

# Houston Area Model United Nations Standard Committee



## SPECPOL

Chair | Manan Khandelwal  
Standard Committee Background Guide A  
Houston Area Model United Nations 48  
February 2-3, 2023

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# SPECOPOL

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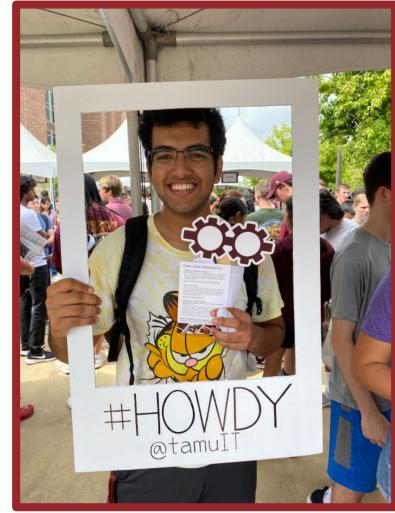
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# Note to Delegates

Delegates,

My name is Manan Khandelwal, and I am ecstatic to serve as your chair at HAMUN 48 this year for the Special, Political, and Decolonization committee!

A little about me: I am a freshman potential computer science major with planned minors in business and statistics at Texas A&M University. As for Model UN, I attended seven conferences as a delegate in high school and chaired one conference, and even served in a leadership position two years in a row. Although I am not a part of the Texas A&M Collegiate Model UN team yet, I continue to keep myself involved in the activity by staying updated with current events, and of course, chairing HAMUN, which I already plan to repeat in the future!



In this committee, we will be debating over the establishment of state responsibility for objects and activities in space, and terrorism in sub-Saharan Africa. Both topics carry a lot of weight in terms of importance to our future, which is why I look forward to overseeing a fruitful and inclusive debate that churns out amazing, creditable ideas!

My expectations for all of you as delegates are not to know everything, nor to be the first to signal a motion every time. Instead, I expect you to have fun debating topics you truly enjoy and want to learn more about, and the best way to do that is to simply stay updated and ask questions whenever you can!

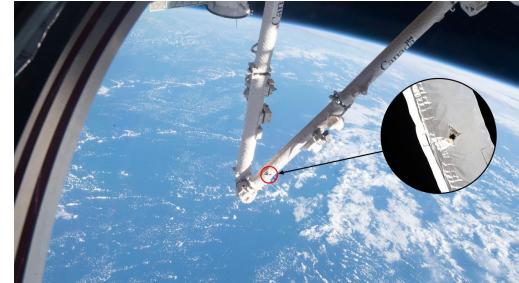
If this is your first time at HAMUN, welcome and thank you for choosing SPECPOL! If you are a returning delegate, welcome back, and I hope to see how you can use your experience to shape this committee! If you have any questions, please feel free to reach out to me and I will do my best to get back to you ASAP. Good luck, and I will (hopefully) see all of you in-person in February!

Best wishes,  
 Manan Khandelwal  
 SPECPOL, Chair  
 mkhandelwal04@tamu.edu

# Topic Overview

## *Topic A: Establishing state liability for objects and activities in space*

Humanity has looked to the stars since we realized that the sky is not the limit. We launched our first artificial satellite in 1957, we sent the first man up in 1961, then touched the moon merely eight years later. Today, our skies bear sight to routine satellite launches, crewed missions to the ISS, and even space tourists, delineating the breakneck-advances we



have made in terms of space technology. Outer space is a realm that is still relatively unexplored, and this is only the start to a new reality for mankind as we look to touch other planets and even create off-world settlements as early as 2024, beginning with the Artemis mission. We are where we are today due to our passion for learning and discovery, and it is important we ensure that every entity has a right to equal access of resources, including space. However, what is stopping larger, more established countries such as the United States from weaponizing space and dominating our orbit and other worlds?

A need for regulation in space was recognized early on, and the United Nations drafted our first significant piece of legislation in 1967. The Outer Space Treaty of 1967 is the foremost piece of legislation governing activities in outer space; it lays out guidelines for exploration, restrictions on territorial claims, bans on nuclear weapons, and more. However, the specifications for liability in space regarding damage (caused by the negligence of other parties) are extremely limited, and there are no mechanisms to enforce the principles that the treaty lays out.

Created 55 years ago, the Outer Space Treaty could never have anticipated the technological prowess the world would wield this soon, which is why the world needs to act and rethink the rules that govern the stars. As our scope of possibilities broadens, it is important to recognize that not many significant pieces of new legislature have been passed in the United Nations to cope with these changes and loopholes. What exactly is it that we need to change about our current legislation, and why? What is the most feasible way to restrict the pollution of Earth's orbit and shift the liability to states? How quickly might these solutions help us in the future? These are some examples of reflection questions to guide your thinking for this conference, as we collaborate to tackle an emerging problem that may soon become our top bane.

# History

In October 1957, the former Soviet Union launched the world-renowned Sputnik 1, which made history as the first artificial satellite to be sent up to Earth's orbit. Since then, newer space technologies have ushered a revolutionary era of astronomy and space exploration, with advancement being made at unprecedented rates. With an exponential increase in satellite launches, the construction and operation of the International Space Station, and the drastic increase in spacefaring nations in the 21<sup>st</sup> Century, it is important to ensure the security of all entities in orbit and protect those who cannot protect themselves, such as the space agencies of smaller countries or smaller private companies. For this reason, space has laws too.

The term "space law" refers to the body of international and national laws and customs that govern human activities in outer space. Contrary to popular knowledge, space law has existed since 1919, when an international charter determined that laws governing a country would directly extend to the airspace directly over that land. However, the more contemporary meaning of space law refers to the Outer Space Treaty of 1967. The OST, as it will be referred to in this document, is a series of broad principles on which countries are to carry out activities in outer space. Article VI of the OST states that countries are to be held responsible for any damage, whether carried out by a governmental or non-governmental organization. The document serves as the preeminent document of governance in space and addresses basic rules to operating in space. Another key piece of legislation was the 1972 Liability Convention, which further expanded on the definition of responsibility in space.

Adding on to the OST and the Liability Convention of 1972, the United Nations also has other measures of creating and maintaining law in space. It has two committees and one conference dedicated to space affairs – UNOOSA (United Nations Office of Outer Space Affairs), COPUOS (UN Committee on the Peaceful Uses of Outer Space), and CD (Conference On Disarmament). It has five treaties – the OST, The Rescue Agreement of 1968, the Liability Convention of 1972, the Registration Convention of 1976, and the Moon Treaty of 1984. Each treaty or committee addresses a different issue, but all of them have their individual, distinct setbacks, which will be discussed next.



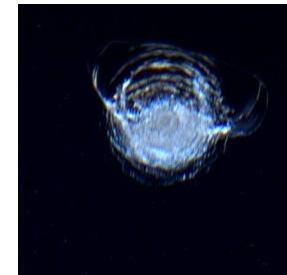
Sputnik 1, the world's first artificial satellite



Signing of the Outer Space Treaty by the United States Government

# Case Study: Space Junk

After learning about the history of the problem, we must next focus on the setbacks each existing piece of legislation have that add up to give this topic such alarming importance. One of these setbacks is space junk. Since 2021, we have launched nearly 12,000 satellites but there are millions of objects of various sizes floating around in space.



Space junk primarily consists of nonfunctional satellites, discarded rocket stages, and mission-related debris. However, the biggest risk is posed by sub-inch particles that are the result of anti-satellite missile tests and collisions between existing objects in orbit. They pose a threat to functional satellites because of the extremely high momentum they carry as a result of their velocity, as seen in 2016 when a fleck of paint chipped a window on the International Space Station (depicted in the picture above).

Instead of diving deeper into the statistics of space junk, we need to understand why it exists in the first place. Take inoperative rovers on Mars, for example. Because exploration on Mars is relatively new, we don't have a mechanism to clean up after ourselves on the Red Planet. Rovers and any broken components are left to withstand time, and we aren't required to be liable for their disposal because it doesn't pose a problem to us.

Similarly, early satellites were left in orbit because we never planned the impact they would have to us today, seventy years later. As collisions damage newer satellites, creating more debris in return, space junk is essentially a massive chain reaction (a concept more technically known as the Kessler Syndrome) waiting to happen. For example, in 2021, an operational Chinese military satellite (Yunhai-1) was struck by a fragment of a former Russian satellite, causing it to deorbit and burn up in the atmosphere. Another example is the 2007 Chinese Anti-Satellite (ASAT) weapon test which used a direct-ascent missile to destroy a Fengyun 1 weather satellite. In a largely condemned experiment, it ended up creating nearly 3,000 pieces of space, most of which remain in orbit today. In fact, the International Space Station has had to dodge a remnant of this test as recently as in November 2021. It is important to note, however, that these numbers are only reflective of objects the United States Space Surveillance Network can track, which includes anything over the size of 4 inches. It is expected that this test, and many other ASAT tests conducted by the US, Russia, and India, created millions of pieces of debris smaller than what the USSS can detect.

While these types of collisions are relatively rare today, the production of traffic in Low Earth Orbit will only magnify the probability of such losses in the future, which is why the issue must be addressed before it spirals out of control. Unfortunately, space junk is far from the only reason why our legislation must be updated.

# The Problem Today

Today, the two main documents that form the backbone of space law are the OST and the Liability Convention of 1972. Other treaties, such as the Moon Treaty, either do not have enough signatures for significant enforcement or do not directly relate to the topic of liability and law in space.

Created nearly 55 years ago, the OST's biggest downfall is its own age. It was written to protect space from becoming a wasteland due to the overexploitation of its resources, but it lacks severely in terms of specificity and enforcement. Among other things yet more importantly, the Outer Space Treaty does not address the newest threat to space security – anti-satellite weaponry. Tested by Russia, the United States, China, and India in 1968, 1985, 2007, and 2019 respectively, ASAT weapons are space weapons that are designed to hamper the operations of or destroy satellites. They can be launched from land, sea, air, or even space, and can either be a missile or an energy-directed attack, but the failure of the Outer Space Treaty to deter the development of these weapons brings into question its real power to protect the rights of free exploration of space granted to nations. Additionally, definitions such as "space weapon," "weapons of mass destruction," "defensive," or "peaceful" uses of outer space have all changed within the 55 years of its existence. Furthermore, the OST does nothing to assign liability to producers of space debris, which threatens the ability of every nation to safely and peacefully explore space.

On the other hand, the Liability Convention of 1972 has its own set of disadvantages; it was drafted at a time when only the United States and the Soviet Union were major actors in the space industry and were not expected to deal with private actors. Like the others, this treaty too requires substantial clarification to be applicable to newer space activities, such as satellite servicing, space traffic management, tourism, and space debris mitigation. The Liability Convention also established a process for the victim country to sue the responsible country, but due to ambiguity over who is responsible and the lack of consequences for non-compliance, the one instance where this clause was invoked showed the ineffectiveness of the document. Due to the age of the document and its failure to account for private organizations, the framework for assigning liability is incredibly state-centric and is therefore not best suited for the 21<sup>st</sup> century.

Seeing that both documents were drafted in a vastly different geopolitical climate and have several drawbacks in terms of clarity, scope, and enforcement, it is about time that we change how space is governed.

# Questions to Consider

1. What exactly is it that we need to change about our current legislation, and why?
2. What is the most feasible way to restrict the pollution of Earth's orbit and shift the liability to states?
3. How quickly might these solutions help us in the future?
4. Should we update and amend existing treaties, or should we scrap everything and start from scratch?
5. What are the best ways to be able to enforce these rules, given that the United Nations does not have significant mechanisms for enforcement beyond condemnation?

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