

weapons of mass destruction only. Its provisions did not therefore contain a clear-cut injunction to ensure that outer space is used exclusively for peaceful purposes. In the view of this delegation the principle of exclusive use for peaceful purposes applied only to the Moon and other celestial bodies and the only restriction placed on States parties pertained to the prohibition of the establishment of military bases, installations and fortifications, the testing of any type of weapon and the conduct of military manoeuvres on celestial bodies. The delegation considered that this meant that there was an inherent contradiction in the same article of the Treaty, thereby creating as a result not one but two legal régimes - one applicable to outer space and the other confined to the Moon and other celestial bodies. Therefore it was of the view that the general objective should aim at establishing one legal régime for outer space as well as the Moon and other celestial bodies. It maintained that this could only be realized through a clear-cut provision declaring that outer space shall be used exclusively for peaceful purposes.

40. One delegation reiterated its proposal contained in document CD/851 seeking to amend Article IV of the Outer Space Treaty. It stressed that the proposal was aimed to fill in an important juridical vacuum in the Outer Space Treaty and to prevent the stationing in outer space of weapons other than nuclear and mass destruction weapons.

41. Many delegations of the Group of 21 touched upon the destabilizing aspects of ballistic missile defences. The development, testing and deployment of active space systems, i.e. weapons with direct destructive effects to be used for anti-ballistic or ASAT tests, would run counter to the spirit of the Outer Space Treaty. An ASAT test-ban appeared to be the most effective way of rendering protection to satellites, in comparison with ideas such as creating immunity to the space segment of a satellite system as well as to areas surrounding a satellite. This could also have the advantage of leaving a way out with respect to the difficult questions pertaining to defining the functions of satellites, which might be of dual civil and military character, or could be supportive of both passive and active military systems. It had been proposed by many delegations that the present de facto moratorium by the two major space powers on testing of existing dedicated ASAT-systems, should be formalized. Furthermore, a banning of non-dedicated weapons devices would have to be directed at the testing of such weapons devices in an ASAT-mode. Such a functional approach had had a precedence in the ABM Treaty, which had referred to "testing in an ABM mode". When dealing with identification of technical means to support observation or verification