

- "Preventing An Arms Race in Outer Space: Selected Legal Considerations". Paper delivered by Mr. Peter McRae, Deputy Director, Legal Operations Division, Canadian Department of External Affairs.
- "The PAXSAT Concept: The Application of Space-Based Remote Sensing for Arms Control Verification".

3. Synopsis

(a) Papers and Discussion on Legal Aspects

The session at McGill University was chaired by Ambassador J. Alan Beesley. After a welcoming address by Dr. MacLachlan, Vice-Principal of Research at McGill University, Dr. Nicolas Mateesco Matte, Director of the Centre for Research of Air and Space Law presented a paper entitled "Preventing an Arms Race in Outer Space: An Academic Perspective". He concluded that there was an urgent need for the CD Ad Hoc Committee on Outer Space to continue its work in order to enhance confidence-building steps, by making prudent and constructive suggestions towards strengthening consensus on generally agreed subjects and towards improving existing treaties. He also expressed the hope that the Committee would, by crystallizing and highlighting constructive norms, create a world-wide awareness of the need to ensure that outer space remains a peaceful environment.

Discussion of this paper initially focussed on the suggestion that the Ad Hoc Committee create a small working group or a group of experts charged with achieving specific pragmatic goals. Interest was expressed in this idea by several participants. It was also suggested that there was a need for both consideration of the risks of an arms race in outer space and for concentrated work across a whole spectrum of political, scientific, technical and economic issues rather than a concentration of scope along the lines that would occur in an experts group.

A second issue which was raised during the discussions was the role of customary law in emerging space law. It was noted that in the area of outer space, technology is evolving so quickly that customary law does not have a chance to develop. Loopholes are being created in already existent treaties because of developing technology and policy makers must try to catch up with this rapid evolution.

Another important issue raised was whether or not there were arms already existent in outer space and consequently whether we should be talking about the cessation of an arms race in outer space as opposed to the prevention