

(Mr. Teja, India)

A number of detailed analyses have been made of the existing international legal régime. Without going into details at this stage, I should like to state that the most fundamental of these agreements is the Charter of the United Nations, which prohibits the "threat or use of force". The Charter, which is applicable to outer space in accordance with the 1967 Outer Space Treaty exemplifies the concept further by recognizing the common interest of all mankind in the use of outer space for peaceful purposes. The term "peaceful purposes" has been traditionally understood to imply non-military purposes. Until the mid-1970s, this interpretation was accepted by both the super-Powers. More recently a new, qualitatively different interpretation has been advanced by one of the space Powers, according to which peaceful purposes is defined as "non-aggressive". This is tantamount to sanctioning militarization of space. My delegation believes that the reference to the Charter of the United Nations in the Outer Space Treaty makes the interpretation of "non-aggressive" redundant. This view is also strengthened by the understanding of the Antarctic Treaty, where the term "peaceful purposes" is still interpreted to imply non-military purposes.

Another significant treaty is the bilateral United States-Soviet Treaty on the Limitation of Anti-Ballistic Missile Systems. Certain technological developments and on-going research programmes have led to divergent opinions about the scope of this Treaty. These issues need to be resolved urgently while keeping in view the basic objective of the Treaty, and, if need be, through strengthening the provisions in the light of recent technological advances.

Semantics will lead us to involved discussions on the meaning of research and advanced research, development and testing, laboratory testing, field testing or demonstration testing, but these exercises will not be conclusive. Language is intended as a means of communication. We believe that the only valid criterion for deciding when faced with such semantics is to accept that which is compatible with the widest, broadest and universally acceptable principle of peaceful purposes, in outer space. United Nations General Assembly resolution 41/53, which was adopted with an overwhelming majority of 154 votes, refers to the activities of "exploration and use of outer space" as to be carried on "in the interest of maintaining international peace and security and promoting international co-operation and understanding". Given this criterion, which, we think, we can all accept as reasonable, we feel that there need not be any dispute about interpretations of what is prohibited and what is permitted.

So far I have alluded to the first two aspects of the mandate given to the Ad hoc Committee of our Conference. An impartial consideration of the technological aspect of the proposed BMD systems reveals its inherent shortcomings, which in turn only confirm that development of such systems cannot lead us away from nuclear deterrence, but merely heighten the precarious edge of deterrence by leading us into a new cycle of the arms race. Secondly, I have tried to bring together some of the strands of the current international legal régime which, if seen in their complementarity, clearly indicate its adequacy. There is, none the less, a need to make it more comprehensive. Before I move to suggestions in this sphere, I would like to refer to another aspect of the arms race in outer space, namely, anti-satellite weapons.