secure
and sustainable
use of space
for the benefit of Earth
and all its peoples**

What Does the Foundation do?

Engages with academics, policy makers, scientists and advocates in the space and international affairs communities to support steps that strengthen global space security.

Promotes the development of cooperative and effective uses of space for the protection of the Earth's environment and human security.

Acts as a research body, convener and facilitator to advocate for key space security and other space related topics and to examine their influence on governance and international development.

Key Governance Focus Areas

Space Sustainability

- Protection of continued utility of space resources

Human security

- Development and disaster assistance
- Environmental and climate change
- Countering degradation of land, air, water, and ice

Planetary threats

- Mitigating the threat of collision from a Near-Earth Object (NEO) through the establishment of effective governance for response

- Non-profit operating foundation founded in 2004
- Funding comes from a private endowment
- Offices in Colorado, Washington DC and Brussels
- Dedicated to ensuring the long-term sustainability of the space
- Strong role in policy development in both the international and domestic policy communities

Where are we now?



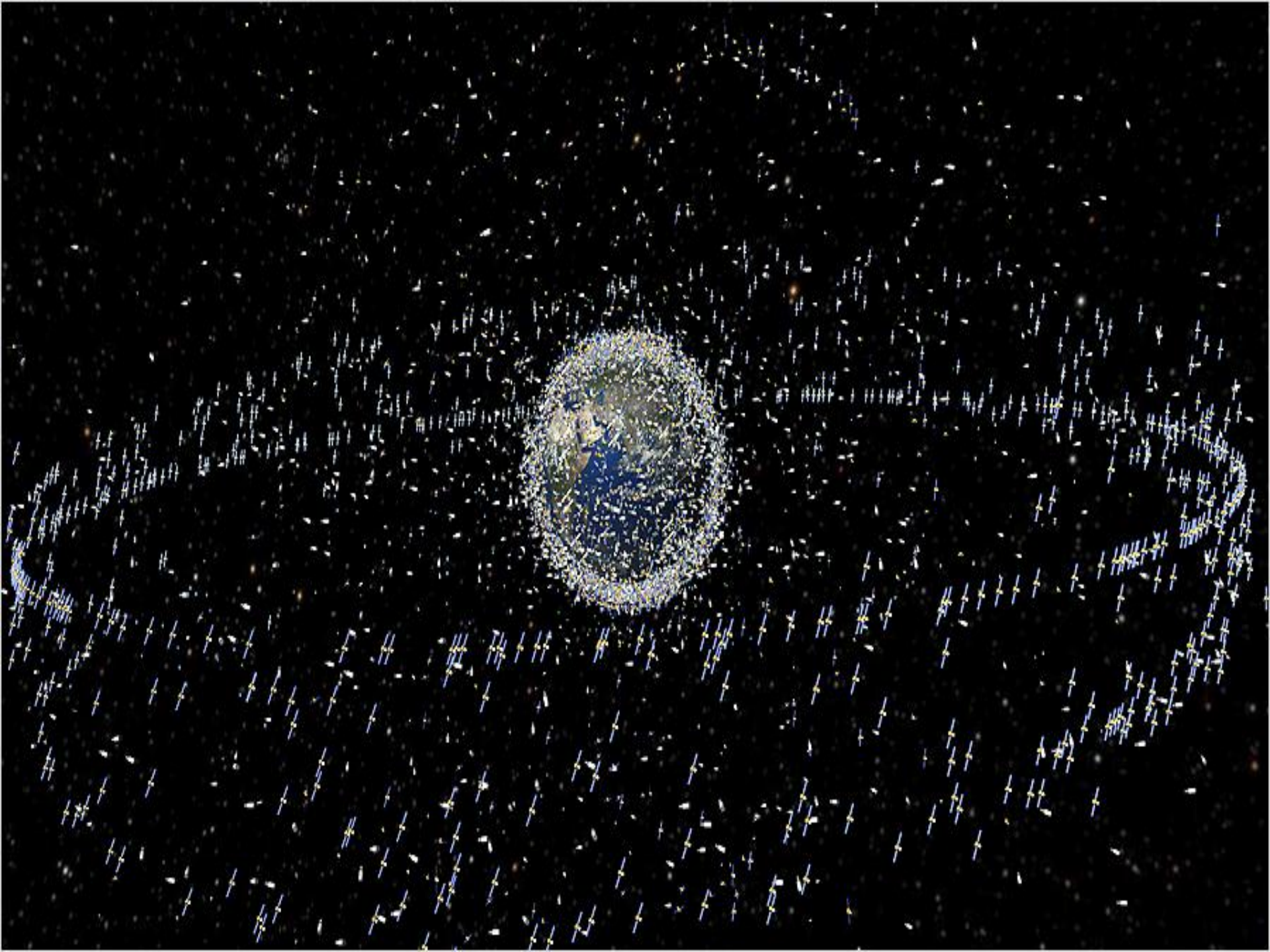
**Is long term use of outer space
sustainable?**

- **More actors involved:**
 - Government and private space operators
 - 9 states with launch capabilities
 - More than 50 states and international organizations with assets in space
 - Increase in private companies, universities, institutions owning small/cube/nano satellites
- **More objects in space**



Where are we now?

- **994 operational satellites in orbit**
- **21 000 objects larger than 10cm**
 - 40% satellites, which are no longer operational
 - 55% fragments of other objects
- **450 000 objects between 1-10cm**
- **Estimated several million below 1cm**



The situation

- Space environment is very fragile
- There have been no deployment of weapons into the outer space so far
- Ground-based weapons can target space objects in the LEO
- Rules/norms of behavior necessary to assure safe and secure access to the outer space for the benefits of all human kind
- Space Debris Mitigation Guidelines (IADC, UN)



**THE
WAY
FORWARD**

Various Initiatives



PPWT (Russia and China)

Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects

LTSS (UN COPUOS)

Long term Sustainability of Outer Space



ICoC (EU)

International Code of Conduct

- In **2008**, the EU published a draft Code of Conduct for Outer Space Activities. It was revised in September 2010.
- The code calls on member states to establish "policies and procedures to minimize the possibility of accidents ... or any form of harmful interference with other States' right to the peaceful exploration and use of outer space."
- It is based on three principles:
 - Freedom of access to space for peaceful purposes
 - Preservation of the security and integrity of space objects in orbit
 - Due consideration for the legitimate defense interests of states
- The code is not legally binding, but is rather a voluntary agreement among states with no formal enforcement mechanisms.



Code of Conduct

a set of conventional principles and expectations that are considered binding on any person/institution/country that is a member of a particular group.

Codes of Conduct - Rationales

- **Why adopt a code?**
 - Intent to affect behavior of other actors (states, private sector)
 - Guide, restrict
 - Demonstrate social responsibility
 - Risk reduction
 - Increased control over certain activity
 - Improved image
 - Voluntary or anticipatory self-regulation
 - Strategic instruments
 - Anticipate or prevent mandatory regulation

Space Code of Conduct - Rationales

- **Why follow a Code?**
 - Because it is in the state's best interest; if not, it will not follow
 - By agreeing to certain rules, states label themselves as responsible and irresponsible actions
- **Pros**
 - Can establish effective behavior that will allow space users to continue to receive benefits from space
 - Could lay groundwork for later legal agreements along the same lines
- **Cons**
 - No legal obligation to follow through on norms of behavior
 - May handle the easiest issues to resolve internationally, which may not be what is needed to ensure space usable in the long run
 - Does not cover all contingencies/fill in the blanks currently existing space regulatory regimes

- Though not legally binding, an international code would be the most significant normative step that captures the interests of almost all spacefaring countries while shaping and promoting sustainable outer space conduct.
- Negotiations will require time and patience, as many states have understaffed space agencies. However, given that the threat from space debris is increasing exponentially and could lead to a domain that is no longer reliable or safe for human use, such discussions cannot start soon enough.

Conclusions

- Overall, there is a need to bring the international community together on how space security issues are dealt with in the future.
- Currently, there are a selection of initiatives being presented in the international community that attempt to deal with space security questions – some from the civil perspective, some from the disarmament perspective.
- Given that space is so globalized, it is imperative that ALL space actors are engaged and invested in space security initiatives



Thank you for your Attention!

Agnieszka Lukaszczyk
Brussels Office Director
Secure World Foundation
alukaszczyk@swfound.org