

Canada Contributes to CD Discussions on Outer Space

The following article was prepared by the Arms Control and Disarmament Division of the Department of External Affairs.

The Conference on Disarmament (CD) in Geneva began detailed consideration this year of the question of arms control and outer space. On March 29 the 40 members of the CD agreed on a mandate for an *Ad Hoc* Committee (AHC) on the Prevention of an Arms Race in Outer Space. This mandate called upon the AHC to examine, "through substantive and general consideration, issues relevant to the prevention of an arms race in outer space," taking into account all existing agreements, existing proposals and future initiatives.

Canada took an active role in the development of this mandate and, as in the past, participated in general discussions within the CD on the subject of arms control and outer space. For example, in 1982 Canada tabled the first substantive working paper on the issue which dealt with the possible stabilizing and destabilizing effects of systems in space. This year, with the establishment of the AHC, Canada made a significant, practical contribution to the AHC's deliberations by submitting two additional working papers.

On July 2, Canada's Ambassador to the CD, Alan Beesley, tabled a comprehensive, two-volume compendium of working papers and final records of the CD which relate to outer space (CD 606, July 4, 1985). The compendium is similar to those which Canada had previously tabled on chemical weapons and on radiological weapons. This working document had the practical aim of providing to the members of the AHC, early in their discussions, concrete documentation upon which they could draw. The size of the two-volume compendium also illustrated the extent of past work by the CD on this matter.

This Canadian contribution was very well received. The Swedish delegate, for example, speaking in the AHC on July 29, thanked Canada for this "excellent reference" source. Numerous other delegations also privately expressed



The Conference on Disarmament opened its 1985 Session in Geneva on February 5. At the presiding table are (from left to right): Ambassador R. Ian T. Cromartie (United Kingdom), outgoing President; Erik Suy, Director-General, UN Office at Geneva; Jan Martenson, Under-Secretary-General for Disarmament Affairs; Thomas Barthelemy (United States), Deputy Representative to the Conference; Ambassador Donald Lowitz (United States), President; and Miljan Komatina, Personal Representative of the Secretary-General.

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their appreciation to Canada. More than 100 copies were distributed to the 40 members of the CD.

The second Canadian working paper was tabled on July 23 as part of Canada's participation in the AHC's review of existing agreements related to the prevention of an arms race in outer space. Canada felt that such a review was an essential step to the fulfilment of the mandate of the AHC. Not only did it help underline the full scope of the questions involved but, more importantly, it helped to ensure that what the AHC accomplished would be in conformity with, and not at cross purposes to, existing treaties and international law. It was felt that the time spent in reviewing the existing legal regime would speed up rather than delay the successful results of the AHC's deliberations.

This second working paper by Canada, entitled *Survey of International Law Relevant to Arms Control and Outer Space* (CD/618, July 23, 1985), derives in part from a study undertaken by the Institute of Air and Space Law at McGill University in Montreal at the invitation of the Department of External Affairs. The McGill study forms part of a programme by the Government of Canada to include non-governmental organizations, where possible, in the arms control and disarmament process.

The working paper identifies more than 20 international agreements, including the United Nations Charter itself, which are of significance to the process in which the AHC is engaged. The paper does *not* put forth nor represent a Canadian Government position on any issue. Rather it seeks to provide a broad interpretation of a variety of views in a