

object as well as manned spacecraft for anti-satellite purposes; a ban on the testing and/or use of ASAT weapons, pending the achievement of a comprehensive ban on the development, testing, deployment and use of such weapons, on Earth, in the atmosphere or in outer space, the destruction of all existing ASAT weapons and the prohibition of the development, testing and deployment of space-based ballistic missile defence systems. Some delegations, supporting a ban on ASAT weapons, emphasized that it should protect only satellites performing peaceful functions and not those engaged in activities that threatened the security of other States or endangered the peaceful activities of other States in outer space. An ASAT ban, therefore, presupposed an agreed definition of peaceful functions and a verification system aimed at determining whether objects launched into space fulfilled that criterion. Some other delegations were of the view that the issue of defining peaceful functions would have to be resolved in the context of negotiations on an ASAT ban.

31. Some delegations considered that there were inherent difficulties in proposals for a ban or limitations on ASAT weapons and referred, in particular, to the diversity and characteristics of the potential threats to space objects, the existence of weapon systems that had an ASAT capability, the limitations of such notions as "intention" or "dedicated" for purposes of defining and prohibiting ASATs, problems of verifiability and the close link between questions relating to ASATs and matters under consideration in the bilateral negotiations. Beyond that, one delegation also elaborated on the various legal restraints that the existing legal régime already imposed on the nature, deployment and use of ASATs.

32. Other delegations gave examples of dedicated ASAT systems that have been tested despite the existing legal régime and reaffirmed the need for a comprehensive ASAT ban which could effectively close this loophole.

33. Various delegations were of the view that consideration should be given to the question of the protection of satellites and a number of proposals and ideas were examined. Some delegations considered that attempts to establish a protection régime based on a categorization of satellites would give rise to many difficulties and advocated the granting of immunity to all space objects without exception, it being understood that space weapons would be subject to an unconditional ban. Other delegations were of the view that certain distinctions should be made for purposes of immunizing satellites and various possibilities were mentioned in terms of their functions, purposes and orbit. In this connection, some delegations held that a protection régime called for improvements in the system of registration of space objects to permit the identification of the nature and missions of protected space objects. Some delegations stressed in particular that immunity should not be extended to satellites that perform military missions. One delegation suggested a step-by-step approach to the protection of satellites, including establishing within the context of existing international law and established international practice, which satellites perform functions that are in the common interest, what these common interests are and how these satellites contribute to them, after which it would be necessary to identify which satellites should be protected followed by identification of an appropriate protection régime for such satellites. In this regard this delegation recalled its proposal concerning measures to protect from attack all satellites - and their associated ground stations - that contribute to strategic stability and to verification of arms control arrangements.