

3.3.2

The Participatory Status of an Outer Space Arms Control Agreement (Continued)

consult bilaterally on questions of compliance and verification, there are a few, if any, costs to the multilateralization of an outer space arms control accord. Insofar as the essential features of an agreement would reflect a mutually agreeable set of constraints, and insofar as both Superpowers could subsequently approach each other at will on treaty-related matters, neither need fear the intrusion of 'extraneous' interests or constraints.

- (b) Given the prevailing state of technology and deployments, it is probable that an outer space arms control agreement will involve a prohibition on certain types of technologies, activities and/or deployments. Since prohibitions are absolute restrictions as opposed to limitation on already existing deployments or technologies, the multilateralization of an arms control agreement becomes considerably easier. For example, in the case of SALT I and II, the agreements involved specific limitations on existing US and USSR forces in terms of quantity and quality. Multilateralizing these accords would be impossible given the very nature of the treaty provisions.

However, in the case of prohibited activities, technologies and deployments, there are no legal or logical problems in opening up an accord for multilateral signature. This is demonstrated by existing multilateral treaties and negotiations which are prohibitory in nature, such as the Geneva Protocol, the Antarctic Treaty, the Limited Test Ban Treaty, the Outer Space Treaty, the Biological Weapons Convention and the ongoing chemical weapons arms control negotiations.

Based on the above considerations, therefore, it is at least plausible that an outer space arms control accord may be multilateral in nature. As noted earlier, this is of relevance to the operation of Paksat since the formally sanctioned participation of non-superpower states in the treaty itself will be required for