

The Open Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviour

Statement by Norway under agenda item 6(b), topic 1: Nature and uses of the outer space environment and space systems in relation to current and future threats by States to space systems

Geneva, 12 September 2022

Chair,

Allow me first to convey the appreciation of the Norwegian delegation for your efforts to convene this second session and for your able moderation of our deliberations. Norway is pleased to return to the Open Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviour for its second substantive session.

As noted at the first session in May, actors across all our societies rely on services supplied by space systems. Therefore, the security of those systems is essential for all states as well as for non-governmental actors. A multi-stakeholder approach, with the attendance of international organisations, commercial actors and civil society representatives remains as important as ever.

The first session reflected the agreement among states that international law, including the UN Charter, applies to the conduct of states in outer space. We were pleased to see broad agreement that this would include international humanitarian law in the case of armed conflict related to outer space. Recognizing the applicability of humanitarian law is, as was noted by the ICRC, not to legitimize the use of force in outer space nor its militarization or weaponization. The UN charter, as it applies to activity in space as on the Earth obligates states to refrain from the threat or use of force against another state. The applicability of IHL does not diminish this obligation either in space or on Earth. Norway is mindful of all these obligations.

All states must remain committed to the peaceful exploration and use of outer space and refrain from conducting activities contrary to their obligations under international law. This includes activities that could threaten the ability of all States to freely use and explore outer space, now or in the future.

The concept of responsible behaviour offers a comprehensive approach to maintaining security in outer space. We are therefore pleased to see that this session is set up so that threats to space systems are not narrowly understood as threats that may only arise in space or are directed towards space. Space systems have elements both on the ground and in space. Threats towards them may emanate from anywhere. It therefore makes sense to divide the discussion on current and future threats by their, as it were, origin and direction: earth-to-space, space-to-space, space-to-earth, and earth-to-earth.

This ensures that the discussion properly takes into account the fact that threats to space systems encompass more than kinetic threats to space objects and the use of weapons in space. Dealing with such kinetic-type threats, including the use of weapons, as we traditionally understand that term, is of course necessary, but it is not sufficient. Even in the absence of weapons in space, and even if the development of all direct-ascent anti-satellite missiles were to cease immediately, there could still be threats to space systems; threats that could exacerbate tensions, start escalatory cycles and impact global peace and security.

Norway finds it important that this working group brings the discussion forward by taking us beyond a narrow set of threats. For instance, over the last few years, Norway has experienced several

instances of GPS-jamming that have posed a risk to public safety but may potentially also pose a risk to other space systems. We will return to this issue in greater detail later in the week.

It is still essential to avoid and mitigate threats to the space segment of space systems. To this end, Norway welcomed the decision of the United States, announced at the previous session of this working group, and now joined by a number of other states, not to conduct destructive direct-ascent anti-satellite missile testing. This decision conforms to a norm of responsible behaviour that deserves wider adoption.

An even stronger norm of responsible behaviour would broaden the kinds of anti-satellite capabilities that should not be developed further. For example, there have been reports of co-orbital anti-satellite systems that could threaten the space segment of space systems. While weapons should not be placed in space, previous efforts towards this end have taken a narrow approach that rendered them flawed. A piecemeal approach to what sorts of threats should be addressed first and which can be left for later does not sufficiently enhance space security as a whole.

Again, it is through its holistic and comprehensive approach that this working group can address space security in a way that can move the issue forward. As a steadfast proponent of seeking multilateral solutions to global challenges, Norway is pleased to take part in these discussions.

And, finally, since we are on the topic of threats, irresponsible behaviour and the respect for internationally agreed norms, it is pertinent to recall that again our session takes place while Russia continues its illegal and unprovoked attack on Ukraine. The attack remains a flagrant breach of the most fundamental rules of international relations, including the UN Charter. We repeat our call for the Russian federation to withdraw its troops and stop its aggression against Ukraine.