

It has never been amended, but all Consultative members and some Non-Consultative members have ratified an Environmental Protocol and a separate Convention on the Conservation of Antarctic Marine Living Resources. The treaty system also includes a convention with a lower level of participation, and the ratification process has just begun for legally binding rules on tourism adopted at the 2009 Consultative meeting.

In the Antarctic Treaty case, the organizing impetus came from the United States. As the dominant space power, the United States is best positioned to demonstrate leadership in this case, too. The Bush administration did champion some forms of space cooperation, especially by encouraging other countries to adopt and follow space debris mitigation guidelines and challenging China to be more transparent about its space programs. But the Bush administration was not willing to change U.S. space behavior in ways that other countries would have found reassuring. Nor was it willing to commit to a process to connect voluntary transparency and confidence-building measures with legally binding steps to enhance mutual space security.

There are a number of steps that the Obama administration could take to demonstrate leadership in building a reassurance-based approach to space security. It could explicitly renounce coercive prevention as the central principle of U.S. security policy; repudiate those elements of the 2006 National Space Strategy that are inconsistent with the Outer Space Treaty and that reject the idea of making new legally binding commitments; and increase the transparency of U.S. military space spending. Any one of these steps would signal to other key countries that the United States is now seriously interested in exploring space agreements that could help address all participants' core security concerns. Given the Obama administration's other priorities, though, and domestic pressures that weigh against anything that could be construed as a unilateral concession, such U.S. policy changes may be slow in coming unless other countries that care about space security keep trying to move the issue forward.

One way to jump start movement on space security would involve a different variation on the process that produced the Outer Space Treaty than the option advanced by the Canadian working paper. Instead of encouraging the CD to negotiate a comprehensive set of soft-law principles for space security that could become legally binding obligations at a later date, the fastest way to shore up existing normative barriers against deploying weapons in space and harmful interference with satellites would be to induce the United States, China, and Russia to make parallel, unilateral declarations pledging not to be the first country to place any weapon on orbit or to interfere with satellites operating in a manner that would be considered peaceful and consistent with the OST. As with the 1963 U.S. and Soviet declarations that they would not place weapons of mass destruction in space or on celestial bodies, these parallel unilateral declarations could be endorsed by a U.N. General Assembly resolution that calls on other states to exercise similar restraint and to negotiate a cooperative regime for space security, either in the CD or in a special forum established for that purpose.

It is not unrealistic to hope that the United States, Russia, and China could be induced to issue such declarations at the U.N. General Assembly. Russia has already unilaterally and unconditionally declared that it will not be the first country to deploy