US and Russia: Terrestrial Tensions and Extra-Terrestrial Cooperation

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Recent indications that the United States and Russia have agreed to enhance their co-operation in relation to the International Space Station (ISS) are to be welcomed by the international space science community. The ISS, probably the most complex and costly international infrastructure project ever initiated by humankind, has been operating since the early 2000s, and the 15 partners in the program have recently agreed to extend its operating life until 2024 (it had earlier been slated for an end-of-life date of 2020). Moreover, various reports have suggested that the US and Russia are in detailed discussions regarding the construction and operation of a new space station which, presumably, would be utilized to continue and extend the scientific and research activities of the current ISS.

These developments stand in marked contrast to the current state of relations between the two countries in relation to more Earthly matters. The events in Ukraine over the past 18 months have exacerbated an already tense and sometimes 'testy' co-existence between Moscow and Washington, continuing a pattern of mistrust and claim/counterclaim that has witnessed a Russia wishing to (re)assert itself in a context in which it sees a US-led NATO seeking to extend its activities and support, even to the borders of Russia itself. For its part, the US views Russia as becoming increasingly non-democratic and aggressive, yearning for a previous era of a broad sphere of influence. Whilst both of these perceptions probably overstate the realities, there is no doubt that the optimism of the early 1990s regarding the relationship between the Cold War protagonists has dissipated. At this stage at least, it is by no means clear as to how exactly this trend can be reversed or even halted.

This is where the realms of outer space co-operation may help. The US and Russia (and before that the USSR) have always been the major space superpowers, though others (particularly China) are now joining their ranks. The successful launch by the USSR of the first human-made object to orbit the Earth, Sputnik 1 (October 1957), heralded the dawn of the space age, the space race and, significantly, the development of important principles for the legal regulation of the use and exploration of outer space. Since then, international laws, developed largely through a United Nations-sponsored process, have provided the framework by which the standard of living for all humanity has significantly improved through, for example, the facilitation of public services such as satellite telecommunications, global positioning systems, remote sensing technology for weather forecasting and disaster management, and television broadcast from satellites. The prospects for the future use of outer space offer both tremendous opportunities and challenges for humankind, and a continued and enhanced co-operative ISS program will play an important role in this regard.

One of the crucial elements in this matrix of legal regulation was the avoidance of armed conflict in outer space. It is no coincidence that the space race emerged at the height of the Cold War, when both the US and the USSR strove to flex their respective technological 'muscles.' Military and strategic considerations were the driving force for the development of space-related technology during this period. This was a period of considerable tension, with the possibility of large-scale and potentially highly destructive military conflict between the (space) superpowers always lurking in the background. Indeed, it was only a few short years after Sputnik that the world held its breath during the so-called Cuban Missile Crisis.

Within this highly sensitive context, it was vital that efforts were made by the international community to promote the

peaceful uses of outer space and to develop a regulatory regime designed to avoid a build-up of weapons in space. A United Nations General Assembly Resolution, passed barely two months after the launch of Sputnik, emphasized 'the common interest of mankind in outer space', and affirmed 'the common aim that outer space should be used for peaceful purposes only'. The United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) was established in 1958 and now describes itself as 'one of the largest Committees in the United Nations'.

Undoubtedly, space technology *is* being used for military purposes. The first Gulf War demonstrated the military 'value' of space assets. Indeed, Operation Desert Storm is regarded as the first 'space war' and, since then, space technology has formed part of the integrated battle platform for most industrialised and many other countries. Strategic analysts often describe space as 'congested, contested and competitive', and senior military commanders have described a hypothetical 'day without space' as a national security catastrophe.

Nonetheless, the legal regime has thus far been remarkably successful in avoiding a space war. The rules confirm that outer space is not subject to ownership rights, and prohibit any sovereign (or private) property claims. Outer space therefore is not to be regarded as 'territorial', a principle that not only reflects the practice of the US and USSR (and other space participants) from the beginning of the space age, but is also an important proactive step designed to protect it from the possibility of conflict driven by territorial or colonizing ambitions. There are various other restrictions imposed by the space treaties that emphasize the peaceful uses of outer space, a mantra that is reaffirmed at virtually every United Nations and inter-governmental meeting dealing with its exploration and use.

Undoubtedly, the continuous development of technology and the shifting nature of (geo-) political balances and alignments on Earth will put pressure on this extra-terrestrial status quo. In 2001, prior to the attacks on September 11, a commission headed by former US Secretary of Defence, Donald Rumsfeld, (in)famously warned of the possibility of a 'Space Pearl Harbor' – a surprise attack on the space assets of the US during a crisis or conflict. Such perceptions have driven a space arms race involving not the US, but each of the major space powers. This is a worrying trend and one that must somehow be arrested. Such issues fall outside of the self-imposed mandate of COPUOS, and have largely been left to the dysfunctional Conference of Disarmament, an organisation that has, in recent years, had difficulty in even agreeing its agenda for discussion, let alone matters of substance.

It is in this context that the importance of the fundamental sentiments of 'humanity' that underpin international space law and our use of outer space should be recognised, in order to avoid the possibility of scenarios that do not bear contemplation. The ISS project has brought together two of the world's major powers in a co-operative venture that, despite some technical and financial problems, has largely provided a sense of hope and wonder about what the future holds for humankind. As this comment is being written, the US and Russia are jointly engaged in the so-called 'one-year mission', where an American astronaut and Russian cosmonaut will each spend an uninterrupted period of one year aboard the ISS as part of a joint medical research project designed to provide further insights into the capacities of the human body to withstand the pressures of space travel for long periods of time.

Despite the rhetoric and diplomatic manoeuvring on Earth, such scientific co-operative between these two countries continues in outer space. Of course even these are, from time to time, affected by the machinations of terrestrial *realpolitik*. However, over the long term, both countries, and others involved in the use and exploration of outer space, have (or will ultimately) come to the realisation that many of the very ambitious and potentially rewarding (in a scientific, as well as commercial sense) activities that we currently can only dream of undertaking in space will require joint expertise, resources and co-operation. And, along the way, one can only hope that maybe, just maybe, such extra-terrestrial co-operation can contribute to a greater sense of 'oneness' on Earth.

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