

installations and equipment on the moon or other celestial bodies. Advance notice of inspection is required to ensure safety and to avoid interference with the operations of the facility to be visited. This provision for inspections does not, however, apply to objects in earth orbit. Observation of launches and flights of spacecraft on a voluntary basis is also allowed for by Article X. Article XI, which requires states to inform the UN Secretary General, the public and the scientific community "to the greatest extent feasible and practicable, of the nature, conduct, locations and results" of space activities, also has a limited role in the context of verification.

Concerning anti-satellite (ASAT) weapons Article IV of the Outer Space Treaty, read alone, makes certain legal conclusions clear. First, weapons systems of any kind including conventional weapon systems cannot be lawfully employed on the moon or other celestial bodies.²² Second, the precise language of Article IV is such that ASATs "would not be prevented from being placed in outer space, per se",²³ since there is no specific stipulation in Article IV that space shall be used "exclusively for peaceful purposes" and ASATs are not prima facie weapons of mass destruction. Moreover, the negotiations between the space powers on this matter³¹ suggest that they do not regard the terms of the Outer Space Treaty as prohibiting the emplacement of anti-satellite devices in outer space. This attitude is further reinforced by recent Soviet proposals to ban all weapons in space. Thus, it would appear that the term "weapon of mass destruction" does not cover the emplacement in outer space of non-nuclear ASAT weapons. The same analysis is likely to apply to laser and particle-beam weapon systems with one reservation: the incipient nature of such systems makes it difficult to conclude whether such weapon systems would be for the purpose of mass destruction. This would probably depend on the type of system and its design objectives. Fractional orbital bombardment missiles (FOBS), although clearly weapons of mass destruction, may also not be prohibited by the Outer Space Treaty because they are in "outer space" (as yet undefined in international law) for less than one full orbit around the earth. SALT II, however, does include a provision prohibiting new FOBS systems.

It is worth mentioning that the Outer Space Treaty is not, in fact, an arms control treaty but was in large measure negotiated in COPUOS. COPUOS does not have