

13.3 A Satellite Keep-Out Zone Treaty

Article III of the *Outer Space Treaty* clearly provides a starting point for such agreements when it states that,

"States... shall carry on activities in the exploration and use of outer space... in the interest of maintaining international peace and security, and promoting international cooperation and understanding."

Article IX further enjoins nations thus:

"If a State... has reason to believe that an activity or experiment planned by it or its nationals in outer space... would cause potentially harmful interference with activities of other[s]... in the peaceful exploration and use of outer space... it shall undertake appropriate international consultations before proceeding with any such activity or experiment."

and furthermore,

"A State party to the Treaty which has reason to believe that an activity... planned by another... in outer space... would cause potentially harmful interference with activities in the peaceful exploration and use of outer space... may request consultation concerning the activity or experiment."

A treaty requiring nations to agree upon certain satellite keep-out zones would operate within the same principles. If well-defined, such an agreement would preclude one nation's satellites from interfering with the satellite activities of another nation. Such a treaty would generally provide a secure environment for the routine nonhostile operation of satellites.

While a keep-out zone treaty would not address space-based weapon research and testing, it would restrict the threatening deployment of many space-to-space weapon systems. By regulating the proximity of spacecraft, even the perception of threatening deployment can be avoided.

The verification requirements for a properly conceived keep-out zone treaty are attractive. Verification of compliance could be accomplished fairly reliably using existing remote surveillance techniques, without requiring intrusive inspection of spacecraft, which some nations may find objectionable. Such a treaty can be made anticipatory by requiring pre-launch notification of intended orbital parameters. The Registration Convention provides a precedent for the international disclosure of the necessary information. Reliability can be increased even further at a moderate cost, through the use of identification and tracking beacons aboard spacecraft, as discussed in the last chapter.