

The HCoC and the EU draft CoC: long-term challenges and cross- cutting issues

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Outline

- Main common traits between the two codes
- Main differences between the two codes
- Identifying common long terms challenges and “lessons learned”

Highlighting main common treats between the two codes: why it is interesting to compare them

- Drivers: awareness that proliferation of activities and actors leads to the necessity of establishing TCBMs and best practices
and
Awareness that some national security concerns need to be addressed through collective efforts
- Rules of the road: Politically binding / not legally binding

- They are thought to fill the gaps of existing tools, to which subscribing states reaffirm their commitment
- Based on few shared principles, TCBMs, measures to implement and mechanisms for the secured and timely exchange of information
- Seek universal adhesion
- Procedures for adoption/subscription : out of the UN framework

These main common treats allow to highlight common challenges and possibly lessons learned

However, the two codes present also some differences:

- Nature and purpose:

HCoC: non proliferation tool serving security/defense goals

EU draft CoC: enhancing security, safety and sustainability of all outer space activities (« environment protection tool » / indirect implications on military activities too...)

- Scope :

HCoC: BM (mean to deliver WMD)

EU draft CoC: all space activities (today intended as an enabler of civil development related goals / commercial goals / security and defense goals).

- Addressing different communities

HCoC: BM community

EU draft CoC : space community

→ different motivations, different « size », different kind of actors

- Regional dimension : is it relevant in the EU draft CoC?

Common challenges : Lessons learned from the HCoC experience

❖ Universalization

- « paradox » : number matters. However, the absence of few (but key) countries matters too → impact on efficiency and credibility of the codes
- « Original sin »: ensuring active involvement of third countries (including new/future actors) since the beginning
→ risk of being perceived as a “Western ploy”
- Similar concerns :
“new/future actors” : barriers or limits to legitimate aspirations, legal-economic implications...
“Traditional actors”: disclosing defense related information; ties to their defence/space policy; lack of legally binding measures...
→ Find good arguments to promote its universalization / (concrete incentives?)

- ❖ **Effective implementation** by subscribing states (avoiding « free riders » behaviours)
 - Ensuring credibility and effectiveness

- ❖ **Technological developments**
 - Enlarging the scope of the code to make it effective?
 - Trend towards development and use of light launchers : similarities with BM, hard to distinguish

- ❖ **Harmonization** with other initiatives and their provisions:
 - GGE, COPUOS subcommittee / PLN, AD (ICC and HCoC) / SSA (SDA, bilateral exchange of information); exchange of information on outer space objects...