

Proposals of Japan regarding Norms, Rules and Principles of Responsible Behaviors for Outer Space Activities

In order to deepen the discussion related to norms, rules and principles during the OEWG third session, Japan would like to propose the following concrete draft recommendations of norms under relevant topics proposed by the Chair, in order to facilitate the process of forging consensus on tangible results at the OEWG.

Norms, rules and principles derived from existing international legal and other normative frameworks (Topic 1)

1. States should respect/reaffirm their compliance with international law, including the Outer Space Treaty, the United Nations Charter, and international humanitarian law in outer space.

Norms, rules and principles relating to counter-space capabilities (Topic 2 (a) and Topic 2 (b))

2. States should make efforts to limit destructive actions which may cause a massive/substantive amount of debris in outer space.
3. States should not conduct destructive, direct-ascent anti-satellite missile tests.

Norms, rules and principles relating to operations involving dual-use capabilities (Topic 3)

4. States should not conduct rendezvous and proximity operations (RPOs) which cause physical damage to space objects under the jurisdiction of another state, unless prior consent is provided.

Norms, rules and principles relating to information exchange on space policies (Topic 5)

5. States should provide information relating to their respective space doctrines, strategies, policies and budgets.
6. States should share information and provide prior notification relating to military operations, notably exercises, to the extent possible and without prejudice to national security.

Norms, rules and principles relating to information exchange and risk reduction notifications related to outer space activities as well as to consultative mechanisms (Topic 6)

7. States should share, to the extent possible, Space Situational Awareness information relating to incidents which may cause misunderstanding and miscalculation, such as the damage of space objects for unknown reasons.
8. States should provide public access to national registries of space objects by furnishing relevant information to the United Nations or by other means.
9. States should put in place/establish/identify National Contact Points (NCPs) that enable states to consult each other on issues related to space security. NCPs should respond to inquiries from other States as expeditiously as possible.
10. States are encouraged to consider using existing consultative mechanisms, for example, those provided for in Article IX of the Outer Space Treaty and in the relevant provisions of the ITU Constitution and Radio Regulations.

Norms, rules and principles relating to international cooperation, including with respect to space surveillance and tracking and space situational awareness (Topic 7)

11. States should promote international cooperation to ensure and enhance stable use of outer space through capacity building including sharing SSA information.

Approaches for further developing norms, rules and principles, including in relation to how they would contribute to the negotiation of legally binding instruments, including on the prevention of an arms race in outer space (Topic 8)

12. States should continue to discuss ways to reduce the risk of misunderstanding and miscalculation in outer space, including in relation to RPOs.
13. States should continue to discuss matters relating to “due regard” and “harmful interference” stipulated in the Outer Space Treaty, with a view to articulating the interpretation of these words from a practical point of view. In particular, States should implement, share and accumulate best practices regarding actions which cause physical damage to space objects under the jurisdiction of another state in order to prevent misunderstanding and miscalculation.