Disarmament and International Security Committee

Background Guide

Agenda

Reducing Space Threats through Norms, Rules and Principles of Responsible Behaviours.

TGES MUN 2025

The Global Edge School Model UN 2025

United Nations General Assembly First Committee - Background Guide

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Letter from the Executive Board

Dear Delegates,

Welcome to the Disarmament and International Security Committee simulation at The Global Edge School MUN 2025!
The Background Guide will provide you with procedural context and a brief overview of the agenda item. Its only intended purpose is to provide you with enough information to commence your own research, from your assigned portfolio's perspective.
If any questions arise–about committee mandate or procedure–please reach out.

Best regards,

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Vice-Chair

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Rapporteur

Rules of Procedure

This simulation will adhere to the General Assembly's Rules of Procedure, particularly those in chapter XIII concerning conduct of debate and voting. Relevant excerpts from the rules are provided below.

Rule 108 - Quorum

The Chairman may declare a meeting open and permit the debate to proceed when at least one quarter of the members of the committee are present. The presence of a majority of the members shall be required for any decision to be taken.

Rule 109 - Speeches

No representative may address the committee without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 113 - Points of Order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the Chairman in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote, and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to apoint of order may not speak on the substance of the matter under discussion.

Rule 114 - Time limit on speeches

The committee may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a representative exceeds his allotted time, the Chairman shall call him to order without delay.

Rule 115 - Closing of list of speakers, right of reply

During the course of a debate, the Chairman may announce the list of speakers and, with the consent of the committee, declare the list closed. He may, however, accord the right of reply to any member if a speech delivered after he has declared the list closed makes this desirable.

Rule 116 - Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

Rule 117 - Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the committee is in favour of the closure, the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule.

Rule 118 - Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to the vote. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

Rule 119 - Order of procedural motions

Subject to rule 113, the motions indicated below shall have precedence in the following order over all other proposals or motions before the meeting:

(a) To suspend the meeting; (b) To adjourn the meeting;
(c) To adjourn the debate on the item under discussion;
(d) To close the debate on the item under discussion.

Rule 122 - Withdrawal of motions

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

Rule 123 - Reconsideration of proposals

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the committee, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 124 - Voting rights

Each member of the committee shall have one vote.

Rule 125 - Majority required

Decisions of committees shall be made by a majority of the members present and voting.

Rule 126 - Meaning of the phrase “members present and voting”

For the purposes of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Rule 127 - Method of voting

The committee shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the members. The name of each member shall be called in any roll-call, and its representative shall reply "yes", "no" or "abstention". The result of the voting shall be inserted in the record in the English alphabetical order of the names of the members.

Rule 128 - Conduct during voting

After the Chairman has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The Chairman may permit members to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The Chairman may limit the time to be allowed for such explanations. The Chairman shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

Rule 129 - Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment should be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are approved shall then be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 130 - Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the committee shall first vote

on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal.

Rule 131 - Voting on proposals

If two or more proposals relate to the same question, the committee shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The committee may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 133 - Equally divided votes

If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

UN General Assembly - Introduction

The UN General Assembly (UNGA) is the main policy-making organ of the Organization. Comprising all Member States, it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter of the United Nations.

According to the Charter of the United Nations, the General Assembly may:

- Consider and approve the United Nations budget and establish the financial assessments of Member States
- Elect the non-permanent members of the Security Council and the members of other United Nations councils and organs and, on the recommendation of the Security Council, appoint the Secretary-General
- Consider and make recommendations on the general principles of cooperationfor maintaining international peace and security, including disarmament
- Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations on it
- Discuss, with the same exception, and make recommendations on any questions within the scope of the Charter or affecting the powers and functions of any organ of the United Nations
- Initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realization of human rights and fundamental freedoms, and international collaboration in the economic, social, humanitarian, cultural, educational and health fields
- Make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries
- Consider reports from the Security Council and other United Nations organs

The Assembly may also take action in cases of a threat to the peace, breach of peace or act of aggression, when the Security Council has failed to act owing to the negative vote of a permanent member. In such instances, according to its ~~"Uniting for peace" resolution of 3 November 1950~~, the Assembly may consider the matter immediately and recommend to its Members collective measures to maintain or restore international peace and security.

The Assembly meets in regular sessions from September to December each year, and thereafter as required. It discusses specific issues through dedicated agenda items or sub-items, which lead to the adoption of resolutions.

Each of the 193 Member States of the United Nations has an equal vote.

Votes taken on designated important issues – such as recommendations on peace and security, the election of Security Council and Economic and Social Council members, and budgetary questions – require a two-thirds majority of Member States, but other questions are decided by a simple majority. That said, following informal consultations among Member States during which proposals are negotiated, the majority of resolutions are adopted without a vote (i.e., by consensus).

There are six Main Committees of the General Assembly.

The six Main Committees are: the Disarmament and International Security Committee (First Committee); the Economic and Financial Committee (Second Committee); the Social, Humanitarian and Cultural Committee (Third Committee); the Special Political and Decolonization Committee (Fourth Committee); the Administrative and Budgetary Committee (Fifth Committee); and the Legal Committee (Sixth Committee).

Each committee deals with a particular topic and is allocated agenda items according to the topic. A report is issued to the plenary for each item allocated to a Main Committee. All are committees of the whole: all UN member states participate in them.
The ~~First Committee~~, one of the six Main Committees of the General Assembly, is allocated agenda items related to disarmament and international security.

The First Committee submits a separate report to the plenary on every agenda item allocated to it. Each report:

- indicates the meetings at which the item was considered
- summarizes the committee's consideration of the item
- identifies the sponsors of draft resolutions
- reports the vote, if any, of Member States on draft texts
- transmits the final version of draft resolutions and/or decisions recommended to the plenary for adoption
- symbol pattern
    - A/session/-
    - example: A/79/408

The plenary considers each report and votes on the draft resolutions or decisions it contains.

For example, the General Assembly adopted 43 resolutions based on the report of the First Committee (A/79/408).

Agenda

Reducing space threats through norms, rules and principles of responsible behaviours

In recent years, outer space has become more economically and strategically important as human activities have become more dependent on space activities and technology. Thus there are growing concerns about events of catastrophic consequences if tensions between space actors mount.

The Open-ended Working Group on reducing space threats through norms, rules and principles of responsible behaviours was established by the United Nations General Assembly resolution 76/231 to address such concerns. The OEWG was tasked with (i) taking stock of existing regulatory frameworks related to threats arising from State behaviours concerning outer space; (ii) considering current and future threats by States to space systems, and actions, activities and omissions that could be considered irresponsible; and (iii) providing recommendations on possible norms, rules, and principles of responsible behaviours regarding space threats. Lastly, the Group was tasked with (iv) producing a report containing such recommendations, which was to be submitted to the General Assembly at its seventy-eighth session.

Although the members of the OEWG did not agree on a report, the work that States and other stakeholders carried out throughout the four sessions held in 2022 and 2023 helped advance multilateral space security discussions.

What are space threats?

Threat perception involves a certain degree of subjectivity: different stakeholders have different interests and therefore may hold different views regarding what constitutes a threat. It should also be noted that the perception of threats to the security of space

activities and space systems can change as space systems themselves evolve with technological change.

Nevertheless, despite the differences in interests and priorities among stakeholders, there are also many points of convergence. Particularly in the case of States, it can be ascertained through the examination of proposals, instruments, submissions to processes and statements in different fora, that although they may have differing ideas on how to achieve security for the space domain, they share many common concerns regarding what constitutes a threat to space security.

(A) Weaponization of space

The placement, deployment, proliferation and testing of weapons in outer space, or the weaponization of space, as it is often also called, is an important concern, which States have been discussing for many years in various fora. There is however, no generally accepted definition for the concept of "weapon" in space security. This lack of definitional common understanding has led several States to use the term "counterspace technologies" to refer to all capabilities, techniques or assets that can be used against another space object or a component of a space system in order to damage it in some way (in a reversible or irreversible manner), so as to gain superiority against an adversary.

Moreover, the concept of "weaponization" of outer space is generally understood to be distinct from the "militarization" of outer space, although both are sometimes used interchangeably. The militarization of outer space refers to the proliferation of any military activity in outer space, including those activities that are not necessarily weapons-related (such as the use of GNSS technology for military purposes, for example). Many understand that outer space has been militarized since the early days of space exploration, thus highlighting that military uses of space are not necessarily aggressive in nature, nor do they necessarily involve the use of weapons. The distinction between these two concepts is not universally accepted, however. This is due primarily

to two factors. Firstly, certain languages do not clearly distinguish between the two concepts. In those instances, "militarization" is used to refer to both. Secondly, there is no generally accepted definition for the concept of "weapon" in space security.

The concept of anti-satellite (ASAT) technologies or weapons is often used as a synonym of counterspace technologies. However, ASATs are more accurately a subset of counterspace technology, as they focus on targeting one component of space systems (the satellite). This serves to further create confusion surrounding the use of these terms.

Counterspace technologies can be used against any component of a space system, and it can be done so from space or from Earth, thus creating four different threat vectors: (i) Earth to space; (ii) Space to space; (iii) Space to Earth; and (iv) Earth to Earth.

(B) Intentional creation of space debris

Particularly in recent years, States have expressed concern over the threat posed by the deliberate creation of debris. Space debris is considered by the majority of States to be a significant, growing, and indiscriminate threat to all space objects, irrespective of whether its creation is unintentional or deliberate. Intentional debris creation is considered particularly alarming due to its preventable nature.

Significant strides have been made by COPUOS to mitigate the safety risks debris poses, through the 2007 Space Debris Mitigation Guidelines, and the 2019 Guidelines for the Long-term Sustainability of Outer Space Activities. The mitigation of security concerns relating to space debris has been less fruitful. The 2013 report of the group of governmental experts (GGE) on Transparency and Confidence Building Measures in Outer Space Activities issued a recommendation on notification of intentional orbital break-ups, stating that: "Intentional destruction of any on-orbit spacecraft and launch vehicle orbital stages or other harmful activities that generate long-lived debris should be avoided. When intentional break-ups are determined to be necessary, States should

inform other potentially affected States of their plans, including measures that will be taken to ensure that intentional destruction is conducted at sufficiently low altitudes to limit the orbital lifetime of resulting fragments. All actions should be carried out in conformity with the Space Debris Mitigation Guidelines of the United Nations as endorsed by the General Assembly in its resolution 62/217, entitled 'International cooperation in the peaceful uses of outer space'".

This recommendation contains three key requirements for States to implement within their own practices: no long-lived debris, low debris when necessary, and notification. However, the continued testing of debris-creating ASAT technologies by some States has caused many stakeholders —States and non-governmental entities alike— to call for stronger measures to mitigate the security threat posed by intentional debris creation. Concern over the security threat posed by space debris has recently led a few States to commit to not test direct-ascent kinetic ASATs.

(C) Harmful interference

The development, testing and use of non-kinetic technologies that could intentionally interfere with the regular operations of a satellite system, through electronic, cyber or other non-kinetic means, has also been highlighted by States as an important threat that needs to be addressed.

Several States consider that the use of these technologies for counterspace purposes could have dangerous effects on the services that these satellite systems provide. This threat has been highlighted as particularly dangerous, due to the often-difficult task of attributing these attacks, as well as the difficulty of determining intent. Activities that hint at the possibility of an interference that could have a harmful intent, such as non-consensual close approaches, have also raised concerns among certain States as threats to space security.

Harmful interference is not explicitly prohibited by the Outer Space Treaty, which only establishes a duty of States to undertake international consultations before proceeding with any activity that might cause harmful interference with activities of other State parties. Other States may also request consultations if they have reason "to believe that an activity or experiment planned by another State Party in outer space, [...], would cause potentially harmful interference with activities in the peaceful exploration and use of outer space" either prior to or during the performance of the space activity.

The Outer Space Treaty does not define what "harmful interference" is, however, the International Communication Union (ITU) defines this concept in both No. 1.169 of the ITU Radio Regulations and in No. 1003 of the ITU Constitution, as "interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with Radio Regulations". It should be noted that, while the ITU definition of harmful interference centres around the disruption of radiofrequency signals, the OST's reference to the same concept is often considered to be broader, and not limited to radiofrequency interference, but rather the creation of a situation where harm to space systems or the services they provide is caused. In this sense "harmful interference" as established in the OST is closely related to the duty of States to have due regard for the space activities of others. Some States therefore use the term "harmful interference" in this broader sense to highlight the threat posed by non-kinetic or soft kill counterspace technologies.

(D) Dual-use and dual-purpose objects

The dual nature of many space objects has been highlighted by many States as an issue of concern that can make the protection of space assets from threats a challenge. The concern surrounding these objects relates to the role these can play in fostering mistrust among space actors as a by-product of their dual nature, which can increase tensions and pose a risk to security.

When referring to this dual nature, States often use the term “dual-use”, however, under the umbrella of this expression, there are two distinct categories of objects:

- Dual-use space objects: they can have a military and security function, as well as a civilian or commercial one (either simultaneously or alternating. Alternate use is sometimes known as dual-capable). Examples are GNSS satellites.
- Dual-purpose space objects: designed to fulfil a benign objective (such as debris removal or on orbit servicing), but they could potentially be repurposed to harm other space objects.

Dual-use objects generally are not used in a weapons-related or aggressive manner against other space systems. Their military functions generally consist in the provision of services that aid military operations on Earth. Regardless of this, their dual nature has led States to express concerns in relation to their operational ambiguity and the lack of transparency surrounding their functions, which contributes to the heightening of tensions among different actors.

Dual-purpose objects are in principle not intended to perform military functions directly —although they may provide some form of support to military satellites through on orbit servicing, for example— and they are also not intended to perform aggressive or hostile actions against other satellites. However, their capabilities and characteristics (such as manoeuvrability, robotic arms or lasers for example) could potentially be repurposed to harm another space object. This possibility is perceived as a threat by many. The challenge of discerning an operator’s intent when utilising these assets has led many to perceive the assets themselves as a threat, even when they are used in a relatively transparent manner.

It should be pointed out that dual-use and dual-purpose objects themselves are generally not a threat to space security, as they are not intended for aggressive use, and in the case of dual-purpose objects, they often are not intended for any military function at all. The

threat perception regarding these objects stems from a lack of understanding of how these objects are used rather than the objects themselves. Due to this, States have called for increased transparency and communication regarding the use, the function and characteristics, and the intent behind the utilization of dual-use and dual-purpose objects to aid the diffusion of tensions and the mitigation of threat perception without hampering technological innovation.

(E) Lack of common understanding, transparency and communication

The danger of miscommunication, misunderstanding and misperception is still seen as a significant threat to space security, as it can serve to heighten tensions. States have called for increased emphasis on communication of space security doctrines and policies, notification of manoeuvres and close approaches, and transparency regarding space capabilities. The lack of common understanding over the interpretation of key concepts, or laws and regulations relating to space security, also presents a danger that, if unchecked, could result in aggravating misunderstandings.

What are norms, rules and principles?

Norms, rules and principles in multilateral discussions are generally understood to be non-legally binding tools, in contrast to legally binding instruments such as treaties. The wording of resolution 76/231 seemingly supports this interpretation, as it presents norms, rules and principles as mechanisms that can contribute to the negotiation of legally binding instruments, thus indicating that they themselves are not legally binding.

Neither Resolution 76/231, nor its predecessor, resolution 75/36, provide a definition of norms, rules and principles. It is therefore useful to highlight the different interpretations that exist regarding the meaning of these terms and foster common understanding around these concepts.

Space security discussions in multilateral fora generally employ definitions originating in social science literature, which understand norms to be standards of appropriate behaviour for actors with a given identity. Principles are defined as beliefs of fact, causation, and rectitude, and rules are specific prescriptions or proscriptions for action.

In the context of outer space, the difference between these three instruments according to social science literature would look as follows:

Principle	*Norm*	*Rule*
States bear international responsibility for national activities in outer space. States exercise jurisdiction and control over their space objects.	Registration of space objects. Notification of launches.	Specific details to be shared when registering space objects or when providing notification of launches. Exchanges of information on orbital parameters of space objects
Resolution 1962 (XVIII)[6] Codified in art. VI OST[7]	Resolution 1721 B (XVI)[8] Resolution 1962 (XVIII)[9] Codified in art. VIII OST[10]	Resolution 62/101[13] 2013 GGE Report on TCBMs[14]

Principles are often more abstract yet constitute the fundamental basis of a regime. Norms, to a slightly lesser degree, also provide basic defining characteristics of that regime by elaborating upon principles. Rules of the same regime are consistent with its principles and norms, and serve to institutionalise them in a set of specific parameters, but do not define the core characteristics of the regime in the way principles and norms do. As such, a change of a rule constitutes a change within the regime, but a change to a principle or a norm constitutes changes of the regime itself.

What are responsible behaviours?

The focus of resolution 76/231's mandate for the OEWG is to develop recommendations on possible norms, rules and principles of responsible behaviours. This focus differs from classic arms control agreements and initiatives, which have traditionally been more focused on establishing limitations on capabilities. An example of this is resolution 1884 (XVIII),17 which called upon States to refrain from placing, installing or stationing in orbit around the Earth any objects carrying weapons of mass destruction. This eventually became article IV of the OST. There can be advantages to restricting behaviours rather than capabilities. Some behaviours and State practices associated with uses of weapons systems can in some cases be easier to observe and monitor without the need for intrusive measures.

A focus on behaviours does not necessarily mean ignoring issues related to capabilities. However, as some have expressed, capabilities can be neutral, and in outer space this is often the case. Threats can be the result of how an actor behaves when using certain capabilities. This is the concern that many States have with regard to dual-purpose objects, that is, objects designed to fulfil a benign objective (such as debris removal or on-orbit servicing), but which could potentially be repurposed to harm other space objects. Dual-purpose objects are increasingly prevalent in space, and their presence has blurred the conceptual boundaries of weapons, making control through restrictions on hardware difficult. In these cases, the definition of a weapon comes down to its use. As such, efforts to limit harmful activities or effects, or to prevent conflict escalation, thus depend on shared standards of behaviour.

Moreover, a focus on behaviours that are "responsible" and "irresponsible" serves to highlight that even though certain activities might be considered to be within the threshold of legality they do not necessarily foster space security and sustainability, but rather, they can escalate tensions and risk peace in outer space.

Throughout the history of space exploration, States have carried out many activities that, although generally considered to be legal, were viewed as irresponsible or damaging to the space environment or to the activities of other actors. An example of this is the testing and use of kinetic ASATs, which has garnered strong reactions from the international community. Many States have condemned such tests as irresponsible as they create intentional long-lasting debris that can severely endanger space operations, particularly in heavily populated orbits such as low-Earth orbit (LEO).

A focus on responsible behaviours establishes a new threshold to take into consideration when conducting space activities and paves the way for further development of the principles established in the OST and other applicable space law to ensure space security.

How can norms, rules and principles of responsible behaviour contribute to a more secure space domain?

Non-legally binding mechanisms usually reside in social values and expectations rather than law and due to this, they are often easier to develop and to adapt through political rather than legal means. For this reason, normative frameworks are viewed as a more flexible way of addressing issues and challenges that are marked by ongoing evolution or unanticipated developments, such as the rapidly changing technical capabilities and the diversification of actors that are emerging in outer space. At the international level, the processes of establishing normative frameworks may be more amenable to constructive diplomatic discussion in a tense political environment, especially because norms, rules and principles are typically voluntary measures (although this characteristic is also what makes them more vulnerable to potentially being breached or bent by one of the parties in the negotiation). There are several ways in which norms, rules and principles can contribute to a more secure space domain, as highlighted below.

(A) Build transparency and confidence

Non-legally binding mechanisms can enhance transparency and confidence-building, thus reducing tensions among different actors and creating a climate more suited for dialogue and the establishment of a common understanding. A core rationale for the 2013 GGE on TCBMs which identified national measures to enhance international trust and transparency such as publishing military doctrines and information exchange, was to create a political climate more conducive to conflict prevention and to foster stability.

Such efforts do not have to be coordinated or undertaken collectively. Unilateral measures can also have positive effects and can influence reciprocal behaviour by other States. The various national ASAT testing moratoria during the 1980s, as well as the recent unilateral commitments not to conduct direct ascent kinetic ASAT tests, which culminated in the adoption of resolution 77/41 serve as good examples related to outer space.

Resolution 77/42 on "No first placement of weapons in outer space" also "encourages all States, especially spacefaring nations, to consider the possibility of upholding, as appropriate, a political commitment not to be the first to place weapons in outer space."

Importantly, the pursuit of voluntary frameworks and behavioural measures can provide an avenue towards stability and conflict prevention when other options are not available for either political or technical reasons.

(B) Avoid misunderstandings

An important aspect of building confidence and transparency consists in working to avoid misperception, miscommunication, and misunderstanding, which can lead to escalation and even resort to the use of weapons. Measures that restrict or encourage

specific actions and behaviours can help to prevent such unwanted outcomes by helping to clarify intentions and to establish procedures to cope with perceptions of threat.

In this sense, norms, rules and principles can be particularly helpful when it comes to dual-purpose technology: the establishment of clear guidelines can help to clarify peaceful or non-harmful intentions behind activities that could potentially be viewed as hostile, such as for example close approaches between satellites.

(C) Create expectations of behaviour and serve as indicators of intent

Compliance with norms, rules and principles is in no small part driven by the social and political expectations that they set. These expectations serve to create an environment of predictability, which aids in reducing tensions among actors.

Observance of norms, rules and principles of behaviour can be useful indicators of intent. The observance of these mechanisms can help to reassure others of non-hostile intentions and reduce the drivers of arms racing. In contrast, if norms, rules and principles are observed during peacetime, it can be assumed that non-compliance in times of tension is deliberate.

(D) Pave the way for the success of future mechanisms

Non-legally binding mechanisms can help to lay the groundwork for future measures, including those of a legally binding nature. Norms, rules and principles serve a key function of contributing to the creation of common understanding among States. Their perceived flexibility makes them useful trust builders that enable dialogue among different parties. As such, they are often a starting point for the development of regimes. The current legal framework applicable to space is an example of this, as is highlighted above, with the OST being the product of negotiations that initially started as the development and eventual adoption of General Assembly resolutions.

In a domain, such as space, where technology advances faster than law and policy, the flexibility of norms, rules and principles can aid in establishing a trusting and stable space environment. With sufficient common understanding, focus on widespread practice and participation, norms, rules and principles could become a pathway to more permanent and binding agreements for space security that stakeholders are willing to sign on to.

Challenges of norms, rules and principles of responsible behaviours

Non-binding mechanisms are not a panacea for constraining aggressive, hostile, or dangerous behaviour in outer space. Their success is not guaranteed, and they may crumble and collapse. Normative frameworks may be politically easier, but achieving robust norms, rules and principles of behaviour is not. It is hard to find the basic universal values that can bring together different cultures, interests, and groups. It is even harder to put those values into practice.

(A) Need wide acceptance to be effective

Normative frameworks are fundamentally social. To be effective, they must be widely accepted and practised. This depends on shared values and mutual interests, but also trust and the 'like-mindedness' that are characteristic of a high level of social cohesion and community. In the absence of this condition, there may instead be competition for normative influence, which some observers have labelled 'normfare'. This is particularly dangerous in an environmentally sensitive and physically demanding shared domain such as outer space, where safety, sustainability, and security are dependent on collective action.

The creation and maintenance of non-legally binding mechanisms is a challenging and ongoing process. It is not enough to simply proclaim them. While this can be a useful

step towards their creation, for them to truly be effective, normative frameworks must be applied and nurtured. This is not always straightforward. Because they are rooted in values and dependent on practice, they are subject to reinterpretation. While this dynamism is beneficial in some ways, it means that norms, rules and principles must be constantly nurtured and reinforced.

(B) Compliance may be less rigorous than desired

Implementation of normative frameworks can be challenging, as compliance with norms, rules, and principles may be less rigorous in practice than it might seem in theory. Non-binding political agreements are generally more prone to non-compliance issues and subject to differing interpretations of obligations. Voluntary commitments are easier to ignore, and violations may bring few —if any— repercussions. Political condemnation by the international community is a core tool for ensuring adherence to normative frameworks, but this requires leadership and collective action. In some cases, States may have a self-interest in remaining silent in the face of norm non-adherence. In other cases, States may fear political repercussions for speaking out, particularly against more powerful States. Finally, some States may find the stigma associated with going against previously agreed and established non-legally binding mechanisms to be worthwhile, acceptable, or even a useful way to challenge them.

(C) Monitoring can be challenging

Monitoring adherence to non-legally binding mechanisms can also be difficult. Although some behaviours are easier to observe using national technical means or open-source intelligence (OSINT) —and without the intrusive inspection requirements of hardware restrictions— not all behaviours fit this description (cyber and electronic interference are examples). Even when behaviours can be observed, not all States have adequate access to national technical means to do so. Without formal processes in place

to collectively monitor and address concerns over compliance, adherence to normative frameworks is less likely to be a political priority.

(D) Danger of the emergence of negative norms

Not all norms, rules and principles produce positive effects. Sometimes they can make 'good enough' behaviour acceptable, or even legitimize harmful activities. This concern has been raised in relation to ASAT testing and poor compliance with debris mitigation guidelines. In the case of space security and PAROS, it is possible that a narrow focus on the safety and sustainability of military space activities could help to legitimize or to perpetuate certain types of weapons tests and other behaviours that drive collective insecurity in outer space. When it comes to the objectives of arms control, norms, rules and principles are certainly valuable tools to regulate and restrict dangerous behaviours and even potential uses of weapons. But an unfettered build-up of weapons capabilities leaves the international community vulnerable to catastrophe.

Overall, a general theme of these challenges and limitations is that normative frameworks —while necessary— are not sufficient, at least on their own. Successful socialisation and institutionalisation of norms, rules and principles requires additional measures and processes to facilitate and monitor compliance.

Key requirements for an effective regime for space security

The agreement or proclamation of non-legally binding mechanisms or even of legally binding agreements is by itself not enough to guarantee the effectiveness of such measures. Rather, the efficacy of any regime —whether legal or normative— depends on balancing several factors.

Compliance: This relates to the implementation of and acquiescence with an

instrument. By some considerations compliance is more likely to occur with legally binding agreements. However, the duty to comply with legal agreements can also be a double-edged sword. States might be less willing to bind themselves to a treaty depending on its content, or even the number of signatories it has.

The greater flexibility of normative frameworks is viewed as a benefit in this context, making it easier to garner agreement. However, even though non-legally binding mechanisms introduce social and political obligations rather than legal ones, implementation remains critical. To facilitate compliance of normative frameworks it is essential to:

- Build on shared or core values and existing mechanisms, including the OST and other space treaties.
- Identify tools and mechanisms to implement and observe both existing and new norms, rules and principles.
- Consider incentives for compliance with the normative framework for outer space.
- Include processes and recourse for possible normative violations.

It should be noted that in the cases where a norm, rule or principle has become customary international law, its breach constitutes a violation of hard law.

Participation: This refers to the number of States that agree on a specific measure and choose to comply with it. The more widely accepted, socialised and institutionalised a measure is, the more effective it is. This is particularly important in the case of non-binding mechanisms, as they lack the greater 'compliance pull' that legally binding instruments have.

While the establishment of norms, rules and principles does not necessarily require consensus, to encourage widespread participation and implementation, priority should be given to:

- An inclusive approach to their development that nurtures and expands broad community agreement, including non-governmental entities, such as the commercial industry, civil society and academia.
- Obligations and benefits that are shared by all parties.

Who participates and agrees to normative frameworks is also important. To ensure implementation, it is necessary for States to engage those actors that possess the technology and capabilities for which norms, rules and principles are sought.

Thoroughness and ambition: This refers to the level of detail and specificity of an agreement. More generic instruments tend to garner wider support, as general principles are perceived as easier to agree on than more specific issues. The OST, for example, is a treaty of principles that does not delve deeply into each matter it regulates. Agreements on very specific issues, such as specific rules on close approaches, for example, require greater degrees of common understanding on the topic among the different stakeholders in order to succeed. In this sense, rules are the more thorough of the "norms, rules and principles" trifecta, and require a solid base of principles and norms that they can develop.

General commitments create room for interpretive differences and loopholes, such as the meaning of 'long-lived' debris, or of "due regard". Vague principles might also deter agreement by States. For example, the lack of clarity surrounding the definition and identification of 'space weapons' is a long-standing obstacle to agreement on arms control measures in space. In a similar manner, a non-legally binding mechanism that is too vague will not easily evolve into a binding agreement, either through codification or by becoming customary international law. To this end, it is important to emphasize the identification of positive behaviours that make operators in outer space feel safe, secure, and confident in the intentions of others.

Concluding Remarks

Norms, rules and principles can be a useful tool to reach and maintain the objectives of preventing an arms race in outer space. However, they should not be considered a panacea to address space security concerns. As this background guide highlights, norms, rules and principles also have limitations. No one mechanism or initiative will be able to singlehandedly achieve space security but rather a web of mutually reinforcing tools is required.

States should also keep in mind legally and non-legally binding instruments can complement and reinforce one another. In this sense, to establish new norms, rules and principles, States should build on existing mechanisms, such as the OST, as this will be useful in reinforcing currently applicable frameworks but also aid in creating common understanding among the members of the international community on issues relating to space security.

For norms, rules and principles to be effective, they need widespread buy-in not just by States but also other entities active in the space domain, such as industry, civil society and academia. The wider and deeper these tools can be assimilated, the stronger the tool will become.

Ultimately, the effectiveness of norms, rules and principles depends on the willingness of space actors, particularly States, to adhere to them and for all entities who benefit from outer space assets and technology, but once again, particularly States, to condemn noncompliance if it should occur.

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The role of norms, rules and principles of responsible behaviour for space security (Pg 16-27) - https://docs.un.org/en/A/AC.294/2023/WP.3

Additional Resources

Report of the Secretary-General on reducing space threats through norms, rules and principles of responsible behaviours (2021) - https://disarmament.unoda.org/topics/outerspace-sg-report-outer-space-2021/

Previous resolutions - https://digitallibrary.un.org/record/4030053?ln=en&v=pdf https://www.un-ilibrary.org/content/books/9789210014458c055/read

OEWG on Reducing Space Threats: Recap Report - https://unidir.org/publication/oewg-on-reducing-space-threats-recap-report/

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