

# TLVMUN2019

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## Special Political and Decolonization Committee



**Topic A: The Status of Kurdistan**

**Topic B: Securing the Peaceful Use  
of Outer Space**

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## WELCOME LETTER

Dear delegates,

Welcome to TLVMUN 2019 and welcome to the 74<sup>th</sup> session of the Fourth Committee of the General Assembly. During these meetings, you will address the two following topics:

Topic A: The status of Kurdistan

Topic B: Securing the peaceful use of outer space

As a delegate of a country, we would ask you to have familiarized yourself before the conference with the position on the topic at hand of the country that you were assigned. Your task is to represent your country's interests diligently and accurately, arguing for their objectives and aims through both formal debates and informal negotiations. We recommend you to use this study guide to get a first overview of these fascinating topics. However, please do not stop there, as this is meant to be only a work of preparation to further research. Moreover, we encourage you to familiarise already with the Rules of Procedure. We remain available for any needed clarification or inquiry.

We are sure you will be able to surprise us with creative solutions to the issue of the Kurdish region and with landmark steps forward in the legislation on the outer space, and very much look forward to TLVMUN 2019. It will be an experience full of both learning and amusement, fierce debates and long nights. Therefore, we wish you good preparation for this event, both in terms of readings and sleep.

Best Diplomatic Regards,

Marco, Leah and Cédric



## INTRODUCTION TO THE CHAIRS

We are looking forward to getting to know you. Meanwhile, this is us!

“Hi everyone! I’m Marco, an Italian Bachelor student of Economics at the University of St. Gallen, where I also recently earned a degree in International Affairs. In my free time, I love to travel, and I consider myself as a person very much open to cultural diversity (as long as this openness does not imply the freedom to put pineapple on pizza). I entered the world of MUN three years ago and could not leave it since then, serving as delegate, backroomer and chair at various conferences, as well as Secretary-General of St. Gallen MUN 2018. I already attended Tel Aviv MUN last year and it was an amazing experience. I am sure that it will be a blast also this time and can’t wait to meet you all there!!”



“I’m Leah, a 22-year-old German -American currently studying Law in my fifth semester at the University of Hamburg. My involvement with the MUN world started in my first semester at the HanseMUN society and continued with my first conference, TLVMUN, in 2017. After returning again for 2018 as a delegate I’m excited to join this year as the Chair of SPECPOL. Besides doing MUN, I like to spend my time with sports, good food and of course, typical for MUNers, travelling. I am excited to meet you all this summer at TLVMUN 2019 and I’m sure we will have an absolutely amazing time.”



“Hello! I am a Swiss-German Bachelor Student of Law at the University of St. Gallen. From a very young age, I had the chance of travelling and experiencing different cultures, languages and religions. Besides travelling, I love playing music and doing mountain sports. I joined the MUN club in 2018 to engage in a platform with likeminded students, as well as to be part of an



incredible international experience. I am committed to provide you with four incredible days in Tel Aviv and cannot wait to meet you in August.”



## INTRODUCTION TO THE COMMITTEE

The Special Political and Decolonisation Committee (SPECPOL) as we know it today is the result of the merge of the original Fourth and Seventh Committees of the UN General Assembly, which were dealing respectively with the process of decolonisation and special political situations. Its creation by the UNGA in 1962 was meant to reinvigorate and monitor the processes of decolonisation and of dismantlement of the “trust territories”, namely regions which were under the administration of the UN Trusteeship Council (the sixth organ of the UN, which has not been in session since the independence of Palau in 1994) because of peculiar political conditions<sup>1</sup>.

Since then, the committee has seen its mandate being expanded to a much broader range of issues. Besides keeping the competency over affairs concerning decolonisation, the SPECPOL deals today with the status of “non self-governing territories”, the effects of nuclear radiations, matters relating to peacekeeping operations and special missions of the UN, the use of the outer space and other relevant themes.<sup>2</sup>

The work of the Fourth Committee is favoured by the more specific and focused activities that some ad-hoc subsidiary bodies do. Among those, it is worth mentioning the Committee on the Peaceful Uses of Outer Space (COPUOS)<sup>3</sup>, whose reports are of special importance to Topic B. Moreover, the SPECPOL works in close collaborations with other UN bodies and with international and regional organisations.

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<sup>1</sup> UN (n.d). *The United Nations and Decolonization*. Last accessed on the 8<sup>th</sup> May 2019. Retrieved from <https://www.un.org/en/decolonization/history.shtml>

<sup>2</sup> UN (n.d.). *Special Political and Decolonization (Fourth Committee)*. Last accessed on the 8<sup>th</sup> of May. Retrieved from <https://www.un.org/en/ga/fourth/>

<sup>3</sup> Permanent Mission of Switzerland to the United Nations (2017). *The GA Handbook. A practical guide to the United Nations General Assembly*. Retrieved from: [https://www.eda.admin.ch/dam/mission-new-york/en/documents/UN\\_GA\\_Final.pdf](https://www.eda.admin.ch/dam/mission-new-york/en/documents/UN_GA_Final.pdf)



## TOPIC A: THE STATUS OF KURDISTAN

### 1.1 History of the Kurdish People

The Kurdish people, with an estimated population of 25 to 35 million people the fourth largest ethnic group in the Middle East, are arguably the largest nation in the world without its own independent state.<sup>4</sup> Even though an independent Kurdish country has never existed, large parts of the region of Kurdistan had at least some levels of autonomy during the reign of the Ottoman Empire, from the 1600s until its collapse in 1918.<sup>5</sup> The region referred to as Kurdistan spreads into four countries, covering a total of 440.000 to 530.000 square km.<sup>6</sup>



Source:” <https://www.bbc.com/news/world-middle-east-29702440>”

The Kurdish people are a traditionally nomadic ethnic group that shares the Kurdish language and tradition.<sup>7</sup> The history of the Kurdish people remains mostly unknown. The earliest mentions of mountain tribes with names referring to “Kurd” may date back to the time of Mesopotamian empire.<sup>8</sup> But the first definite mention of Kurds came with

<sup>4</sup> “Who are the Kurds?” BBC News <https://www.bbc.com/news/world-middle-east-29702440>

<sup>5</sup> “Kurds at the transition from the Ottoman empire to the Turkish Republic “Arakon, Maya - [https://www.researchgate.net/publication/270645882\\_Kurds\\_at\\_the\\_transition\\_from\\_the\\_Ottoman\\_empire\\_to\\_the\\_Turkish\\_Republic](https://www.researchgate.net/publication/270645882_Kurds_at_the_transition_from_the_Ottoman_empire_to_the_Turkish_Republic)

<sup>6</sup> “Kurdish People fast Facts” <https://edition.cnn.com/2014/08/18/world/kurdish-people-fast-facts/index.html>

<sup>7</sup> “Kurd” <https://www.britannica.com/topic/Kurd>

<sup>8</sup> Ibid.

the conversion of the tribes to Islam, in around 700 CE.<sup>9</sup> Until today most Kurdish people are Sunni Muslims.<sup>10</sup>

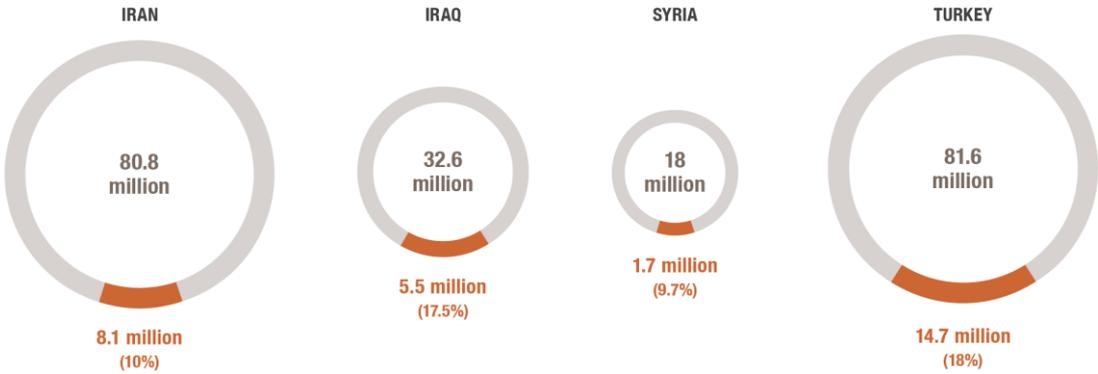
After the dissolution of the Ottoman Empire post World War 1 in 1920, the Treaty of Sevres foresaw a recognition of Syria, Iraq, Hejaz, and also Kurdistan.<sup>11</sup> But with the establishment of a new Turkish regime under Kemal Atatürk, which rejected the partition plan, it was succeeded by the treaty of Lausanne in 1923 which did not include the establishment of a Kurdish state.<sup>12</sup>

Ever since then, the Kurdish people living in the borders of Syria, Iraq, Iran and Turkey have struggled for their political rights, independence and the ability to practice their culture freely.

### 1.2 Current Situation

Today the Kurdish People live in the borders of Syria, Iraq, Iran, Turkey and Armenia, occupying a significant part of each country they live in.

## 30 MILLION KURDS



Source: CIA World Factbook, July 2014

COUNCIL ON FOREIGN RELATIONS

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> "Kurdistan" <https://www.britannica.com/place/Kurdistan>

<sup>12</sup> Ibid,



## Iran

After World War II, the Soviet Union sought to establish an independent Kurdish majority state around the city Mahābād, but it collapsed after the Soviets withdrew from the region in 1946.<sup>13</sup> This year also marks the founding date of the Kurdish Democratic Party of Iran (KDPI).<sup>14</sup> Today, with an estimated population of around 6-8 Million, Iranian Kurds make up about 10% of the population in Iran.<sup>15</sup> Within the Islamic Republic, most Kurds live in a northwestern province named Kordestan, located in the Zagros Mountains, but they are also located in the provinces of West Azerbaijan of Kermanshah and of the capital, Teheran.<sup>16</sup> As Sunni Muslims in a Shia majority country, they face additional discrimination. Even though around 1 million Kurds live in Teheran, there is not a single Sunni Kurdish Mosque. Kurdish people also face restrictions in naming their children, as the Iranian Government has a collection of authorized names, excluding the Kurdish words Soran (Name of the Kurdish Language), Kabat (Struggle), Rizgar (Free) as well as Ajin (free).<sup>17</sup> However, because of the strong cultural ties with the other ethnic groups in Iran, the Kurdish separatist movement is not strong in the country. The relevance of groups demanding for internal autonomy and the end of discrimination is higher.

## Iraq

The Kurdish Democratic Party (KDI) was established in 1946 and began to rebel in northern Iraq, leading the Iraqi government responded to by dissolving them.

The Iraqi government and the KDI then signed a peace agreement in March 1970, giving the Kurdish people autonomy in northern Iraq. This Agreement included the statement that Kurdish was “an official language” and that the “Iraqi people [were] made up of two nationalities: the Arab nationality and the Kurdish nationality”.<sup>18</sup>

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<sup>13</sup> “Kurds in Iran and Iraq” <https://www.britannica.com/topic/Kurd>

<sup>14</sup> Ibid.

<sup>15</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html>

<sup>16</sup> “Iran” <https://thekurdishproject.org/kurdistan-map/iranian-kurdistan/>

<sup>17</sup> <https://www.amnesty.org/download/Documents/MDE130882008ENGLISH.pdf>

<sup>18</sup> „Iraqi Kurdistan profile – timeline“

Even though Iraqi Kurds had been allowed to speak their language and practice their culture, they continued to face the most violent oppression from the government.<sup>19</sup> The conflict between the Iraqi Government and the Iraqi Kurdish Democratic Party (IKDP) escalated at the end of the Iran-Iraq war in 1988, after the Iraqi government accused Kurdish fighters of aiding Iranians. In 1988, during a 6-month long campaign named “Anfal Operation”, the Iraqi Government used Chemical Weapons on Kurdish Civilians, killing approximately between 50.000-100.000 people.<sup>20</sup>

After the Fall of Saddam Hussein the United States directly influenced Iraq’s new constitution in 2005, granting Iraqi Kurdistan a vast amount of autonomy, with its own Capital city (Erbil), Government, a draft constitution that has yet not been ratified and an own currency.<sup>21</sup> The Kurds are now wielding more political influence over the future of Iraq and the future of Iraqi Kurdistan, giving rise to Kurdish hopes of independence. The Iraqi Kurdistan Regional government is set to break off from the Iraqi federal government, with 92% of Iraqi Kurds backing independence in a referendum held in 2017.<sup>22</sup> The UN Security Council opposed the referendum, citing its potentially destabilizing impact.<sup>23</sup> The Iraqi government responded by sending troops into regions that were claimed by peshmerga fighters in the war with the IS.<sup>24</sup> Peshmerga (transl.: Those who face death), or Kurdish security forces, are a legally recognized force under the Iraqi Constitution of 2005 of Iraqi Kurdistan.<sup>25</sup>

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<https://www.bbc.com/news/world-middle-east-15467672>

<sup>19</sup>“Kurd” <https://www.britannica.com/topic/Kurd>

<sup>20</sup> “The 1988 Anfal Campaign in Iraqi Kurdistan” <https://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/1988-anfal-campaign-iraqi-kurdistan>

<sup>21</sup> “Kurds in Iran and Iraq” <https://www.britannica.com/topic/Kurd>

<sup>22</sup> Iraq’s Kurds: Questions on Self-Determination  
<https://bpr.berkeley.edu/2017/12/23/iraqs-kurds-questions-on-self-determination/>

<sup>23</sup> “UN chief voices concern over ‘potentially destabilizing effects’ of Kurdish referendum”  
<https://news.un.org/en/story/2017/09/567012-un-chief-voices-concern-over-potentially-destabilizing-effects-kurdish>

<sup>24</sup> “Twilight of the Kurds” <https://foreignpolicy.com/2018/01/16/twilight-of-the-kurds-iraq-syria-kurdistan/>

<sup>25</sup> “Iraq’s Constitution of 2005” [https://www.constituteproject.org/constitution/Iraq\\_2005.pdf?lang=en](https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en)



## Syria

Syrian Kurds have been no stranger to severe repression as well. In order to be recognized as citizens and have access to civil service, have the right to vote and the right to own property, they have to prove that their family has lived in Syria since 1945 or earlier.<sup>26</sup> This also left them incapable of travelling. The Syrian Government has banned the Kurdish language and with-it Kurdish books, as well as Schools that teach in Kurdish and businesses with Kurdish names.<sup>27</sup>

In 2011 Syrian President Bashar al Assad moved to give citizenship to Kurdish people, formerly registered as foreigners. In addition, the Syrian Government granted them the right to establish Kurdish School and Cultural Centers in the Kurdish regions.<sup>28</sup> However, Kurds were still not granted full civil and political rights. Since the beginning Civil War, the Syrian Government has struggled to sustain their authority over the Kurdish populated Areas, and in 2013 Kurdish forces gained control over the predominantly Kurdish regions of northern Syria, formerly controlled by Al-Qaeda. In 2014, they even set up their own transitional government in the regions of Jazira, Kobane and Afrin.<sup>29</sup> Turkey, feeling provoked by this move, launched an ongoing cross-boarded military intervention, entering the Kurdish majority city Afrin in March 2018.<sup>30</sup> At this time, there were an estimated 355.000 internally displaced people as a result of the Turkish military operation.<sup>31</sup>

## Turkey

After the establishment of the Turkish Nation in 1923, Kurdish language and traditional wears were banned in an effort to assimilate them into the Turkish culture.<sup>32</sup> Up until

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<sup>26</sup> "Syria – the silenced Kurds"

- <https://www.hrw.org/reports/1996/Syria.htm>

<sup>27</sup> „Syria“ Human Rights Watch <https://www.hrw.org/reports/1996/Syria.htm>.

<sup>28</sup> "Kurds" <https://minorityrights.org/minorities/kurds-5/>

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Operation Olive Branch: Status Update

<https://www.atlanticcouncil.org/blogs/syriasource/operation-olive-branch-status-update>

<sup>32</sup> "Kurd" <https://www.britannica.com/topic/Kurd>

1991 the Turkish government officially recognized the Kurdish people as “Mountain Turks” and deliberately tried to break up Kurdish community by forcibly resettling them, in order to make it even more difficult for those people to maintain their tradition.<sup>33</sup> After the military coup in 1980, the Government declared it illegal to use the Kurdish language, and only as of 2012 Kurdish could be taught as a language in Schools.<sup>34</sup> There are several Kurdish organizations operating in the country, some advocating for independence, some for autonomy and others for cultural recognition and protection. The most famous and influential one is the PKK.

### PKK

The PKK (*Partiya Karkeren Kurdistan*) or Kurdistan Workers Party, a militant far-left political organization, was founded in 1978 by a group of students led by Abdullah Öcalan, with the objective of establishing an independent Kurdish State in Southeastern Turkey.<sup>35</sup> Between 1978 – 1984 the group mainly focused on sabotaging government structures and gaining the support of the Kurdish People.<sup>36</sup> In 1983 the PKK started its guerilla war, carrying out bombings against police stations, kidnapping tourists and executing Turkish government officials or Kurdish Tribal leaders that they deemed as collaborators with the Turkish government.<sup>37</sup> After Öcalan was captured in 1999, the PKK stayed inactive while reorganizing their internal structure until 2004, when they reengage in armed conflict. Tensions remained high, and after a two-year ceasefire ended in 2015, the situation escalated with Turkey bombing PKK and YPG bases.<sup>38</sup> Since the founding of the PKK over 40.000 people have died as a result of the conflict. Basing their tactic also on terror and violence, the EU, USA as well as turkey have classified the PKK as a terrorist organization.<sup>39</sup>

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<sup>33</sup> Ibid.

<sup>34</sup> “Kurdish can be taught in Turkey's schools, Erdogan says”  
<https://www.bbc.com/news/world-europe-18410596>

<sup>35</sup> “Inside the Kurdistan Workers Party” <https://www.cfr.org/backgrounder/inside-kurdistan-workers-party-pkk>

<sup>36</sup> “Kurdistan Workers Party” <https://www.britannica.com/topic/Kurdistan-Workers-Party>

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> “Turkey will drain 'terror swamp' in Iraq's Qandil, Erdogan says” <https://www.reuters.com/article/us-mideast-crisis-iraq-turkey/turkey-will-drain-terror-swamp-in-iraqs-qandil-erdogan-says-idUSKBN1J71CJ>

At the beginning of 2018 the Turkish military, in cooperation with the free Syrian army, launched a cross-border operation into to Kurdish City Afrin in northern Syria. Afrin was amongst the cities that were under control of the Syrian Kurdish Democratic Union Party (PYD) and the Kurdish militia People's Protection Unit (YPG), which the Turkish government considers to be a branch of the PKK.<sup>40</sup> Until this day, Turkish officially and militarily remains present in Afrin.<sup>41</sup> In March 2018, Turkey launched a military operation targeting PKK stronghold in Quandil, in northern Iraq<sup>42</sup> Erdogan stated that he would do whatever it takes to kill terrorists.<sup>43</sup>

### 1.3 Past Action of the International Community

#### UN Security Council resolution 688

In 1991 the United Nations Security Council adopted the Resolution 688, the first Resolution of the UNSC concerning the political oppression of the Kurdish people in Iraq, as well as the rest of the Iraqi population. The People's Republic of China and India abstained, and Cuba, Yemen and Zimbabwe voted against the Resolution.<sup>44</sup> It includes allowing international Human Rights Organizations to operate in the affected areas, and requested cooperation from the Iraqi government in their efforts.<sup>45</sup> After the Resolution was adopted in 1991, the United Kingdom launched operation "Provide Comfort" together with the United States of America, France, Australia, the Netherlands and also Turkey, to provide the Kurdish population with humanitarian aid.<sup>46</sup> The UK, USA and France established Iraqi no-fly zones to protect the

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<sup>40</sup> "Syria war: Turkish-led forces oust Kurdish fighters from heart of Afrin"

<https://www.bbc.com/news/world-middle-east-43447624>

<sup>41</sup> "Why is Turkey's presence in Afrin, Syria any different than the West Bank?" <https://www.jpost.com/Middle-East/Why-is-Turkeys-presence-in-Afrin-Syria-any-different-than-the-West-Bank-583643>

<sup>42</sup> Ibid

<sup>43</sup> "Syria conflict: Turkey says US plea on Kurds 'unacceptable'"

<https://www.bbc.com/news/world-middle-east-46792329>

<sup>44</sup> <http://unscr.com/en/resolutions/688>

<sup>45</sup> Ibid

<sup>46</sup> "No-fly zones: The legal position" [http://news.bbc.co.uk/2/hi/middle\\_east/1175950.stm](http://news.bbc.co.uk/2/hi/middle_east/1175950.stm)

Kurdish minority population by prohibiting Iraqi aircrafts from flying in those zones.<sup>47</sup> The Iraqi no-fly zones lasted until 2003, with France withdrawing in 1998.<sup>48</sup>

### **Right to Self-Determination**

The right to self-determination describes the right by a people to control their own political fate.<sup>49</sup> It is embedded in the UN Charter, stating that the purpose of the UN is to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace"<sup>50</sup>, and Resolution 1514 of the GA of 1960 reaffirming this with "All peoples have the right to self-determination; by virtue of that right they may freely determine their political status and freely pursue their economic, social and cultural development."<sup>51</sup> It is also stated in the 1970 "Friendly Relations Declaration" on colonialism.<sup>52</sup>

Due to lack of a precise definition of what self-determination includes, the concept is today usually divided into two different terms, internal and external self-determination. Whilst the external right to self-determination means the right of people to be free from outside control and includes the right to the establishment of an independent state,<sup>53</sup> the internal one refers to levels of autonomy of peoples within the mother state.<sup>54</sup>

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<sup>47</sup> "Did the United Nations Authorize "No-Fly" Zones Over Iraq?"

<https://slate.com/news-and-politics/2002/11/did-the-united-nations-authorize-no-fly-zones-over-iraq.html>

<sup>48</sup> Ibid.

<sup>49</sup> Self-Determination and Secession Under International Law: The Cases of Kurdistan and Catalonia

[https://www.asil.org/insights/volume/22/issue/1/self-determination-and-secession-under-international-law-cases-kurdistan#\\_edn4](https://www.asil.org/insights/volume/22/issue/1/self-determination-and-secession-under-international-law-cases-kurdistan#_edn4)

<sup>50</sup> "Charter of the UN 1 (2)"

<http://legal.un.org/repertory/art1.shtml>

<sup>51</sup> "Declaration on the Granting of Independence to Colonial Countries and Peoples"

<https://www.un.org/en/decolonization/declaration.shtml>

<sup>52</sup> Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations

<http://www.un-documents.net/a25r2625.htm>

<sup>53</sup> "Legal Aspects of Self-Determination"

<https://pesd.princeton.edu/?q=node/254>

<sup>54</sup> <http://opiniojuris.org/2017/09/28/kurds-right-self-determination-and-or-secession/>

Whilst it is recognized under international law that all people have the right to internal self-determination, the case of external self-determination is more complex. This latter was “interpreted as the right of people living in colonized territories to become independent.”<sup>55</sup>, and today would only be used in extreme circumstances for people who are severely oppressed or colonized.<sup>56</sup> No right to secession has been recognized yet under international law.<sup>57</sup>

The case of the unilateral secession of Kosovo-Albania from Serbia in 2008 is often seen as a landmark in the field.<sup>58</sup> In 2010, the International Court of Justice (ICJ) gave an advisory opinion (after the request of the UNGA) on the validity of the declaration of independence of Kosovo-Albania, stating that:

“it is not necessary, in the present case, to resolve the question whether, outside the context of non-self-governing territories and peoples subject to alien subjugation, domination and exploitation, the international law of self-determination confers upon part of the population of an existing State a right to separate from that State, or whether international law provides for a right of “remedial secession” and, if so, in what circumstances.”<sup>59</sup> And further that: “The General Assembly has requested the Court’s opinion only on whether or not the declaration of independence is in accordance with international law.”<sup>60</sup>

In its advisory opinion, it came to the conclusion that the secession of Kosovo-Albania does not violate international law.<sup>61</sup> Therefore, the secession was not seen as right, but an outcome that would have to be tolerated.

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<sup>55</sup> “Legal Aspects of Self-Determination”

<https://pesd.princeton.edu/?q=node/254>

<sup>56</sup> Ibid.

<sup>57</sup> “Legal Aspects of Self-Determination”

<https://pesd.princeton.edu/?q=node/254>

<sup>58</sup> “Accordance with international law of the unilateral declaration of independence in respect of Kosovo”

<https://www.icj-cij.org/files/case-related/141/16010.pdf>

<sup>59</sup> Ibid

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

## 1.4 Positions within the International Community

### United States of America

Even though the United States are officially opposed to Kurdish independence and do not support the referendum of the KRG<sup>62</sup>, they have been supporting the Kurdish minorities. The KRG shares diplomatic relations with the white house through an office in Washington DC, and the USA has aided Kurdish Civilians and trained Kurdish militia Groups in their fight against ISIL.<sup>63</sup>

But now as the threat of the ISIL fading, Kurdish leaders, who hoped that their scarifies and being a dependable partner regarding Iran could be rewarded, are not receiving any further support for an independent state from the US.<sup>64</sup>

### Russia

Russia has made strategic alliances with the Kurds in the past, supplying weapons to Iraqi Kurds for their fight against ISIL.<sup>65</sup> The Russian Federation has heavily invested in Oil Companies in Iraqi Kurdistan.<sup>66</sup>

After the US decided to pull out forces from Syria, Kurdish groups are looking to Russia for support in sustaining their northern borders and for protection against Turkish invasion.<sup>67</sup>

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<sup>62</sup> Statement by the Press Secretary on the Kurdistan Regional Government's Proposed Referendum <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-kurdistan-regional-governments-proposed-referendum/>

<sup>63</sup> „US continues buildup of Iraqi Kurdish forces“ <https://www.al-monitor.com/pulse/originals/2017/05/iraq-kurdistan-us-peshmerga.html>

<sup>64</sup> „Twilight of the Kurds“ <https://foreignpolicy.com/2018/01/16/twilight-of-the-kurds-iraq-syria-kurdistan/>

<sup>65</sup> „Russia delivers first weapons supplies to Iraqi Kurds“ [https://www.rbth.com/defence/2016/03/18/russia-delivers-first-weapons-supplies-to-iraqi-kurds\\_576809](https://www.rbth.com/defence/2016/03/18/russia-delivers-first-weapons-supplies-to-iraqi-kurds_576809)

<sup>66</sup> „Russia becomes Iraq Kurds' top funder, quiet about independence vote“ <https://www.reuters.com/article/us-mideast-crisis-kurds-referendum-russi/russia-becomes-iraq-kurds-top-funder-quiet-about-independence-vote-idUSKCN1BV1IH>

<sup>67</sup> „Let down by U.S., Syrian Kurdish leaders look to Russia and Assad“ <https://www.reuters.com/article/us-mideast-crisis-syria-kurds/let-down-by-us-syrian-kurdish-leaders-look-to-russia-and-assad-idUSKCN1OQ18E>

As for the Referendum, Moscow issued a statement that it respects the wish of independence of the Kurds. However, it is against any potentially destabilizing move and states its “unwavering commitment to the sovereignty, unity and territorial integrity of the friendly Iraq and other Middle Eastern states.”<sup>68</sup>

## European Union

In 2014 the Council of the European Union approved that, with the consent of the Iraqi Government, member states may provide military supply to Kurdish troops.<sup>69</sup> The European Union does not support the referendum, stating that it should have taken place as “mutually agreed solution within the framework of the Iraqi Constitution”<sup>70</sup>. The EU remains supportive of the unity of Iraq.<sup>71</sup>

### 1.5 Guiding Questions:

1. Is Kurdish independence desirable? If yes, what diplomatic measurements need to be taken?
2. What role does the right to self-determination play for the Kurdish People?
3. Could an advisory opinion by the ICJ on the Kurdish referendum be a part of the solution?
4. What would be the geographical area of Kurdistan?
5. What role does the fight against the ISIL play?
6. How can the humanitarian situation in Kurdish regions be addressed?
7. Is there a possibility of a second referendum that is supported by the Iraqi government?
8. Are Kurdish militant groups a threat to peace in the region, and should they be considered terrorist groups?
9. Does the Turkish military intervention violate international law?

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<sup>68</sup> “Comment by the Information and Press Department on the referendum in Iraqi Kurdistan”  
[http://www.mid.ru/en/foreign\\_policy/news/-/asset\\_publisher/ckNonkJE02Bw/content/id/2875494](http://www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkJE02Bw/content/id/2875494)

<sup>69</sup> “Adding fuel to the fire? Arming the Kurds”  
[https://www.iss.europa.eu/sites/default/files/EUISSFiles/Alert\\_37\\_Kurds.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Alert_37_Kurds.pdf)

<sup>70</sup> Statement of the Spokesperson on the referendum held by the Kurdistan Regional Government  
[https://eeas.europa.eu/headquarters/headquarters-homepage/32785/statement-spokesperson-referendum-held-kurdistan-regional-government\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/32785/statement-spokesperson-referendum-held-kurdistan-regional-government_en)

<sup>71</sup>“Iraq: Council adopts conclusions” <https://www.consilium.europa.eu/en/press/press-releases/2017/06/19/conclusions-iraq/>

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## **TOPIC B: PEACEFUL USE OF OUTER SPACE**

Outer Space is not defined on an international level<sup>72</sup>. Since technology for the first time allowed mankind to access the space area, several expeditions have been conducted, mainly by the United States and Russia. Space Technology has become an important tool influencing everyone's daily life. Using outer space, people benefit from international broadcasting, weather predictions can be made and historic changes of our planet better understood.

However, today, the Peaceful Use of Outer Space has become a more and more pressing issue. With the implementation of Space Force projects,<sup>73</sup> the growing privatisation of outer space transports and the usage of nuclear power sources, the International Community has not found a common answer yet.

The work of the Fourth Committee regarding the peaceful use of Outer Space is based on the review of reports made by the Committee on the Peaceful Uses of Outer Space (COPOUS). COPOUS was established through the General Assembly in 1959 with the aims of reviewing international cooperation, promoting research assistance within the International community and further studying the legal challenges arising from the use of outer space. It was decided that this body would report to the appropriate Committee of the General assembly, the Fourth one (later called SPECPOL).<sup>74</sup>

### **2.1 History of the Use of Outer Space**

The outer space was reached for the first time in human history by the Soviet satellite "Sputnik- 1" on the 4<sup>th</sup> of October 1957. However, space-related programs from the US and the USSR had been launched way earlier, during the last parts of the Second World War. The reach out to the outer space was an important factor in the Cold War because of the evaluation of the related new military possibilities. Already one year after the first action of mankind in space, the General Assembly pronounced itself to the Peaceful Use

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<sup>72</sup> Zahoor, Saadia (2017), *Maintaining International Peace and Security by Regulating Military Use of Outer Space*, in: Policy Perspectives p. 117

<sup>73</sup> The Implementation of a U.S. Space Force 2018, Space compatibility bodies in Russia and China (since 2015).

<sup>74</sup> UN resolution 1472 (XIV), 12<sup>th</sup> of December 1959

of Outer Space in UN Resolution 1348 (XIII)<sup>75</sup> implementing an Ad hoc committee which resulted in the establishment of the COPOUS in 1959. The next milestone in the History of human actions in Space was the installation of weather satellites, which was considered as a powerful tool for weather forecasting in 1960. The 12<sup>th</sup> of April 1961 marked the first manned spaceflight, and the Russian cosmonaut Yuri Gagarin became the first space explorer. Following the first meeting of COPOUS, the General Assembly passed a first resolution developing an international registration system for Objects launched into space.<sup>76</sup> Later, through the installation of the first geostationary satellite in 1964, for the first time in mankind's history, live broadcasting between Japan and the United States was made possible.

Then, in 1969, this famous quote marked the first steps of humans on the moon after the successful mission of the American Spaceship Apollo 11.

*“That’s one step for a man, one giant leap for mankind.”*

*- Neil Armstrong, 13<sup>th</sup> of August 1969*

After a long period a continuous and progressive expansion of the scope and the efficacy of human action in the outer space (mostly in the fields of satellite systems for television broadcasting and information detection and exchange), the year 2000 marked the next step towards the permanent presence of mankind in the outer space, with the launch of the first ISS Crew in November 2000. The ISS Crew is a Collaboration between 14 space agencies including NASA (US), Roscosmos (Russia), ESA (European Countries), JAEA (Japan) and CSA (Canada). Up to the present days, 536 people have reached space, and 236 visited the International Space Station (ISS).<sup>77</sup>

In 2004, the first privately funded spaceship, the “SpaceShipOne”, was used for commercial suborbital flights. Today, private companies like SpaceX are working on inter-planetary transportation systems on a private level. Still, SpaceX is today the only company (aside from governmental space agencies) which can provide spacecrafts from

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<sup>75</sup> Retrieved from [http://www.unoosa.org/pdf/gares/ARES\\_13\\_1348E.pdf](http://www.unoosa.org/pdf/gares/ARES_13_1348E.pdf) on the 9<sup>th</sup> of May.

<sup>76</sup> Compare to UN Resolution 1721 B (XVI)

<sup>77</sup> NASA, *Visitors to the Station by Country*, retrieved from <https://www.nasa.gov/feature/visitors-to-the-station-by-country/> on the 9<sup>th</sup> of May 2019



low Earth orbit. SpaceX provides commercial satellite launches as well as US government missions.<sup>78</sup>

## 2.2 Past Actions of the International Community

Immediately after the launch of the installation of Sputnik- 1 in 1957, the United States Government decided to put further effort in the process of catching up with the communist program, both in terms of technological capabilities and prestige.

The threat stated out by the United States National Security Council was the possible link between intercontinental ballistic missile technology and orbited satellite system by the USSR.<sup>79</sup> Therefore, the Americans launched the Space Act in 1958, with the intention to secure leadership while collaborating on an international level.<sup>80</sup>At this point, the International Community saw the immediate need to act. Despite having set up principles already in 1947 with resolution 1884 (XVIII), condemning belligerent propaganda and extending the condemnation of acts of aggression to the space, the General Assembly unanimously created the basic legal principles for the Peaceful Use of Outer Space, stating especially the importance of international cooperation and mutual assistance.<sup>81</sup>

Through the first Treaty on “Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other celestial bodies”<sup>82</sup>, in force since 1967, the International Community created the “basic framework for international space law”.<sup>83</sup> Most importantly, it includes the prohibition of placement and stationing of nuclear weapons and other tools of mass destruction in Outer Space and the exclusion of sovereignty claims in Outer Space, the Moon and other celestial

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<sup>78</sup>Space X retrieved from <https://www.spacex.com/about> on the 9th of May 2019

<sup>79</sup> Compare to fn. 9.

<sup>80</sup> Compare to fn. 9.

<sup>81</sup> UN resolution 1962 (XIII), 13<sup>th</sup> December 1963.

<sup>82</sup> Compare to fn. 4.

<sup>83</sup> UNODA, *Outer Space*, retrieved from [www.un.org/disarmament/topics/outerspace/](http://www.un.org/disarmament/topics/outerspace/) on the 9<sup>th</sup> of May 2019.



bodies. Called the “Constitution of space law”<sup>84</sup>, the Outer Space Treaty (OST) is not without criticism.

Firstly, it does not include a coherent definition of the Outer Space, a situation that led to countries forming different national definitions on a matter related to international competence.<sup>85</sup> Secondly, a statement of the principles and set of rules without an executing body leaves the risks of states violating the treaty without suffering repercussions.<sup>86</sup> Furthermore, various experts question the effectiveness of attempting to grant a peaceful use of Outer Space by prohibiting the setting of nuclear weapons and weapons of mass destruction. China, for example, was heavily criticised for shooting its own satellite in outer space with the episode eventually being accepted by the International Community as no weapons of mass destructions were used.<sup>87</sup>

Since the basic legal principles and the “Outer Space Treaty”, international cooperation has produced five further main multilateral treaties, in which the concepts set out in the “Outer Space Treaty” are specified. They include a space object registration system and topics as the rescue of Astronauts, the return of objects liabilities, liabilities for damages as well as state activities on the moon.

In addition to the treaties, the General Assembly adopted five resolutions setting the legal principles of the Peaceful Use of Outer Space. Starting with the legal principles stated earlier, important steps have been taken concerning exploration, direct television Broadcasting, remote sensing, nuclear power sources and international cooperation for exploration.

Currently, the Fourth Committee is working on the definition and delimitation of Outer Space and the applicability of the five treaties. Moreover, it calls for UN member states

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<sup>84</sup> Stuart J. (2017), *The Outer Space Treaty has been remarkably successful – but is it fit for the modern age?*, retrieved from <https://theconversation.com/the-outer-space-treaty-has-been-remarkably-successful-but-is-it-fit-for-the-modern-age-71381> on the 8<sup>th</sup> of May 2019.

<sup>85</sup> The definition of Outer Space is a subject of discussion inside the legal subcommittee of COPOUS. No consensus has been found yet. Access the relevant documents concerning the definition here: <http://www.unoosa.org/oosa/en/ourwork/copuos/lsc/ddos/index.html>.

<sup>86</sup> However, within its enforcement over 50 years ago, the treaty has been generally accepted by the countries who ratified the treaty.

<sup>87</sup> Zisis C. (2007), *China`s Anti-Satellite Test*, published on Council on Foreign Relations, [www.cfr.org/backgrounder/chinas-anti-satellite-test](http://www.cfr.org/backgrounder/chinas-anti-satellite-test)

which have not yet signed or ratified the treaties to do so. At this moment, 108 countries have signed the OST.<sup>88</sup>

At the same time, the committee is divided to conclude on space debris regulations and responsibilities. The aforementioned satellite shot by China in 2007, for instance, resulted in the formation of space debris which was not followed by further actions aimed at recovering or eliminating them. The International community is divided as the full “mitigation of space debris” regulations could set higher financial and technological barriers for emerging spacefaring countries.<sup>89</sup>

### **2.3 Challenges**

Discussing the Peaceful Use of Outer Space in 2019 requires knowledge of technological innovations entering the Outer Space, national agendas on space defence and the historic background stated out earlier. However, discussing the issues concerning the Peaceful Use of Outer Space is a wide topic. The Chairs, therefore, encourage the delegates to focus on the following topics:

1. Addressing clarification on the definition of Outer Space
2. Prevention of an international arms race

Note, that this committee is the place where the reports of a specialised committee (COPOUS) enter into the General Assembly. The debate should, therefore, take into account and be based on such reports.

#### **Addressing a united definition of Outer Space and outer space dogmatic**

Since COPOUS started its work in 1959, the Legal Subcommittee established a Working group solemnly dedicated to defining the term of outer space. Through recent technology improvements and the introduction of private suborbital competition, the definition or delimitation is more and more needed in order to clarify at which point the

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<sup>88</sup> Note that this study guide has been written in May. Possible further ratifications could not be included but may of course be taken into consideration by the time of the conference. Find the list of countries who signed, ratified or accessed to the OST under the following link: [https://disarmament.un.org/treaties/t/outer\\_space](https://disarmament.un.org/treaties/t/outer_space)

<sup>89</sup> General Assembly (2018), *Press release Fourth Committee, 73<sup>rd</sup> Session, 15<sup>th</sup> meeting, 25<sup>th</sup> of October 2018*, retrieved from [www.un.org/press/en/2018/gaspd675.doc.htm](http://www.un.org/press/en/2018/gaspd675.doc.htm) on the 8th of May 2019.

Law concerning outer space applies.<sup>90</sup> The idea introduced by the USSR in 1979 proposed a conventional boundary between air space and outer space at the height of 100 to 110 km above sea level. This idea is until today the reference line among space professionals, despite not having been adopted as international space law. Why is the question so important? And should the International Community focus on the function of flight independence rather than the definitions of airspace and outer space?

By international Law, “the contracting recognise that every State has complete and exclusive sovereignty over the airspace above its territory”<sup>91</sup>. The cited Chicago convention is applicable for civil Aircraft and, considering the recent programs of SpaceX, is more and more important. Art. 3, let. b-d, of the convention mentions state aircraft and military aircraft, emphasizing that the countries whose airspace is about to be entered must agree on the entrance of the foreign aircraft.<sup>92</sup>

In order to pursue the legislative framework of the past 50 years, a unified definition could contribute to more clarity among authorities and companies related to outer space missions and projects.

The Legal Subcommittee of COPOUS conducted a survey asking member states for the need for a definition and delimitation of Outer Space on the international level. The answers ranged from no need or no interest at all<sup>93</sup>, to the interest in further studies to avoid ambiguity in relevant international law, clarification regarding the concept of national sovereignty and “equality of States before international law” (Qatar).<sup>94</sup> The

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<sup>90</sup> COPOUS (2017), *Matters relating to the definition and delimitation of outer space: replies of the Ibero-American Institute of Aeronautic and Space Law and Commercial Aviation*, p. 1 retrieved from [http://www.unoosa.org/res/oosadoc/data/documents/2017/aac\\_105c\\_22017crp/aac\\_105c\\_22017crp\\_23\\_0.html/AC105\\_C2\\_2017\\_CRP23ES.pdf](http://www.unoosa.org/res/oosadoc/data/documents/2017/aac_105c_22017crp/aac_105c_22017crp_23_0.html/AC105_C2_2017_CRP23ES.pdf) on the 9th of May 2019; On the Application of the multilateral treaties: Zahoor, S. (2017), *Maintaining International Peace and Security by Regulating Military Use of Outer Space*, in: *Policy Perspectives* p. 117

<sup>91</sup> Art. 1, *Convention in International Civil Aviation*, Chicago: 1944

<sup>92</sup> Art. 3, *Convention in International Civil Aviation*, Chicago: 1944

<sup>93</sup> COPOUS, *Questions on the definition and delimitation of outer space: replies from Member States: Addendum, Norway and Ukraine*, A./AC.105/889 Add. 15, 2015, retrieved from: [http://www.unoosa.org/oosa/oosadoc/data/documents/2015/aac.105/aac.105889add.15\\_0.html](http://www.unoosa.org/oosa/oosadoc/data/documents/2015/aac.105/aac.105889add.15_0.html) on the 9th of May 2019.

<sup>94</sup> COPOUS (2015), *Questions on the definition and delimitation of outer space: replies from Member States: Addendum, Qatar*, A./AC.105/889 Add. 16, 2015, retrieved from: [http://www.unoosa.org/pdf/reports/ac105/AC105\\_889Add16E.pdf](http://www.unoosa.org/pdf/reports/ac105/AC105_889Add16E.pdf) on the 9th of May 2019.

Committee at TLVMUN 2019 should decide on further proceedings keeping in mind the COPOUS report.

### **Prevention of an international arms race**

First, it is important to state, that there has to be a difference between “militarization” and “weaponization”. The “militarization”, meant as use of space for military purposes, has always been a point of interest to the space-faring nations, and with the possibility of developing of new ballistic technology a driving factor of the early space exploration.<sup>95</sup> Through satellites providing communication technology for the military, the militarization of space has always been an important subject of the national agenda. The term “Weaponization of Space” is commonly used for the installation of weapons in space. The only treaty prohibiting such installation or stationing is the Art. IV of the OST.<sup>96</sup> Furthermore, Art. IV of the OST prohibits the Weaponization of Space with Nuclear Weapons and weapons of Mass Destruction. Weapons of Mass Destructions are neither defined on an international nor on a national level. Moreover, as stated by the delegation of Venezuela on a meeting of the Legal Subcommittee in 2011, the treaty as it stands only guarantees a partial peaceful use of outer space. Conventional weapons are not mentioned.<sup>97</sup>

Note that the work of the Fourth Committee and COPOUS does not focus on disarmament-related challenges in the first place. The disarmament and weaponization of space are subject of discussion in the First Committee. Nevertheless, it is within the responsibility to address the possible effects of the weaponization of space putting in danger the Peaceful Use of Outer Space. For that reason, various joint panels of the First and the Fourth Committee of the General Assembly have been conducted. SPECPOL at TLVMUN 2019 should address the “weaponization of space” in relation to the prevention of an international arms race.

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<sup>95</sup> White, Angela (2017), *Space War & Weaponization of Space*, in: International Law Review: Michigan.

<sup>96</sup> Compare fn. 4.

<sup>97</sup> COPOUS Legal Subcommittee, *Unedited Transcript*, 824<sup>th</sup> meeting, [http://www.unoosa.org/pdf/transcripts/legal/LEGAL\\_T824E.pdf](http://www.unoosa.org/pdf/transcripts/legal/LEGAL_T824E.pdf) on the 9th of May 2019



## 2.4 Positions within the international community

### The Chinese and Russian Proposal

The proposal to the Conference of Disarmament (CD) in 2008 defines *outer space* as the “space above the Earth in excess of 100 km above sea level” and *weapons in outer space* as “any device placed in outer space, based on any physical principle, which has been specially produced or converted to destroy, damage or disrupt the normal functioning of objects in outer space, on the Earth or in the Earth’s atmosphere, or to eliminate a population or components of the biosphere which are important to human existence or inflict damage on them.”<sup>98</sup> The proposal further suggests a definition and prohibition of the proliferation of weapons in space. Until today, the International Community has taken the Chinese and Russian proposal under consideration but eventually did not implement the draft due to the rejection of the United States. The United States argued that the actions of the Chinese and Russian governments and the related space programs are contrary to their proposal and that therefore, because of a lack of transparency, their proposal should not to be trusted.<sup>99</sup>

### The European Union’s “Space Code of Conduct”

The European Union introduced, for the first time in 2008, the idea of a non-binding Treaty establishing an international “Space Code of Conduct”. The Draft addresses the safety of security of crafts, operations and satellites regarding increasing challenges like space debris.<sup>100</sup> However the “Space Code of Conduct” has not convinced important space-faring nations such as Russia, China or the US (under the Trump administration). Criticisms include the fear of emerging countries on the limits on future space activities defined in the basic setting of the code in a legal framework<sup>101</sup> and on the reference to self-defence.<sup>102</sup>

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<sup>98</sup> Conference on Disarmament (2008), Art. 1 PPWT, retrieved from [https://digitallibrary.un.org/record/633470/files/CD\\_1839-EN.pdf](https://digitallibrary.un.org/record/633470/files/CD_1839-EN.pdf) on the 9th of May 2019.

<sup>99</sup> U.S. Department of State, *Remarks on recent Russian space activities of concern (Yldeem D.S. Plobete)*, CD, 14<sup>th</sup> of August 2018, retrieved from <https://www.state.gov/t/avc/rls/285128.htm> on the 9th of May 2019.

<sup>100</sup> Find the version of the 31th of March 2014 under the following link: [https://eeas.europa.eu/sites/eeas/files/space\\_code\\_conduct\\_draft\\_vers\\_31-march-2014\\_en.pdf](https://eeas.europa.eu/sites/eeas/files/space_code_conduct_draft_vers_31-march-2014_en.pdf)

<sup>101</sup> The question will have to be raised, if a non-binding behavioral contract is enough of securing the Peaceful Use of Outer Space.

<sup>102</sup> The term *self defense* is used to refer to “actions which brings about, direct or indirectly, damage or destruction of space object” (Art. 4, Space Code of Conduct, 31th of March 2015).

## The United States' "National Space Strategy"

The United States, in contrary to the search after an international solution, are focussing on a "National Space Security Strategy". In 2018, the White House published a statement aiming to introduce an "America First Among the Stars" policy. The new "Security in Space Strategy" recognises space as a warfighting domain where the current administration aims to "seek to deter, counter, and defeat threats in the space domain that are hostile to the national interests of the United States and our allies."<sup>103</sup>

The Strategy builds upon four pillars:

1. Infrastructural improvements for defence purposes;
2. Strengthen warfighting options;
3. Improve foundational capabilities and
4. Setting up the appropriate legal framework to enable the United States private industry in its engagement in space.

Based on the strategy mentioned above, the President of the United States has ordered to establish United States Space Command with the goal of developing a United States Space Force (USSF) as the sixth branch of the armed forces, within the organization of the Air Force.<sup>104</sup> After Section 3 the Space Policy Directive- 4, the Space Force should protect the nation's interest in accordance with applicable international law and project military power to space.<sup>105</sup>

However, the military purpose, weather the Space Force is a tool for further protection of the US satellite systems or if it is an act of US weaponization is unclear.<sup>106</sup>

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<sup>103</sup> White House (2018), *President Donald J. trump is Unveiling an America First National Space Strategy*, published on the 23<sup>rd</sup> of March 2018 retrieved from <https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-unveiling-america-first-national-space-strategy/> on the 9<sup>th</sup> of May 2019.

<sup>104</sup> Roulo, Claudette, U.S. Department of Defense (2018), *Space Force to Become Sixth Branch of Armed Forces*, retrieved from <https://dod.defense.gov/News/Article/Article/1598071/space-force-to-become-sixth-branch-of-armed-forces/> on the 9<sup>th</sup> of May 2019.

<sup>105</sup> White House (2019), *Space Policy Directive- 4*, retrieved from <https://www.whitehouse.gov/presidential-actions/text-space-policy-directive-4-establishment-united-states-space-force/> on the 9<sup>th</sup> of May 2019.

<sup>106</sup> Bachmann Justin (2018), *What's a Space Force and can Trump really start one?*, retrieved from [https://www.washingtonpost.com/business/whats-a-space-force-and-can-trump-really-start-one/2018/08/09/3f3d83c0-9bcd-11e8-a8d8-9b4c13286d6b\\_story.html?utm\\_term=.0a5da14158fe](https://www.washingtonpost.com/business/whats-a-space-force-and-can-trump-really-start-one/2018/08/09/3f3d83c0-9bcd-11e8-a8d8-9b4c13286d6b_story.html?utm_term=.0a5da14158fe) on the 9<sup>th</sup> of May 2019.

Even though the public discourse around the US space force is gaining international attention, it is important to state at this point that China and Russia both have established bodies inside of the army dedicated to space-related capabilities.<sup>107</sup>

## 2.5 Guiding Questions:

1. Should the concept of “outer space” be defined?
2. If it was to be defined, how to frame the concept of “outer space”?
3. Is the weaponization of the outer space a danger? Should it be regulated?
4. If the weaponization was to be regulated, how should it be?
5. How should the existing legislation be expanded?

## 2.6 Further Readings

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<sup>107</sup> Compare fn. 39