HACKMUN IV
INTERNATIONAL LAW OF OUTER SPACE
GENERAL ASSEMBLY

Table of Contents

Letter from the Chairs

Hello Delegates!

Our names are Tibet Yakut and Afsana Dhali, and we are your co-chairs for the committee on the International Law of Outer Space (ILOS). We're very excited to lead this committee together and can't wait to see what ideas you all bring to the table! We are looking forward to seeing lots of collaboration and discussions from all of you. We hope that your differing perspectives on the highly relevant global issues up for debate in this committee will be not only an enriching challenge but something that fosters the most creative solutions.

I, Afsana, have been a part of MUN since middle school, and I've been in all sorts of different committees and assemblies. I've been both a delegate and chair so don't hesitate to ask questions!

I, Tibet, have been doing MUN for 7 years since middle school, and have been a part of many conferences as well as hosting HackMUN III.

We hope you all enjoy this conference and use it as an opportunity to step out of your comfort zones. Whether this is your first conference, or you are more experienced, we hope you use it as an opportunity to learn and grow. As technology continues to advance, we will find ourselves dealing with international policies regarding outer space sooner than we may think. The resolutions you form over the course of this conference may prove useful in the future. We encourage you to do your own research beyond the information we provide in this guide, as it will better prepare you for the conference as a whole. Please feel free to reach out to us with any questions, and we look forward to seeing you at the conference!

Sincerely,

Tibet Yakut, Secretary-General, HackMUN IV
Afsana Dhali, Co-Chair, HackMUN IV
Chairs for the International Law of Outer Space General Assembly
outerspacehackmun@gmail.com

Committee Procedures

Position Papers

If you wish to be considered for an award this year at HackMUN IV, you must turn in a position paper. Position Papers help you prepare effectively for debate and engage meaningfully with the topic before the day of the conference. Furthermore, your chairs can better understand the unique issues and possible solutions, and your committee position at large, prior to the actual beginning of the committee. Please send position papers less than 2 pages in length, 1.5-inch spacing in EITHER google doc or PDF format by the morning of March 4th, 2023 to outerspacehackmun@gmail.com.

Roll Call

At the beginning of every committee session, the chair will take attendance, and every delegate must respond "present." If you are late coming to the committee, send a note to the dais to let them know you are present.

Motions

These are used to open and close debate, decide to move to voting procedure, propose a speakers list, moderated or unmoderated caucus. The chair will entertain several motions at one time, then will have all delegates vote on each motion in order of most to least disruptive, and the motion with the majority passes.

Speaker's List

A type of debate used to start committee, often meant to set the agenda, in which the chair would create a list of speakers. In the scenario where no moderated or unmoderated caucus is underway or on the table, the committee will then turn to the speaker's list.

Moderated Caucus

Another form of debate, used most often during committee, has a set time, speaking time, and specific topic to debate. Your chair will call upon countries to speak. When a delegate wishes to speak, they will raise their placard when told.

Unmoderated Caucus

A time when the rules of formal debate are suspended, during which delegates can leave their seats. This time is used for delegates to build blocs and write draft resolutions.

Resolutions

It is important for you to find a bloc, a group of countries with similar values and goals, towards the start of a committee, who you will work with throughout to draft a resolution and rally other blocs for their support. You may even end up combining blocs at some point General Assemblies conclude with the drafting of many resolutions and the passing of one or more of them into law. During the committee, you will debate work in various blocs to come up with possible solutions. For much of the committee, you should be drafting a resolution in your bloc. In the last portion of the committee, you will present, revise, and then vote on each bloc's resolution as a committee, with a simple majority required to pass it in the vote. Your chair will explain how revisions and presentations will work. A resolution needs at least 5 sponsors/signatories total this year. Here is an example resolution.

If you're unsure about the rules, protocol, or etiquette associated with MUN conferences, feel free to reach out to your MUN leaders or the chairs of this committee.

Introduction to the Committee

International laws regarding space travel were created early on when space exploration was in its infancy. The agreements made back in 1967 were made to address issues that leaders couldn't foresee but knew could potentially arise. For years, those laws remained unchallenged as extraterrestrial technology didn't really advance. But now, we've been taking strides in terms of technology, which calls for a re-evaluation of those agreements. As space travel expands, countries are seeking new heights. Satellite traffic is steadily increasing, and space tourism is gaining more attention and traction than ever before.

In this committee, you will explore how to carefully update and renew previous legislation, what new strides need to be taken, and how to work with other countries to create an equal and equitable environment in space for everyone. Be prepared to discuss the ins and outs of all things related to outer space and its legislation.

A Brief History

Introduction

There are five international treaties that are at the core foundation of space law, under the authority of the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS). These five treaties ensure the non-appropriation of outer space by any one country, the control of arms, freedom of exploration, liability for damage caused by space objects, the safety of astronauts, the prevention of harm toward space and celestial bodies, and the prevention of exploitation of natural resources in outer space. At the core foundation of international space law lies the Outer Space Treaty, signed by 108 nations (2019). The other treaties include the Rescue Agreement, the Moon Agreement, the Liability Convention, and the Registration Convention.

The Outer Space Treaty

The Outer Space Treaty is a "treaty on principles governing the activities of states in the exploration and use of outer space, including the Moon and other celestial bodies." The treaty states that any activities conducted in space are for the benefit of all nations, and any country is free to explore all of space. One of the key principles of the treaty is that there is no claim for sovereignty in space; no country or nation can "own" space or any part of space. The Moon and all other celestial bodies can only be used for peaceful purposes. Any astronaut, regardless of what nation they are from, is an "envoy of mankind," and signatory nations of the treaty must provide aid to any astronaut when necessary. Signatory nations are each responsible for their space activities, including private endeavors. Nations are responsible for the damage caused by their space objects and astronauts and must avoid polluting space and celestial bodies.

The Rescue Agreement

The Rescue Agreement is "the agreement on the rescue of astronauts, the return of astronauts and the return of objects launched into outer space." Signatories must agree to take all possible actions to provide aid and rescue any astronauts in need, and if applicable return them to their origin nation. Additionally, signatories must agree to help return any space objects that land on Earth outside of the country from which they were launched back to the nation they were launched from.

The Moon Agreement

The Moon Agreement is "the agreement governing the activities of states on the Moon and other celestial bodies." This agreement states that celestial bodies can only be used for peaceful purposes, that they should not be polluted or contaminated, that the UN should always be made aware of any station on a celestial body other than Earth, and, most

importantly, if resource mining on the Moon becomes possible, an international regime must be established to govern how those resources are gathered and used. Note: the United States is not a signatory of the Moon Agreement.

The Liability Convention

This convention is more of an extension on article 7 of the Outer Space Treaty, in which it enumerates that a country/state that launched anything into space "shall be absolutely liable to pay compensation for damage caused by its space objects on the surface of the Earth or to aircraft, and liable for damage due to its faults in space". On no other country will the burden fall to pay for damages caused by the actions of another in regards to endeavors in space. The convention also provides procedures for the creation of settlement claims for potential damages.

The Registration Convention

The Registration Convention requires all signatory countries to report and register any and all space objects in their possession. Under this convention, all countries involved are required to consistently update the Secretary-General of the United Nations if the status of an object changes in any regard. Furthermore, the registry of all space objects shall be accessible to other countries, and in the event a space object remains unidentified, all other signatory countries are required to aid in the identification of such an object to the best of their ability.

Current Situation

Nations are becoming increasingly more interested in outer space. Space holds infinite possibilities, and there are many in our solar system alone. Scientists and researchers have already found asteroids both near and far from Earth rich with minerals like nickel, cobalt, and iron that we could mine. The number of materials on known asteroids exceeds that which is available in Earth's reserves, and researchers argue that given the opportunity, we could find more. It is known that asteroids and other space materials contain economically valuable materials, which could provide incredible benefits and profits for whichever country takes the first step. Tensions have already grown amongst countries that didn't sign the newer Moon Treaty, arguing that they should be able to embrace a new commercial space-mining industry.

That's not all. United States President Trump back in 2019 announced a new branch of the U.S. military devoted to extra-terrestrial warfare - the US Space Force. Iranian president Ebrahim Raisi is seeking to reinvigorate Iran's space program in not just the economic uses of outer space, but also the military uses. Other countries are emerging with Space Forces or similar programs of their own, dedicated to efforts beyond researching outer space and touching on militarizing it. There is an increasing amount of pressure to dispel the fog of peace that rests regarding matters in outer space. Major world powers seek advantages for themselves, and increased military activity justified through legal loopholes and vague descriptions from the internationally established treaties will most definitely result in diplomatic tensions.

Space was declared to be internationally neutral territory, but some countries wish to establish territorial borders. There continues to be no official definition of outer space, although the United Nations is holding fast to the concept of mutual international ownership of space. A lot of current concerns abound as to how vague the Outer Space Treaty was. While it may have functioned as an excellent foundation for international law at the time, there is increasing demand to re-evaluate it. Due to its ambiguous nature, there's little to no reference to commercial space activities, and there is no wide international agreement upon some treaties and conventions in regards to the exploitation of resources as well as military expansions.

Positions

United States

The United States was one of the 111 countries to become a signatory to and later ratifier of the Outer Space Treaty. The U.S. did not, however, sign the Moon treaty, as it would have prohibited commercial development in outer space. As of 2019, the United States has its own Space Force, and are a member of the Artemis Program. The program, part of the Artemis Accords, is an American-led effort to return humans to the Moon with the ultimate goal of expanding space exploration but is regarded by some countries as the US trying to internationally impose their own quasi-legal rules. This effort could potentially include the commercialization of space, which the US could profit heavily from.

United Kingdom

The United Kingdom is a signatory to and ratifier of the Outer Space Treaty but not the Moon Treaty. It is also a signatory to the Artemis Accords. The United Kingdom supports the growth of a robust and competitive commercial space sector, supported by academic research. They commit to cooperating internationally to create the legal frameworks for the responsible use of space and to collaborating with other nations to deliver maximum benefit from UK investment in space.

Russian Federation

Russia signed and ratified the Outer Space Treaty as the Soviet Union, but not the Moon Treaty. Russia is also not a member of the Artemis Accords, as it believes the accords to be too “US-centric” to sign in their present form. The Russian Federation believes the rights of jurisdiction and control over space objects, as well as of ownership thereof shall not affect the legal status of the area of outer space or the surface or subsoil of a celestial body occupied by it.

China

China signed but did not ratify the Outer Space Treaty, and did not sign the Moon Treaty. China is also absent from the Artemis Accords due to the US congressional prohibition on collaboration with them. China's space policy is based on three pillars: national development, military empowerment, and great-power competition.

France

France has signed and ratified the Outer Space Treaty, and is a signatory to the Moon Treaty as well. France is not a signatory to the Artemis Accords. The principles of the French vision of space are: autonomous access to space for Europe must be ensured; the space sector is

the keystone of defense; France is a world leader in space science; human spaceflight missions are an essential dimension for exploration of space and the Universe.

Japan

Japan has signed and ratified the Outer Space Treaty, but is not part of the Moon Treaty. Japan is a signatory to the Artemis Accords. Japan's space policy on the development and launch of rockets was limited to being non-military in nature and for the purpose of peace which could contribute to the advance of research, improvement of the lives of citizens, the welfare of humanity, the development of industrial technology, and international cooperation.

India

India has signed and ratified the Outer Space Treaty, and is a signatory to the Moon Treaty. It is not a part of the Artemis Accords. India had long maintained a rather doctrinaire approach toward space security up until the 21st century, emphasising the peaceful uses of outer space and opposing the weaponization and militarization of space. In competition with Pakistan acquiring long-range missiles, in 2019, India established the Defence Space Agency (DSA) as an interim measure to command the military's space capabilities. India had to have a much more nuanced position than a blanket approach that opposed any militarization or weaponization of outer space.

Israel

Israel has both signed and ratified the Outer Space Treaty, and is not a part of the Moon Treaty. It is a signatory to the Artemis Accords. The Israel Space Agency supports scientific research and development with economic potential such as the development of unique and innovative technologies. In addition, the Agency operates on the premise that all space related activities contribute to the Israeli economy, to the country's international standing and also benefit its citizens in terms of agriculture, communications, monitoring of environmental pollution and research.

Saudi Arabia

Saudia Arabia is not a signatory to the Outer Space Treaty or the Moon Treaty. It is also not a part of the Artemis Accords. In 2020, Saudi Arabia announced plans to invest $2.1 billion in the space program as part of its Vision 2030 reform agenda, the long-term plan to diversify its economy away from oil and embrace a wide array of next-generation industries.

United Arab Emirates

The United Arab Emirates is not a signatory to the Outer Space Treaty or the Moon Treaty. It is a signatory to the Artemis Accords. In March 2019, the UAE Government launched the

National Space Strategy 2030, which sets the general basis for the UAE's space industry and activities carried out by public and private sectors for the years leading up to 2030. The UAE is not as forward and advanced with their space policies regarding militarization or economic profit of space.

Iran

Iran has signed but not ratified the Outer Space Treaty and is not a signatory of the Moon Treaty. Iran is not a part of the Artemis Accords. In December 2021, Iranian president Ebrahim Raisi has set in motion a process that will result in Iran launching more satellites, unveiling new space launch vehicles, and building a new space launch facility in southern Iran.

Canada

Canada has signed and ratified the Outer Space Treaty and is not a part of the Moon Treaty. Canada is a signatory to the Artemis Accords. Canada has invested over $2.6 billion since 2016 to not just the success of their space sector but also that their endeavors will provide benefits for Canadian citizens. Canadian Minister of Innovation, Navdeep Singh Bains, seeks to explore outer space to provide jobs, healthcare, and other various economic for Canadian citizens.

Federal Republic of Germany

The Federal Republic of Germany has signed and ratified the Outer Space Treaty and is not a signatory to the Moon Treaty. Germany is not a part of the Artemis Accords. Germany has shifted from having space endeavors be funded by the public to having them be funded by a special government sector dedicated solely to exploration. As of 2020, they have released their program High-Tech Strategy 2025 (HTS25) in an effort to increase space-related research and development to benefit both the public and private sector.

Italy

Italy has signed and ratified the Outer Space Treaty and is not a signatory to the Moon Treaty. Italy is a signatory to the Artemis Accords. While Italy does allocate a lot of its federal funds towards space exploration, most of it goes to the European Space Association (ESA). A smaller portion of their funding goes to the Italian Space Agency (ISA), and most of their research is conducted by students in universities and smaller research centers. Their goals tend to be focused on monitoring the Earth as opposed to extravagant exploration in combination with exploitation of resources in space.

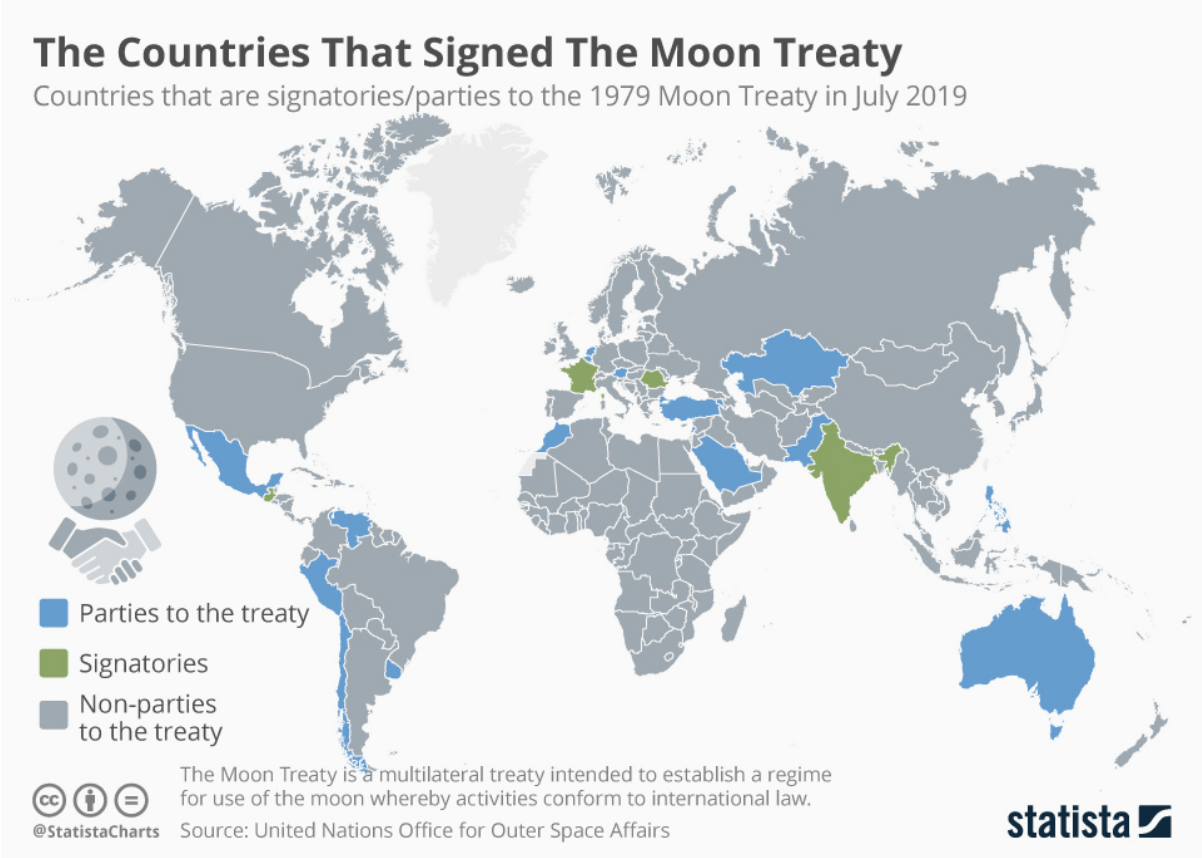
Luxembourg

Luxembourg both signed and ratified the Outer Space Treaty but not the Moon Treaty, and is also a member of the Artemis Accords. Luxembourg has taken its own steps in space

exploration, including the dedication of legislature to allow for space mining, as well as an additional collaborative agreement with the US.

Denmark

Denmark has signed and ratified the Outer Space Treaty and is not a signatory to the Moon Treaty. Denmark is not a signatory to the Artemis Accords. Denmark acknowledges spaces' potential to contribute to the development of new green technologies and solutions that can protect the climate and the environment, as well as to increase overall security of the country. All endeavours relating to space exploration must be approved by the Danish Agency for Science and Higher Education.



Questions to Consider

1. How do we approach the Outer Space Treaty and its ambiguities?
2. What new international legislation can be introduced to dive into the different specificities that are left undiscussed in current International Space legislation?
3. Should we allow for commercial endeavors in space? How will they benefit each country?
4. How can space be politically divided into separate territories?
5. How can different countries work together to economically benefit from space in a fair manner?

References

https://www.spacefoundation.org/space_brief/international-space-law/#:~:text=The%20Outer%20Space%20Treaty,-%E2%80%9CTreaty%20on%20Principles&text=There%20is%20no%20claim%20for,be%20used%20for%20peaceful%20purposes.

https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties.html

https://www.forbes.com/sites/jamiecartereurope/2021/10/19/the-age-of-space-mining-just-got-closer-as-scientists-discover-two-asteroids-whose-precious-metals-would-exceed-global-reserves/?sh=13826f74713b

https://www.bbc.com/news/world-us-canada-50876429

https://www.nationalgeographic.com/science/article/russia-just-blew-up-a-satellite-heres-why-that-spells-trouble-for-spaceflight

https://warontherocks.com/2021/12/iranian-president-raisis-renewed-emphasis-on-space-is-likely-to-create-new-tensions/

https://www.bbc.com/news/science-environment-34324443

https://theconversation.com/artemis-accords-why-many-countries-are-refusing-to-sign-moon-exploration-agreement-148134

https://www.statista.com/chart/18738/countries-that-are-signatories-or-parties-to-the-1979-moon-treaty/https://www.statista.com/chart/18738/countries-that-are-signatories-or-parties-to-the-1979-moon-treaty/

https://www.nytimes.com/2017/11/26/science/moon-express-outer-space-treaty.html

https://2009-2017.state.gov/t/isn/5181.htm

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/484865/NSP_-_Final.pdf

https://www.ifri.org/sites/default/files/atoms/files/julienne_china_ambitions_space_2021.pdf

https://www.assemblee-nationale.fr/12/cr-oecst/05-06/synthese_polspatialeeng.pdf

https://www.weforum.org/agenda/2019/08/indias-strategy-in-space-is-changing-heres-why/

https://www.space.gov.il/en/about

https://u.ae/en/about-the-uae/science-and-technology/key-sectors-in-science-and-technology/space-science-and-technology#:~:text=regionally%20and%20globally.-,The%20UAE's%20National%20Space%20Strategy%202030,years%20leading%20up%20to%202030.

https://www.asc-csa.gc.ca/pdf/eng/publications/space-strategy-for-canada.pdf

https://www.bmwi.de/Redaktion/EN/Dossier/aerospace-policy.html#:~:text=In%20its%20High%2DTech%20Strategy,modern%20information%20and%20industrial%20society.

https://www.hightech-strategie.de/hightech/de/hightech-strategie-2025/hightech-strategie-2025

https://www.oecd-ilibrary.org/sites/d143ef90-en/index.html?itemId=/content/component/d143ef90-en#:~:text=In%202017%2C%20Italy%20allocated%20some,to%20national%20and%20bilateral%20activities.

https://ufm.dk/en/publications/2021/denmarks-national-space-strategy