

While the Convention is not directly relevant to arms control and outer space, it does reinforce the view that states are legally responsible for their activities, presumably including military activities, in outer space. Moreover, should the military activities of a state in outer space cause damage to third parties, presumably civil liability for those damages might follow.

xi) Biological Weapons Convention (1972)<sup>33</sup>

One of the few truly disarmament agreements, this Convention prohibits the development, production, stockpiling and acquisition of biological warfare agents and weapons including toxins. It also requires the destruction or diversion to peaceful uses of existing stocks.

Only limited provisions are incorporated with regard to handling compliance problems. The parties agree to consult and cooperate with each other to resolve disputes about implementation (Article V). This may take place through appropriate international procedures within the framework of the United Nations. Complaints regarding violations of the treaty can be lodged with the UN Security Council (Article VI) and parties agree to cooperate with any Security Council investigation. Recent difficulties in resolving allegations of the use of chemical and/or toxin agents in South-East Asia and elsewhere illustrate the consequences of the lack of adequate agreed international verification of compliance procedures in such a treaty.

xii) Anti-Ballistic Missile Treaty (1972)<sup>34</sup>

This Treaty between the USA and USSR prohibits the deployment of anti-ballistic missile (ABM) defences except for limited systems to protect each national capital and one other area (Article I and III). The 1974 Protocol to the Treaty restricts each side to one site only. Moreover, while the Treaty permits the development and testing of fixed land-based ABM systems at selected test sites, the parties undertake "not to develop, test or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based" (Article V (1), emphasis added). It can be noted that research is not expressly prohibited by the Treaty