



KENYA MODEL UNITED NATIONS

20TH SESSION

1ST MOCK DEBATE

**THE UNITED NATIONS GENERAL ASSEMBLY FIRST
COMMITTEE ON DISARMAMENT AND INTERNATIONAL
SECURITY (DISEC)**

BACKGROUND GUIDE

AGENDA:

MILITARIZATION OF OUTER SPACE.

LETTER FROM THE DAIS

Honorable Delegates,

It is with much delight that we welcome you to the First Committee on Disarmament and International Security (DISEC) at the 1st Mock Debate of the 20th Session Kenya Model United Nations. The dais for this committee shall comprise of **Otadoh Ouma (Committee Chair), Oliver Mboya (Committee Co-Chair), Clara Kariuki (Committee Secretary) and Michelle Oriedo (Committee Rapporteur)**. The focus of the committee this session is drawn from SDG and delegates are encouraged to adequately research and prepare for the topic at hand.

We do hope that you will find it an intriguing, critical and challenging topic of discussion in today's world. You are advised to sharpen your knowledge of the Rules of Procedure thoroughly in order to have more organized, interesting and fruitful deliberations. We wish you all the best as you prepare for the debates and recommend you have an open mind in the deliberations. The deadline for the submission of the delegates' position paper is on the 28th October and should be submitted on the committee official email disecc@kenyamodel.un.or.ke

COMMITTEE OVERVIEW



The Disarmament and International Security Committee (DISEC) is one of the six subsidiary committees of the General Assembly established by the UN Charter in 1945. DISEC has 193 member states and all have an equal vote in matters raised. Its role is described in Article 11, Chapter IV of the United Nations Charter.

DISEC's mandate as a committee of the General Assembly is to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources¹. It addresses issues relating to disarmament, global challenges, and threats to peace that affect the international community and it seeks out solutions to the challenges in the international security regime²

Although the Security Council (UNSC) is the only UN body capable of acting on its decisions, DISEC makes valuable recommendations to the Security Council on all aspects of matters that place global peace at risk.

¹ A. Gupta, A. Barrica, A. Mbugua and J. Guthrie, *Ccwa.org*. [Online]. Available: <http://www.ccwa.org/wp-content/uploads/2014/03/DISEC-Background-Guide.pdf>.

² *Aristoteliocollegemun.weebly.com*, 2019. [Online]. Available: <http://aristoteliocollegemun.weebly.com/uploads/1/6/4/1/16419972/disec-study-guide-arcmun2019.pdf>.

INTRODUCTION TO TOPIC

Internationally, for many years, it has been agreed that space should be used for peaceful purposes, and for the benefit of all humankind. Examples of uses and benefits include weather monitoring, help in search and rescue, help in potential natural disaster detection, coordinating efforts on detecting and dealing with issues of space debris and minimizing harmful impacts on Earth, research in sciences, health, etc.

The first major international agreement governing “non-armament” in space was signed on January 27, 1967. Popularly known as “the Outer Space Treaty,” the agreement restricts space activities in two major ways. First, signatories vowed “not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.” Additionally, the treaty proclaims “the Moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes, the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden.”³

The limitations of the Outer Space Treaty are clearly evident, however, when considering how far technology has advanced in the 52 years since its ratification: satellites are used in almost all the modern military operations such as helping guide drones, troops and missiles. Therefore, disabling a rival’s satellite will cripple their economy and blind their military.

STATEMENT OF THE PROBLEM

The world currently hosts three military arenas: land, sea and air. We need not tolerate and sign of venture into a nation facilitating a fourth arena that being outer space. As we all know war is something that we look to curb rather than to promote. Currently space is used for only peaceful, productive purposes that look to elongate the existence of the human race. To name some weather monitoring, help in search and rescue, help in potential natural disaster detection, coordinating efforts on detecting and dealing with issues of space debris and minimizing harmful

³ https://d.docs.live.net/fdc592e2aa2c1d15/Documents/KMUN/MILITARIZATION_OF_SPACE.docx#_ftn1

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impacts on Earth, research in sciences, health, among others.⁴ Space being a largely untapped area in general it is up to the existing human race and its leaders to keep outer space free from the usual terrors witnessed in man's past and present.

It has been noted that certain nations such as the United States are at the forefront of pushing militarization of outer space by working on development projects that would allow them to expand their military influence in that region.⁵ Any form of venture into space technology being very expensive, it is only few of the superpowers and some other nations that may be able to achieve this. This presents them with a major upper hand against other nations which maybe lead to these other nations feeling threatened. This will force them into development of space weaponry rather than channeling their resources to their own development for example. This is where the ripple effect begins by allowing an individual state the ability to reach such an advantageous position. The thought of the potential effect that these nations can be harmed though is what will be the beginning of the end. This is basically an arms race which we cannot afford to have with all the current issues going on today.



⁴ <https://www.globalissues.org/article/69/militarization-and-weaponization-of-outer-space>

⁵ General Lance Lord, head of US Air Force Space Command, quoted from *Air Force Seeks Bush's Approval for Space Weapons Programs*, New York Times, May 18, 2005

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Since the signing of a space peace treaty in 1967 and another treaty preventing an outer space arms race in 2006 amongst other space agreement running up to 2017⁶, quotes and facts have come to light of how some nations hope to achieve sole dominance of outer space. Such an advantageous position cannot be held by one nation as it would develop unrest between them and other nations and possibly allow them to override international interests risking complete world dominance. Space currently referred to as a *common asset to humanity*.⁷ The thought of having to divide and police territories in space is something that peacekeeping organisations will not be ready for at the time they will be required resulting in chaos beyond mankind's own control. As a result, this issue need be addressed quite seriously.

HISTORY OF PAST UN ACTIONS

The United Nations has been striving to maintain peace in outer space since 1957, just before the launch of the first artificial satellite into Earth's orbit⁸. Bassem Yehia Hassan Kassem Hassan of Egypt, during DISEC deliberations in 2018 summed up the United Nations position on the matter, saying that, "Taking into consideration the extreme fragility and volatility of the outer space environment, it must not be allowed to turn into another battlefield or a scene for military conflicts that could have catastrophic implications,"⁹.

The space law regime is majorly founded on five principal United Nations multilateral treaties on outer space and supplemented by several other treaties that are not specifically targeted on matters to do with outer space. The five space law treaties evolved from a series of General Assembly resolutions and declarations following the creation by the United Nations General

⁶<https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties.html#:~:text=The%20treaties%20commonly%20referred%20to%20as%20the%20%22five,Space%2C%20including%20the%20Moon%20and%20Other%20Celestial%20Bodies.>

⁷ Statement of the Delegation of the Arab Republic of Egypt 74th Session of the United Nations General Assembly First Committee Thematic Debate - Cluster 3: Outer Space Check
<https://www.un.org/disarmament/wp-content/uploads/2019/11/statement-by-egypt-os-oct-29-19.pdf>

⁸ "Outer Space – UNODA", *Un.org*. [Online]. Available: <https://www.un.org/disarmament/topics/outerspace/>.

⁹ "Raising Alarm over Possible Space Wars, First Committee Delegates Explore Ways to Build New Order for Preventing Celestial Conflict, Confrontation | Meetings Coverage and Press Releases", *Un.org*, 2018. [Online]. Available: <https://www.un.org/press/en/2018/gadis3609.doc.htm>.

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Assembly of the Committee on the Peaceful Uses of Outer Space (COPUOS)¹⁰ by resolution 1472 that dives into the problems related with the peaceful governing of outer space.

There are multiple treaties and conventions formed especially during the cold war on the militarization of space. In 1963, there was the Partial Test Ban Treaty that was officially known as the treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater. In addition, there was the 1972 convention on international liability for damage caused by space objects launched into outer space, which highlighted repercussions of launching weapons into outer space. In 1975, the convention on the registration of objects launched into outer space came up, where information about objects launched into outer space, including the date and location of the launch and the function of the object in space, is to be communicated to the UN Secretary General as soon as practicable¹¹.

There is also the 1967 Outer Space Treaty that bans the stationing of weapons of mass destruction (WMD) in outer space, prohibits military activities on celestial bodies, and details legally binding rules governing the peaceful exploration and use of space. This treaty came into force on Oct. 10, 1967, and has 110 member states party to it, with the other 89 countries having signed but yet to ratify¹².

The resolutions that laid the foundation of this treaty are UN Resolution 1884 which tasked states to refrain from stationing weapons of mass destruction in outer space. Another resolution is UN Resolution 1962 that laid out provisions for outer space exploration and stated that all states have the right to freely explore and use space. The agreement governing the activities of states on the moon and other celestial bodies in 1979 also supplements the treaty and focuses on disarmament of the moon, it is also known as the moon agreement.

¹⁰ J. Maogoto and S. Freeland, *Law.upenn.edu*, 2007. [Online]. Available: <https://www.law.upenn.edu/live/files/7860-maogoto-and-freeland-space-weaponizationpdf>.

¹¹ "Proposed Prevention of an Arms Race in Space (PAROS) Treaty | Treaties & Regimes | NTI", *Nti.org*, 2020. [Online]. Available: <https://www.nti.org/learn/treaties-and-regimes/proposed-prevention-arms-race-space-paros-treaty/>.

¹² "The Outer Space Treaty at a Glance | Arms Control Association", *Armscontrol.org*, 2020. [Online]. Available: <https://www.armscontrol.org/factsheets/outerspace>.

Resolution A/RES/68/74 of 2013 brought in recommendations on national legislation that is relevant to the peaceful exploration and use of outer space¹³. There is also the Anti-Ballistic Missile Treaty which expressly prohibits development, testing and deployment of sea-based, air-based, space-based, and mobile land-based Anti-Ballistic Missile systems.

All in all, as much as the UN has discussed and deliberated heavily on this, other than weapons of mass destruction, there is little provision for new types of weapons in space and due to this, multiple states have highlighted that existing treaties are insufficient in safeguarding outer space. The international community must first fully define what qualifies as a space weapon and use a consistent step by step approach¹⁴ to dismantle the use of weaponry in space, this approach would be heavily aided by multilateral negotiations¹⁵ and a legally binding instrument, with clear prohibitions that can fill all existing current legal gaps¹⁶.

CONCLUSION

It is without a doubt evident that technological advancements in the form of exploration of outer space have revolutionized the advancement of warfare. Nations are now able to explore militarization of outer space, however if this advancements are left to advance without any measure of safeguard to prevent radicalization of the same or a moral code of conduct to govern the degree of this advancements, there is a risk of a new age of warfare that could prove to be a challenge to the efforts and mandate of this committee to preserve, protect and promote peace and international security.

¹³ "Space Law: Resolutions", *Unoosa.org*. [Online]. Available: <http://www.unoosa.org/oosa/en/ourwork/spacelaw/resolutions.html>.

¹⁴ <https://www.un.org/press/en/2018/gadis3609.doc.htm>

¹⁵ <https://www.un.org/press/en/2018/gadis3609.doc.htm>

¹⁶ <https://www.un.org/press/en/2018/gadis3609.doc.htm>



QUESTIONS A RESOLUTION MUST ANSWER

1. Do we really need to be militarizing space?¹⁷
2. Would there be anyone benefiting from space becoming a war zone?¹⁸
3. Is there a need to legislate space law?¹⁹
4. Is the international community doing enough to stop militarization of outer space?²⁰

¹⁷ <https://armscontrolcenter.org/space-wars-do-we-really-need-to-be-militarizing-space/>
<https://www.law.upenn.edu/live/files/10045-why-outer-space-matterssteer>

¹⁸ <https://theconversation.com/space-may-soon-become-a-war-zone-heres-how-that-would-work-125460>

¹⁹ <https://www.unoosa.org/oosa/en/ourwork/spacelaw/nationalspacelaw/index.html>

²⁰ <https://www.un.org/press/en/2018/gadis3609.doc.htm>

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