

BACKGROUND PAPER

ON

SELECTED INTERNATIONAL AGREEMENTS RELATED TO SPACE

PROBLEM

(U) Recent discussions of potential norms of behavior, best practices, and an international code of conduct for space operations highlighted misunderstandings and misperceptions regarding U.S. Government (USG) compliance with selected international agreements.

BACKGROUND

(U) Four international agreements related to space with which the USG complies have recently been at the center of discussions regarding norms of behavior: the Space Debris Mitigation Guidelines of the United Nations (UN) Committee on the Peaceful Uses of Outer Space (COPUOS); the Hague Code of Conduct Against the Proliferation of Ballistic Missiles; the International Telecommunications Union (ITU) Constitution; and the Convention on Registration of Objects Launched into Outer Space (Registration Convention). Below is a short description of each and how the National Reconnaissance Office (NRO) complies.

DISCUSSION

(U//~~FOUO~~) The Space Debris Mitigation Guidelines of the UN COPUOS describes the guidelines adopted by the Scientific and Technical Subcommittee (STSC) in February 2007. These voluntary guidelines are not legally binding under international law. The guidelines were developed via consensus within the STSC, and the full COPUOS endorsed the guidelines in June 2007, followed by General Assembly endorsement later in 2007. These guidelines are consistent with, and modeled after, the U.S. Government Orbital Debris Mitigation Standard Practices and the Inter-Agency Debris Committee Debris Mitigation Guidelines. NRO Instructions 82-02a and 82-03a establish consistency with U.S. Government Orbital Debris Mitigation Standard Practices and apply to all NRO programs.

(U//~~FOUO~~) The Hague Code of Conduct (HCOC) Against the Proliferation of Ballistic Missiles is a politically-binding

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agreement intended to regulate the area of ballistic missiles capable of carrying weapons of mass destruction. The HCOC entered into effect in 2002 and the United States is one of the original 93 Subscribing States. One provision of HCOC calls for states to provide pre-launch notification (PLN) for all ballistic missile and space launches.

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forwards the PLN message to Austria, which serves as the Immediate Central Contact for HCOC, which then provides notification to all subscribing states. The information required for pre-launch notification is generic and presents minimal operational security risks. For example, the

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~~(TS//TK//NF)~~ The ITU is the United Nations specialized agency for information and communication technology. It facilitates allocation of global radio spectrum and satellite orbits (geostationary slots) in order to avoid radiofrequency interference. The two primary documents governing ITU activities are the ITU Constitution and the Radio Regulations. Registering a satellite with the ITU requires details such as orbital location, center frequency, bandwidth, modulation, transmit and receive power levels, transmit and receive antenna gains, etc.

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The ITU Radio Regulations

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allow for Administrations to operate any system necessary for "military" purposes as long as that system does not cause interference to others, i.e. operate on a non-interference basis.

~~(TS//TK//NF)~~ The United Nations has maintained a registry of space launches since 1962 in accordance with General Assembly Resolution 1721 B (XVI). The Registration Convention, a more formal agreement, entered into force in 1976 and provides that launching States should furnish to the United Nations, as soon as practicable, the following information concerning each space object: name of launching State; an appropriate designator of the space object or its registration number; date and territory or location of launch; basic orbital parameters; and general function of the space object. The United States, as a party to the Registration Convention, maintains an official US Registry of Space Objects Launched into Outer Space within the State Department and provides quarterly updates to the UN Secretary-General on each space object carried on the US Registry. NRO vehicles are included in the quarterly reports; the basic orbital information is the initial orbit and is not updated.



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(b)(3)

CONCLUSION

(U) The United States, and the NRO as an agency of the United States Government, consistent with national security interests as applicable, complies with the provisions of the Space Debris Mitigation Guidelines of the UN COPUOS; the Hague Code of Conduct Against the Proliferation of Ballistic Missiles; the International Telecommunications Union (ITU) Constitution; and the Convention on Registration of Objects Launched into Outer Space.