The Future of Peacekeeping, Peacemaking and Peacebuilding

Study Guide - SPECPOL

Bradley J. Cole
Preface

It is becoming increasingly troublesome to talk of Peacekeeping, Peacemaking and Peacebuilding as three distinct concepts in international relations. Since World War II, a new class of war had emerged as to what we call “humanitarian wars” – wars in which the combatants claim to be fighting neither for their national interest nor to impose any ideology, but rather to prevent the inordinate and pervasive human suffering. Keeping this as a central concept in this debate is important -- so far as the argument goes, the United Nations as an organization is impersonal of national interest but it encompasses the vast array of national interests that participate within it and as a consequence, a potential roadmap for establishing an impersonal armed force to check, prevent and extinguish where crimes of humanity, genocide, war crimes and ethnic cleansing.

The end of the Cold War produced a shift towards the United States becoming an undisputed superpower, able to project and maintain the balance of power -- at will -- at all corners of the globe. With it, the United States attempted to lead a new spirit of cooperation and helped facilitate the United Nations Security Council’s role in handling more complex UN peacekeeping missions and to offer the settlement of grievances of parties in embroiled in intra-state conflicts. As such, the United Nations Department of Peacekeeping Operations was created in 1992 to support the demand for settling such conflicts.

The United Nations Charter and the lessons learnt from the Holocaust have shaped the international community and the impetus for resolving acts that are morally wrong. In this sense, the inaction of Rwanda and Bosnia have been regarded as a moral failure which scholars have argued that is attributed to the lack of flexibility -- something of which UN Peacekeepers integrally state as a strength -- was responsible for the inaction. Indeed, the debate curtails as to what is defined by “Peacekeeping” and “Peacemaking”. This study guide will explore each component, outlining distinctions and identify areas of overlap. Moreover, it will look into “Peacebuilding” -- how the establishment of transportation and communication
networks, engagement with local factions, carving the rule of law, disarmament, reintegration of combatants and legitimate state institutions to facilitate peace.

Delegates of this topic will be expected to outline comprehensive solutions to ensuring strategic flexibility of peacekeeping forces, whether or not the mandate of force should be expanded, bridging the gap between peacebuilding and peacemaking and outlining the appropriate methodology to ensure sustainable peace in the most volatile regions of the world.
Peacekeeping

The Millennium report, published in March 2000, set the guidelines for the role of the United Nations in the 21st century. Indeed, much as changed since the report was published and the highly contextual-informed nature of the report may subject revisions in the paper to discuss the role of the United Nations in future challenges. Within the paper, peacekeeping has been described as the “the objective, in essence, is to assist the parties engaged in conflict to pursue their interests through political channels instead.”

Once more, peacekeeping is guided by three principles. They are:-

- Consent of parties;
- Impartiality
- Non-use of force except in self-defence and defence of the mandate

The consent of parties, whether they are intra-state actors or state actors themselves, must consent to the UN Peacekeeping forces in observing armistice or instances of cease-fire. Once more, UN Peacekeeping forces are impersonal to ideological and political motivations, refraining from favouring neither one side nor the other, regardless of grievances one may have of a party. Perhaps the most controversial is the use of force. The UN Peacekeeping use of force specifically refrains from the use of force in instances where human dignity and life are threatened. Furthermore, the use of force is reserved specifically for the self-defence of the soldiers who make up the UN Peacekeeping force. This is problematic as defining the instance where “self-defence” may omit the use of pre-emptive force under the guise of self-defence. One of the principles of war is the art of “surprise” -- this is particularly concerning when the use of self-defence is codified at the political-level but is not necessarily intuitive at the tactical-level.

The United Nations peacekeeping operations have expanded over the years. In its first 14 years, the U.N. carried out just 14 peacekeeping missions.

As of October 2014, there are 16 UN peacekeeping operations ongoing:

- United Nations Stabilization Mission in Haiti
- United Nations Mission for the Referendum in Western Sahara
• United Nations Mission in Liberia
• United Nations Operation in Cote d’Ivoire
• United Nations Multidimensional Integrated Stabilization Mission in Mali
• United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
• United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
• United Nations Mission in the Republic of South Sudan
• United Nations Interim Security Force for Abyei
• Africa Union/United Nations Hybrid operation in Darfur
• United Nations Interim Administration Mission in Kosovo
• United Nations Peacekeeping Force in Cyprus
• United Nations Interim Force in Lebanon
• United Nations Truce Supervision Organization
• United Nations Military Observer Group in India and Pakistan

The mandates of these deployments are varied, complex and often multidimensional. However, the common denominator is that the fundamental imbalance of power between the parties engaged in conflict, a lack of confidence in civil and regional institutions and the need for a third-party observer to monitor the proposed peace. It is perhaps useful to understand what constitutes a peacekeeping operation. The initial consultation will likely involve the following:

• All relevant United Nations actors
• The potential host government and the parties on the ground
• Member states, including States that might contribute troops and police to a peacekeeping operation
• Regional and other intergovernmental organizations
• Other relevant key external partners
• The UN Secretary-General to produce a strategic assessment to identify options of UN engagement

Crucially, Peacekeeping operations involve a technical field assessment -- a coherent analysis of the human terrain, overall security situation and the political, military. Humanitarian alongside human rights integrity data are composed in the technical assessment. Historically, the mandate of UN
Peacekeeping missions have taken to account the technical field assessment but do not necessarily mean that the mandate will actively, rather passively, protect the human rights of civilians within a contested war-zone.

Indeed, a peacekeeping force is compromised from a vast contribution of nation-states. The United Nations does not in itself have a standing army capable of deploying to various theatres of conflict and must rely on the contributions of nation-states to make-up the peacekeeping force. This is similar to how a government will enforce taxation to accumulate revenue except nation-states can choose freely how many or how little peacekeeping troops they wish to donate.

In order to remedy the political complications and constraints that United Nations Peacekeeping forces experience, the WorldWatch Institute produced a paper called “Critical Juncture: The future of Peacekeeping”. They propose the following:

“Establish an early-warning office that continuously monitors potential trouble spots around the world, alerting the Security Council to impending threats to peace and security.

Set up permanent conflict resolution committees in each region of the world to defuse tensions before violence erupts.

Deploy peacekeepers pro-actively to prevent aggression, when warranted by an early-warning alert or requested by a government.

Create a two-tier U.N. peace force consisting of a permanent, individually-recruited, non-combat force, as well as a specially trained back-up army comprised of national troop contingents available to the Security Council on short notice. A primarily defensive capability could help create safe havens for oppressed groups or civilians caught in the crossfire.

In every region, develop training programs in non-military peacekeeping and peacemaking, such as conflict resolution techniques and human rights monitoring.

Empower the U.N. to create "trusteeships," where needed, to secure the stable conditions needed for peacebuilding, in countries destroyed by years of warfare.
As the U.N.’s capabilities are bolstered, the world community would need to define a set of criteria—in effect create a kind of trigger mechanism—that would activate appropriate elements of this peace machinery.

In addition, the Byzantine nature of the current peacekeeping system would need to be reformed so that U.N. units could be dispatched immediately. Currently, units are assembled and financed on a mission-by-mission basis, and governments often contribute contingents sluggishly.

Furthermore, governments would need to pay off the money they owe to the U.N.—now some $645 million worth of arrears on peacekeeping assessments—establish a regular annual peacekeeping budget, and create a reserve fund to cover unforeseen expenses.

For the U.N. to take a more active role in peace promotion, it also needs all the political legitimacy it can muster. In particular, the composition of the Security Council needs to reflect the realities of today’s world rather than that of 1945. The report recommends, for instance, abolishing veto rights for the permanent members of the Council.

The key challenge is to bridge the United Nations authority and the interest of states, meaning that where national actors may not have a distinct interest in intervention, the United Nations has the authority and capability to ensure that peace, or a better peace, can be established.

Indeed, such measures may fall under the definition of “Peacemaking”, which will be discussed further and complicates the role of peacekeeping.

Moreover, it is useful to see scholarly analysis of past U.N. peacekeeping engagements.
Case study: Bosnia

“The UN did little initially to help the situation in Bosnia. Once Bosnia was recognized as a sovereign state, the UN Security Council appealed to the Serbs, Bosniacs and Croats to bring about a cease-fire and to negotiate a political solution, and demanded that any interference from outside Bosnia and Herzegovina cease immediately (“Former Yugoslavia – UNPROFOR”). The Security Council
developed resolution 757 on May 30, 1992, which imposed sanctions on the Federal Republic of Yugoslavia (consisting of Serbia and Montenegro at that time) in hope of achieving a peaceful resolution to the conflict (“Former Yugoslavia – UNPROFOR”). In September 1992, the mandate of UNPROFOR was enlarged to assist the United Nations High Commissioner for Refugees (UNHCR) in delivering humanitarian relief throughout Bosnia and Herzegovina, in particular to provide protection when UNHCR considered it necessary. The humanitarian airlift carried out by UNHCR under UNPROFOR protection brought in 2,476 aircraft carrying 27,460 tons if food, medicines and other relief goods between July 1992 and January 1993 (“Former Yugoslavia – UNPROFOR”). Although the UN humanitarian efforts were great, they did nothing to stop the war, and by mid-March of 1993, 30-40 people were dying daily due to military action, starvation, exposure to cold, or lack of medical treatment (“Former Yugoslavia – UNPROFOR”). In a further attempt at achieving peace, the UN Security Council declared six safe areas in Bosnia: Bihac, Gorazde, Sarajevo, Srebrenica, Tuzla, and Zepa. These regions were to be “free from armed attacks and from any other hostile acts that would endanger the well-being and the safety of their inhabitants and where unimpeded delivery of humanitarian assistance to the civilian population would be ensured” (Daniel et al., 56). UNPROFOR was given the responsibility to enforce these safe areas through its presence alone. It was not authorized to defend territory or engage in offensive military operations. UNPROFOR could only use force in self-defense and was required to ceasefire as soon as the opponent did. UNPROFOR’s ability to carry out its mission was not only limited by the rules of engagement but also by limited resources. They UN member states authorized only 7,950 more troops of the 34,000 requested to carry out the mandate (Daniel et al., 56). NATO air strikes were authorized to defend UNPROFOR troops and deter attacks on the safe areas. Between April 13, 1993 and December 15, 1995, UN and NATO launched a series of air threats and strikes in response to Serb aggression on safe areas. In May 1995, several UN heavy-weapon collection points were overrun by Bosnian Serbs and NATO responded with air strikes against Bosnian Serb targets. Bosnian Serbs immediately seized 350 UN peacekeepers, tied them to potential targets, and brought them before television cameras, forcing NATO to call off the air strikes (Daniel et al., 52). In July 1995, while UNPROFOR troops were being reconfigured, the Bosnian Serbs launched a full-scale assault on the safe area of Srebrenica, taking over the city and massacring thousands of Muslim men. NATO air strikes were not authorized until it was too late to stop the massacre. The United Nations made the decision to pull all UN peacekeeping personnel out of Bosnia and allowed NATO to take over. Following this attack, troop-contributing nations met in London and came to an
agreement that any attack on Gorazde, the only remaining “safe-area”, would be met with “a substantial and decisive response” (Daniel et al., 69). It was decided that NATO no longer needed approval from the civilian UN representative to initiate air strikes. Between August 30 and September 14, 1995 NATO launched Operation Deliberate Force, a two-week series of air strikes on a number of Bosnian Serb military targets in response to a Serb mortar attack on Sarajevo occurring on August 28, 1995.”

Major Success of UNPROFOR in Bosnia (Rikhye, 45)

1) Opening of the airport in Sarajevo prevented mass starvation in the city.

2) UN was able to provide medical aid and food relief by truck convoys and with help of US aircraft.

Failures of UNPROFOR in Bosnia (Rikhye, 45)

1) UN was initially indecisive as to whether or not to get involved in the conflict in Bosnia, which allowed for warring factions to break up Bosnia-Herzegovina into “ethnically cleansed” areas.

2) The peacekeeping mission had no real design and had a vague mandate that was stretched to cover changed circumstances in the region.

3) The rules of engagement given to the protection force were inadequate even for the delivery of humanitarian aid.

4) Poor naming of “protection force” and “safe-areas”. These terms were misleading as UN forces were unable to provide protection for civilians, and “safe-areas” did not provide safety.”
As Bosnia demonstrated institutional and operational failure to adapt to evolving and hostile environments, it is a subject of discussion for delegates to identify and address points of concern which disable peacekeeping forces to carry out duties to adhere to the ethical principles set forth in the United Nations.

Moreover, where is the line drawn, if it is ever drawn, to incorporate peace-making within the framework of peacekeeping forces to carry out their duties? Furthermore, in hostile environments where a lack of effective administration, deprived civil and social services and tenuous infrastructural development which provides friction for the delivery of humanitarian assistance and developmental assistance results in intra-state and non-state actors to flourish, how far does a U.N. peacekeeping force go to what means to stifle attempts for these groups to capitalize on power vacuums?
Peacemaking & Peacebuilding

I have decided to bunch these together peacekeeping itself as been subject to vigorous debate but not as much has been said about peacemaking and peacebuilding. In comparison to peacemaking, academic literature is scarce in regards to these subjects. Nevertheless, they are paramount to conflict resolution and peaceful development of states.

**Peacemaking** refers to the halt of an ongoing conflict. There are various methods to achieving this. The most common is the diplomatic route by instigating a ceasefire, through the use of third-party brokering. Once more, the use of a ceasefire provides a platform for which the full reconciliation of grievances among adversaries can be readdressed whilst not fuelling the flames of conflict through further violence.

**Peacebuilding** is often instigated either pre-conflict or post-conflict. What distinguishes this from peacekeeping and peacemaking is that peacebuilding often attempts to progress from the status quo with a distinct focus on eliminated potential start or resumptions of conflict. In essence, peacebuilding refers to activities to address the root causes or potential causes of violence, creating an institutional and societal framework for peaceful conflict resolution and to stabilize the affected societies politically and socioeconomically.

As it stands, there is a discrepancy between peacemaking and peace enforcement. Some would argue that peacemaking generally employs non-violent means to achieve an end to conflict. Those who argue that peace enforcement cannot be removed from peacemaking make the case that in some circumstances the use of force must be used to coerce the parties involved in conflict to explore negotiations by making the political cost of continuing war unfavourable for either side.
Components of peacebuilding

Thucydides, an Athenian historian, philosopher and father of “political realism” produced work entitled “History of the Peloponnesian War”. In this work, he stipulates as succinctly as possible that war is fought over under the crux of “Fear, honour and interest”. Under this pretext, peacebuilding aims to readdress possible points of grievances. For example, fear may be as a consequence to the imbalance of power of a region and contribute to the security dilemma faced by an actor. Honour, on the other hand, is harder to define and explain. Honour systems vary across the world but share a common denominator of courage. With this courage, actors accept risk and in some instances welcome threats in order to demonstrate this courage. On the other hand, actors may use courage as the means to protect the integrity and honour of a group, in order for groups not to become subservient to another actor. Interest is a subjective concept but has a degree of objective credence to define it. Generally, what we refer to in “interest” is the insurance or guarantor of an actor’s survival. Such examples are demonstrated through the acquisition of resources (food, water, raw minerals), territorial expansion to protect its core or checking and/or diluting challengers to the actor’s survival.

Therefore, the components of peacebuilding must be able to address the fear, honour and interest of a particular entity; these revolves through three dimensions of peacebuilding, taken chronologically, and offer a roadmap for which to address the sources of conflict. The crux this is to allow greater distribution of political power to all entities of a conflict that would have been incredibly difficult to attain without external influence to mitigate resumptions of conflict.
Three dimensions of peacebuilding

<table>
<thead>
<tr>
<th>1st Dimension</th>
<th>2nd Dimension</th>
<th>3rd Dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Taking away weapons</td>
<td>• Rebuilding state infrastructure and lines of communication within said territory</td>
<td>• Gender empowerment</td>
</tr>
<tr>
<td>• Re-integrating former combatants into civilian society</td>
<td>• Developing sustainable rule of law systems and civic/public administration</td>
<td>• Economic development</td>
</tr>
<tr>
<td>• Addressing political grievances</td>
<td>• Building educational and health infrastructure</td>
<td>• Community dialogue</td>
</tr>
<tr>
<td></td>
<td>• Providing technical and capacity-building assistance for institutions</td>
<td>• Civic associationism</td>
</tr>
<tr>
<td></td>
<td>• Creating legitimate (democratic &amp; accountable) state institutions</td>
<td>• Developing civil society and private sector to represent diverse interests and challenge the state peacefully</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Transnational justice and restoration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Development of human rights</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Environmental awareness</td>
</tr>
</tbody>
</table>

In essence, delegates will need to explore practical international frameworks to enable the United Nations and other multi-national organizations to carry out these three dimensions. Furthermore, within the context of peacekeeping, delegates may need to draw up creative solutions to make the transition between peacekeeping, peacemaking and peacebuilding as smoothly as possible. One key issue, within all this, is facilitating interest between states, via national, regional and international channels to establish the manpower and financial capital to execute successfully these dimensions.
Further reading

I have attached some links and books that may provide useful in the lead up the conference. This list not exhaustive and there are plenty of sources out there that will broaden your knowledge on the subject.


Topic 2: International Cooperation for Peaceful Utilization of Outer space.

Introduction to the Topic:

As the fourth committee of the General Assembly, SPECPOL extends its jurisdiction to not only territorial disputes and decolonisation, but to the entirety of outer space and the celestial objects which inhabit it. The United Nations have dealt with the topic of outer space since 1958, following the historic launch of Sputnik 1 by the USSR, and consider space to be a benefit meant for all of humankind.

The General Assembly further branches out in this field to such organs as UNOOSA, and COPUOS, which meets annually to discuss the legal and scientific aspects and implications of SPECPOL’s resolutions on outer space. These two bodies are essentially the extension of the General Assembly’s mandate on outer space, and therefore fall under the jurisdiction of SPECPOL. The decisions made by SPECPOL then have impacts on the implementation and of spatial policy and the subsequent monitoring carried out by the organs into the member states, to determine whether the objectives are being met and the guidelines respected. Perhaps more significantly, these organs are responsible for maintaining a register of all objects launched into outer space, by member states and private parties alike. This information is then made readily available to all member states.\(^1\)

Essentially, the “peaceful utilization of outer space” entails the use of all areas pertaining to Earth’s orbit and beyond for scientific and humanitarian purposes, in the form of exploration, cooperative development and sustainable utilization. As a given, the “peaceful utilization of outer space” does not condone militarisation or weaponisation of any outer space territory, and foresees the use of satellites as limited to communication, research and mapping efforts for disaster response, etc.

Key definitions:

The United Nations Office for Outer Space Affairs (UNOOSA): the United Nations office responsible for promoting international cooperation in the peaceful uses of outer space. Reports to the GA.

The United Nations Committee on the peaceful Uses of Outer Space (COPUOS): The decision-making committee for UNOOSA.

Outer Space: a void characterized by a hard vacuum at around 2.7 Kelvin, the conventional classification of where outer space begins is 100km above Earth’s Surface at sea level. There are many different classifications, but the one recognized by the UN and most treaties is 100 km.

ISS: The International Space Station. The largest artificial body in Earth’s orbit, it was the joint project of space agencies within the USA, Russia, the EU, Japan and Canada. It is the most expensive object created in the history of mankind.

NASA: the American space program (The National Aeronautics and Space Administration)/

HIC: High Income country. A high-income economy is defined by the World Bank as a country with a gross national income per capita above US$12,746 in 2013, calculated using the Atlas method.

LIC: Low Income country: countries with per capita incomes below $400

NIC: Newly Industrialized country: a country whose level of economic development ranks it somewhere between the developing and first-world classifications.

Past and Recent Developments/ UN involvement:

Space Law:

The legal framework for issues regarding outer space can be traced to The Outer Space Treaty. Formally known as the “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,” it forms the basis of international space law. Effective as of 1967, today as many as 102 countries are parties to the treaty, while another 27 have signed the treaty but have not yet ratified it.

This list of Countries and territories to have signed the Outer Space Treaty are as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Country</th>
<th>Country</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>Ecuador</td>
<td>Kuwait</td>
<td>Seychelles</td>
</tr>
</tbody>
</table>

---


3 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies: [http://www.state.gov/t/isn/5181.htm](http://www.state.gov/t/isn/5181.htm)
<table>
<thead>
<tr>
<th>Antigua and Barbuda</th>
<th>Egypt</th>
<th>Laos</th>
<th>Sierra Leone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>El Salvador</td>
<td>Lebanon</td>
<td>Singapore</td>
</tr>
<tr>
<td>Australia</td>
<td>Ethiopia</td>
<td>Lesotho</td>
<td>Solomon Islands</td>
</tr>
<tr>
<td>Austria</td>
<td>Fiji</td>
<td>Libya</td>
<td>Somalia</td>
</tr>
<tr>
<td>Bahamas, The</td>
<td>Finland</td>
<td>Luxembourg</td>
<td>South Africa</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>France</td>
<td>Madagascar</td>
<td>Spain</td>
</tr>
<tr>
<td>Barbados</td>
<td>Gambia, The</td>
<td>Malaysia</td>
<td>Sri Lanka</td>
</tr>
<tr>
<td>Belgium</td>
<td>German Democratic Republic</td>
<td>Mali</td>
<td>Swaziland</td>
</tr>
<tr>
<td>Benin</td>
<td>Germany, Federal Republic of</td>
<td>Mauritius</td>
<td>Sweden</td>
</tr>
<tr>
<td>Bolivia</td>
<td>Ghana</td>
<td>Mexico</td>
<td>Switzerland</td>
</tr>
<tr>
<td>Botswana</td>
<td>Greece</td>
<td>Mongolia</td>
<td>Syria</td>
</tr>
<tr>
<td>Brazil</td>
<td>Grenada</td>
<td>Morocco</td>
<td>Thailand</td>
</tr>
<tr>
<td>Brunei</td>
<td>Guinea-Bissau</td>
<td>Nepal</td>
<td>Togo</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Guyana</td>
<td>Netherlands</td>
<td>Tonga</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>Haiti</td>
<td>New Zealand</td>
<td>Trinidad and Tobago</td>
</tr>
<tr>
<td>Burma</td>
<td>Holy See</td>
<td>Nicaragua</td>
<td>Tunisia</td>
</tr>
<tr>
<td>Burundi</td>
<td>Honduras</td>
<td>Niger</td>
<td>Turkey</td>
</tr>
<tr>
<td>Byelorussian S.S.R.²</td>
<td>Hungary</td>
<td>Nigeria</td>
<td>Uganda</td>
</tr>
<tr>
<td>Cameroon</td>
<td>Iceland</td>
<td>Norway</td>
<td>Ukrainian S.S.R.2</td>
</tr>
<tr>
<td>Canada</td>
<td>India</td>
<td>Pakistan</td>
<td>Union of Soviet</td>
</tr>
<tr>
<td>Central African Republic</td>
<td>Indonesia</td>
<td>Panama</td>
<td>Socialist Republics</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------</td>
<td>--------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Chile</td>
<td>Iran</td>
<td>Papua New Guinea</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>China, People's Republic of</td>
<td>Iraq</td>
<td>Peru</td>
<td>United States</td>
</tr>
<tr>
<td>China (Taiwan)(1)</td>
<td>Ireland</td>
<td>Philippines</td>
<td>Uruguay</td>
</tr>
<tr>
<td>Colombia</td>
<td>Israel</td>
<td>Poland</td>
<td>Venezuela</td>
</tr>
<tr>
<td>Cuba</td>
<td>Italy</td>
<td>Romania</td>
<td>Vietnam</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Jamaica</td>
<td>Rwanda</td>
<td>Yemen, People's Democratic Republic of (Aden)</td>
</tr>
<tr>
<td>Czechoslovakia</td>
<td>Japan</td>
<td>Saint Christopher-Nevis</td>
<td>Yugoslavia</td>
</tr>
<tr>
<td>Denmark</td>
<td>Jordan</td>
<td>Saint Lucia</td>
<td>Zaire</td>
</tr>
<tr>
<td>Dominica</td>
<td>Kenya</td>
<td>San Marino</td>
<td>Zambia</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>Korea, Republic of</td>
<td>Saudi Arabia</td>
<td></td>
</tr>
</tbody>
</table>

The specifics to this treaty, and to the law it attempted to establish are as follows:
- Primarily, it prohibits countries from setting nuclear weapons, or others classified as weapons of mass destruction, anywhere in outer space. This includes Earth’s orbit, the moon, or any other celestial body.

- In accordance to this first point, the Treaty prohibits any form of military action or exercise to be taken in space or on the moon, with a further specification that no military compound, fortification or installation is to be built on the moon or any other celestial body.

- With regards to political sovereignty and territorial disputes, it prohibits states from laying claim to any celestial object or territory therein. States however maintain jurisdiction over objects that they send into space, and may be accountable for any damage that object causes.

- Its overarching objective is to classify outer space, and its exploration and discovery, to be the benefit of all countries. Essentially, any country is allowed to explore outer space without prejudice.

- If a country, party to the Treaty, believes that another party is actively violating these rules, it has the right to “request consultation concerning the activity or experiment.”

**Discussion of the Problem:**

Issues with space law:

Paradoxically, while the worst levels of weaponry are expressly prohibited from being stationed in orbit the Outer Space Treaty, conventional weapons and artillery are not covered by its mandate, and hence can still be legally positioned around the Earth in space. Satellite drone systems and pin-point precision weapons (like lasers) have no current international legislation to prohibit their use. Arguably, these may prove necessary under certain circumstances, but the question remains.

Companies are also exempt from Space law, and private parties have recently shown interest in the moon in terms of mining it and searching to any number of resources on it.

Furthermore, there is much debate on the unfair and biased nature of space law. While most countries have shown an interest in developing space and utilizing its benefits to increase Earth’s own resources, the majority of countries actually involved in space exploration and space programs are either limited to the P-5 or HICs like Japan, Germany, Italy and Canada. This is clearly linked to a country’s ability to launch people and items into space, but nonetheless there hasn’t been much movement from the international community to develop LIC’s and NIC’s own programs.
The following list of countries either have space programs or astronauts that have been to outer space:

<table>
<thead>
<tr>
<th>Afghanistan</th>
<th>Cuba</th>
<th>Mexico</th>
<th>Slovakia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Czech Republic</td>
<td>Mongolia</td>
<td>South Africa</td>
</tr>
<tr>
<td>Argentina</td>
<td>Denmark</td>
<td>Mongolia</td>
<td>South Korea</td>
</tr>
<tr>
<td>Australia</td>
<td>Egypt</td>
<td>Morocco</td>
<td>Spain</td>
</tr>
<tr>
<td>Austria</td>
<td>France</td>
<td>Netherlands</td>
<td>Sri Lanka</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>Germany</td>
<td>Nigeria</td>
<td>Sweden</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Hungary</td>
<td>North Korea</td>
<td>Switzerland</td>
</tr>
<tr>
<td>Belgium</td>
<td>India</td>
<td>Norway</td>
<td>Syria</td>
</tr>
<tr>
<td>Bolivia</td>
<td>Indonesia</td>
<td>Peru</td>
<td>Thailand</td>
</tr>
<tr>
<td>Brazil</td>
<td>Iran</td>
<td>Poland</td>
<td>Tunisia</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Israel</td>
<td>Portugal</td>
<td>Turkey</td>
</tr>
<tr>
<td>Canada</td>
<td>Italy</td>
<td>Romania</td>
<td>Turkmenistan</td>
</tr>
<tr>
<td>China</td>
<td>Japan</td>
<td>Romania</td>
<td>UK</td>
</tr>
<tr>
<td>Colombia</td>
<td>Kazakhstan</td>
<td>Russia</td>
<td>Uruguay</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>Lithuania</td>
<td>Saudi Arabia</td>
<td>Venezuela</td>
</tr>
<tr>
<td>Croatia</td>
<td>Malaysia</td>
<td>Singapore</td>
<td>Vietnam</td>
</tr>
</tbody>
</table>

As can be seen, the countries listed above do not fit any specific territorial, income or development distinction, and hence the utilization of outer space can be truly considered a global endeavour. Israel, Iran and India all have developed space program, and are capable of launching their own satellites into
space (India is ranked as having a greater program than the UK as of 2013, with as much as a 1.34 Billion USD investment).

This might seem like a waste of investment, especially in countries struggling with income inequality and sanitation, but in truth satellites deployed often help in increased communications, mapping of territory, and disaster relief. It is within the interest of nearly any member state to have a space program and reap the benefits of “eyes in the sky.” The information gained through such technology is incredibly useful in the fields of agriculture, health, defence, urban planning and the management of the environment. (unfairness of availability between member states)

Following from this, many countries have criticized the use of outer space as having the potential for weaponisation, something which countries like Iran is worried might lead to an arms race with the same magnitude as the one already on Earth. While this seems far-fetched to a degree, weapon systems do exist within the major space programs (USA, Russia, etc.), and during the Cold-War era many prototypes for Space-to-Earth weaponry were developed. While not much attention has been placed on these weapons since the Cold War, it is still an issue that requires the speculation of the COPUOS at their meetings, and SPECPOL has yet to address the complete abandonment of these projects.

Furthermore, more contention exists on the topic of international space law following the Treaty on Outer Space. A second Treaty, “The Agreement Governing the Activities of States on the Moon and Other Celestial Bodies”, or the “Moon Treaty”, banned ALL weapon-use in space, along with many other clauses relating to the illegality of countries claiming sovereignty over any territory of celestial bodies. However this Treaty was signed only by very few member states, and has not seen the ratification of any of the P-5 or major space-capacity countries.

---

The Moon Treaty; signatories and ratified-signatories.

The image above clearly depicts the lack of international commitment to the Moon Treaty. Interesting to note Kazakhstan, though, which plays a massive role in Russian space launches, given that Russia’s main launch-pad is located in Kazakhstan (the Cosmodrone). However Russia maintains nearly complete sovereignty over the Cosmodrone, so even though Kazakhstan has ratified the Moon Treaty, it doesn’t hinder Russian interest in space to any significant degree. The disruption of sovereignty in this case is something else SPECPOL could look into.

The Baikonur Cosmodrone in Kazakhstan: Russia’s space programme’s main launch site.

Perhaps the most significant setback to not signing the Moon Treaty, is that countries are still and technically able to make claims to the moon’s territory and resources. The treaty aimed on establishing an international regime to deal with the moon’s territory, but countries still guided by self-interest
which possess the most developed space agencies refuse to ratify it. This appeared to be a complete lack of will to equally share outer space (as a “benefit of mankind”) on the part of the more developed countries, and many of the countries that did ratify it were disillusioned with the attitude portrayed by The USA, Russia, China, and so forth. This highlights the more politically-based implications with space law and the member states’ willingness to cooperate, giving up their own national agendas in the spirit of international relations. Because of this, it is a highly relevant topic for SPECPOL and the UN as a whole.

Space waste:

Defunct satellites and pieces of man-made objects scattered around Earth’s orbit are a major issue, given their volatility and unpredictable orbits. Even the smallest of space waste can cause damage, because at the immense speeds at which it orbit the earth, giving it the potential for bullet-like damage. A piece of space waste in low Earth orbit travels at approximately 17,000 per hour, and a piece of metal the size of a tennis ball can do the equivalent damage of 25 sticks of dynamite.

An image of the front window of a space shuttle, damaged significantly by a single fleck of paint travelling at immense speeds.

When an operational satellite comes into contact with an unused, defunct satellite, or other object in space, it can be heavily damaged, leaving people back on Earth in difficult situations. A significant event of the sort occurred in 1998 when a satellite was destroyed by space-waste and left 40 million pagers unworking, stalled credit card transfers, and massively halted communication. In 2009, an unused Russian satellite destroyed a functioning American one, and the debris from the blast

---

would later go on to threaten the ISS. Fortunately the ISS steered clear of all debris, but as can be seen, space waste is a significant problem. There currently exists no legislature or universally applicable method to deal with space waste, and hence SPECPOL could look into solving this matter.

An illustration of satellites and Space debris around the Earth's orbit.

At the last meeting of the Committee on the Peaceful Uses of outer Space, Some delegations expressed the view that a legally non-binding set of guidelines was not sufficient and would disadvantage developing countries. These countries were intent on developing a binding legal framework.\(^7\)

Possible Blocs:

There are several potential Blocs for this topic. First and foremost, the obvious division based on historical contention of space programs: the East and West. The USA and its western allies have developed space programs and initiatives since the dawning of the space age to contest Soviet (Russian) space endeavours, and vice versa. Obviously, since the end of the Cold War, this hasn’t been a significant division, as can be seen from the cooperation of such projects as the ISS and the Russian Federation providing American astronauts with “rides” to the ISS since the end of NASA’s Space

Shuttle Program.\textsuperscript{8} Still, however, the international community criticises some aspects of the relationship between the two countries’ programmes, which have different ideas on the direction of future space efforts. This is also exacerbated by current affairs and the global crises (Ukraine, Syria, Iraq, etc.), which the two countries have come to dispute over. Negative diplomatic relations on a political front have led to fragmentation of any cooperation the USA and Russia have on a scientific and spatial front.

Perhaps the more relevant Bloc-division is the developmental one. As specified before, the use and exploration of outer space is a common right to countries, regardless of economic, social, or political development. Many countries would like to expand their space programs and reap the benefits of satellite technology and so forth, but are lacking in the initial infrastructure required to do so on their own. HICs have the resources to help these less-developed space programmes, but there has been no major global movement to provide this kind of support as of yet. As stated above, many countries do possess their own space programmes, and there surely exist countries without programmes, which would greatly appreciate having one. Hence this “north/south divide” is definitely worth considering when forming Blocs.

**Questions to consider:**

In constructing resolutions and working papers, delegates will want to consider some of the following:

- The current structure of international legislation on outer space and what points may be lacking from current treaties. Essentially, for the “peaceful utilisation of outer space,” some vital points on restricting what countries can and cannot do may still need to be addressed

- Ways to improve relationships between member states in terms of their space programmes. This entails finding effective methods for countries to communicate between themselves to better coordinate their space-efforts and avoid conflicts of interest

- Finding and international framework to address the issue of space-waste. This could refer to raising awareness of the issue or creating an effective method to deal with the problem, whilst at the same time safeguarding member states’ own interests. Solutions could center around not only the removal

\textsuperscript{8} \textit{PMM Leonardo: The Final Permanent U.S. Module for the ISS}
\hfill \url{http://www.nasaspaceflight.com/2010/10/pmm-leonardo-final-permanent-us-module-iss/}
of such material, but creating an internationally recognised plan of action for the measures to be taken when space-waste inevitably damages satellites.

- Addressing the development and capacity gap between space programmes, and finding methods to improve said programmes. This would entail creating legislation promoting greater inter-agency cooperation in line with the Outer Space Treaty's declaration of outer space being a benefit for all mankind (without preferences for certain countries over others). This is perhaps the most relevant question to be addressed, but also the most difficult given the many complications tied with such an initiative.

- Any other space-related aspect that countries could potentially choose to take part in. This could touch upon space tourism and its legality, the mining of celestial bodies, etc.

Further Readings:

Outer Space and the Multilateral Treaty-Making Process:
http://www.law.berkeley.edu/journals/btjl/articles/vol4/Danilenko/HTML/text.html

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies:

United Nations Office for Outer Space Affairs:

Bibliography:

United Nations Office for Outer Space Affairs:


Outer Space and the Multilateral Treaty-Making Process:

Space debris: Orbiting debris threatens sustainable use of outer space:

PMM Leonardo: The Final Permanent U.S. Module for the ISS