

States,⁵⁸ restrictions on very low overflight by manned and unmanned spacecraft; definition of the altitude which constitutes the boundary between the upper limits of national airspace and the lower limit of outer space; specific rules for defended "keep-out" zones; and limitations on high velocity fly-bys or trailing for foreign satellites.⁵⁹

Keep-out zones refer to zones of space through which only designated spacecraft may fly. This concept, which is designed to regulate the distance between satellites, would make it difficult or even impossible to conceal an attack by any space object on another.

Keep-out zones would undoubtedly raise the issue of claims of sovereignty in outer space and other principles of existing international law. Suffice it to reiterate that any attempt to exclude all other satellites from specifically designated zones would be in breach of existing international law. To be acceptable, a system of advance notification for spacecraft approaching orbital locations established as keep-out zones, would have to be elaborated.⁶⁰

V. International Space Inspectorate (ISI)

In 1988, the Soviet Union proposed the creation of an International Space Inspectorate (ISI) to verify the non-deployment of weapons of any kind in outer space.⁶¹

The principal element in the proposed verification system is the creation of "an international inspectorate" to conduct on-site inspection "before the space objects are launched". The envisaged scope of prohibition would include weapon systems equipped to conduct ground, air, or outer space strikes, "...irrespective of the physical principles on which they are based".⁶² Certain types of ballistic missiles are excluded from verification.

Verification of undeclared launches from undeclared launching pads by means of *ad hoc* on-site inspections, advance notification of every forthcoming launch, establishment of observatories inspection also at agreed storage facilities, industrial enterprises, laboratories and testing centers.

Could the Soviet proposal for an ISI be a CBM rather than a verification mechanism of a weapons ban treaty?

VI. Information Exchanges

In 1989, France proposed the creation of an international trajectography center (UNITRACE), to be set up within the framework of an agreement on the immunity of satellites

⁵⁸ Proposal of the Representative of the Federal Republic of Germany, CD/PV.318, 26 July 1985.

⁵⁹ Proposal of the Representative of the Federal Republic of Germany, CD/PV.345, 6 March 1986. See also in general, "Report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space," CD/1034, 16 August 1990.

⁶⁰ Stojak, L., "Confidence-Building Measures (CBMs) for Outer Space" in, Hayes, P. (ed.), Space Power Interests, Westview Press, 1993, at 134; Beau, L., "CSBMs and Earth-to-Space Tracking: A General Overview of Existing Proposals" in, Gasparini Alves, P. (ed.), *supra*, note 51, at 65-66.

⁶¹ "Letter Dated 17 March 1988 from the representative of the Union of Soviet Socialist Republics addressed to the President of the Conference on Disarmament, transmitting the Text of a Document entitled "Establishment of an International System of Verification of the Non-Deployment of Weapons of Any Kind in Outer Space", CD/817, 17 March 1988.

⁶² CD/817, at 3.