

(Mr. Turbański, Poland)

This is why Poland fully supports the Soviet proposal that this crucial and termless agreement should be reaffirmed and strengthened, inter alia by the adoption by both sides of a commitment not to withdraw from it within a certain period of time, and by the establishment of a clear understanding on prohibited and permitted activities within the framework of this Treaty. This would be an important confidence-building measure.

Respect for and compliance with the outer space Treaty of 1967 should not only mean compliance with its specific prohibitions. Any sincere declaration of attachment to this Treaty must also mean full respect for other obligations and principles established in the Treaty. They include recognition of the common interest of all mankind in the exploration and use of outer space for peaceful purposes, as well as the obligation to explore and use outer space for the benefit and in the interests of all countries and in the interest of maintaining international peace and security and promoting international co-operation and understanding.

It is true that the exact meaning of those concepts is subject to discussion, but probably nobody can deny that the introduction of weapons into outer space, objected to by so many parties to this Treaty, would mean violating these clearly established even if general legal obligations. It is my delegation's strong conviction that the incompatibility between the "weaponization" of outer space and the principles of the outer space Treaty would be confirmed by any independent legal body, including the International Court of Justice.

Finally, the applicability to outer space activities of article 2, paragraph 4 of the Charter of the United Nations -- prohibiting the use of force -- has been stressed in our discussion. But if we sincerely want this basic principle of international law to become an efficient norm guiding the activities of States in outer space, we should endeavour to establish real guarantees of its efficacy by prohibiting any space weapons. There is a logical link between the norm banning the use of force and the norms limiting possession of the instrument of force. And it is the very aim of this Conference to fill the existing gap in this respect and supplement this general prohibition of the use of force with norms limiting the power which can lead to its violation, whether on Earth or in outer space.

The fact is that despite the existing body of law, an imminent danger of an arms race in outer space continues to exist, and preparations are being made for the early introduction of weapons into outer space. And it is a paradox of our discussion that the adequacy of the present legal order is most loudly emphasized by those States which are planning to introduce weapons into outer space or are supporting such plans both politically and with their scientific and economic potential.

What really counts is not what States are declaring about the present legal order applicable to outer space, but what they are actually doing within the framework of it. One has to wonder about the utility of further